Attachment 4: Wilton Growth Area Development Control Plan 2021 Assessment

Wilton Growth Area Development Control Plan Part 1 -8	X
North Wilton Precinct Schedule	X
North Wilton Precinct Schedule 2- Neighbourhood Plan No.1	X

Wilton Growth Area Development Control Plan: Parts 1-8	
Part 2 Neighbourhood Plans	
Comment: A Neighbourhood Plan has been prepared for a portion of the site being developed – refer to North Wilton Precinct Schedule 2 – Neighbourhood Plan No. 1.	
Part 3 General Controls	
Earthworks: This section applies to all development. Refer to Section 4.1: Earthworks for specific controls related to subdivisions and bulk earthworks.	
Objectives	
1. Design of development is to respond to natural topography to minimise cut and fill.	
2. Ensure land forming does not increase the potential for the inundation of water on any other land during the full range of flood events.	
3. Protect and enhance the aesthetic quality and amenity of the area by controlling the form, bulk and scale of land forming operations to appropriate levels.	
Controls	Comment
1. Development is to be designed to ensure minimal cut and fill is required for the construction phase.	Majority of bulk earthworks to be completed with DA/2022/1047/1. Minor site grading and benching associated with the application, considered minor in nature.
2. Earthworks will be undertaken to a maximum of 1m excavation or fill from the present surface level of the property. A variation to the maximum excavation or fill may be considered if in Council's opinion, supporting information adequately demonstrates that the development will not have adverse impacts on adjoining properties and visual amenity.	
3. All fill is shown to be 'Virgin Excavated Natural Material' (VENM).	To be conditioned in any determination.
4. A Validation Report is required to be submitted to Council prior to the placement of imported fill on site. All fill must comply with the Department of Water and Energy's "Site Investigation for Urban Salinity" and the NSW EPA "Guidelines for the NSW Site Auditor Scheme" (3rd Edition).	Noted.
5. Earth moved from areas containing noxious weed material must be disposed of at an approved waste management facility and transported in compliance with the Biosecurity Act 2015.	None required.
6. All retaining walls proposed will be identified in the DA.	Complies - Retaining walls have been identified on civil planset.
7. Retaining walls are located clear of lot boundaries to ensure clear ownership and	Complies subject to conditions - Retaining walls on private allotments have been conditioned to be located

maintenance obligations for owners. The retaining walls will be located within the property on the down slope side of the lot.	on lot to which they benefit (to allow appropriate maintenance).
8. All retaining walls will be of masonry construction (or similar).	Complies – construction requirements conditioned.
9. The maximum height of a single retaining wall is 1m. A variation to the maximum height may be considered if in Council's opinion, supporting information adequately demonstrates that the development will not have adverse impacts on adjoining properties and overall local amenity.	Conditioned for compliance. Retaining walls on private allotments are to generally be 1m maximum in height. Where site slopes require greater wall heights, any retaining walls that exceed 1.5m, are to incorporate a raised landscape bed in front of the wall, so as to provide the appearance of terracing. The height of the landscaped bed is generally to be half the height of the retaining wall up to a maximum of 1.2m above finished ground levels at the bottom of the retaining wall. Planting within the landscaped bed are to include species selection that achieve a mature height at least the height of the retaining wall above the landscaped bed. Details are to be submitted for Manager Assets, Transport & Engineering for approval prior to issue of the Subdivision Works Certificate. The landscaped beds are to be a minimum width of 1m, and increased in width where taller planting is required in front of the retaining wall. The above is a similar approach to that undertaken with Stage 1 and Bingara Gorge.
10. Where terraced retaining walls are proposed the minimum distance between each step is 1m.	Condition included in the attached determination.
11. Retaining walls that front a public place will be finished with anti-graffiti coating.	Condition included in attached determination.
3.1.2.1 Steep/Unstable Land	
1. Development on land having a natural gradient of 1:6.7 (15%) or greater will be accompanied by, and comply with, a geotechnical study (prepared by a suitably qualified geotechnical engineer), including guidelines for structural and engineering works on the land.	Bulk earthworks to be completed with DA/2022/1047/1. Geotechnical investigation accompanying the application. Site was considered appropriate subject to conditions. No concerns raised by Council Engineers subject to conditions.
2. Development on unstable land will not be assessed or approved without a geotechnical study.	
3.2 Flooding	
Objectives	
1. To ensure that development is compatible with the flood behaviour, flood hazard and flood emergency management.	
2. To maintain the existing flood regime and flow conveyance and avoid significant adverse impacts on flood behaviour.	
3. To minimise any adverse impacts of development on the safety of the existing community in responding to floods.	
4. To ensure the safety of people and development from flood risk.	
5. Consider adaptability to changing flood risks due to a changing climate	
6. To utilise the best available flood information to define flood behaviour and the flood constraints within the precinct in the development of the flood impact assessment.	
Controls	Comment
1. Development must assess impacts of climate change and increased rainfall intensities.	WCMS provided has been considered appropriate by Council's Development Engineers and Environment

	Department, subject to conditions, including the requirement for passive irrigation of the street trees (to allow for inbuilt resilience).
2. Stormwater conveyance will have a Major/Minor System configuration. Minor flows will be conveyed and contained in a system of kerb and gutter, pits and pipes/culverts. Major flows (flow in excess of Minor System capacity) will be conveyed in overland flow paths designed to cater for such flows.	WCMS provided, applicant noted that the design caters for minor and major flows. No concerns raised by Council's Engineers subject to conditions.
3. Management of 'minor' flows using piped systems for the 1 in 10 (10%) AEP (residential land use) and the 1 in 20 (5%) AEP (commercial land use) will be in accordance Council's Design and Construction Specifications.	No concerns raised by Council's Engineers subject to conditions.
4. Management of 'major' flows using dedicated overland flow paths such as open space areas, roads, waterways and riparian corridors for all flows in excess of the pipe drainage system capacity and above the 10% AEP will be in accordance Council's Design and Construction Specifications.	No concerns raised by Council's Engineers subject to conditions.
5. Pedestrian and cycle pathways and open space may extend within the 1% AEP flood level, provided the safe access criteria contained in the NSW Floodplain Manual are met and there is no impact on the flood behaviour.	None proposed in this area – the North Wilton Precinct is not identified as flood prone area.
6. Development is not to result in an increase in flood levels on adjoining or surrounding land.	As above
7. Development on flood prone land will comply with Council's Design and Construction Specifications and Flood Risk Management Policy.	As above
8. Flood Prone Land identified in the relevant Precinct's Schedule shows indicatively the extent of the 1% AEP flood level. Where development is proposed adjacent to land identified as Flood Prone Land, in the relevant Precinct Schedule, as being affected by the 1% AEP level, Council may require a more detailed flood study to be undertaken by the applicant to confirm the extent of the flood affectation on the subject land.	As above
9. Cut and fill is not to occur in the 1% Annual Exceedance Probability (AEP) floodway or within critical flood storage areas.	As above
3.3 Water Cycle Management	
Objectives	
1. To manage the flow of stormwater from urban parts of the Precinct to replicate, as closely as possible, pre-development flows.	
2. To promote, at Precinct and Growth Area scale, an integrated approach to the provision of potable water, and the management of wastewater and stormwater.	
3. To ensure an integrated approach to drinking water, wastewater and stormwater services is considered to drive more sustainable water management outcomes.	

4. To ensure that water management measures for development incorporate key principles of water sensitive urban design to help protect, maintain or restore waterway health of identified high value waterways with a minimum requirement of maintaining current health.
This involves:

   i. Protecting existing hydrological and ecological processes of these waterways including natural features and systems including watercourses, wetlands, lagoons and aquatic, riparian and groundwater dependant ecosystems;
   ii. Maintaining the natural hydrological behaviour of the catchment;
   iii. Where applicable, protecting the water quality of surface and groundwaters;
   iv. Minimising demand on reticulated water supply system; and
   v. Integrating water into the landscape to enhance ecological, visual, social, economic and cultural values.

Controls	Comment
1. Development will demonstrate compliance with the relevant provisions of Council's Design and Construction Specifications including requirements for drainage, water sensitive urban design and volume reduction.	Following ongoing discussions and workshops between the parties, an amended proposal was submitted to Council, and included a revised WCMS, which provided for combination of grass-lined swales within the verge, castellated kerbs, street tree blister inlets / pits, median swales and traditional end-of-line bioretention and raingardens. The revised Water Cycle Management System (WCMS) has been considered designed generally in accordance with Council's Design and Construction Specifications for drainage and water sensitive urban design. In terms of volume reduction, while the applicant has noted that they have sought to achieve Council requirements but this has not been met with the current design. The Applicant noting that due to recycled water provision to the subdivision, rainwater tanks cannot be relied on for water retention on residential lots, and due to limited storage/detention availability in lieu of rainwater tanks, they cannot get close to Council's required volume reduction target. Stream Erosion Index however has been met at all outlets. Noting site constraints, Council's Environment Team has considered the variation acceptable in this instance, subject to conditions requiring additional passive irrigation via the stormwater network in the form of kerb inlets (to increase efforts to maximise stormwater usage/retention).
2. Where there is adverse impacts associated with increased flood hazard, or risk or damage on receiving waters or neighbouring land, development will also demonstrate compliance with the relevant provisions of Council's Design and Construction Specifications relating to stormwater detention.	Application has been considered appropriate subject to condition.
3. Development must not infringe on the Upper Canal Corridor and drainage and runoff from development should be designed to be directed away from the Upper Canal Corridor.	Not applicable - North Wilton not in the vicinity of the Upper Cannel

4. Where a development requires drainage works over adjoining properties, the DA is to be supported by landowners' consent for lodgement, from all affected property owners, including written agreement to the creation of easements on title for inter-allotment drainage purposes.	None proposed - works contained within the subject sites.
5. Stormwater drainage design is to generally reflect the pre-existing flow characteristics of the site and may require on-site stormwater detention.	While the proposal stormwater design generally reflects drainage characteristics of the area – the application has not been able to meet Council's Volume reduction target – refer to previous comments. Development however has been considered appropriate subject to conditions.
6. All stormwater management infrastructure for residential areas, such as detention basins and water quality infrastructure that are proposed to be dedicated to Council are the be negotiated with Council.	It is understood infrastructure will be dedicated through to Council, a draft letter of offer has been received by Council's Contributions Department.
7. Where possible, stormwater will be managed primarily through the street network in accordance with Council's Design and Construction Specifications.	Complies, design has maximised stormwater treatment/integrated into the street network – refer to WCMS.
8. Developments must be considered in the context of the Development near Rail Corridors and Busy Roads – Interim Guideline (Department of Planning 2008) in relation to the following but not limited to: i. Stormwater run-off from the development land will not have adverse impact on the rail corridor by increasing pre-construction flows into the rail corridor; and ii. Discharge of stormwater from the land during and after a development should be designed to ensure that no adverse effects will be had on the existing watercourse and drainage infrastructure.	Development considered against requirements and noted: • Stormwater not anticipated to impact rail corridor, • Discharge of stormwater considered acceptable, impact considered appropriately managed.
9. Development is to comply with the water quality targets in Table 2, below	Development considered appropriate. Development providing for WCMS consistent with water quality targets, meeting requirements of NorBE and Stream Erosion Index.

Table 2: Water quality targets

Element	Water quality % reduction in pollutant loads Gross Pollutants (>5mm)	Water quality % reduction in pollutant loads Total suspended solids; Total phosphorous; Total nitrogen	ENVIRONMENTAL FLOWS Stream erosion control ratio
Stormwater Management Objective	90	Neutral or Beneficial Effect on Water Quality - meaning loads of pollutants from future development must be equivalent to or less than that from the existing rural land use prior to development'	1:1

Note: Deviation from the above targets may be permissible if it can be shown through the EES Risk-based Framework that there are no adverse impacts on the high value waterways and Upper Nepean river in general.*

**Risk-based Framework for considering waterway health outcomes in strategic land use planning decisions (Dela-Cruz, Wearne and Pik, 2017).*

3.4 Flora, Fauna and Habitats

Objectives

1. Seek to avoid and minimise impacts on native flora and fauna while recognising the urban development potential of the precinct allowed under the relevant structure plans.
2. Retain, protect and enhance significant flora and fauna, vegetation communities and significant habitat on the site, and on surrounding development sites, in a configuration which will enable existing plant and animal communities to survive and develop in the long term.
3. Retain, protect and enhance ecological corridors and increase the connections between habitats, including koala corridors and habitats.
4. Ensure rehabilitation of degraded areas.
5. Retain, protect and increase koala populations.
6. Provide for the improved management of retained koala habitat in accordance with the Koala Habitat Protection SEPP, approved Koala Plans of Management (KPOM) and available mapping and science.

Controls	Comment
1. Development is to be sited, designed and managed to avoid or mitigate potential adverse impacts on natural areas and habitat.	Considered appropriate – development located on land identified as Urban Capable under the Cumberland Plan Conservation Plan (CPCP). Further noted no vegetation removal proposed with the application - removal approved with Bulk Earthworks DA.
2. Development on land identified as Koala Habitat by the Koala Habitat Protection SEPP will incorporate specific design requirements in accordance with the relevant KPOM, available mapping and science, or the requirements of the Koala Habitat Protection SEPP. Development will be consistent with the biodiversity conservation measures identified in the draft CPCP, Part 8: Sustainability and Biodiversity, Part 7: Other Uses and in accordance with the approved Neighbourhood Plan.	
3. Additional studies are required, in accordance with the site specific biodiversity planning pathways set out in Figure 2, to be submitted with DAs. This includes land in the Cumberland Plain Conservation Plan (CPCP) area if the CPCP is not yet approved and is covered by the Biodiversity Conservation Act	

2016. All studies are to be prepared by an accredited person registered with the NSW Ecological Association	
4. Where a Biodiversity Development Assessment Report is required it is to be prepared in accordance with Section 6.12 of the BC Act, and should address the following: ..	As above.
5. Perimeter roads should be provided between development, including landscaped areas and native vegetation or significant habitat features, to minimise edge effects.	Complies – Perimeter road and open space has been provided between C2 land and residential development.
6. Where development is proposed to impact on an area of native vegetation, it will be demonstrated that no reasonable alternative is available. Suitable ameliorative measures will also be proposed (e.g. weed management, rehabilitation, nest boxes).	Noted – Vegetation removal approved with bulk earthworks DA.
7. Development adjoining E2 Environmental Conservation zoned land or land identified as avoided under the Cumberland Plain Conservation Plan should avoid or mitigate detrimental impacts to the native vegetation and ecological values of subdivision design and bulk earthworks is to consider the need to minimise weed dispersion and eradication.	Complies subject to conditions.
8. A Landscape Plan including a Weed Eradication and Management Plan is required in accordance with Clause 3.5.2(7).	Conditioned to be provided prior to the issue of a Subdivision Works Certificate.
9. Development is to include appropriate signage for the public on the management, use and conservation value of wildlife corridors and koala habitat. Signage is to be negotiated with Council.	Noted – Considered more appropriate for provision with future Park embellishment DAs.
10. The selection of vegetation proposed to be planted in streets and public open spaces is to be consistent with Appendix D: Prescribed Tree and Preferred Species. Planting in private land is to consider the preferred species in Appendix D.	Plan considered suitable subject to conditions. Note there may be instances where stock availability becomes an issue, condition provides a degree of flexibility, and should stock issues arise, alternate species agreed to with Council may be provided.

3.5 Retention and Planting of Street Trees and Landscaping

Objectives	
1. Give effect to the Greater Sydney Region Plan (GSRP) and Western City District Plan's (WCDP) identified target of 40% tree canopy.	
2. Give effect to the objectives of the Greening our City Premier's Priority (2019) to plant one million trees and increase green cover by 2022, to combat the urban heat island effect and increase resilience to a changing climate.	
3. Provide for new trees and where practical retain existing trees as landscape elements to ensure the community benefits from urban amenity, cooler neighbourhoods, improved air and water quality and to enhance biodiversity on the site.	
4. Provide clear criteria for permitting tree removal that discourages tree removal wherever possible, and for the ongoing management of prescribed trees and vegetation.	
5. Ensure that opportunities for increased tree canopy cover are considered and provided for appropriately, to maximise comfort and enhance the liveability, health and well-being of both the community and the environment.	
6. To provide for development that fosters the relationship between water, landscapes and urban living, to enhance human and social wellbeing, and promote community co-design and governance in urban water strategies.	
7. Create neighbourhoods with a distinctive character and support landscaped oriented development.	
Controls	Comment

1. Development is to demonstrate alignment with the Neighbourhood Plan strategy to deliver 40% tree canopy.	Tree canopy analysis indicates alignment with the neighbourhood plan strategy to deliver 40% tree canopy coverage. SUMMARY TABLE FOR STAGES 2 AND 3 INCLUSIVE OF TREE PLANTING WITHIN LOTS (EXCLUDING FUTURE OPEN SPACES AND APZ AREAS) TREE CANOPY COVER AT 10 YEARS / SITE AREA / PERCENTAGE OF CANOPY COVER AT 10 YEARS 109,080 m² / 293,810.2 m² / 37.1% TREE CANOPY COVER AT 15 YEARS / SITE AREA / PERCENTAGE OF CANOPY COVER AT 15 YEARS 136,000 m² / 293,810.2 m² / 46.28% TREE CANOPY COVER AT 20 YEARS / SITE AREA / PERCENTAGE OF CANOPY COVER AT 20 YEARS 152,320 m² / 293,810.2 m² / 51.84% – Calculations for overall coverage rely on those trees associated with the subdivision (within the road reserve) and those anticipated to be planted on each residential lot in accordance with the WGA DCP 2021 (two each site). While conditions have been included for a revised landscape plan for the replacement of some species, alternate species are not expected to detract from this coverage (alternate species to be considered will be more appropriate to the locality, resilient and of a similar canopy size).
2. Street trees are required for all streets except for perimeter roads located within APZ's. Street planting is to: i. Be in accordance with Appendix D: Prescribed Tree and Preferred Species, refer to Clause 3.5.2 (6) for further details; ii. Contribute to target goals for canopy cover and tree planting; iii. Be consistently used to distinguish between public and private spaces and between different classes of street within the street hierarchy; iv. Minimise risk to utilities and services and comply with Council's Engineering Design and Construction specifications for installation of appropriate root barriers; v. Be durable and suited to the street environment and, wherever appropriate, include indigenous species; vi. Maintain adequate lines of sight for vehicles and pedestrians, especially around driveways and street corners; vii. Provide appropriate shade and cooling in summer and solar access in winter; \ viii. Provide an attractive and interesting landscape character, increase active transport amenity, and	Landscape Plan reviewed by Council's Environment Team, subject to amendments the plan has been considered appropriate. More specifically: i. Amended Landscape plan to provide for species as agreed to with Council staff, and appropriate for the locality. ii. Tree species for replacement will be required to have a similar canopy, and considered more resilient, conditions therefore not considered to negatively impact target goals for canopy coverage. iii. Tree species to delineate public and private land – refer to Landscape Plan. iv. To be conditioned v. Complies subject to conditions (species swap) vi. Complies - vegetation limited around corners and considered appropriately spaced on streets. vii. Considered appropriate due to location (streetscape). viii. Complies – refer to Landscape Plan ix. Noted. Proposal however does not provide for trees within the carriageway x. Complies, proposal provides for an integrated approach and subject to conditions considered acceptable.

clearly define public and private areas, without blocking the potential for street surveillance; ix. Ensure that trees are not located within the carriageway. Blister construction with kerb and guttering located in the kerbside parking lane to accommodate canopy tree planting will be supported where appropriate; and x. Be integrated with water management strategy to ensure that street trees thrive.	
3. A person will not cut down, fell, uproot, kill, poison, ringbark, burn or otherwise destroy a tree or vegetation without approval from Council authorising such works. This control extends to a public authority except in relation to the pruning of a tree growing on, overhanging, or encroaching onto land owned by Council or which is under its care, control and management. Refer to Council's Tree Management Policy for further information. This clause does not apply to or in respect of: ….	Noted
4. For clearing not covered by a biodiversity certification approval where tree removal is authorised under Clause 3.5.2 (3) trees removed must be replaced at a ratio of at least 2:1 (new to existing) to contribute to canopy cover targets.	None proposed
5. When assessing development, Council should consider: i. The opportunity to provide new trees, and retain existing trees on the proposed development site to contribute to canopy targets; ii. The proponent's approach to incorporating and protecting existing trees as part of the development design to enhance urban amenity and provide established urban canopy across the development; iii. Whether an efficient water source for trees has been incorporated into the development design; iv. Provision of enough deep soil zones for trees.	Noted, during the assessment i – iv were considered. See below for details: Vegetation clearance approved with bulk earthworks, no opportunity for additional retention - noted however bulk earthworks design has provided for tree retention around the perimeter of the development in open spaces and windrows – this application has incorporated retained trees in the subdivision design. Street trees, subject to conditions, were considered to be provided with an efficient water source – water to be provided per WCMS and via the recycled water network (Sydney Water purple pipe). Refer to conditions of consent. Soil zones have been considered appropriate subject to conditions.
6. Tree planting in streets and public open spaces is to be in accordance with Appendix D: Prescribed Tree and Preferred Species .Species selection is to be negotiated with Council. Council will consider alternative tree	Tree planting considered appropriate subject to conditions.

species to Appendix D on merit. Assessment of tree species is to consider: …..	
7. A Landscape Plan is to be submitted with all subdivision DA's including: ..	Provided with the application and considered appropriate subject to conditions.
8. Refer to 8.3.2: Biodiversity Planning Principles of this DCP for further planning principles and controls.	Noted.

3.6 High Value Waterways and Riparian Areas

Objectives

1. To protect high value waterways and riparian vegetation and maintain the water regime of high value waterways.
2. Ensure that development does not adversely affect aquatic fauna.
3. Ensure that development does not adversely affect water quality or availability, including ground water.
4. Ensure that watercourses and associated riparian vegetation are maintained to contribute to water quality.
5. To ensure development is consistent with the approved Neighbourhood Plan and Wilton 2040.
6. Effectively manage indirect and ongoing impacts of development adjacent to waterways to ensure vegetation in the riparian area, aquatic fauna, water quality and quantity is protected and maintained.

Controls	Comment
1. Development will consider the protection and restoration of the High Value Waterways and riparian areas in areas identified in Figure 3 and in the relevant Precinct Schedule.	Development area outside riparian areas and subject to suitable conditions considered appropriate.
2. Waterways of Strahler Order 2 and higher will be maintained in a natural state, including the maintenance and restoration of riparian area and habitat such as fallen debris	Noted – development area not anticipated to impact waterways of this order.
3. Where a development is associated with or will affect a waterway of Strahler Order 2 or higher, rehabilitation will occur to return that waterway to a natural state	As above.
4. Development within a dedicated riparian area should be avoided where possible to retain its ecological processes. Where development is unavoidable within the riparian areas, it will be demonstrated in the DA that potential impacts on water quality, aquatic habitat, and riparian vegetation will be negligible.	As above.
5. Waterway crossings such as bridges are to be maintained to retain ecological connectivity and water quality.	None required.
6. APZ's will not be located within the riparian areas.	Complies.
7. Road crossings across a waterway of Strahler Order 2 or higher are to be designed to minimise impacts to vegetated riparian area and species movements in accordance with NSW DPI requirements to maintain fish passage. Waterway crossings such as bridges are to be maintained to retain ecological connectivity and water quality.	None required.
8. Areas of proteaceae shrubs along or adjacent to riparian corridors are to be retained to improve and maintain habitat	Not applicable

connectivity for the Eastern Pygmy Possum Cercartetus nanus.	

3.7 Salinity

Objectives

1. Manage and mitigate the impacts of, and on, salinity and sodicity.
2. Minimise the damage caused to property and vegetation by existing saline soils, or processes that may create saline soils.
3. Ensure development will not significantly increase the salt load in existing watercourses.
4. Prevent degradation of the existing soil and groundwater environment, and, to minimise erosion and sediment loss and water pollution due to siltation and sedimentation.

Controls	Comment
1. Development on land identified as having a high risk of salinity, or mildly to moderately aggressive soil, will be accompanied by, and comply with, a salinity report prepared by a suitably qualified person. The report will address the conditions of the site, the impact of the proposed development on the saline land and the mitigation measures that will be required during construction. The qualified person is to certify the project upon completion of the works. Investigations and sampling for salinity will be conducted in accordance with the requirements of Site Investigations for Urban Salinity (OEH). Further: i. Where applicable, the salinity report will also report on the issues of soil aggressivity and sodicity and any mitigation measures required. All works will comply with the Western Sydney Salinity Code of Practice 2004 (WSROC); ii. A comprehensive Salinity Management Plan will be submitted based on the findings of the site-specific investigation and prepared in accordance with the Western Sydney Salinity Code of Practice 2004 (WSROC); and iii. All development must comply with the Salinity Management Plan.	Salinity assessment provided with the application identifies the soils as non-saline to slightly saline, non-aggressive to steel and non-aggressive to mildly aggressive to concrete. In addition, soils were non-sodic to highly sodic. Report notes that salinity investigation was undertaken only for the purpose of providing advice with regards to salinity relating to bulk earthworks only and that management strategies for service installation, civil construction and residential construction should be completed prior to construction so that adequate durability requirements can be specified. Appropriate condition included in the determination.
2. Salinity and sodicity management will respond to and complement WSUD strategies, improving or at least maintaining the current condition, without detriment to the waterway environment.	

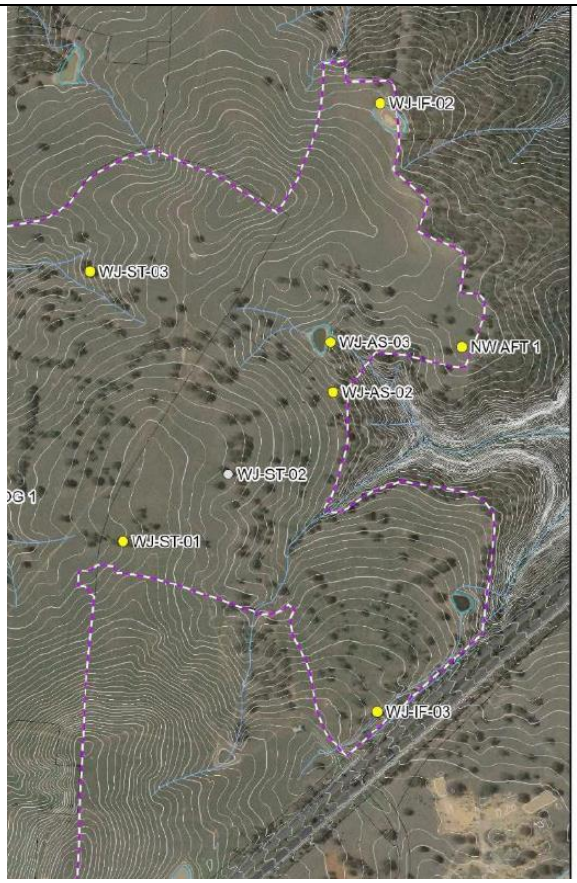
3.8 Site Contamination

Objectives

1. Minimise the risks to human health and the environment from the development of potentially contaminated land.
2. Ensure that potential site contamination issues are adequately addressed at the subdivision stages.
3. Minimise the risks to human health and the environment from the development of potentially contaminated land.
4. Ensure that potential site contamination issues are adequately identified and remediated at early stages of development (i.e. at subdivision).

Controls	Comments
1. All reports submitted as part of the planning application must be prepared, or reviewed and approved, by a consultant certified	Council is satisfied. A Detailed Site Investigation (DSI) was provided with the application which did not identify any areas of concern within the subject site. Standard

under either the Environmental Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme.	conditions to be included in any determination to ensure stop works in the event of any unexpected finds.
2. Where remediation works have been undertaken, Council must require the applicant to submit a Section A1 Site Audit Statement - or a Section A2 Site Audit Statement accompanied by an Environmental Management Plan, prepared by a NSW EPA Accredited Site Auditor, that confirms that the site is suitable for the proposed use.	Remediation works not required in this instance, refer to previous comments.
3.9 Aboriginal Cultural Heritage	
Objectives	
1. Manage Aboriginal cultural heritage values to ensure enduring conservation outcomes. 2. Preserve known Aboriginal cultural heritage sites.	
Control	Comment
1. Development within or adjacent to land that contains a known Aboriginal cultural heritage site will consider and comply with the requirements of the National Parks and Wildlife Act, 1974 (NPW Act).	Proposal considered consistent with section requirements. It is noted that consideration of Aboriginal matters undertaken with bulk earthworks DA. Investigations found items within the Stage 2/3 development area, figure below from Aboriginal Heritage Cultural Assessment Report by Kelleher Nightingale Consultanting Pty Ltd:
2. Development will identify any areas of Aboriginal cultural heritage value that are within or adjoining the area of the proposed development, including any areas within the development site that will be retained and protected (and identify the management protocols for these). Note: Developments or other activities that will impact on Aboriginal cultural heritage may require consent from the Environment, Energy and Science Group (EES) under the NPW Act and consultation with the relevant Aboriginal communities.	

	 AHCAR found items within Stage 2/3 to have low significants and seek AHIP prior to impact with bulk earthworks – with the exception of item identified as WJ-ST-01 (Scar tree located within proposed school site). As this application will not be able to commence works until the completion of bulk earthworks, matter will be addressed in accordance with earthworks consent conditions. Appropriate conditions to be placed on this determination however, to ensure protection fencing remain around WJ-ST-01 and stop works in the event of any unexpected finds.
3.10 Non-Aboriginal Heritage	
Objectives	
1. Preserve the heritage significance of non-Aboriginal heritage sites. 2. Conserve items on the State Heritage Register.	
Controls	Comment
1. Development on land identified with non-Aboriginal Heritage sites, in the relevant Precinct Schedule, will be accompanied by, and comply with, a report from a suitably qualified heritage consultant detailing the results of archaeological investigations undertaken to confirm the presence of archaeological material relating to the	None identified onsite.

heritage site. Where archaeological material is identified, the proposal is to address the requirements of the Heritage Act 1977.	

3.11 Bushfire Hazard Management

Objectives

1. Prevent loss of life and property due to bushfires by providing for development that is compatible with bushfire hazard and mitigates bushfire risk.
2. Encourage sound management of bushfire-prone areas.
3. Ensure appropriate operational access and egress for emergency service personnel and residents is available.

Controls	Comment
1. Development will be consistent with Planning for Bushfire Protection 2019.	Site is identified as bushfire prone land – Proposal has been considered consistent with PBP 2019 and GTA's issued by the NSW RFS.
2. The Bushfire Attack Level (BAL) will be determined by a person recognised by the NSW Rural Fire Service (RFS) as a suitably qualified consultant in bush fire risk assessment, and meet: …..	
3. Asset Protections Zones: ….	
4. Vegetation outside E2 Environmental Conservation zoned land is to be designed and managed as a 'fuel reduced area'.	Complies.
5. Temporary APZ's, identified through a Section 88B instrument, will be provided where development is proposed on lots next to undeveloped land that presents a bushfire hazard Once the adjacent stage of development is undertaken, the temporary APZ will no longer be required and will cease to exist.	To be conditioned, consistent with NSW RFS GTAs.
6. All development will comply with Emergency Bushfire Evacuation and Management Plans (prepared as part of the Neighbourhood Plan that indicates the proposed emergency management arrangements for such developments).	Complies – proposal considered consistent with Neighbourhood Plan No.1 assessment for details.
7. Adequate water reserves for firefighting will be available and accessible on site as specified in Planning for Bushfire Protection 2019.	No concerns raised by NSW RFS on review of Bushfire Assessment Report.
8. Development is to also to comply with the controls set out in Part 8, Section 3.11: Bushfire Management.	Complies.

3.12 Odour, Noise and Air Quality

Objectives

1. Preserve air quality, minimise pollution and improve environmental amenity
2. Ensure appropriate levels of air quality for the health and amenity of residents.

Controls	Comment
1. Development likely to result in the emission of atmospheric pollutants, including odours, as	

determined by Council will demonstrate operating practices and technology to ensure that such emissions are acceptable.	N/A – development not considered to result in atmospheric pollutants.
2. Development will comply with the Protection of the Environment Operations Act 1997 and supporting Regulations. Development that is likely to be impacted upon by atmospheric pollutants and/or odours from existing land uses, may require the undertaking of an Odour Impact Assessment or similar assessment dependent on the type of pollutant being assessed. Assessment will be undertaken in accordance with the NSW EPA Technical Framework "Assessment and Management of Odour from Stationary Sources in NSW".	
3. Where necessary, a barrier such as continuous dense landscaping (bunds and vegetation) or appropriate green infrastructure is to be provided to assist in air pollutants, noise and odour dispersion from nearby sources of air pollution noise, and/or odour.	A landscape barrier is to be provided along the boundary adjacent the Hume Highway to assist in air pollutants, noise and odour dispersion from nearby sources of air pollution noise, and/or odour.
4. DA's for noise impacted dwellings should detail siting considerations, design and architectural treatments with consideration to the design principles in **Section 3.8 of the Development near Rail Corridors and Busy Roads – Interim Guideline (Department of Planning 2008)** and include ventilation that meets the requirements of the Building Code of Australia where windows are required to remain closed to meet internal noise levels.	An Acoustic Report provided with the application. The assessment concludes that all lots can comply with the noise criteria applicable to the site per section 3.8 subject to recommended attenuation measures. No concerns raised by Council's Environmental Health Officer (EHO) subject to conditions.
5. Development on land adjoining busy roads will demonstrate compliance with: i. Minimum separation distances from the kerb as outlined in Table 3; or ii. Where minimum separation distances are not achievable, ducted mechanical ventilation for the supply of outdoor air in compliance with AS1668.2: The use of ventilation and air conditioning in buildings – Part 2: Mechanical ventilation in buildings. Mechanical ventilation outdoor air intakes will be located at least the minimum distance from the kerb specified in Table 3, measured in the horizontal and vertical planes from the kerb. Filtration of outdoor air will be to a minimum Australian Standard performance rating of F6 or minimum efficiency reporting value (MERV) 9	Complies: i. Development located on land adjoining Hume Highway (Motorway) and proposed sub arterial road, separate distances in excess of table 3 requirements. i.e: • Residential development in excess of 30 m from Hume Highway (40m+ refer to Hume Motorway Sections in Civil Set) • Sub Arterial Road usage below trigger requirements (refer to supplementary acoustic report), no setback therefore required by the table ii. N/A – separation distances maintained. Development complies with separation distances – residential development 30m from motorway (Hume Highway) and

Table 3: Minimum setback required for air quality controls

Road classification	Residential type buildings	Childcare facilities, hospitals, aged care facilities, schools
Motorway	30m	80m
High Volume: More than 60,000 AADT; and 40,000-60,000 and 5% or more Heavy Vehicles	20m	80m
Moderate 20,000-40,000	n/a	40m
Intermediate Roads: 40,000-60,000 AADT; and 30,000-40,000 and 10% or more Heavy Vehicles	40m	40m
Intermediate Roads	30m	60m

6. Alternative setbacks may be considered by Council, where the applicant can demonstrate that a development will comply with required noise, odour and air quality outcomes, and the application is adequately supported by specialist studies, prepared by a suitably qualitied professional.	Noted, none proposed.

3.13 Waste Management

Objectives

1. Ensure that an appropriate waste service is provided to all new development.
2. Ensure that waste is appropriately separated to assist with the collection and management of waste.
3. Enable maximum opportunities for separation of reusable, recyclable, compostable and problem wastes from residual garbage bins.
4. Create efficient storage and waste management systems that are compatible with collection services
5. Ensure sufficient volume of equitably accessible, safe, hygienic and aesthetically appropriate waste storage is provided on each property to minimise negative impacts of waste management on occupants and neighbours.

Controls	Comment
1. A Waste Management Plan (WMP) will be submitted for all new development, including demolitions, subdivision, construction and the ongoing (or change of) use. A WMP outlines the waste that will be generated and how the development proposes to manage the waste. For further information on WMPs refer to Council's Waste Management Guideline.	Limited detail included with the plan provided with the application, to condition a revised plan provided with Subdivision Works Certificate (SWC).
2. Dwellings must be provided with bin storage areas (including space for a compost bin) in a location clear of private open space.	Noted – to assess with future DA, site as proposed have adequate room for bin storage.
3. The storage of garbage bins will be provided for in a readily accessible location, out of public view.	As above
4. External space for compostable materials should be provided and located separate to the garbage and recycling room.	As above
5. Development will provide for source separation and re-use of materials.	As above.

3.14 Movement

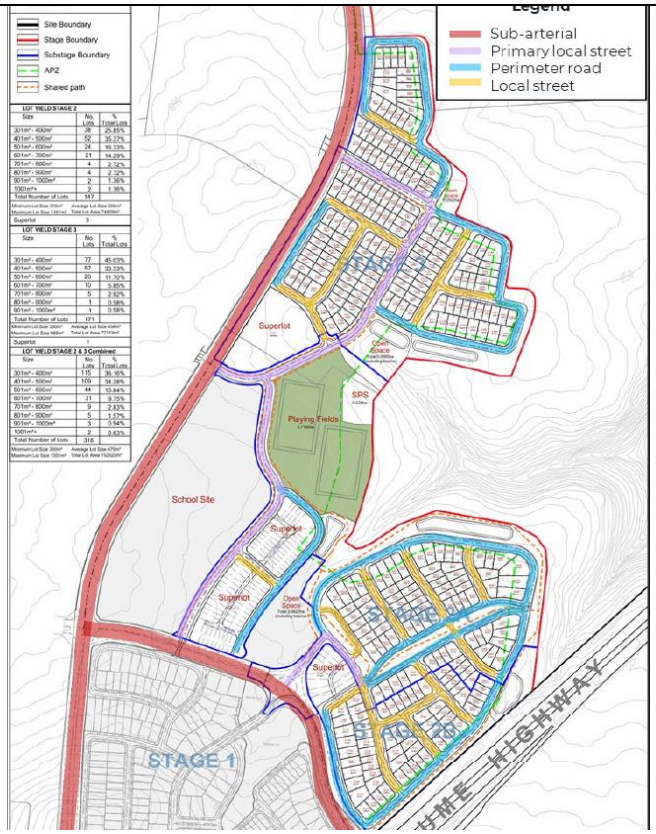
Objectives

1. Provide a unique hierarchical network of roads with clear distinctions between each type of road, based on function, capacity, vehicle speed and public safety.
2. Ensure the road networks (street length, intersection type, stagger and spacing) are designed to control traffic speeds to appropriate limits.
3. Provide a road network that achieves:
   i. The basis for cost effective-design and

	construction of roads; ii. Efficient access to public transport; iii. Safe and efficient pedestrian access and mobility; and iv. Safe and efficient access between precincts and to and from key locations.
4.	Minimise the impact of driveway crossovers on pedestrian safety and streetscape amenity.
5.	Ensure quality of parking areas in terms of safety, amenity and integration with surrounding areas.
6.	Contribute to the creation of an interesting and attractive streetscape to improve health and wellbeing and to implement green links in accordance with the Green Principles contained at Appendix E of this DCP.
7.	Facilitate the use of smart technologies and provision for future technologies within the road network.

3.14.2.1 Street Layout and Design

Controls	Comment
1. The design of streets is to be consistent with the sections set out in Figure 4 to Figure 9. Note: Although the inclusion of WSUD measures have been shown within each of the cross-sections, the specific technical details are to be implemented as appropriate for each precinct/area in consultation with Council. Noting that the cross sections are "typical", include "flex" zones, and where variations are proposed they can be negotiated, in each case, with Council in line with the overall objectives.	The control requires the development comply with sections set out in Figure 4 – 6, relevant sections include: - Typical sub Arterial Road – 31.2 m road reserve, to incorporate 2 X 7m carriageways, 2 X 3m sharepaths, landscaping and WSUD - Typical Collector Road – 22.8m road reserve, to incorporate 2X 1.5m share path, cycle zone, landscaping and WSUD - Typical Primary Local Streets - 21.5m road reserve, to incorporate 3m share path, 1.5m pedestrian path, landscaping and WSUD. - Typical Local Residential Streets - 16.8m road reserve, to incorporate 2 X 1.5m pedestrian paths, landscaping and WSUD. - Typical Local Street –17.2m road reserve, incorporate 2 X 1.5m pedestrian paths, landscaping and WSUD. Proposed extension to the sub-arterial is considered compliant with Typical Sub Arterial Road Section, following receipt of amended plans removing on road cycle path (as requested removal by Council's Strategic Planners and Development Engineers). Development including for road reserve of 32.4m, appropriate carriageway and medium widths. Share paths have been provided either side of the road at 2.5m. Subject to conditions requiring their increase to 3m, the sub-arterial road was considered consistent with requirements. The Applicant adopted Perimeter, Primary Local Street, and Local Street for the blueprint for the majority roads within stages 2 and 3:

	 Originally Council sought amend plans and road reserve widening to provide for a subdivision with clear hierarchy, from collector to residential. . Following further discussions between the parties, the Applicant, submitted an amended design, while largely retaining road reserve widths the amended material made provision for: - WSUD within the road reserves. - Amendments to cross sections to provide a cross section that takes on the componentry of the Typical Local Residential Street. Amended cross sections provide an alternating verge, with a 5.4m verge on one side, 5.6m travel lane, 2.1m parking lane and 4.6m verge on the opposite side of the street. The proposed cross sections will alternate down the street creating a meandering road alignment. - Amendments to road bends and traffic management signalling. Following review, and acknowledging ambiguity in WGA DCP 2021 road descriptions (unclear on constitutes a Typical Primary Local Street, Typical Local Residential Street and Typical Local Street), development was considered appropriate in the context.
2. Roads including locations, alignment and hierarchy are generally in accordance with Wilton 2040, the relevant Precinct Structure Plan and approved neighbourhood Plans.	Precinct Structure Plan (PSP) does not provide for road hierarchy details. The Neighbourhood Plan likewise does not provide any further detail on road hierarchy. The

	Precinct Schedule Plan indicates road hierarchy to be negotiated with Council at DA stage. Refer above for details on hierarchy adopted by the Applicant. Hierarchy considered acceptable in this instance subject to conditions.
3. Roads identified as bus routes shown on the relevant Precinct Schedule or approved Neighbourhood Plan will be consistent with Transport for NSW, Guidelines for Public Transport Capable Infrastructure in Greenfield Sites.	Development identified as containing a bus route in the neighbourhood plan along Road 14 (fronting school site) and the sub Arterial Road. Road designs have been considered appropriate subject to conditions.
4. Any variation to the roads indicated on the relevant Precinct Schedule or approved Neighbourhood Plan will demonstrate that the alternative layout is designed to: i. Provide a clear and legible hierarchy for traffic movements; ii. Provide a road network based on a grid pattern where practicable; iii. Maximise connectivity between residential areas and community facilities, open space and centres; iv. Minimise the use of cul-de-sacs; v. Optimise solar access opportunities for dwellings; vi. Take account of topography and site drainage and accommodate significant vegetation; vii. Facilitate the use of public transport viii. Enable convenient pedestrian and cycle movements; ix. Provide for perimeter roads adjacent to high conservation lands and open space; x. Provide legal and practical access to lots; xi. Not detrimentally impact on access to adjoining properties; xii. Provide for the management of stormwater to drain to Council's trunk drainage network, without negative impacts on other properties, and xiii. Not impede the orderly development of adjoining properties.	Further to comments above, development has been considered acceptable in the circumstance, noting: i. Proposed layout provides a clear and legible hierarchy for traffic movement. The development has demonstrated Road 14, appropriate to act as a collector road, despite widths not be compliant with above sections. The development has also demonstrate appropriateness of local roads to provide for safe movement, landscaping and infrastructure required. ii. Proposed layout generally based on a grid pattern. iii. Design will not impact connectivity between residential areas and community facilities, open space and centres; iv. One cul-de-sacs proposed. Considered acceptable in the context (perimeter road, providing alternate rear access to superlots identified for higher density). v. Design results in rectangular lots with majority having width and depths in excess of DCP controls - considered appropriate for solar access. Further noted layout also provides for approximately 50% of lots in an east-west orientation to maximise solar potential. vi. Design considered topography, and provide for appropriate drainage method. No vegetation required for removal. Proposal working to incorporate vegetation retained with bulk earthworks around perimeter of the development and in significant areas. No concerns raised by Environment or Engineering Departments in this regard. vii. Design not anticipated to impact use of public transport – Road 14 and sub Arterial considered appropriate for bus movements. viii. Design to provide suitable pedestrian movements subject to conditions. ix. Complies perimeter roads provided for. x. Development provides legal and practical access to all lots.

	xi. Development will not impact access to adjoining properties. xii. Stormwater management considered appropriate and not anticipated to impact adjoining properties. xiii. Not impede orderly development of adjoining sites.
5. Where land slopes are steeper than 6% road alignments are to be designed to minimise earthworks both in the road alignment and adjacent lots whilst achieving best case road design safety and manoeuvrability standards.	Proposal has been considered appropriate by Council's Development Engineers subject to conditions. Refer to earlier comments regarding earthworks.
6. The design of streets will enable access to water, wastewater and stormwater-related assets to allow for the ongoing operation and maintenance of these assets.	Complies subject to conditions. Refer also to Civil plans and WCMS.
3.14.2.2 Split Level Pavements	
Controls	Comment/s
1. Where split pavements are proposed, they will comply with the following…	None proposed with this application.
2. Where roads are adjacent to public open space or drainage land, verge widths may be reduced to a minimum of 1m, subject to public utilities, bollards and fencing being adequately provided.	
3. Where necessary to ensure that access to residential properties is provided in the early stages of development, Council may consent to the construction and operation of temporary access roads.	
4. Temporary access roads will remain in operation only until such time as the road network has been developed to provide permanent access to all properties.	
3.14.2.3 Laneways	
Controls	Comment
1. A laneway will be designed and constructed as a public "shareway" as the paved surface is for cyclists, pedestrians, potential approved garbage collection, mail deliveries, cars etc., …	None proposed.
2. Laneways on sloping land with significant longitudinal …	
3. Passive surveillance along the laneway from the upper storey …	
3.14.2.4 Access to Arterial and Sub-Arterial Roads	
Controls	Comment
1. To enable the development of land, such as in situations where access across adjoining properties is required but not yet able to be	Not required with application, lots will not require reliance on direct access from sub arterial roads.

provided, Council may allow temporary access to arterial or sub-arterial roads where: i. The proposed development complies with all other development standards and controls; ii. Subdivisional roads generally conform with the road pattern shown on the Precinct Structure Plan and approved Neighbourhood Plan; and iii. Council is satisfied that the carrying out of the development will not compromise traffic safety. Where Council grants such consent, the temporary access will be constructed to Council's standards and conditions will be imposed that access to the designated road by way of the temporary access will cease when alternative access becomes available.	
3.15 Provision of Services	
Objectives:	
1. Ensure adequate water, electricity, sewerage, drainage, road and telecommunication facilities are provided to new development.	
Control	Comment
1. Development will demonstrate adequate water supply connection exists or have suitable arrangements in place for the provision of an adequate water supply service.	Water and Sewer proposed to be serviced by Sydney Water. The proposal was referred to Sydney Water who advised in principle, no objection to the proposed development. And that as part of the Bingara Gorge acquisition, Sydney Water is arranging to service a certain number of developments within the Bingara Gorge catchment under a Service Delivery Agreement (SDA). This includes 619 lots proposed by Landcom. The subject DA, any previous and future applications from Landcom within Wilton North will be accounted for against the 619 yields. Proposal will be conditioned to require connection of water and reticulated sewer prior the issue of a Subdivision Certificate for the development.
2. Development will demonstrate adequate connection to grid supplied electricity services. Alternative electricity sources for development other than subdivisions may be considered where the provision of reticulated services is uneconomic due to cost of connection or there is a clear environmental benefit in not connecting to mains infrastructure.	Referred to Endeavour Energy – no concerns raised subject to conditions.
3. Development will demonstrate adequate reticulated sewer connection or have suitable arrangements in place for such a connection to be made where access to reticulated sewer is available.	Refer to above comments (Control 1).
4. Development will demonstrate adequate access to the telecommunications network	Applicant has noted that discussions with NBN have commenced for the provision of the infrastructure from

for both fixed line telephone services and high-speed internet access.	the outset of the development. Suitable conditions to be placed on any determination requiring its provision prior to the issue of a Subdivision Certificate.
3.16 Crime Prevention Through Environmental Design	
Objectives	
1. Provide opportunity for surveillance of premises to enhance public safety.	
2. Provide clear delineation of property access points and the distinction between public and private space.	
3. Minimise the use of building elements that create concealed or low visibility spaces.	
Controls	Comments
1. Development will be accompanied by, and comply with, a Crime Risk Assessment carried out in accordance with the process and principles contained in Crime Prevention and The Assessment of Development Guidelines (NSW Minister for Planning, 2001).	Development considered to broadly comply with the principles of CPTED. Noting: - That landscaping within the streetscape and location of share path/pedestrian paths appropriate and not considered to obstruct passive surveillance; - Lots have been designed to ensure that future dwellings front the street. - Lots provided which front public open space. - Street lighting design to be provided to Council for approval prior to the issue of SWC to ensure public areas appropriately lit up during the evening.
3.17 Development near or on Gas Easements	
N/A - Precinct outside area of gas pipeline easement	
3.18 Development Near Wells and Drill Holes	
N/A – Development outside areas identified as containing wells and drill holes.	
3.19 Development Near the Maldon – Dombarton Freight Rail Corridor	
3.19.1 Objectives	
1. Ensure that development near the Maldon-Dombarton Freight Rail Corridor considers potential impacts of the proposed freight rail.	
2. Ensure that development near the Maldon-Dombarton Freight Rail Corridor considers potential impacts of development on the safety of the proposed freight rail.	
3.19.2 Controls	Comment
1. Development including child care facilities, hospitals, aged care facilities, schools, residential dwellings and other sensitive land uses adjoining the Maldon-Dombarton Freight Rail Corridor will have the built form setback a minimum of 100m from the location of future rail operations in the corridor, with a minimum 10m within this setback to be densely planted for dust mitigation. Alternative setbacks may be considered by Council, where: ….	Development for residential subdivision which is anticipated to contain dwelling houses, however is located in excess of 100m from the Maldon-Dombarton Freight Rail Corridor. Refer to previous comments in the report
2. Development listed in Control 1 within Development near Rail Corridors and Busy Roads – Interim Guideline (Department of	

Planning 2008) must ensure that acoustic building treatments are to be provided within 100m of the Maldon-Dombarton Freight Rail Corridor to achieve noise requirements in Clause 87 of the State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP). Compliance ….	
3. The use of red and green lights is to be avoided in all signs, lighting, building, colour, scheme on any part of a building facing rail corridors.	
4. Design of appropriate infrastructure such as a new level crossing or an overbridge, should take into account any interfaces where the shared pedestrian and cycle path and the rail corridor intersect.	

3.20 Signage, Street Furniture and Lighting

Objectives

1. Encourage signage and street furniture of a high-quality design and finish that is compatible with the architectural character of building or sites.
2. Limit signage so as to not adversely impact on the amenity of the streetscapes through visual clutter.
3. Ensure signage does not interfere with road traffic and pedestrian safety.

Control	Comment
1. Signage, street furniture and lighting will be: i. Designed to reinforce the distinct identity of the development; ii. Coordinated in design and style; iii. Located to minimise visual clutter and obstruction of the public domain; and iv. Of a colour and construction agreed by Council.	Noted – to condition included in the determination.
2. The location and design of signage and street furniture is to be indicated on the Landscape Plan submitted with a DA, and on engineering construction drawings. Locating entry signage and the like within a public road reserve is subject to Council agreement.	It is considered that development design will be able to accommodate appropriate requirements and conditioning prior to SWC will meet the same objectives – i.e allow for Council comment / impute prior to final design.
3. Street lighting is to be designed to meet the current Australian Standards AS/NZS 1158 series and to complement the proposed street tree planting.	To condition in any determination.
4. The location and design of signage and street furniture is to be indicated on the Landscape Plan submitted with DA's.	As above, details conditioned to be provided in SWC.

Part 4 Subdivision

4.1 Earthworks

This section applies to subdivision and bulk earthworks and is to be read in conjunction with the general controls set out in Section 3.1: Earthworks.

4.1.1 Objectives	Comment

1. Minimise cut and fill through site sensitive subdivision, road layout and infrastructure.	
2. Facilitate sensitive design and construction of retaining walls on sloping land at the subdivision works stage of a development.	
4.1.2 Controls	Comment
1. Subdivision will be designed to respond to the natural topography of the site wherever possible to minimise the extent of cut and fill (e.g. for steep land houses will need to be of a 'split level' design or an appropriate alternative solution).	Considered appropriate – refer to comments within the earlier sections of the report.
2. Subdivision and building work are designed to ensure minimal cut and fill is required for the construction phase. Earthworks will be undertaken to a maximum of 1m excavation and / or 1m fill from the present surface level of the property. A variation to the maximum excavation or fill may be considered if in Council's opinion, supporting information adequately demonstrates that the development will not have adverse impacts on adjoining properties and visual amenity.	
4.2 Flooding	
4.2.1 Objectives	Comments
1. To ensure safety of people and development from flood risk.	
4.2.2 Controls	
1. Subdivision of land at or below flood planning level …	Subject area not identified as flood liable land.
2. Residential lots are not to be located at a level lower than the 1% Annual Exceedance Probability (.	
3. Subdivision design is to comply with 'Designing Safer Subdivisions – Guidance on subdivision Design in Flood Prone Areas (2007)'	
4. Cut and fill is not to occur in the 1% Annual Exceedance Probability (AEP) floodway or within critical flood storage areas.	
4.3 Water Cycle Management This section applies to subdivision and is to be read in conjunction with the general controls set out in Section 3.2.2: Controls **Development must** assess impacts of climate change and increased rainfall intensities.	
Objectives	
1. To ensure Water Cycle Management is adequately addressed in subdivision proposals	
Controls	Comment
1. Subdivision proposals will be supported by concept stormwater drainage designs, prepared by a suitably qualified stormwater engineer, consistent with the integrated stormwater principles identified in the relevant Neighbourhood Plan, and with water quality targets in Table 2 of this DCP.	Proposal accompanied by concept stormwater design, prepared by a suitably qualified consultant. As discussed within earlier sections of the report, WCMS infrastructure has been considered appropriate subject to conditions.

4.4 Residential Density Principles	
Objectives	
1. Ensure that resulting lots have a practical and efficient layout to meet the intended land use.	
2. Encourage a variety of lot sizes, type and design to promote housing choice, create attractive streetscapes with distinctive characters, enhance walkability, and improve access to services.	
3. Ensure that subdivision proposals are responsive to constraints of the land and maintain streetscape integrity.	
Control	Comment
1. Residential subdivision will be consistent with the approved Neighbourhood Plan.	Complies- Refer to Neighbourhood Plan
2. Residential subdivision and the construction of residential buildings will not exceed the maximum density within the density band.	Complies – Refer to report comments under SEPP (PWCP).
3. Development will demonstrate that the density of the proposed subdivision development falls within the density band identified in the Growth Centres SEPP and the fine-grain density plan contained in the approved Neighbourhood Plan.	Variation – the development falls outside nominated density bands however has been considered consistent with the finer grain lot density requirements within Neighbourhood Plan No.1. In terms of the density bands - The proposal provides for 14.5 lots per hectare, below the required minimum of 15 per hectare (3% variation or an overall loss of 10 lots). Despite variation the development has been considered appropriate in the context and consistent with objectives of this section: Objective 1: *Ensure that resulting lots have a practical and efficient layout to meet the intended land use*. Comment: The lots are considered to have practical and efficient layout to meet intended low-density residential use. Each lot complying with WGA DCP 2021 minimum lot width and depth. Due consideration has also been given to solar orientation, setback requirements (APZ and noise) and buffers to avoided land. Objective 2: *Encourage a variety of lot sizes, type and design to promote housing choice, create attractive streetscapes with distinctive characters, enhance walkability, and improve access to services*. Comment: Proposal provides a range of lot shapes and sizes, considered able to accommodate a range of housing designs. Streetscapes are also considered appropriate, proposal providing for footpaths on both sides of the road, blocks of an appropriate length and landscape to contribute to walkability and amenity of the area. Objective 3: *Ensure that subdivision proposals are responsive to constraints of the land and maintain streetscape integrity* Comment: Proposal considered to respond to characteristics of the land and surrounds – providing for

	appropriate APZ around the subdivision for bushfire protection purposes, appropriate distances from noise sources and providing buffer to avoided land. Integrity of the streetscape has been considered retained, as noted in comments above, proposal providing for appropriate infrastructure and landscaping within streets and blocks and lots of a size/nature anticipated by the WGA DCP 2021. It is also noted the development as proposed will not impact the ability for North Wilton to meet expected overall density targets, and has provided for a development which still allows for density targets associated with finer grain planning within Neighbourhood Plan No.1 (refer to relevant section of the report for further details). In this context the development was considered appropriate despite minor variation proposed.
4. Residential development in the Precinct will not exceed the dwelling cap contained in the Growth Centres SEPP. Neighbourhood Plans and subdivision plans should indicate the number of dwellings proposed in each neighbourhood as a mechanism for tracking compliance with the Precinct dwelling cap.	Complies – Refer to report comments under SEPP (PWCP).
5. Residential densities should consider the characteristics contained in Table 4:	Complies – allotments proposed considered able to accommodate dwelling characteristics identified in table 4.

15 -25 dwellings/Ha	Predominantly a mix of detached dwelling houses, semi-detached dwellings and dual occupancies with some secondary dwellings. Focused areas of small lot dwelling houses in high amenity locations. At 20dw/Ha, the occasional manor home on corner lots. Single and double storey dwellings. Mainly suburban streetscapes, the occasional urban streetscape.

4.5 Block & Lot Layout
Objectives
1. Provide a range of lot sizes to suit a variety of dwelling and household types.
2. Ensure the lot layout plan reflects the site's opportunities and constraints.
3. Establish a clear urban structure that promotes a 'sense of neighbourhood' and encourages walking and cycling both recreationally and for transport purposes.
4. Ensure the design of any proposed residential subdivision considers natural landform features including outlook and proximity to public and community facilities, parks and public transport.
5. To ensure that there is provision for existing and future tree canopy cover both in the public domain and on private land.
6. To provide a safe and inclusive neighbourhood.
4.5.2.1 Streets

Control	Comment
1. T' or 'C' shaped laneways are not recommended and where proposed must be adequately justified.	None proposed with this application.
2. The layout of laneways will demonstrate and consider subdivision efficiency, maximising favourable lot orientations, intersection locations with streets, topography, opportunities for affordable housing, legibility and passive surveillance.	None proposed with this application.
3. Subdivisions that create lots adjoining arterial or sub-arterial roads are required to create restrictions on the use of land under Section 88B of the Conveyancing Act 1919 to legally deny direct vehicular access to lots from the arterial or sub-arterial road.	No lots provided direct access to sub arterial road.
4.5.2.2 Blocks	
Control	Comment
1. Development demonstrates how all residential blocks are designed for accessibility and walkability and are established around elements of the public domain such as a school, park, retail, or community facility that are typically within walking distance.	Complies – each street to have pedestrian path conditioned for pedestrian paths, which will connect to broader pedestrian network with links to public areas and schools. Refer also to supplied Active Transport Diagram.
2. Subdivision layouts will demonstrate a legible and permeable street hierarchy that responds to the natural site topography, the location of existing significant trees and site features, place making opportunities and solar design principles.	Proposal considered appropriate in the context – refer to earlier comments regarding road sections, vegetation and solar design.
3. Pedestrian and cyclist connectivity will be maximised within and between each residential neighbourhood including pedestrian and cycling routes connecting to public open space, bus stops and railway stations, educational establishments and community/recreation facilities. Where possible all lots should have access to pedestrian and/or cycling paths.	Complies - Proposal provides for share path along Hume Highway and sub arterial, local street network has also provided for pedestrian paths either side of roads. Noted that park embellishment (future DA) will also work to provide pedestrian and cycle links between the subdivision area and open space. Refer also to Active Transport Diagram.
4. Street blocks will generally be a maximum of 250m long and with variety in depth to promote housing diversity. Block lengths in excess of 250m may be considered by Council where pedestrian and cyclist connectivity, stormwater management and traffic safety objectives are achieved.	Complies
5. In areas around local and town centres, the block perimeters will generally be a maximum of 520m (typically 190m x 70m) to increase permeability and promote walking and cycling.	N/A proposal not located in town centres.
6. Subdivision layout will demonstrate how a 40% tree canopy coverage will be achieved	Complies – refer to Landscape Plan

through alignment with the approved Neighbourhood Plan.	
7. Existing mature trees will be retained where possible and be considered in the block design.	Vegetation onsite removed with bulk earthworks approval.
4.5.2.3 Lots	
1. Minimum lot frontages applying to each density band will comply with Table 5. Lot frontage is measured at the street facing building line as indicated in Figure 10. **Access Arrangement** / **Minimum Dwelling Density 10 to 15 dwellings/ha** / **Minimum Dwelling Density 15 -25 dwellings/ha** / **Minimum Dwelling Density 25 - 45 dwellings/ha** Minimum Lot Frontages — Front Loaded — 12.5m — 9m — 7m Minimum Lot Frontages — Rear Loaded — 4.5m — 4.5m — 4.5m	Per Table 5, the minimum lot frontage for front loaded lots in the density band is 9m. All lots comply.
2. In areas with a minimum residential density of ≤25dw/Ha, no more than 40% of the total residential lots proposed in a street block may have a frontage of less than 10m wide.	Complies – all lots have 10m frontage +
3. In areas with a minimum residential density of ≤25dw/Ha, total lot frontage for front accessed lots greater than or equal to 7m and less than 9m should not exceed 20% of any block length.	Complies – all lots have frontage 10m+
4. Lots will be rectangular. Where lots are an irregular shape, they will be large enough and oriented appropriately to enable dwellings to meet the controls in this DCP.	Complies – refer to plans.
5. Where residential development adjoins land used for public recreation or drainage, the subdivision layout is to create lots for the dwelling, with the main residential and road entry to front the open space or drainage land.	Complies – refer to plans.
6. The orientation and configuration of lots will be generally consistent with the following subdivision principles: i. Smallest lots achievable for the given orientations fronting parks and open space with the larger lots in the back streets; ii. Larger lots on corners; iii. North facing lots will generally be wider or deeper, providing for residential development with private open space in the front setback if appropriate; iv. Narrowest lots in the subdivision will generally have rear-facing backyards; v. Lot orientation will be east-west, or north-south only where the road pattern requires; and	Complies: i. Complies, smaller lots provided in Stage 3 (less impacted by acoustic noise) and near to residue lots intended for parks and open space areas. ii. Complies, corner lots considered appropriate in size. iii. Complies northern facing lots all in excess of width requirements and containing appropriate depth iv. Complies v. Complies – lot orientation east-west were able to be accommodated with site constraints. vi. As above, approx. 50 % lots east-west, those with alternate orientation considered to be appropriate in terms of width and

vi. Exceptions to the preferred lot orientation may be considered where factors such as the layout of existing roads and cadastral boundaries, or topography and drainage lines, prevent achievement of the preferred orientation.	depth, noting also area and topography constraints.
7. An alternative lot orientation may be considered where the site slope and gradients require excessive cut and fill/retaining or amenities such as views and outlook over open space are available and providing appropriate solar access and overshadowing outcomes can be achieved. The combination of the lot frontage width and the size of the lot determine the type of dwelling that can be erected on the lot, and the development controls that apply to that dwelling.	Noted, subdivision arrangement considered appropriate, refer to comments above.
8. Shallow lots (typical depth 14-18m, typical area<200) intended for double storey dwellings should be located only in locations where it can be demonstrated that impacts on adjoining lots, such as overshadowing and overlooking of private open space, satisfy the requirements of the DCP. For lots over 225m2 , the Building Envelope Plan should demonstrate in principle how DCP requirements such as solar access and privacy to neighbouring private open spaces will be satisfied.	N/A – lots proposed are not considered shallow lots. Lots containing depth of 30m+.
9. Residential lots which front a road reserve that is adjoining a high-pressure gas easement in Low Density Residential areas will have a minimum width of 20m and a minimum depth of 40m. Alternative lot sizes may be considered by Council on a case by case basis, where the development is supported by an appropriate specialist study, prepared by a suitably qualified and experienced professional; and with the approval of the pipeline operator / asset owner.	N/A
4.6 Battle-Axe Lots	
N/A - None proposed with the application	
4.7 Zero Lot Lined Lot Development	
N/A – None proposed with this application	
4.8 Corner Lots	
Objectives	
1. Ensure corner lots are of sufficient dimensions and size to contribute positively to the streetscape and residential amenity.	
Control	Comment

1. Corner lots, including splays and driveway location, will be designed in accordance with AS 2890 and Council's Design and Construction Specification.	Complies - Included on plans and considered appropriate.
2. Corner lots will be designed to allow dwellings to positively address both street frontages.	Lots considered of a size/scale to allow compliance with this control.
3. Development will indicate the location of proposed or existing substations, kiosks, sewer manholes and/or vents affecting corner lots.	None existing.
4. Corner lots are to be wide enough to allow driveways to be located clear of intersections and sight lines, in accordance with Council's Design and Construction Specifications.	No concerns raised by Council's Development Engineers.

4.9 Subdivision for Attached or Abutting Dwellings

N/A – None proposed with the application

4.10 Subdivision for Non-Residential Development in Residential Areas

Objective

1. Ensure that where subdivision for non-residential development in residential areas is proposed the amenity of neighbouring lots are not compromised.

Control	Comment
1. Non-residential development in residential areas is encouraged where a DA sufficiently demonstrates it: i. Contributes to the amenity and character of the residential area within which it is locate; ii. Provides services, facilities or other opportunities that meet the needs of the surrounding residential population and contributes to reduced motor vehicle use; iii. Will not result in detrimental impacts on the amenity and safety of surrounding residential areas, including factors such as noise and air quality; and iv. Is of a design that is visually and functionally integrated with the surrounding residential area. *Note: The UDZ permits certain non-residential development within residential areas, provided it is consistent with the relevant structure plans. Other parts of this DCP provide more detailed objectives and controls for these types of development.*	N/A – subdivision residential in nature, residue lots created to be the subject of future DAs.

PART 8 Sustainability and Biodiversity

8.1 Sustainability

8.1.1 Objectives	
1. To ensure that the principles of ecologically sustainable development are incorporated into the design, construction and ongoing operation of development and improve green space maintained by independent, climate resilient water supplies, increased amenity and urban cooling.	
2. To promote new development that minimises the consumption of energy and other finite resources, to conserve environmental assets and to reduce greenhouse gas emissions.	
3. To ensure that new and existing streets provide street trees and canopy cover to reduce the urban heat island effect. 4. Maximise the potential for solar access to all lots in subdivision design.	
4. Maximise the potential for solar access to all lots in subdivision design.	
5. To encourage the use of public transport by incorporating transport routes through the provision of integrated rail, bus, pedestrian and cycle routes.	
6. To facilitate the achievement of a community that can achieve net zero carbon emissions by 2050.	
7. To minimise the use of non-renewable resources and minimise the generation of waste during construction.	
8. To ensure that water management measures for developments incorporate key principles of water sensitive urban design.	
8.1.2 Controls	
8.1.2.1 Tree Canopy Cover	
1. Tree retention after subdivision is encouraged. Mature trees should be retained and incorporated into the subdivision and public domain design and retained to contribute to the mature tree canopy cover in the neighbourhood, to provide visually interesting streetscapes, improve public amenity, improve air quality, and enhance tree canopy cover.	Proposal has been designed to incorporate trees being retained with bulk earthworks DA – trees to be retained around perimeter of development within open space and windrows in Stage 2.
2. Appropriate plant species are to be selected for the site conditions with consideration given to trees providing shade in summer and allowing sunlight in winter, or to provide habitat.	Complies subject to conditions.
8.1.2.2 Energy Efficiency and Reduction in Carbon Emissions	
1. New developments should be designed to minimise energy consumption through the following: i. Subdivision is to maximise opportunities for solar access to lots taking account of slope and aspect, including consideration of required maximum building heights, building separation, setbacks and likely future orientation of dwellings and green infrastructure, including open space areas; ii. Buildings are orientated and designed, wherever possible, to include a north facing roof where a solar hot water system or collector can be installed; iii. The design of new buildings must be encouraged to maximise opportunities for cross flow ventilation, passive cooling and where practical minimising the need for air conditioning; iv. Consideration should be given to using north-facing pergolas and facades treatments to shade walls and windows (deciduous vines can be trained over the pergola to provide effective cooling in warm weather); v. Eaves on north facing walls should shade any glazing on that wall from October to	Subdivision design has been considered appropriate to allow: - solar access - provide a suitable area to allow buildings to consider solar orientation in design Detailed house design to consider requirements of ii - vii

late February. To calculate the extent of eaves overhang, draw a section and extend a line from the base of the window at 70º. The outer edge of the eaves should reach this line; vi. Where main living areas are oriented northwards, aim to achieve a glazed area of 30% of the dwelling's floor area in this direction; vii. Seek to incorporate on-site vii. renewable energy sources to supplement energy needs during daily peak energy use; and	
8.1.2.3 Building Materials	
1. The following should be considered in the choice of building materials in all developments: i. Energy efficiency; ii. Use of renewable resources; iii. Maintenance cost and durability; iv. Recycled or recyclable materials; v. Non-polluting; vi. Minimal PVC content; and vii. Ideally locally sourced materials.	Applicant advised development to have 6 Star Green Star Community rating. Noted future development will be required to consider requirements listed. Subdivision construction will require development to suitable standard and ensure maintenance and durability considered, noted there may be scope for applicant to explore recycled materials and locally sourced materials during SWC stage.
2. Materials that are likely to contribute to poor internal air quality and those containing Volatile Organic Compounds should be avoided.	Noted - none anticipated.
3. External finishes should contain a combination of non-reflective materials and light colours to minimise reflection and heat retention.	Noted - future development will be required to consider requirements. Subdivision includes for roads, these will be non-reflective however dark colour. Noted street tree canopy coverage proposed (40% coverage) and aims to reduce heat island affect associated.
4. Residential building design is to use, where possible, recycled and renewable materials, lighter coloured roofs and use lighter coloured materials and finishes on main external parts of the building.	Noted - future development will be required to consider requirements.
5. Other infrastructure is designed to incorporate materials and operational features which are energy efficient and sustainable, for example stormwater devices from recycled plastics and demolition materials.	Noted, to be considered with construction stages and future stages of development - Applicant has also advised development to have 6 Star Green Star Community rating.
8.1.2.4 Integrated Water Cycle Management	
All new developments to be appropriately plumbed to support Integrated Water Cycle Management principles, with the priority of usage for non-potable uses placed on recycled water.	The application includes for connection to recycled water (purple pipe) to residential allotments for all non-potable end uses. The application did not include for connection of the purple pipe to street trees.

In an area where a recycled water scheme is provided or planned for: 1. All developments must be designed to connect to recycled water and use this source for all non-potable end uses including but not limited to toilet flushing, washing machines and on lot outdoor uses (garden irrigation). 2. Directly connect street trees to the recycled water network for irrigation.	The requirement was considered important to ensure resilience of street tree, which in turn impacts canopy cover and provides outlet for recycled water discharge. Following discussions between Council and Sydney Water conditions were developed and recommended for inclusion in determination. The conditions have been provided and agreed to with the applicant.
8.1.2.5 Active Transport	
1. The Neighbourhood Plan must demonstrate how bus routes and bus movements are to be accommodated for each stage of the development.	N/A– Neighbourhood plan completed.
2. Cycle paths and cycling networks should be provided throughout the development linking throughout the various stages of the development.	Complies – Cycle and pedestrian paths provided have been considered appropriate.
3. Development is to demonstrate how it maximises opportunity to use modes of transport other than the private motor vehicle. This includes (but is not limited to) easy access to, and useful design of, the network of shared pathways, the provision of public transport routes and public transport services and facilities.	Complies – Refer to Active Transport Plan
8.1.2.6 Development in Centres and Employment Areas	
N/A – Due to proposal location	
8.2 Smart Places	
1. Development will address the principles contained in the Code for Smart Communities (October 2018), Smart Cities Council and Council's Smart Shire Strategy.	Development subject to conditions is consider to respond to these strategies. Noting conditions include for Council owned street lighting and recycled water street tree irrigation.
2. Access to quality internet services should be provided at the time of lot registration. Network cellular connectivity and coverage assessments should be undertaken to demonstrate that future residents will have access to high quality cellular network based on existing infrastructure.	Conditioned for compliance.
3. Where coverage at time of lot registration is not or will not be above minimum network connectivity speeds, it should be demonstrated how and where allowances for future network augmentation has been made.	Noted.
4. Key telecommunication providers should be consulted to understand likely asset requirements for emerging services and what land/asset requirements may be required to	Noted.

ensure the efficient delivery of future infrastructure. Spatial allowance should be made where possible for future infrastructure.	
5. Neighbourhoods should be designed to readily accommodate advancements in technology and support safe alternative mobility options that reduce pollution, congestion and transport costs, such as electric, shared and autonomous vehicles,	Complies
6. Smart monitoring equipment is to be considered wherever possible, including for water quality, ambient temperature, tree canopy cover and soil moisture content, cycle and car movements	Conditioned for compliance with Water irrigation system.
7. Installation of the following is to be considered in parks and open space areas: i. Smart lighting to key park spaces and where such spaces may be used at night-time for active uses, ensure lighting is adequate for active and passive uses; ii. A dedicated internet/fibre connection point; iii. A public Wi-Fi network sufficient to attain coverage of the whole park; iv. Bluetooth speakers with free access to the speakers within the community's parks, particularly in proximity to the basketball court/youth spaces; v. Security cameras at key locations with parks to ensure coverage of primary movement and play zones; vi. 'Smart bins' to park areas with capacity rubbish bin sensors vii. 'Smart park furniture' to park areas which includes USB charging capacity and potentially Wi-Fi connectivity, if not otherwise provided within the park elsewhere; viii. Electric vehicle charging points/poles immediately adjoining the park space (on road if no dedicated off-road parking is proposed); and ix. Digital display screen, linked to a Council accessible network to share key community information, data and activities.	Open space embellishment to be the subject of future DA.
8. Technology and tools to construct and operate new infrastructure more efficiently and sustainably should be considered and delivered wherever possible including the supply and installation of smart light poles to Council specification. Pit and pipe to each light pole should be provided to enable the future upgrading to 'intelligent' lights and the installation of 'smart meter' to Council specification at each new lot.	Complies – Smart infrastructure to be associated with street lighting and recycled water irrigation.
8.3 Biodiversity	

8.3.2 Biodiversity Planning Principles	
8.3.3.1 General Controls	Comment
1. Provide a diversity of indigenous local provenance species (trees, shrubs and groundcovers) in riparian corridors and ecological setbacks.	No riparian corridors in development area.
2. Consider suitable indigenous local provenance species (trees, shrubs and groundcovers) and Appendix D: Prescribed Tree and Preferred Species in selecting species for planting in streets and open spaces.	Considered appropriate by Council's Environment Department subject to conditions.
3. Avoid and minimise the clearing of native vegetation and rehabilitate remaining native vegetation on certified - urban capable land within the Wilton Growth Area.	N/A – Site already approved for earthworks and vegetation removal.
4. Conserve and retain existing native trees and remnant native vegetation communities to provide urban tree canopy in the streetscape, individual lots, open space and riparian corridors.	
5. Avoid and minimise impact to large trees (>50cm Diameter at Breast Height) that act as habitat features (including dead trees) within the development area, and which provide essential habitat for threatened and other fauna, consistent with CPCP approval. Avoid impacts to soil within dripline of the retained trees. Development is to comply with Australian Standard 4970-2009 Protection of Trees on Development Sites.	
6. Provide a sensitive urban interface that supports and enhances the significance of corridors and reserves.	Complies – Proposal provides for open space around perimeter of development.
7. Consider incorporation of artificial breeding and roosting habitat such as bat boxes in bridge design, in accordance with relevant guidelines.	Not considered required by Council's Environment Department.
8.3.3.2 Stormwater Controls	
1. Stormwater infrastructure associated with a proposed development, including pipelines and detention basins are not to be located on land identified as avoided consistent with the CPCP's biodiversity conservation approvals, zoned E1 National Parks and Nature Reserves, E2 Environmental Conservation or land managed as a reserve.	Complies – None proposed.
2. Ensure stormwater management design minimises impact on the biodiversity values of conservation areas.	Complies subject to conditions.
8.3.3.3 Waterways	
1. Incorporate development that protects, maintains or restores waterway health and the community's environmental values and uses of	Complies subject to conditions.

waterways through a risk-based approach to manage the cumulative impacts of development. Refer to Section 3.2.2: Controls	
2. Development must assess impacts of climate change and increased rainfall intensities.	Noted. Considered appropriate.
3. Stormwater conveyance will have a Major/Minor System configuration. Minor flows will be conveyed and contained in a system of kerb and gutter, pits and pipes/culverts. Major flows (flow in excess of Minor System capacity) will be conveyed in overland flow paths designed to cater for such flows.	Complies subject to conditions.
4. Management of 'minor' flows using piped systems for the 1 in 10 (10%) AEP (residential land use) and the 1 in 20 (5%) AEP (commercial land use) will be in accordance Council's Design and Construction Specifications.	Complies subject to conditions
5. Management of 'major' flows using dedicated overland flow paths such as open space areas, roads, waterways and riparian corridors for all flows in excess of the pipe drainage system capacity and above the 10% AEP will be in accordance Council's Design and Construction Specifications.	Complies subject to conditions.
6. Pedestrian and cycle pathways and open space may extend within the 1% AEP flood level, provided the safe access criteria contained in the NSW Floodplain Manual are met and there is no impact on the flood behaviour.	Complies – No concerns raised by Council's Engineers.
7. Development is not to result in an increase in flood levels on adjoining or surrounding land.	Complies – No concerns raised by Council's Engineers.
8. Development on flood prone land will comply with Council's Design and Construction Specifications and Flood Risk Management Policy.	N/A – Site is not identified as flood prone land.
9. Flood Prone Land identified in the relevant Precinct's Schedule shows indicatively the extent of the 1% AEP flood level. Where development is proposed adjacent to land identified as Flood Prone Land, in the relevant Precinct Schedule, as being affected by the 1% AEP level, Council may require a more detailed flood study to be undertaken by the applicant to confirm the extent of the flood affectation on the subject land.	
10. Cut and fill is not to occur in the 1% Annual Exceedance Probability (AEP) floodway or within critical flood storage areas.	N/A – Site is not identified as flood prone land.
11. Water Cycle Management, and Section 3.6: High Value Waterways and Riparian Areas, for relevant controls.	Noted.
8.3.3.4 Additional Controls for Subdivision	
1. A Construction Environmental Management Plan (CEMP) is to be submitted which includes: iii. Pre-construction surveys prior to removal or disturbance (seasonally dependent,	Following consultation with Environment Department, CEMP not considered required (vegetation clearance associated with bulk earthworks DA).

before torpor) of human made structures, to ensure roosting habitat for microbat species including mine shafts, storm water tunnels, old or derelict buildings, bridges and culverts are retained where possible to ensure any individuals are dispersed or relocated as per best practice. iv. A pre-clearance assessment for any native fauna immediately prior to any clearing of native vegetation to ensure that arboreal mammals, roosting and hollow-using birds, bats and reptiles are stopped from accessing any vegetation to be cleared, and are safely removed prior to clearing. Translocation is to be in accordance with EES' Translocation of Threatened Fauna in NSW policy. v. Best practice site hygiene protocols to manage the potential spread of Phytophthora and Myrtle Rust on land adjacent to land avoided consistent with the CPCP's biodiversity approvals, zoned E1 National Parks and Nature Reserves, E2 Environmental Conservation or managed as a reserve, in accordance with the best practice guideline 'Arrive Clean, Leave Clean: Guidelines' (Commonwealth of Australia, 2015). vi. Management of weeds and rehabilitation of the site adjoining avoided land consistent with the CPCP's biodiversity approvals, land zoned E1 National Parks and Nature Reserves, E2 Environmental Conservation or lands managed as a reserve. vii. A tree-felling protocol to be implemented to avoid impacts to birds, arboreal mammals, koalas and reptiles, raptor nests (almost all large raptors in Wilton are threatened), dreys, dens, hollows and other nests in trees that are to be cleared.	
2. Site design should allow public access to fencing for ongoing maintenance.	Complies.
3. A Landscape Plan, including a Weed Eradiation and Management Plan is to be submitted with subdivision DA's and bulk earthworks applications in accordance with Clause 3.5.2(7).	Complies subject to conditions.
8.3.3.5 Measures Required During Construction	
1. Pest control techniques implemented during and post construction are to be in accordance with regulatory requirements for chemical use and address the relevant pest control strategy and are to reduce the risk of secondary poisoning (e.g. from Pindone or second generation rodenticides).	Conditioned for compliance.
2. Construction traffic is to utilise clearly defined, designated access and egress points to and	Conditioned for compliance.

from a development site to avoid impacts on remnant wildlife corridors and native vegetation communities.	
3. Parking, equipment and material laydown areas are to be positioned away from land with biodiversity values.	Conditioned for compliance.
4. Construction traffic must adhere to construction zone speed limits of 20km/h across a subject site.	Conditioned for compliance.
5. Temporary fencing to be installed prior to site works commencing to limit areas impacted by the works and accessible by construction traffic. Note: Appropriate DA conditions to address these matters should be imposed by Council.	Conditioned for compliance.
8.3.3.6 Biodiversity Development Assessment prior to approval of the CPCP	Comment
N/A – CPCP Approved	
8.3.3.7 Bushfire Management	Comment
1. Asset Protection Zones (APZs) for bushfire protection are to be located wholly within land zoned for urban purposes and not within land identified as avoided land consistent with Chapter 13 of the Biodiversity and Conservation SEPP, land zoned C1 National Parks and Nature Reserves, C2 Environmental Conservation or land managed as a reserve. APZ's will be determined in accordance with Planning for Bush Fire Protection 2019 and Rural Fire Service Standards for Asset Protection based on vegetation type, slope and the nature of the development.	Complies.
2. Development setbacks required to manage potential bushfire risk, such as APZ's must be supported by a detailed assessment in accordance with Planning for Bushfire Protection Guidelines 2019, and not overlap environmentally sensitive areas (as defined in Appendix A) or areas with remnant native vegetation community.	Complies, refer to Bushfire Report and RFS GTA's
8.3.4 Koala Protection	
8.3.4.1 Objective	
1. Retain and protect koala populations and their habitats through mitigating indirect and ongoing impacts from development.	
2. Provide for the improved management of retained koala habitat in accordance with the Koala Habitat Protection SEPP, approved Koala Plans of Management (KPOM) and available mapping and science.	
Control	Comment
1. Development on land identified as Koala Habitat by the Koala Habitat Protection SEPP will incorporate specific design requirements in accordance with the relevant KPOM, available	Development not on land to which the Chapter of the SEPP applies.

mapping and science, or the requirements of the Koala Habitat Protection SEPP.	
2. Development will be consistent with the biodiversity conservation measures identified in the draft CPCP, Part 8: Sustainability and Biodiversity, Part 7: Other Uses and in accordance with the approved Neighbourhood Plan.	Development is considered consistent with the listed documents.
8.3.4.2.1 Neighbourhoods, Subdivision & Development Design	
For all certified land adjacent to koala habitat and in the case of any inconsistencies, the following controls apply:	
1. Design subdivision layout, including perimeter roads and APZ's to reduce impacts to and protect areas of koala habitat.	Complies, open space, perimeter roads provided as a buffer to C2 land, APZ also contained wholly within UD zoned land.
2. Signpost areas adjoining koala habitat with signage to indicate koalas in the area and identify permitted/prohibited activities and associated penalties that apply for noncompliance.	Considered more appropriate for provision with park embellishment DA
3. Urban tree species to be planted as street trees, in open space and recreation areas are to exclude Koala Tree Feed Tree Species as set out below: i. Primary Food Tree: Eucalyptus tereticornis – Red forest gum; Eucalyptus punctata – grey gum or ii. ii. Secondary Food Tree: Eucalyptus longifolia – woolybutt; Eucalyptus moluccana – grey box; or iii. Supplementary Food Tree: Eucalyptus agglomerata – Blue leaved stringybark; Eucalyptus globoidea – white stringybark. Refer to Appendix D: Prescribed Tree and Preferred Species for additional Koala Feed Tree Species not listed above.	Amended landscape plan to be provided, Council to ensure species selected exclude koala feed tree species
For all certified land adjacent to koala habitat where a koala exclusion fence is not installed, the following development controls apply:	
1. Manage roadside vegetation and landscaping adjacent to koala habitat to minimise the height of ground cover and increase the visibility of any roadside fauna.	As the proposal has not adequately addressed requirements, it has been conditioned for provision of koala fencing – refer to Environment recommended conditions.
2. Install road design structures such as underpasses, fauna bridges and overpasses for the protection of koalas and maintain by the proponent for a time period consistent with any approval conditions. Reference RMS Biodiversity Guidelines.	
3. Deliver dog containment fencing in accordance with the approved Neighbourhood Plan fencing strategy within open space and public recreation areas.	

4. Incorporate dog containment fencing in the design of each residential lot.	
8.3.4.2.2 Pre-construction & during construction	
For all certified land adjacent to koala habitat where a koala exclusion fence is not installed, the following development controls apply:	
1. Prepare a pre-clearance assessment prior to removal or disturbance of koalas, implement a translocation plan as required. Refer to Clause 8.3.3.4.1 (ii) for details.	Suitable conditions included in bulk earthworks DA to address requirements associated with vegetation clearance.
2. An ecologist must be present throughout the duration of any pre-clearance koala surveys and vegetation clearing works to maintain oversight of and responsibility for the activities and koala translocation.	
3. Prior to construction, erect temporary protective fencing around identified areas of biodiversity to be retained onsite and immediately adjoining the construction site.	Conditioned for compliance.
4. Install temporary protective fencing prior to construction around koala habitat to ensure adequate protection during construction. Locate fencing on or immediately adjoining the proposed development site.	
5. Implement a tree-felling protocol to avoid impacts to koalas in trees that are to be cleared. Refer to Clause 8.3.3.4.1 (v) for details.	Suitable conditions included in bulk earthworks DA to address requirements associated with vegetation clearance.
6. Strict enforcement of vehicle wash down points for machinery, equipment and tyres prior to entering and leaving the construction site. Hygiene procedures in instances where vegetation pathogens known to affect koala trees may be spread of introduced.	Conditioned for compliance.
8.3.5 Threatened and Significant Species	
8.3.5.1 Objectives	
1. Mitigate indirect and ongoing impacts of development and associated works on populations of targeted threatened species and their habitat.	
2. Retain, protect and enhance habitat features necessary to maintain and increase populations of threatened and other significant plants, animals and communities.	
3. Improve the management of retained and protected habitat features.	
4. Reduce the risk to biodiversity and habitat in areas of bushfire risk and maintain threatened species through appropriate fire regimes over the long-term.	
5. Manage and enhance spatial variability of biodiversity to ensure species have habitat available for refuge from fires.	
8.3.5.2 Controls	Comment
1. Setbacks for threatened species include but are not limited to the following. All references elsewhere are to be crossed referenced with the below: iv. Grey-headed flying fox camp requires 100m setback to any buildings and development. The setback area should be maintained free of flying fox roosting habitat; v. Any squirrel glider habitat requires a setback from buildings or development	Noted. No additional setbacks requested by Environment.

that accounts for angles in squirrel glider movement; and vi. Raptor nests require a 500m circular setback from where nests are located in extensive undisturbed bushland. Where nests are located closer to existing developments, a minimum circular setback distance of 250m should be maintained along with an undisturbed corridor at least 100m wide extending from the nest to the nearest foraging grounds.	
2. Domestic animal containment and appropriate dog proof fencing for cat and dog containment in new residential areas shall be consistent with Council's guidelines.	Applicable to future residential dwelling construction.
3. Retain and avoid impacts to identified habitat features which provide essential habitat for threatened and other fauna, consistent with CPCP approval, including large trees (>50cm Diameter at Breast Height) and dead trees and avoid impacts to soil within dripline of the retained trees during construction.	No vegetation onsite for removal (any vegetation to be removed already approved with bulk earthworks DA)
4. Mitigation to be undertaken in accordance with the following best practice guidelines for threatened ecological communities: i. Best Practice Guidelines: Cooks River/Castlereagh Ironbark Forest (NSW DECC, 2008) within and adjacent to the TEC; and ii. Recovering Bushland on the Cumberland Plain: Best Practice Guidelines for the Management and Restoration of Bushland (NSW DECC, 2005).	Noted.
5. A Landscape Plan including a Weed Eradication and Management Plan is required in accordance with Clause 3.5.2(7).	Conditioned for compliance,
6. Adopt and implement open structure design for roads adjacent to known population of Cumberland Plain Land Snail in accordance with actions under the Save our Species Program (EES, 2020).	N/A to this application.
7. Where fencing is required, the integrity of fencing is to be maintained throughout construction and during operation of the development.	Noted.

8. Movement of fauna is to be facilitated within and through wildlife corridors by: i. Ensuring that development, services and landscaping associated activities do not create barriers to the movement of fauna along and within wildlife corridors; and ii. Separating fauna from potential construction hazards through the preconstruction and construction process.	No landscape corridors proposed with this application.
9. High intensity lighting including industrial or commercial lighting, sports field lighting, lighting within carparking areas and associated with any industrial or commercial-scale retail development must be designed to avoid light spill into adjoining natural areas. Australian Standard AS 4282 or updates to that standard are to be considered as a minimum	Noted, lighting design to be provided to Council for approval prior to issue of SWC. Noted park embellishment will be the subject of future DA.
10. Where development is located within 100m of known microbat colonies, or habitat likely to support microbat colonies, street lighting must not attract insects. Mitigation measures such as the use of warm coloured LED lights are to be provided.	N/A to this application, development not within 100m of known microbat colonies
11. Where wildlife impacts are likely to arise from noise or lighting from the development to land zoned E1 National Parks and Nature Reserves, E2 Environmental Conservation or land managed as a reserve, the proponent must manage light spill, and timing of noise producing activities including installing appropriate noise treatment barriers along major roads and other light and noise attenuation mitigation measures for noise and light.	Wildlife impacts are not anticipated to arise from noise or lighting associated with the development subject to conditions
12. Traffic calming measures are to be provided as follows: i. Ensure speed limit restrictions for local roads adjacent to open spaces and land identified as avoided under the CPCP; ii. All perimeter roads adjacent to land with biodiversity value and avoided under the CPCP are to include traffic	Considered appropriate subject to conditions.

iii. calming devices such as speed humps and audible surfacing; and Perimeter roads and roads adjacent to wildlife habitat areas must be signposted in accordance with Austroads, RMS technical guidelines, Council Guidelines and relevant Australian Standards;	
13. Ensure that appropriate mitigation strategies (including fauna-sensitive road design elements) are employed to minimise environmental impacts such as vehicle strike during and after road construction and upgrading.	Considered appropriate subject to conditions
14. Ensure that any residual noise impacts on wildlife arising from development are appropriately mitigated.	None anticipated due to proposal location.
15. An Environmental Construction Management Plan is to be submitted, in accordance with the requirements of Section 8.3.3.4	Complies – Environment Team advised subject to their recommended conditions, requirements captured.

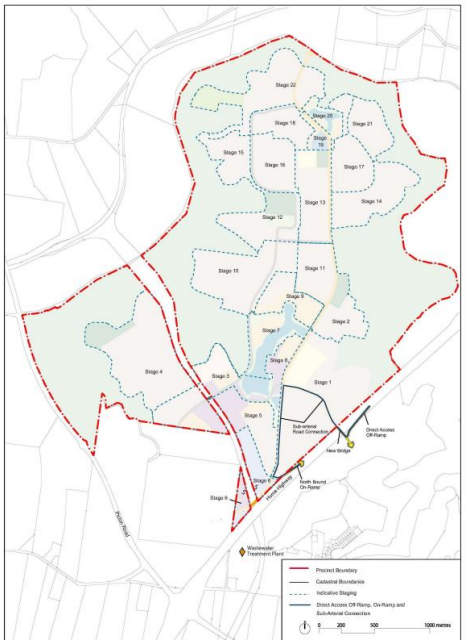
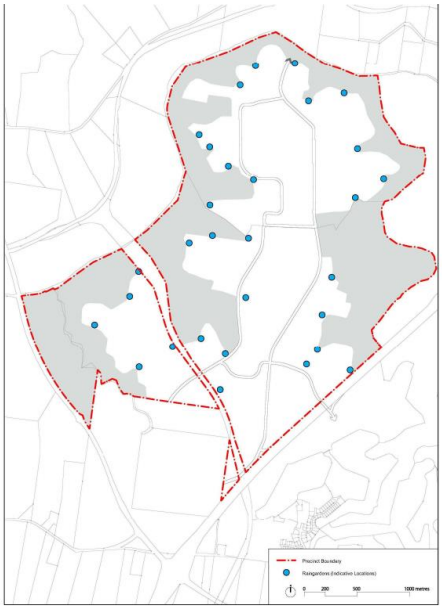
North Wilton Precinct Schedule

Development Planning and Design

Key Development Objectives for North Wilton

1. *To ensure all development achieves a high standard of urban and architectural design quality.*
2. *To promote housing that provides a high standard of residential amenity.*
3. *To ensure housing targets are met through the provision of a range of housing types that offer greater diversity and affordability.*
4. *To create walkable neighbourhoods with good access to public transport.*
5. *To maximise opportunities for local employment and business.*
6. *To create vibrant, successful town and local centres.*
7. *To provide social infrastructure that is flexible and adaptable.*
8. *To maximise opportunities for future residents to access and enjoy the outdoors.*
9. *To protect and enhance conservation areas.*
10. *To ensure the timely delivery of critical infrastructure.*
11. *To service the future educational needs of North Wilton though the delivery of quality places of learning.*

2.2 Referenced Figures	Comment
Figure 3: Indicative Staging Plan	Proposal is known as Stage 2 and 3, this does not correlate with naming on plan (identified as Stage 1 and 2 on the indicative staging plan). It is noted however that Figure 3 is indicative only, and no concerns with change to staging name arose during assessment of the application – noting area of the development is covered by a Neighbourhood Plan (Neighbourhood Plan No.1).

Figure 3 Indicative Staging Plan  	
Figure 4: Indicative Water Cycle Management Strategy (to be refined at Neighbourhood Plan and Development Application Stage)  	Refer to comments previously in the report, WCM infrastructure subject to conditions have been considered acceptable in the context and end of line treatment provided generally in accordance with Figure.
Figure 5: Aboriginal and Non-Aboriginal Cultural Heritage Sites (indicative Locations)	Noted, refer to earlier comments in the report, additional studies have been undertaken and bulk earthworks DA required to obtain AHIP prior to impacts to objects.

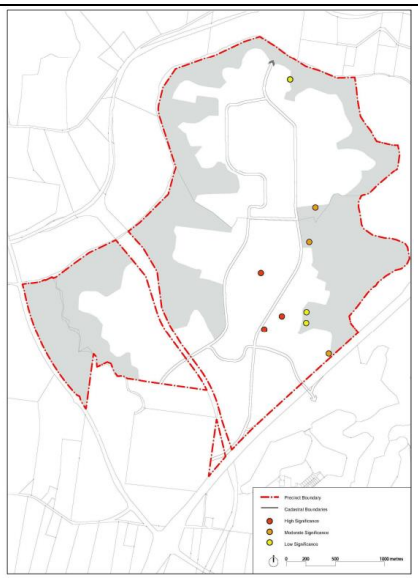
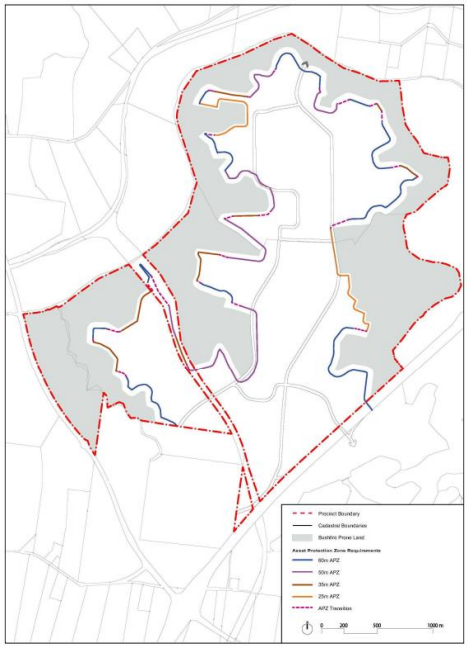


Figure 6: Indicative Bushfire Risk and Asset Protection Zone Requirements 	The proposal is considered consistent, recognising the areas identified in the figure as direction to threat. A Temporary APZ on neighbour to the west (102) however is required until wider area developed. Refer to recommended conditions.
Figure 7: Indicative Public Transport Plan	Noted, Sub Arterial Road construction considered appropriate for bus route.

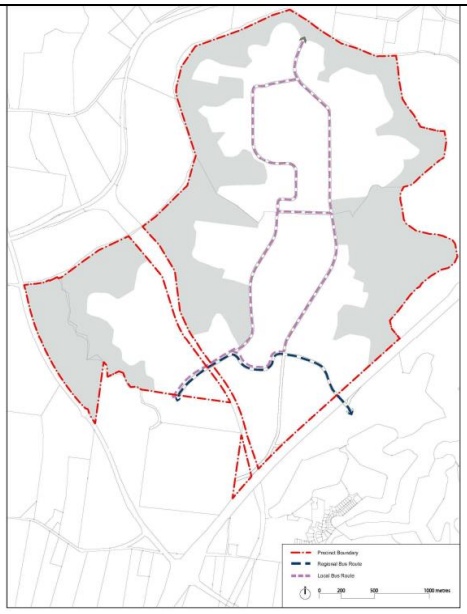
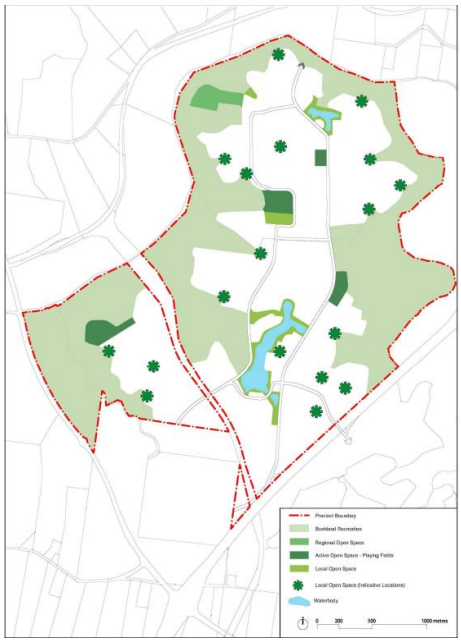
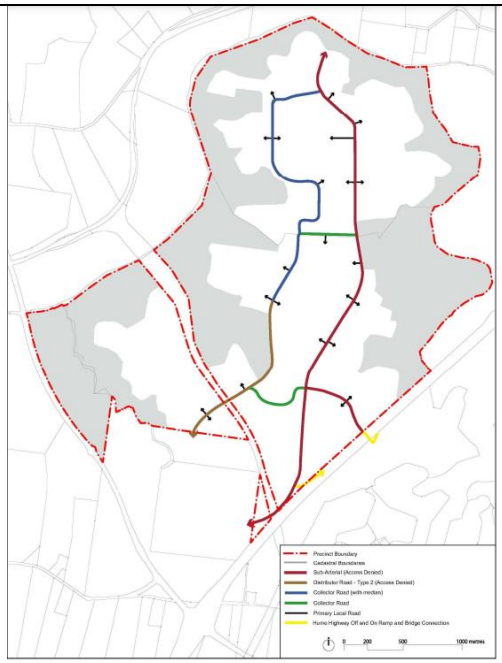
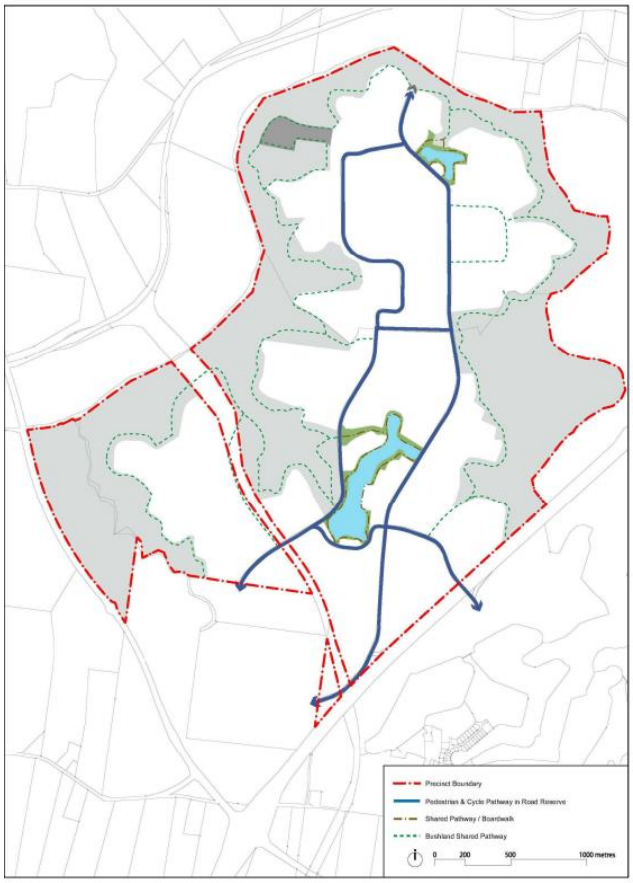
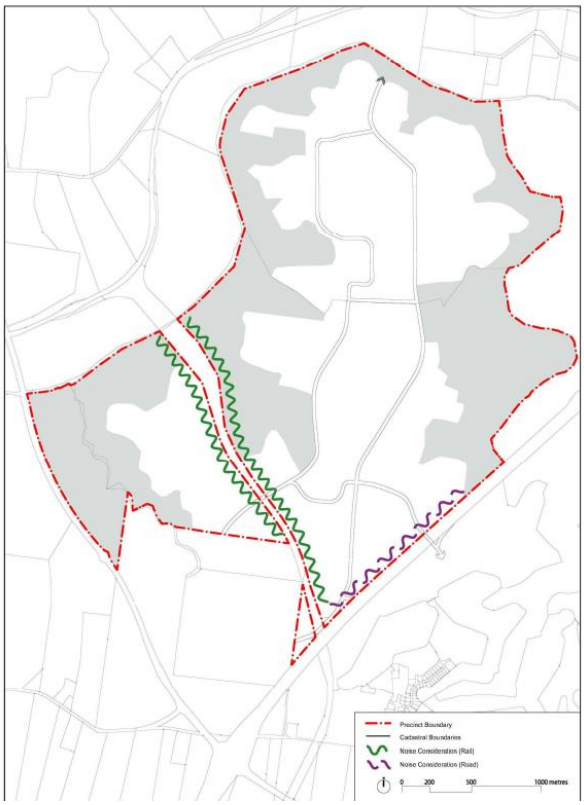
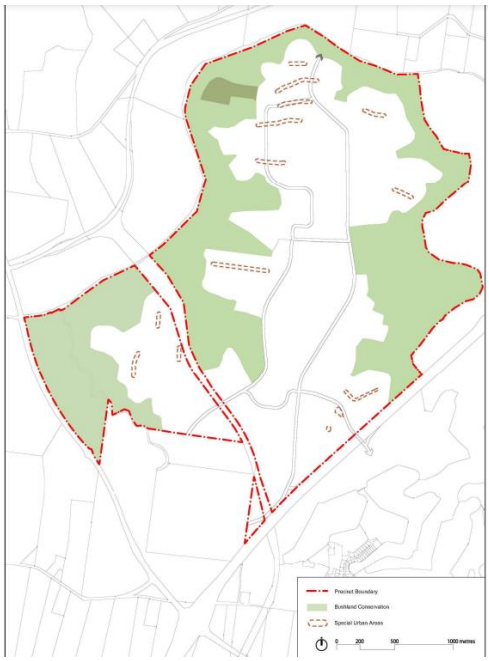


Figure 8: Indicative Open Space and Recreation Network 	Noted Figure is indicative only. Noted there have been amendments to the areas identified for open space in stage 2/3, refer to neighbourhood Plan No.1. The development however has been considered consistent with requirements as detailed in neighbourhood Plan No.1.
Figure 9: Indicative Precinct Road Hierarchy Plan	Identified Hume highway of ramp and sub arterial road around the development. Both considered during the assessment with subdivision design.

 Figure 10: Indicative Pedestrian Cycle Network Plan	Noted Figure is indicative only. Share pedestrian and cycle paths have been provided along sub arterial road, considered consistent with Figure 10.
 Figure 11: Indicative Noise Consideration Plan	Noted Figure is indicative only. An Acoustic Report was provided with the application which provided comment on identified

	noise sources. Refer to comments in earlier sections of the report.
3 Special Urban Areas	
Figure 12: Indicative Special Urban Areas 	Proposal provides the special urban areas shown within stage 2 – refer to plans – area provided as green space and includes retained trees associated with bulk earthworks DA.

North Wilton Precinct Schedule 2 – Neighbourhood Plan No.1

2.2 Neighbourhood Plan No.1

Objectives

1. To ensure development of the Neighbourhood is undertaken in a co-ordinated manner consistent with the vision and objectives of the Wilton 2040, North Wilton Precinct Structure Plan and the North Wilton Neighbourhood Plan.

Controls	Comment
1. All development is to be undertaken in accordance with the Neighbourhood Plan at Figure 2 subject to compliance with the objectives and development controls set out in this Part of the DCP.	Complies
2. Where variation from the Neighbourhood Plan is proposed, the applicant is to demonstrate that the proposed development is consistent with the Development Principles for the Neighbourhood set out in Section 2.1.	Noted, where variations proposed, application has demonstrated key principals maintained.
3. Development must be in accordance with Part 8 of the Wilton Growth Area DCP 2021 in relation to Sustainability and Biodiversity objectives and controls.	Complies subject to conditions.
4. Where a recycled water network is provided, all lots must be serviced by dual reticulation (potable and recycled).	Complies - Proposed with the application.
5. Where wildlife is present, appropriate protection measures are developed and implemented in consultation with the Environment and Heritage Group	Noted, site however is clear of vegetation.

2.3 Green and Blue Grid

Objectives

a. To facilitate the provision of open space consistent with the level of development.
b. To encourage a range of open space typologies for a broad range of activities and users.
c. To ensure that the Blue Grid is integrated into the development through appropriate WSUD infrastructure.

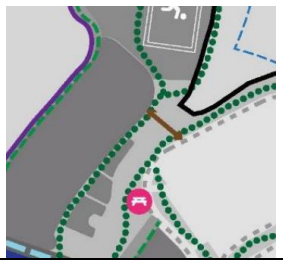
Controls	Comments
1. Open space is to be provided in accordance with the Green and Blue Grid Plan at Figure 3.	Generally consistent. open space locations and areas generally consistent with those nominated within Figure 3. It is noted open space area 4 is identified for double playing fields. Following further investigation this site has been considered unsuitable for double playing fields and the applicant has provided confirmation this shortfall will be provided in subsequent stages – refer to Recreation and Contributions Teams comments.
2. The size of open space is to be consistent with Figure 3. Where variations are sought, additional information and justification is to be provided that support the proposed variation.	Complies with the exception of Park 4 (double playing field park) which provides for an area of 3.6402 instead of 3.74ha. Park | Indicative area per Figure 3 | Provided area

<table>
<tr><td></td><td>
<table>
<tr><td>3</td><td>2.82 ha (excluding WSUD)</td><td>Provides 1.7437ha (excluding WSUD) to be incorporated into Open Space area of 1.448 ha (excluding WSUD) provided with stage 1 = 3.164ha</td></tr>
<tr><td>Park 4</td><td>3.74ha</td><td>3.6402ha</td></tr>
<tr><td>Park 5</td><td>0.92ha</td><td>0.942ha</td></tr>
<tr><td>Park 6</td><td>0.25 ha</td><td>0.2502ha</td></tr>
</table>

Noted however variation considered acceptable in the instance – noting variation is minor, park 3, 5 and 6 provide in excess of requirements. Further, upon detailed investigations the park was considered inappropriate for the anticipated double playing field and associated facilities – due to area, configuration and slope of the land. The applicant has provided a written undertaking confirming their intention to provide this infrastructure in a more appropriate area in Neighbourhood Plan No. 2 (currently being developed).
</td></tr>
<tr><td>3. WSUD is to be consistent with Section 3.3 of the DCP. Where variations are sought, additional information and justification is to be provided that support the proposed variation and achieve the objectives of Section 3.3</td><td>Complies, WSUD considered appropriate subject to conditions.</td></tr>
<tr><td colspan="2">2.4 Tree Canopy Cover</td></tr>
<tr><td colspan="2">Objectives</td></tr>
<tr><td colspan="2">a. To ensure 40% tree canopy cover is achieved in accordance with the DCP.
b. To ensure the bushfire risk is mitigated though appropriate design responses
c. To support a balanced approach between tree canopy cover and bushfire risks.
d. Preserving and enhancing local bushland to protect local native plants and animals.
e. Support the reduction of the heat island effect via consideration of building materials and colours as well as tree canopy cover</td></tr>
<tr><td>Controls</td><td>Comment</td></tr>
<tr><td>1. 40% tree canopy cover to be achieved within 15-20 years.</td><td rowspan="2">Tree canopy analysis indicates alignment with the neighbourhood plan strategy to deliver 40% tree canopy coverage within 15-20 years. While conditions have been included for an amended landscape plan, alternate species agreed to by the parties are not expected to negatively impact coverage (alternate species considered more appropriate to the locality, resilient and will be required to have a similar canopy size).</td></tr>
<tr><td>2. All applications must demonstrate how 40% tree canopy cover can be demonstrated across the development site by providing a tree canopy analysis plan which provides calculations for the following:

a. Canopy area for trees proposed for their growth at 5, 10, 15 and 20 years
b. Site area
c. Trees located within road reserves and trees located within rear and front setback of lots as per DCP</td></tr>
</table>

d. Total tree canopy coverage (%) at 5, 10, 15 and 20 years across the development site e. Total tree canopy coverage (%) at 5, 10, 15 and 20 years across the road reserves	
3. Driveways are encouraged to be set to assist with the siting of trees within the streetscape.	Complies – Driveway are set with design.
4. Demonstration in the development application of other innovative approaches towards achieving 40% tree canopy cover is encouraged.	Applicant proposes the provision of canopy coverage in part through Council road reserve and in part on private lots. Approach considered acceptable in the context.
5. For land that is affected by APZ, the requirements of Planning for Bushfire Protection 2019 (PBP) must be applied, including the relevant tree canopy requirements in Inner and Outer Protection Areas.	Noted, no concerns raised by applicants Bushfire Consultant or the NSW RFS subject to conditions of consent.
6. When demonstrating the achievement of 40% canopy cover, land affected by APZ should be removed from any calculation.	Noted calculations have removed area provided as APZ from calculations.
7. Tree species proposed within APZs are to be appropriate for the risk level. Consultation between the appointed bushfire consultant and the landscape architect or arborist is to be undertaken.	Noted, applicant to consider in revised landscape plan, determination to be conditioned to ensure proposal consistent with NSW RFS GTAs.
2.5 Grey Grid	
Objectives	
a. To promote safe, attractive and interactive streetscapes which respond to their surroundings and their role in the wider transport network.	
b. To provide a clear hierarchy of road types which recognise the need to integrate pedestrian, cycling and vehicle movements within the Neighbourhood.	
c. To encourage public and active transport use through the provision of appropriate enabling infrastructure.	
d. To provide a convenient, efficient and safe network of pedestrian and cycleway paths for the use of the community, within and beyond the site.	
e. To encourage residents to walk or cycle, in preference to using motor vehicles, as a way of gaining access to the schools, shops, and local community and recreation facilities.	
f. To promote the efficient use of land by allowing pedestrian pathways and cycleways to be located within parks and corridors.	
Controls	**Comment**
1. The pedestrian and cycle network is to be consistent with Figure 4.	Pedestrian / Cycle Green Path provided in part – future Park embellishment DAs to contain further connection points.
2. Off road pedestrian and cycle links are to be integrated with open space, special urban areas and conservation areas.	Complies, those sections practical to Stages to be delivered.
3. Pedestrian and cycle routes and facilities in public spaces are to be safe, well lit, clearly defined, functional and accessible to all.	Conditioned to comply. Street lighting plan to be provided with SWC.

4. Pedestrian and cycle shared paths and facilities within the bushland area are to provide access to the wider community. Pedestrian and cycle shared paths are to be a minimum width of 2.5m.	Complies.
5. Streets are to be designed in accordance with Section 3.14 Movement of the DCP. Alternate street type designs are permitted, subject to negotiation with the relevant consent authority. Where alternate street type designs are proposed, they must demonstrate the following: a. Achievement of the objectives of this Section and those of Section 3.14 Movement. b. Achievement of the 40% canopy cover in accordance with Section 2.4 Canopy Cover of this Part. c. Provision of adequate pedestrian and cycle infrastructure. d. Achievement of adequate vehicle movement commensurate to the street type	Street design considered appropriate, refer to earlier comments in the report.
6. Principles of CPTED (Crime Prevention through Environmental Design) to be incorporated in the design of the access and movement system.	Proposal considered appropriate in this regard: - Lots containing appropriate frontage to streetscape and will result in dwellings addressing streetscape. - Corner lots of an appropriate size to ensure future dwelling address both street frontages - Maintenance track/cycle path located to be largely visible from the public domain. - Street lighting plan to be conditioned to ensure appropriate lighting provided in public areas.
2.6 Bushfire Management and Evacuation	
Objectives	
a. Create safe communities which consider emergency access arrangements.	
Control	Comment
1. Emergency access to be located consistent with the location nominated in the Neighbourhood Plan at Figure 2. 	Further information was sought as to the provision of the Emergency Access Link (brown arrow) shown within Figure 2. The applicant noted that this this link is to be provided at the time of Open Space Embellishment DA, the open space will provide for pathways capable of being utilised by services and emergency vehicles.

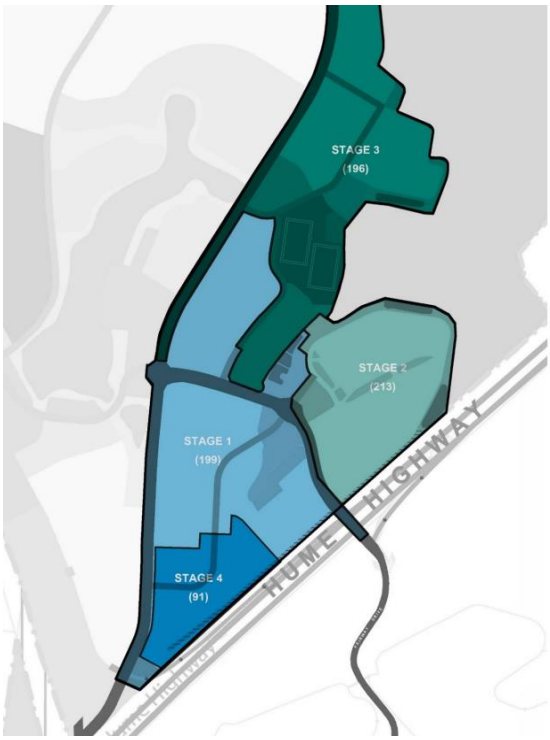
	As the current subdivision design does not rely on this access for compliance with PBP 2019. The proposal was considered appropriate.
2. Emergency access location and configuration is to be considered and proposed as part of subdivision development applications where required.	
3. Emergency access for each subdivision development application to be negotiated and agreed with RFS.	
4. Consideration to be given to suitable locations for emergency access to be provided for people from elsewhere in the Shire relocating to Wilton during major fire events	

2.7 Contaminated Land	
Objectives	
a. To identify and appropriately address any known contamination.	
Controls	Comment
1. Detail site investigations and appropriate control measures for the area identified in the Land Contamination Plan at Figure 5, will be undertaken as part of the development application.	DSI provided with the application, threat of contamination considered low. The site is considered suitable for intended residential land use, refer to comments throughout report.

2.8 Residential Controls	
2.8.2 Lot design	
Objectives	
a. To support and enhance existing mature tree canopy.	
b. To support the retention of paddock trees.	
c. To ensure tree canopy can be met through appropriately planting trees in residential lots.	
Control	Comment
1. Maximise opportunities to retain mature trees through the considered design of roads and lot	N/A – No vegetation removal associated with this DA
2. Open space will be located to benefit from established tree canopy.	Complies – trees nominated for retention with bulk earthworks to provide for established tree canopy in open space.
3. The removal of trees, as a result of detailed design, is to be supported by evidence that demonstrates that it is not possible to be retained, including: • Detailed engineering design; • Detailed tree survey and assessment, including current health and likely survival; and, • Road and lot/dwelling alignment.	N/A - No vegetation removal associated with this DA. Vegetation removal considered appropriate with bulk earthworks DA.

4. Tree planting is to be proposed at a minimum in accordance with Section 5.10 of the DCP.	Complies
2.8.3 Prominent Sites	
Objectives	
a. To mitigate the visual impact of the development on the surrounding area.	
b. To use landscaping as a principal form of visual softening	
Controls	Comments
1. Development in or on higher elevations are to be designed to be sensitive to the scenic and visual qualities of the area.	Complies, - vegetation mounding proposed along the Hume to limit visual impact to and from the Hume Highway. - Conditions also included in regards to retaining wall height to limit any visual impact associated.
2. During planning phase, consideration is given to one or more of the following elements in minimising visual impact; • Lot siting and orientation, • Landscaping design, • Roof pitch and design, • Colour palette.	Complies, subdivision design has considered lot siting, orientation and landscaping to limit visual impact of the development.
3. Use of vegetation to soften the visual landscape.	As above.
4. Development in higher elevations to ensure that no building elements dominate the skyline.	Development anticipated onsite low density residential in nature. Dwellings not anticipated to dominate the skyline.
5. Construction of buildings in prominent site are to be single storey in appearance	Not considered necessary in the context.
2.8.4 Residential lot adjacent to the land zoned C2 Environmental Conservation	
Objectives	
a. a. To facilitate mitigation of bushfire risk through lot and street design.	
b. b. To promote the appropriate use of land affected by bushfire.	
Controls	Comment
1. Each allotment to have a build area of approximately 280m2 outside of APZ affected land	Complies – lots accommodating APZ have been provided sufficient area to build outside APZ.
2. Despite any provisionsin the main part of the DCP, land affected by APZ can be utilised for the purposes of private open space. a. Appropriate fencing and landscaping is to be used to create private open space areas.	Noted.

3. A perimeter road is to be provided for all lots that front the C2 Environment Conservation land (refer to Figure 6). The road is to be consistent with the requirements of Planning for Bushfire Protection 2019.	Complies – no concerns raised by NSW RFS subject to conditions
2.8.5 Acoustic amenity and Precinct Interface	
Objectives	
c. To minimise the impacts of noise from major transport infrastructure.	
d. To achieve an acceptable residential noise environment whilst maintaining well designed and attractive residential streetscapes.	
e. To facilitate a landscaped buffer between the Hume Highway and residential development.	
Controls	**Comment**
1. The interface with the Hume Highway boundary is to be consistent with the following: a. A maximum batter of 1:3. b. A variety of vegetation to provide visual screening. c. A 2.5m path, to be used for active transport and maintenance.	Complies: - Proposal provides for a maximum batter of 1:3 - A variety of vegetation to provide visual screen - A 2.5m path to be used for active transport and maintenance.
2. Development of land affected by noise is to be consistent with the noise criteria in Development Near Rail Corridors and Busy Roads - Interim Guideline (Department of Planning 2008).	Complies -refer to Acoustic Report
2.9 Indicative Staging and Yield	
Objectives	
a. To ensure the residential development targets identified in the SEPP and confirmed through the Neighbourhood Plan preparation process are achieved and not surpassed.	
b. To provide a range of residential development densities and types for a wide variety of demographic and socioeconomic groups	
c. To ensure the yield achieved within the Neighbourhood Plan is consistent with the nominated residential dwelling capacity of the precinct	
d. Maximise access to open space and services through well located medium density and small lot housing	
Controls	**Comment**
1. The residential dwelling target for North Wilton is 5, 600	Noted, subdivision will not result in dwelling exceeding cap, refer to earlier comments.
2. Dwelling yields proposed in each subdivision application will be tracked against those in the Neighbourhood Plan.	Proposal is technically below indicative stage yield identified in Figure 8, however it is noted that the proposal does not include for the development of the medium density areas which is anticipated to meet this shortfall. As the proposal currently stands, the development will result in: - 147 residential lots in Stage 2, below indicated 213 lots for the stage. - 171 residential lots in Stage 3, below indicated 196 lots for the stage
3. Dwelling yields may be 'traded' between sub-precincts if it meets the overall targets and objectives of the DCP and Neighbourhood Plan. Where variation to the indicative stage yield is proposed, an applicant is to demonstrate that the overall dwelling target of 5,600 dwellings for the	

Neighbourhood Plan area can still be achieved (refer to Figure 8).  	It is noted that stage 2/3 development contains residue lots identified for medium density development (2.629 hectares), and the shortfall in dwellings anticipated to be delivered in these areas (per SEPP requirements area to contain between 66 and 118 dwellings). It should also be noted that the stage yield can be transferred between stages per control 3. And the outcome of the subdivision (approved and proposed to date) is considered appropriate to achieving Neighbourhood Plan No.1 target of 699 dwellings: - Stage 1 approved 197 residential lots - Stage 4 proposed 103 residential lots - Stage 2/3 proposed 313 residential lots = 613 residential lots (anticipated for detached dwellings) Medium density therefore required to provide only 86 additional dwellings to achieve nominated dwelling numbers for Neighbourhood Plan No.1.