

24 May 2024

Western City Planning Panel

PPSSWC-354 – 195A and 195D Fairways Drive Wilton (Stage 4: 103 Lot Torrens Title Subdivision)

I refer to the Panel's letter of 22 April 2024 and requirements within the Record of Deferral dated 7 May 2024 in respect of PPSSWC-354 and provide the following comments:

Council Response to Panel Letter dated 22 April 2024

The letter raised concerns regarding the availability of services and requested consideration of site emergency access arrangements.

1. Servicing

Council sought clarification from Sydney Water in relation to the Panel's concerns and the recent advice received. Sydney Water responded on 17 May 2024 (Attachment 1) in relation to this DA (Stage 4) as follows in relation to potable water, recycled water and wastewater:

- Potable Water: The system is capable in the short term of servicing 515 lots in North Wilton. The remaining will not be serviced until Sydney Water delivers the Wilton New Town Stage 1 water infrastructure work, anticipated in 2027.
- Recycled Water: As above, the system is capable in the short term of serving 515 lots.
- Wastewater: The proposed development cannot be serviced until the Wilton New Town Stage 1 trunk assets are delivered (estimated 2027).

The Bingara Gorge Treatment Plant is currently at capacity and cannot service the proposed development (upgrades estimated 2027).

The letter advises the proponent work with Sydney Water to explore possible interim servicing solutions via a suitable Interim Operating Plan (IOP) until wastewater service becomes available with upgrade works.

Per clause 7.1 of Appendix 8 of (SEPP PWCP), Council needs to be satisfied that adequate arrangements for public utility infrastructure have been made to make the infrastructure available when required. Clause 7.1 States:

(1) Development consent must not be granted for development on land to which this Precinct Plan applies unless the council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required.

[Emphasis added by Council]

Stage 4 is intended to follow Stage 1. Stage 1 involved the registration of 197 lots, and based on above advice, Stage 4 will be able to be serviced by potable water and recycled water (being under the 515 cap).

In terms of wastewater, while this cannot be currently serviced with the existing system, arrangements appear to be in place to provide for this infrastructure. The anticipated provision in 2027, albeit not ideal, is considered to remain within an acceptable timeframe from the date of determination of this application, and within a period in which its provision can be reasonable anticipated to proceed.

Further, it is noted the letter advises the ability for the applicant to explore interim arrangements with Sydney Water, until this infrastructure becomes available.

Council sought clarification from the applicant about any Interim Operational Plan (IOP). The Applicant advised their intention to provide an IOP for Stage 4, noting an IOP was endorsed by Sydney Water for Stage 1 and this IOP has been sized to cater for Stage 4. An application with Sydney Water will be lodged following Stage 4 determination - refer to Attachment 2 for details of the Applicant's response and development overall timing for service delivery.

In light of above, and subject to inclusion of the below condition, the development is considered consistent with clause requirements, namely that arrangements are in place for the infrastructure provision, and this infrastructure, subject to the below condition, will be made available when it is required (i.e. prior to lot registration).

112	<p>Sydney Water</p> <ul style="list-style-type: none"> a. Written evidence of suitable arrangements with Sydney Water, (Section 73 Compliance Certificate), for the supply of water and sewerage services to the development is to be submitted to the Principle Certifying Authority prior to the issue of a Subdivision Certificate. b. A Subdivision Certificate shall not be issued, unless the method of sewage disposal is by gravity or pressure reticulated mains to either Sydney Water branch and trunk sewers or Sydney Water point of treatment. <p><i>Condition reason: To ensure adequate services available to the development.</i></p>
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Bushfire

The Panel has requested Council consider the contingent response from NSW Rural Fire Services (RFS) as to the evacuation routes in the event of fire. The Panel noting that the RFS has given concurrence based upon assumptions made as to the availability of the "Cattle Bridge" for evacuation purposes and the issue would appear to be resolvable by a condition.

Council had understood that the proposal does not feature an additional evacuation path, and that General Terms of Approval (GTAs) were issued for both developments based on information provided with the individual applications (bushfire reports, plans, Statement of Environmental Effects and traffic impact assessment etc). These documents indicated both subdivisions rely on access arrangements via the access bridge (over the referred to cattle bridge) connecting to Fairways Drive in Bingara, until required upgrades per the State Voluntary Planning Agreement (which include for the bridge upgrade and provision of the Hume Highway northbound and southbound ramps).

Council sought confirmation from RFS as to whether the above understanding was correct, and whether GTAs had considered the proposed changes to the State VPA and the timing of provision of the on and off ramps – from registration of the 300th lot to registration of the 450th lot.

RFS confirmed the above on 2 May 2024, and also advised they are aware of the proposed amendments to the on and off ramp timing provision to the 450th lot. The Stage 4 DA provided for a Traffic Management Assessment and Bushfire report based on the continuation of the interim arrangements until the 450th lot.

While Plans and Reports referenced in the Notice of Determination should ensure the proposal is completed in accordance with the above, to limit confusion and ensure the interim access arrangement remain free of obstruction at all times until the new bridge and ramps are constructed, it is recommended the below condition be included in the consent:

#	Traffic Management and Development Access
	Interim access arrangement via the Niloc Bridge are to be operational at all times prior to the completion of the new bridge and the southbound and northbound Hume Highway ramps.
	At no point should there be obstructed access to the development from Fairways Drive.
	<i>Condition reason: To ensure that traffic arrangement is suitable for the development scale and fire safety appropriately considered.</i>

The Applicant has agreed to inclusion of above condition.

Council Response to Record of Deferral dated 7 May 2024

Attached are a consolidated condition set as requested in the Record of Deferral for PPSSWC-354 dated 7 May 2024 – Refer to Attachment 3.

This condition set has reinstated Council requested 5-year term for tree and irrigation infrastructure maintenance (per Point A in the Record of Deferral), and includes the above Traffic Management and Development Access condition.

It is noted within the Record of Deferral, that the Panel did not agree to impose a condition requiring additional WSUD measures (Point B). This condition was not recommended by Council staff for inclusion in Stage 4 (Stage 2-3 only), therefore no update to the condition set in this regard is required.

The attached condition set has been reviewed and agreed to by the Applicant.

Should the above matters be resolved to the satisfaction of the Panel, it is requested the Panel consider determination of PPSSWC-354 (Stage 4), while further discussions are



underway between the parties to resolve koala / dog fencing conditions pertaining to PPSSWC-301 (Stage 2-3).

Kind regards

Digitally Signed: Bridie Riordan
Senior Development Assessment Planner
Friday, 24 May 2024 10:17:50 AM
Development Services

Bridie Riordan

Senior Development Assessment Officer

Wollondilly Shire Council