



Wilton Growth Area

# Wilton Town Centre Precinct Rezoning

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Finalisation Report

September 2021



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## Executive Summary

Amendments to *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (the Growth Centres SEPP) are proposed to rezone the Wilton Town Centre Precinct (the Precinct) within the Wilton Growth Area (the growth area).

This report documents the Precinct rezoning consultation process, summarises the issues raised in submissions and reports on how those issues have been addressed to finalise the rezoning.

Rezoning of the Precinct will allow for the development of Wilton Town Centre as the emerging strategic centre in the region, providing a full range of retail, business and community uses, consistent with the NSW Government's vision for the Western Parkland City.

The Precinct comprises 193 hectares of land and once rezoned has the potential to deliver up to 1,600 new low and medium density homes in a variety of lot sizes and housing types, a town centre of 50,000 square metres of retail and supporting commercial and business uses, employment areas for uses including bulky goods and logistics, land for a future educational establishment, 12 hectares of land for public recreation and 36.6 hectares of environmentally sensitive conservation land.

The draft Precinct rezoning package, including the Discussion Paper, draft structure plan and draft SEPP maps, was exhibited between 6 November and 17 December 2020.

A total of 31 submissions were received, including:

- 14 submissions from landowners and the community;
- 5 submissions from developers and industry groups; and
- 12 submissions from Government agencies, including Wollondilly Shire Council.

The submissions are generally in favour of the rezoning of the Precinct, given its key role in providing services and local employment opportunities for future residents of the growth area and the wider Wollondilly area.

However, a key theme running through the submissions is an emphasis on the delivery of State and local infrastructure in a timely manner to support the development of both the Precinct and the growth area. Protection of the environment was also a key issue raised by agencies, Council and individual submitters.

The key issues raised in submissions included:

- the impact on traffic, and the need for transport and road network upgrades;
- the need for improved public transport and rail connections;
- seeking the provision of significant social infrastructure including a new K-12 school, medical and health facilities;
- the importance of defining the E2 zoning boundaries, biodiversity considerations and retention of koala habitat and corridors;
- concerns over long-term provision of water supply to the Precinct; and
- confirmation of the relinquishment of coal mining leases in the Precinct as part of the pathway to rezoning.

A discussion of these issues can be found in Section 3 of this report and a summary of all submissions and the Department of Planning, Industry and Environment (the Department) responses can be found at **Appendix A** to this report. The final Precinct Structure Plan can be found at **Figure 3** of this report.

# 1. Introduction

## 1.1 Overview of the proposal

The Wilton Town Centre Precinct (the Precinct) covers an area of 193 hectares in the central part of the Wilton Growth Area (refer to **Figure 1**). The Precinct shares boundaries with North Wilton and West Wilton precincts, and is located on the western side of the Hume Motorway, to the west of Bingara Gorge and the existing Wilton village.

The Precinct is currently zoned for rural purposes under the Wollondilly Local Environmental Plan 2011.

The Precinct is accessed from Picton Road. The Sydney Skydiving Centre operates on part of the Precinct adjacent to the Hume Motorway.

Over the next 20 years, the Wilton Town Centre is expected to become the largest strategic centre within the Wilton Growth Area and the wider Wollondilly Shire local government area. It will provide a variety of employment and retail opportunities, new educational facilities, a network of local open spaces, new roads, public transport infrastructure, diverse housing and social infrastructure.

The Precinct is proposed to be primarily zoned Urban Development (UDZ) under the Growth Centres SEPP, with environmentally sensitive areas zoned E2 Environmental Conservation and land for State and regional Infrastructure zoned SP2.

Development of the Precinct will enable the establishment of the Precinct as the emerging strategic centre in the region, with the early delivery of an education establishment, district level recreational open space, major road connections, a public transport hub and social and community facilities to support the Growth Area and the wider Wollondilly Shire.

The Precinct will also provide significant areas of employment-generating land uses to enable the significant expansion of local job opportunities beyond the Wilton Town Centre.

The Precinct will comprise of 193 hectares and will deliver the following key measures :

- Up to 1,600 new homes (the majority being low density residential dwellings) and up to 7,000 new local jobs on 127.7 hectares of land zoned for urban development;
- Flexibility to provide a range of lot sizes, housing types and promote housing choice;
- 36.7 hectares of environmentally sensitive land;
- A retail core of approximately 50,000m<sup>2</sup> and supporting commercial and business uses;
- Areas of medium density residential to support the Precinct's centre;
- Employment areas identified for uses including bulky goods retailing and logistics;
- Land for a Kindergarten to Year 12 public school, co-located with sporting fields and a town park;
- Major public open space that can cater for district-level active recreation uses;
- A new street network including walking, cycling and public transport routes; and
- Preservation of long-term options for public and freight (road and rail) transport with a total area of 28.9 hectares of land zoned for road and rail infrastructure.

The draft Wilton Town Centre Precinct rezoning package was exhibited from 6 November 2020 to 17 December 2020.

Following public exhibition, the Department has undertaken an extensive review of issues raised in the submissions. This has informed the finalisation of the proposed rezoning.

## 1.2 Precinct Planning Background

The broader Wilton Growth Area comprises seven precincts: including South East Wilton, North Wilton, Wilton Town Centre, Wilton West, South Wilton, Maldon and Bingara Gorge.

Bingara Gorge was rezoned in 2005 and is being developed in stages for around 1,800 residential lots situated around a golf course. South East Wilton and North Wilton precincts were rezoned in 2018 for primarily residential development and are in the early stages of development.

Rezoning of the Precinct will complement and facilitate the first phase of development of the Wilton Growth Area.

Strategic planning for all of the Wilton Growth Area precincts is informed by *Wilton 2040 – A Plan for the Wilton Growth Area* (Wilton 2040) which provides an overarching strategic planning framework for the growth area.

Wilton 2040 includes the Wilton Growth Area Structure Plan (reproduced at **Figure 2**), precinct planning principles for development and details of infrastructure required to support the establishment of a new community in the growth area of around 15,000 dwellings and a range of retail and commercial services.

The rezoning of the Precinct includes the reference to a precinct structure plan through Appendix 16 of the Growth Centres SEPP. Development in the Precinct must be generally consistent with the adopted Precinct Structure Plan (at **Figure 3**).



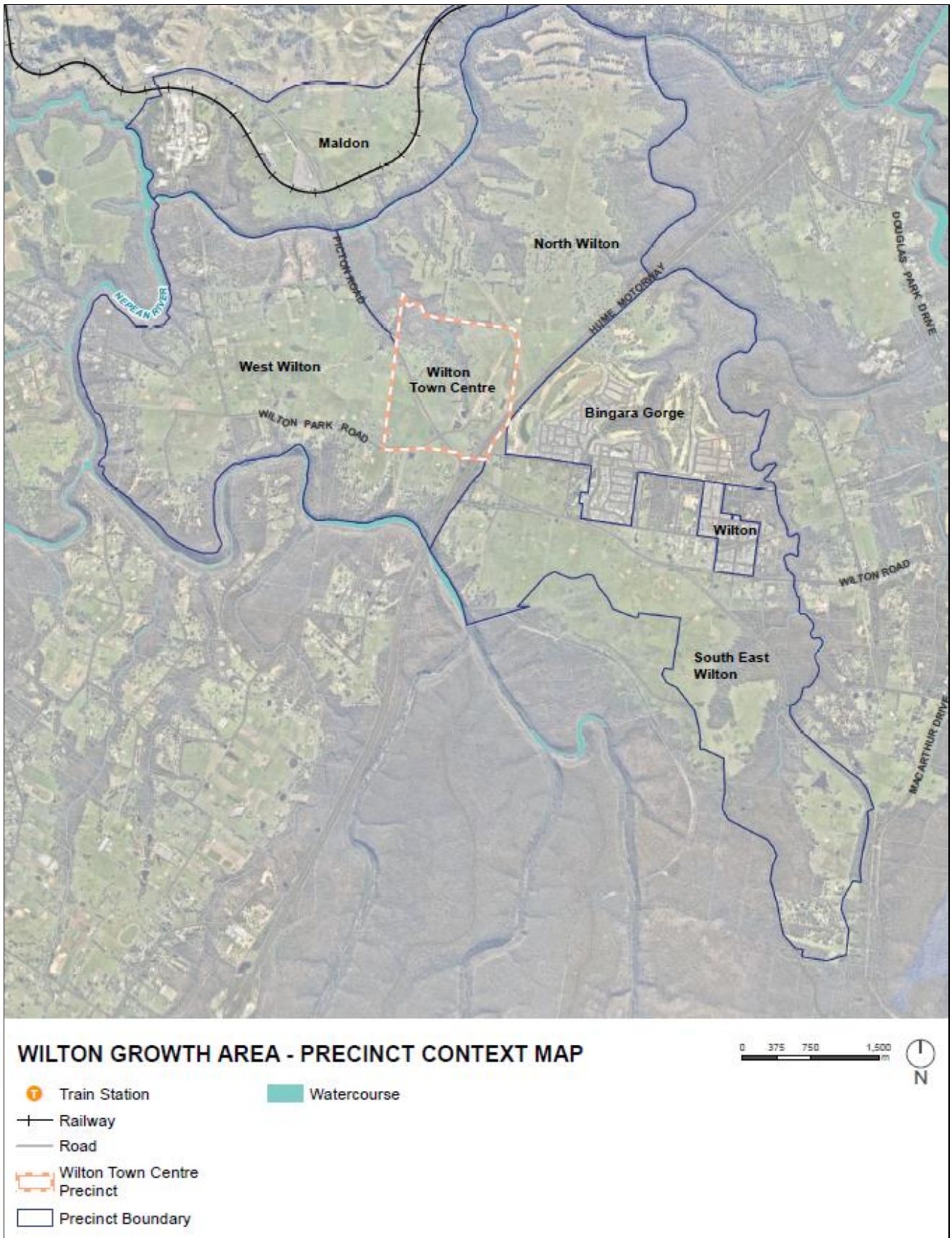
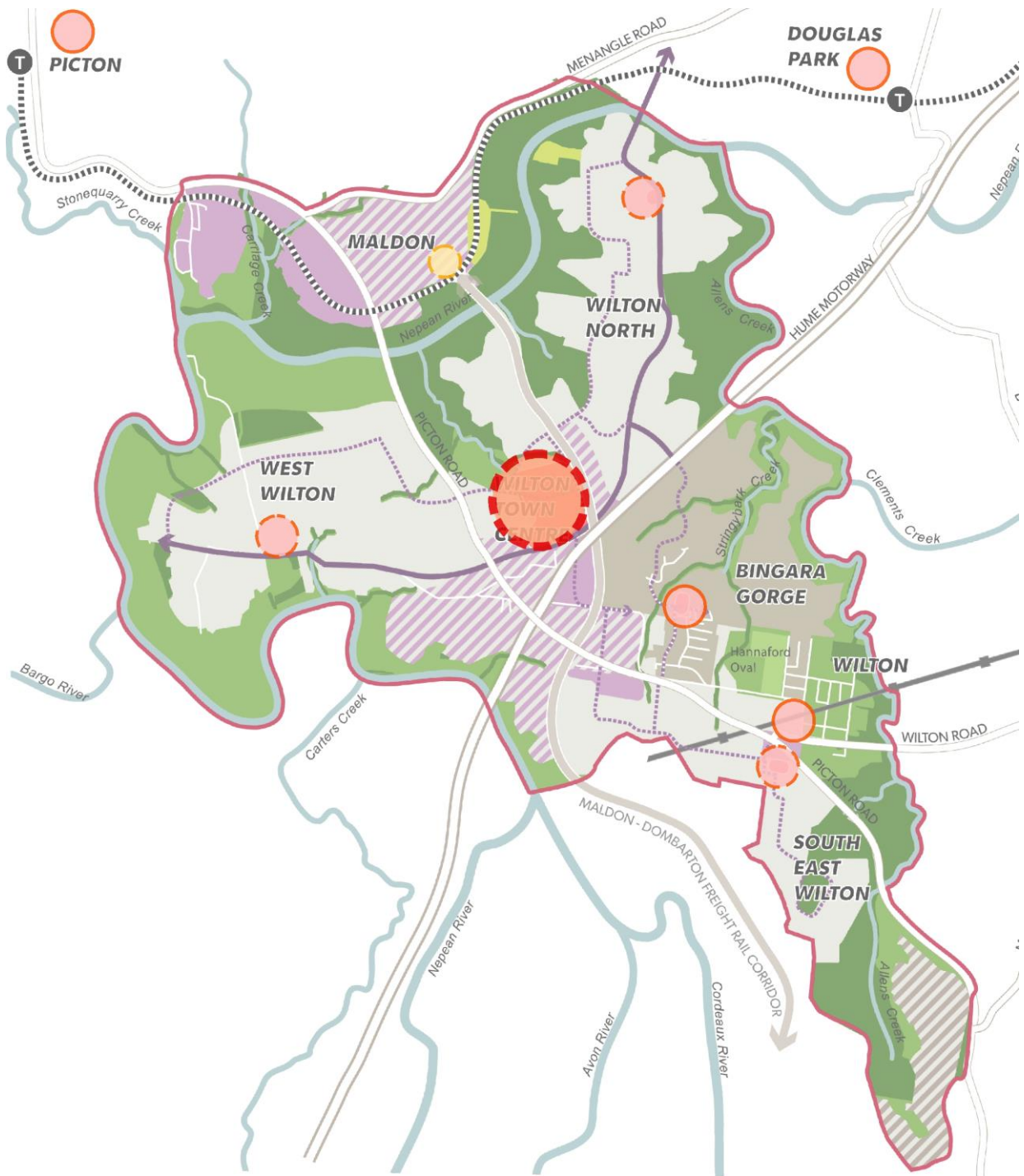


Figure 1 - Wilton Growth Area Precinct Context Map



**LEGEND**

- |                            |  |  |
|----------------------------|--|--|
| Future Strategic Centre    | Wilton Growth Area   | Urban Capable  |
| Existing Local Centre      | Hume Motorway  | Existing Urban Land                                    |
| Future Local Centre        | Arterial Roads   | Environmental Living                                   |
| Future Neighborhood Centre | Rail Line and Station                                      | Employment Land  |
| Conservation               | Existing rural/non-urban land (potential for conservation) | Employment Land Use for Further Investigation          |
|                            | Waterways  | Wilton Town Centre                                     |
|                            |  | Proposed Sub-Arterial Road                             |
|                            |  | Proposed Collector Road                                |
|                            |  | Regional Open Space (proposed and under investigation) |



**Figure 2 - Wilton Growth Area Structure Plan (from Wilton 2040)**



## 1.3 Wilton Town Centre Precinct Land Use Components

The final Precinct Structure Plan at Figure 3 illustrates the Precinct's land use components. There is minimal change to the exhibited Precinct Structure Plan – adjustment of the boundaries of the environmental conservation land has been made to align with the final draft *Cumberland Plain Conservation Plan* (CPCP) boundaries.

In its final form the Precinct will support the delivery of approximately:

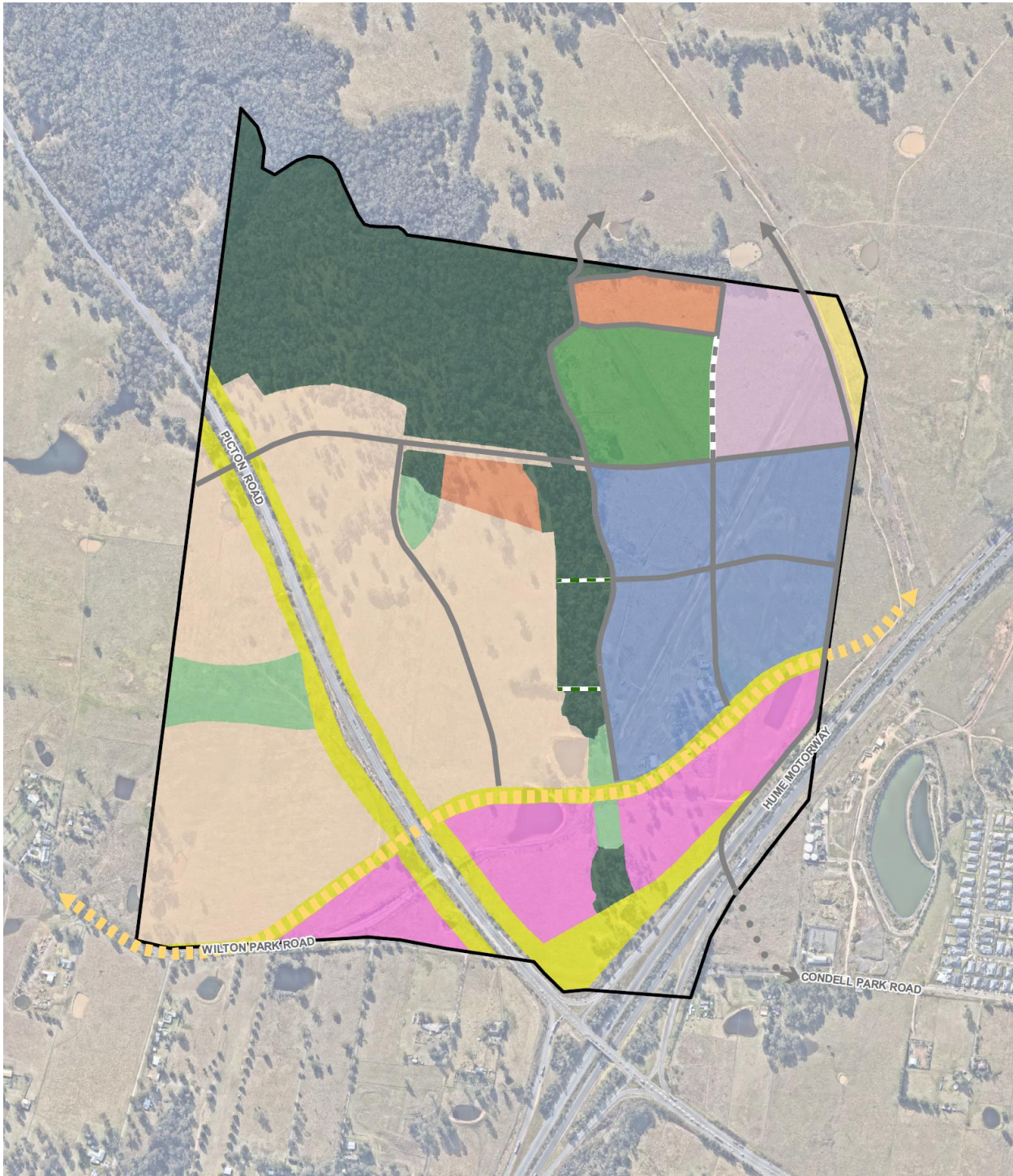
- 17 hectares of employment land that supporting up to 4,700 jobs;
- The major town centre with up to 2,300 jobs and regional services and facilities;
- 36.7 hectares of environment conservation land;
- 12 hectares of open space;
- 28.9 hectares for infrastructure, including major roads and the Maldon-Dombarton rail corridor; and
- A total of 1,600 dwellings within the Precinct, providing a diverse range of housing.

The distinguishing components of the Precinct (in addition to areas for low density residential development and environmental conservation found in other precincts in the growth area) are:

- **Major Town Centre** area - the retail and commercial core - will be located on the southern side of the main east-west collector road, adjacent to the proposed school site and major public open space.

This area will contain the main concentration of major retail, civic and cultural functions within the growth area. It will become a diverse, mixed-use centre which will include entertainment, retail support opportunities and commercial businesses together with residential uses above street level.

- **Medium Density Residential Areas** - These areas are in walking distance to the Town Centre core and are ideally located to access the centre and to open space and playing fields adjoining the proposed School Site.
- **Employment land** - these areas will adjoin Picton Road and the Hume Motorway. They will offer opportunities for a wide variety of uses and generate local employment.
- **Conservation areas** – will consist of areas where koala habitat will be protected, and a central riparian spine that will contribute to the landscape attributes of the Precinct.



WILTON TOWN CENTRE PRECINCT STRUCTURE PLAN (2 August 2021)

0 125 250 m  
 N  
 Publication Date: 2/09/2021  
 Coordinate System: GDA 1994 MGA Zone 56

- |                             |                            |  |
|-----------------------------|----------------------------|--|
| Wilton Town Centre Precinct | Low density residential    | Playing fields                         |
| Cadastre                    | Medium density residential | Environmental conservation             |
| Local road                  | Employment land            | Proposed Infrastructure Works SP2      |
| Shareway                    | School                     | Maldon-Dombarton Freight Rail Corridor |
| Indicative Walkway          | Major Town Centre          |  |
| Sub Arterial road           | Local open space           |  |



Figure 3 - Final Wilton Town Centre Precinct Structure Plan

## 2. Exhibition Details

### 2.1 Exhibition and Submissions Period

The draft rezoning package was exhibited from 6 November 2020 to 17 December 2020. All submissions received by the Department have been considered in the summary of submissions report at **Appendix A**. A total of 31 submissions were received.

### 2.2 Wilton Town Centre Precinct Rezoning Package

The exhibited planning package consisted of several documents and plans, including:

- a Discussion Paper (to accompany an Explanation of Intended Effect to explain and justify rezoning the precinct under the Sydney Growth Area SEPP);
- draft Precinct Structure Plan (PSP), outlining the strategic vision for this Precinct;
- draft Growth Centres SEPP maps to support the rezoning;
- technical studies; and
- additional draft parts to the *Draft Wilton Growth Area Development Control Plan 2019* (DCP) focusing on:
  - draft Part 6 Employment;
  - draft Part 7 Wilton Town Centre; and
  - draft Schedule 3 Wilton Town Centre Precinct.

The draft rezoning package was available on the Department's website.

### 2.3 Public Notice

A media release announcing the start of the exhibition was issued by the Department on the 6 November 2020. A notice was placed in the Wollondilly Advertiser on 11 November 2020 advising of the details of the public exhibition.

### 2.4 Notification

The Department sent notification letters to approximately 1,164 landowners and residents within the precinct and surrounding areas.

The Department also sent notification letters by email to all landowners and key stakeholders (see **Appendix B**) advising of the exhibition. These stakeholders included Wollondilly Shire Council, relevant State Government agencies, service providers and industry groups.

### 2.6 Community Engagement

Community engagement for the exhibition was carried out virtually due to COVID 19 restrictions. The following activities occurred during the exhibition period:

- Electronic Direct Mails (EDM) were sent out to 1,014 recipients throughout the exhibition campaign for residents who registered in the database.
- An online information session Webinar was held by representatives of the DPIE on Thursday 19th November 2020. A Webinar Q&A Response Summary was provided to all participants following this webinar.
- Maintained a dedicated precinct webpage on the Department's website which included all exhibition documents, Discussion Paper (Explanation of Intended Effect), an interactive social pinpoint map and frequently asked questions.



## 3. Response to Submissions

This section discusses the issues raised in submissions and those raised in ongoing discussions with State agencies, landowners and key stakeholders.

Minor post exhibition changes have been made to the exhibited Precinct zoning map and the Precinct Structure Plan as a result of the Department's review of submissions.

The main changes to the proposed rezoning of the Precinct and the Precinct Structure Plan post exhibition include:

- specifying in the proposed SEPP Appendix 16 that the retail and commercial floorspace limit for the retail core area of the Town Centre will be 50,000m<sup>2</sup>;
- minor changes to the exhibited E2 zoned land in accordance with the final draft *Cumberland Plain Conservation Plan* boundaries;
- change to the location of a medium density housing area in the Precinct Structure Plan to improve its walkability to the Town Centre core and proposed school site;
- minor change to the exhibited SP2 zoning for the future Hume Highway interchange upgrade and widening of Picton Road west as advised by Transport for NSW (TfNSW); and
- removing a parcel of land located outside the Precinct on the east side of the Hume Motorway (to be considered in any future rezoning land in the South Wilton precinct).

The key issues raised in submissions have been considered in this section, while **Appendix A** provides an overview of responses with individual submissions. Reference should be made to the final Precinct Structure Plan at Figure 3.

### 3.1 Submissions received

A total of 31 submissions were received in response to exhibition. All submissions received are listed and summarised at **Appendix A** along with the Department's response. A summary of submissions grouped into stakeholder groups is provided at **Table 1**.

**Table 1 Summary of submissions**

Submission author	Number of submissions	Response to submission
Local community	14	Section 3.2 and Section 4.1
Landholders/Developers	4	Section 4.1
NSW Government agencies and councils	12	Section 4.2
Industry organisations	1	Section 6
<b>Total</b>	<b>31</b>	

Section 5 of this report addresses post-exhibition amendments to the rezoning package.

## 3.2 Issues raised in submissions

The key issues raised through the Local community submissions related to:

- Traffic impacts of development in the immediate and surrounding region;
- The need for upgraded road infrastructure including Picton Road, the Hume Highway interchange;
- The need for improved public transport including rail connection to the Wilton Town Centre;
- The staging of development and infrastructure contributions;
- The need for improved health facilities including a public hospital to serve the area;
- Provision of a new educational establishment in Wilton Town Centre and investment in educational facilities;
- The impact of Wollondilly E2 zoning on small private landholders;
- Proposed E2 zoning and biodiversity considerations;
- Consideration of potential impacts of koala habitat;
- Concerns about water supply to precinct and wastewater infrastructure;
- Consideration of bushfire related issues;
- Concern of the impact of the proposed density and building heights;
- Concerns about overdevelopment and overpopulation; and
- Conflict of use of mining rights in the locality.

The Department's response to these issues is outlined below.

## 3.3 Government agency and utilities submissions

The Department consulted extensively with NSW Government agencies, including Wollondilly Shire Council, throughout the exhibition process, receiving 12 submissions.

Submissions from NSW Government and agency were received from:

- Wollondilly Council;
- Transport for NSW;
- Department of Primary Industries;
- Sydney Water;
- Environmental Protection Authority;
- NSW Rail;
- Department of Education;
- Department of Health; and
- NSW Subsidence Advisory.

The Department also received advice from Transport for NSW, Wollondilly Council, Rural Fire Service and NSW Water throughout the development of the precinct plan and post exhibition. The issues raised included open space provisions, environmental conservation lands, provision for utilities including water and sewer, bushfire planning and evacuation, flooding, planning and development controls, permissible land uses, protection of creek corridors and heritage items.

**Appendix A – Submissions Report** outlines the issues raised in each submission and the Department's considerations.



## 3.4 Landowner, Community and Developer submissions

This section outlines the key matters that arose out of submissions and outlines how these matters have been considered in the finalisation of the rezoning package. In addressing matters raised the Department considered submission comments provided by authorities and council.

### 3.4.1 Traffic Impacts

#### Issues

The local community submissions stated that the proposal would result in increased traffic volumes on the existing local road network, increasing traffic congestion. Traffic impact concerns were also raised in relation to:

- Existing traffic congestion in the Picton area and the impact of the future development in the precinct on traffic issues in the wider area, including increased traffic through Picton Road and Hume Highway intersection.
- Existing traffic congestion in roads from Hume Highway to Picton, Mt Ousley and Wollongong.

#### Response

The Hume Highway has been undergoing an extensive upgrade to improve safety and travel efficiency since the 1970's. This has included 22 major bypasses and completion of a dual carriageway with a minimum of two lanes per direction in mid-2013. These continual improvements have resulted in a decrease in travel times between Sydney to Melbourne, making travel along the Hume Highway easier. Especially between the cities of Sydney and Canberra.

Picton Road (B88) is a State road travelling between Picton and Mount Ousley Road (M1) that serves as a freight route to Port Kembla and a commuter traffic route on weekdays. Picton Road generally has one travel lane in each direction, with overtaking lanes at selected locations. Along with Appin Road, Picton Road provides a bypass for vehicles from the Illawarra region bypassing Sydney roads or wishing to access the Westlink M7.

Traffic volumes along the Picton Road Corridor have been estimated to be growing at a rate of 3%<sup>1</sup> per annum, and is expected to continue to grow from increasing housing within the area and increasing freight volumes being transported to and from Port Kembla.

The operating capacity of both Picton Road and the Hume Highway interchange has been carefully studied over a number of years by TfNSW. The Picton Road Corridor Strategy has identified the staged delivering of additional lanes for traffic along the corridor as well as essential road safety improvements to Picton Road between the Hume Highway intersection at Wilton and the Mt Ousley Road intersection at Mt Keira Road.

The following section of the report provides further details on the infrastructure upgrades planned to road infrastructure associated with the Wilton Town Centre Precinct rezoning.

### 3.4.2 Road Infrastructure

#### Issues

The key road infrastructure issues raised from Local community submissions are discussed below:

#### Picton Road Upgrade

The Picton Road Corridor Strategy undertaken in April 2011 outlines short and long term traffic improvements planned for Picton Road between the Hume Highway and Mt Ousley Road. The Australian and NSW Governments have funded over \$60 million in safety improvements on Picton Road

<sup>1</sup> Wilton Junction Development Transport Management and Accessibility Plan (30 June 2014) p.41

since 2010. Safety improvements include installing median safety barriers, upgrading the interchange with Hume Motorway and installing traffic signals, installing acceleration lanes from rest areas, shoulder and centre lane widening, building a fauna underpass and fauna fencing, audio tactile line marking and upgrading the westbound rest area. Ongoing traffic improvement works planned for Picton Road are outlined on the TfNSW website.<sup>2</sup>

Regarding the Wilton Town Centre Precinct, the planned upgrade works to Picton Road associated with the Wilton Town Centre rezoning have been detailed in the exhibited rezoning package. In the short term, for the early stages of development at Wilton Town Centre (2022/23) it is planned that Picton Road (west of the Hume Highway) will be widened to four lanes from the new Governors Hill intersection (this is intended to be funded as part of the proponents VPA). In the medium term, by around 2026/27, Picton Road will be widened to four lanes for the remaining component to the Hume Highway intersection. It is noted that the SP2 zoning of Picton Road has been widened along both sides of the road through the precinct to accommodate potential for future traffic growth if required.

### **Hume Highway / Picton Road Interchange**

The Picton Road/Hume Highway interchange is a crucial junction within the Hume Highway corridor, particularly for freight between the Illawarra Region, and Sydney to the north and Melbourne to the south. This interchange experiences heavy traffic flows on all movements during the morning and afternoon peak periods. The interchange consists of two major intersections that provide access via the north-facing and south-facing ramps from the Hume Highway onto Picton Road. Heavy traffic flows during peak periods and a high level of turning movement conflicts can result in traffic delays.

TfNSW is completing the strategic business case, as well as finalising modelling and options testing, for the upgrade of the Hume Highway/Picton Road Interchange. The proposed rezoning includes provisions with the SP2 infrastructure zoning over private land to ensure that land required for upgrades to intersection geometry, approach lanes and other upgrade works are accommodated following resolution of final design by TfNSW. The upgrade works are proposed to be funded by the State Government along with a partial VPA for land dedication.

The timing of the delivery of the interchange upgrade is indicated in the phasing plans as being in the long term with new road upgrades to both Picton Road and crossing over the Hume Highway designed to reduce pressure on the interchange in the medium to shorter term. Timing of the upgrade of the Wilton Interchange is being assessed by TfNSW.

### **Hume Highway bridge to Wilton Town Centre**

The proposed rezoning nominates a new internal link road connecting the Wilton Town Centre with Bingara Gorge on the eastern side of the Hume Highway via a new local road and pedestrian bridge crossing and Condell Park Road. This internal link will provide an important local connection for local residents and workers within Wilton.

In the longer term an upgrade of Condell Park Road is envisaged with a new north-south connecting road to Picton Road. Future planning will be undertaken for the South Wilton Precinct through a Council led rezoning process with the acquisition and funding of this new road connection to be further investigated.

### **Connectivity to North Wilton Precinct**

The proposed rezoning provides for a new sub arterial road connection in the south eastern corner of the Precinct to connect to the North Wilton precinct. A local collector road connection is also proposed to this precinct from the town centre.

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<sup>2</sup> <https://www.rms.nsw.gov.au/projects/picton-road-safety-improvements/index.html>

### 3.4.3 Public transport

#### Issue

A number of the local submissions raised the inadequacy of public transport in the area and the need to consider rail connection to the new town centre.

#### Response

##### Bus Network

The existing Picton Bus Lines Route 901 travels along Picton Road and runs a service four times daily providing a link between Picton and Wilton via Douglas Park.

In the wider network, bus services are focussed around Picton, Camden, Macarthur and Campbelltown.

The exhibited planning package provided an Indicative Public Transport Plan including local and regional bus routes that connect with a new Bus Transportation Hub in the Town Centre core. The new indicative routes are identified in the two new draft parts of the Wilton Growth Area DCP relating to the Wilton Town Centre and Schedule 3 Wilton Town Centre Precinct. Detailed design of the bus hub will be considered in future neighbourhood planning and development application stages.

Future connectivity of bus networks to provide improved access to Campbelltown, Greater Macarthur and Wollongong is being investigated by TfNSW.

##### Maldon Dombarton Freight Corridor

The Maldon-Dombarton Freight Corridor extends along the north eastern boundary of the Wilton Town Centre Precinct. This freight rail corridor needs to be maintained for future significant state infrastructure to serve the operational capabilities of Port Kembla as identified in the Future Transport Strategy 2056.

It is noted that the majority of this freight rail corridor has already been zoned SP2 Infrastructure under the statutory provisions of the North Wilton Precinct. The proposed planning for the Wilton Town Centre maintains the freight corridor within the SP2 – Infrastructure zoning under the statutory Growth Centre SEPP maps. The corridor width has been identified by TfNSW as the required land area to deliver the freight line.

##### Future Rail Connections

The NSW Government's *Future Transport 2056* commits to investigate suburban passenger train improvements south of Macarthur, including consideration of how this might support growth in Wilton.

### 3.4.4 Staging of Development and Infrastructure Contributions

#### Issues

A number of local submissions have raised concerns about the lack of infrastructure available to support a large new town at Wilton.

#### Response

The Wilton Town Centre is envisaged to take around 20 years to develop, based on the proponents' development scenarios and market demand.

An overview of how critical infrastructure will be delivered in the Wilton Growth area over 20 years is provided in the Wilton Infrastructure Phasing Plan (exhibited with the Precinct rezoning package).

The Department has prepared a draft State Infrastructure Contribution (SIC) scheme to fund the delivery of state and regional infrastructure in Wilton. The draft SIC is based on no additional cost to government over the first 20 years of development. The Department exhibited the draft SIC from 28 September to 9 November 2018.

In the absence of the adoption of the SIC, the commencement of the rezoning of the precinct will be deferred to 31 March 2021 to allow time for VPA negotiations to be finalised with the proponent.

The proposed infrastructure upgrade items for the Wilton Town Centre Precinct were derived from the Wilton Infrastructure Phasing Plan, illustrated in Figure 10 of the Discussion Paper (Explanation of Intended Effect) which was placed on public exhibition (see **Figure 5**). Table 1 itemised each planned infrastructure component providing a description, estimated delivery time period (ie short 1-5 years, medium 5-10 years, long more than 10 years) and expected funding source for each infrastructure component.

Local infrastructure within Wilton such as local roads, open space and land for community uses will be undertaken by Local Council and funded by the Section 7.11 Contributions Plan recently adopted by Wollondilly Shire Council on 1 July 2020. Funds will be collected by way of conditions of approval on development applications and complying development certificates and this funding will go towards essential infrastructure.

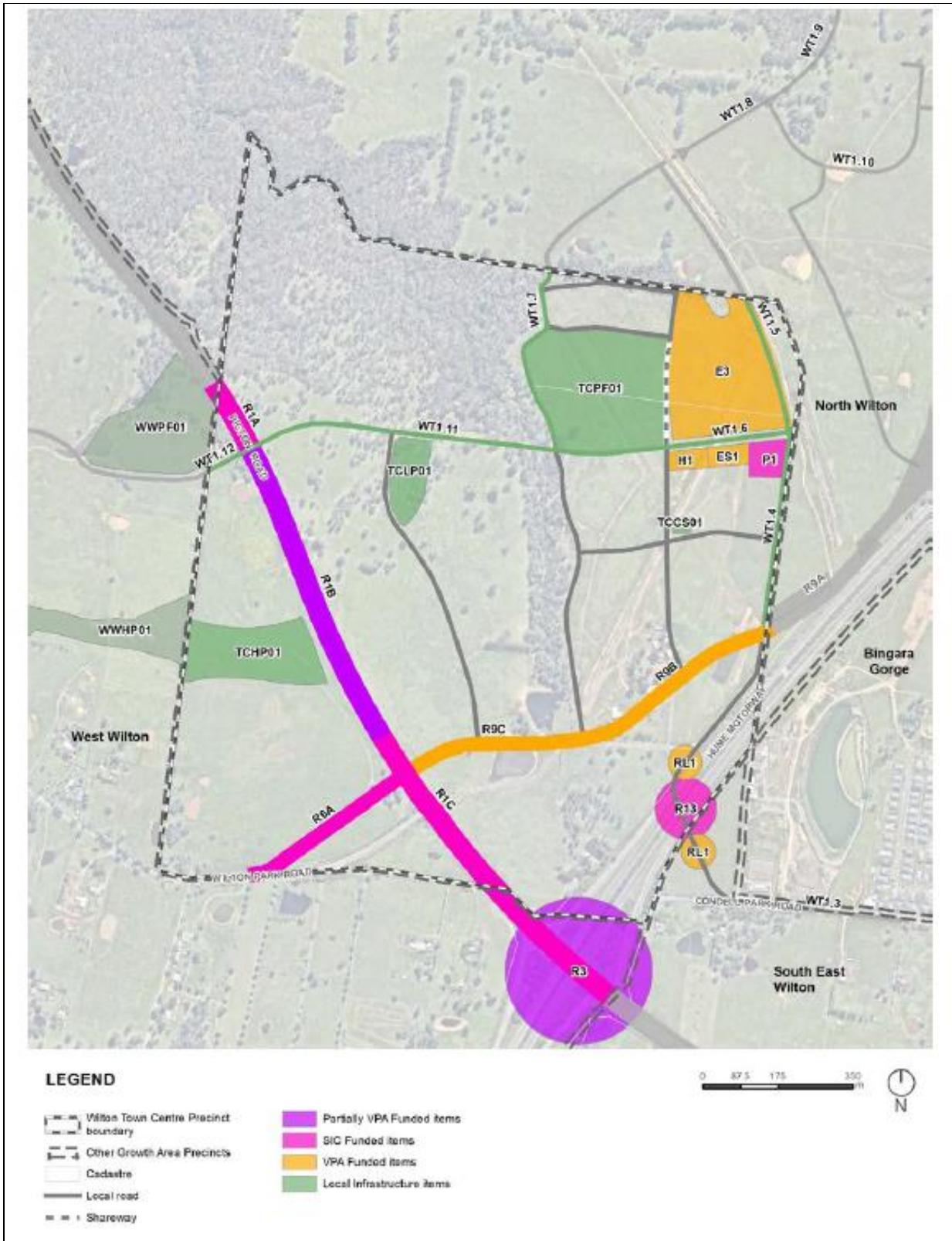


Figure 4 - Proposed Infrastructure for Wilton Town Centre Precinct



### 3.4.5 Hospital and Health Facilities

#### Issue

A number of local submissions have raised the need for a public hospital in the area and the need to improve health facilities to serve the population of Wilton and the surrounding area.

#### Response

Development such as hospitals, medical centres and health facilities are permissible in the Urban Development Zone within the Wilton Town Centre Precinct. While development of a public hospital is not currently planned, the town centre will be supported by appropriate health facilities.

The Ministry of Health and Local Health District are working with the Department to determine the needs of any future services. Sites are available within the Town Centre to accommodate medical facilities.

### 3.4.6 Educational Establishment

#### Issue

A number of local submissions raised the need for a new high school in the area and the need to improve educational facilities to serve the population of Wilton and the surrounding area.

#### Response

Stage 1 of the development precinct within the Wilton Town Centre will see the transfer of a 6.5 hectare site for a future potential educational establishment to Schools Infrastructure NSW. The site has been identified following consultation with Schools Infrastructure NSW. The Voluntary Planning Agreement with the proponent will include the dedication of land for this school site.

It is noted that all educational establishments, including independent schools, are also a permissible use with the Urban Development Zone and would be subject to future planning, detailed design, approvals and private commercial agreements.

### 3.4.7 Wollondilly E2 zoning over small landholders

#### Issue

A number of local submissions raised concerns about the rezoning of their land to E2 Environmental Conservation, which was seen as sterilising affected small private landowners in Wollondilly outside the growth area.

#### Response

The intent of the E2 Environmental Conservation zone in NSW is to protect land for its biodiversity value. The application of an environmental conservation zone reflects the current land character, constraints associated with the land and usually indicates areas with high-value biodiversity or land with steep slopes or riparian corridors.

The above issue raised in local submissions relates to land within the wider Wollondilly Shire and Wilton Growth Area, not the Wilton Town Centre Precinct. The Wilton Town Centre Precinct is effectively owned by one entity known as 'Governors Hill'. The Wilton Town Centre Precinct includes around 39 ha of land proposed to be zoned E2 Environmental Conservation.

### 3.4.8 Proposed E2 Zoning and Biodiversity considerations

#### Issues

A number of submissions raised concern in relation to the following matters:

- Location of land for Environmental Conservation;

- Location of riparian corridors; and
- Clarity of future acquisition and management of conservation land.

## Response

### Environmental Conservation

The draft rezoning package identified sites for E2 Environmental Conservation (see **Figure 5 – Exhibited E2 Zoning**) is based on detailed analysis of areas of biodiversity, including remnant vegetation (predominantly Cumberland Plain Woodland) and riparian corridors.

The subject land comprises areas of native vegetation, cleared areas and modified pastures. A riparian environment is present along Byrne's Creek in the centre of the precinct. The majority of the site identified as appropriate for urban development is already cleared land, including a historical use as the 'Wilton Aerodrome' or the 'Sydney Skydiving Centre'.

The existing native vegetation within the precinct predominantly comprises Cumberland Plain Woodland and Shale Sandstone Transitional Forest, both areas of high biodiversity value. The majority of the native bushland area, predominantly in the north-west of the precinct, will be conserved as environmentally sensitive land. The area of land proposed to be conserved equates to around 39 hectares.

The riparian corridor along Byrne's Creek will also be conserved and form an important green spine through the centre of the precinct. This 'spine' will connect urban development to its unique landscape and protect habitat for threatened species.

The land use and infrastructure planning and precinct rezoning for the Wilton Town Centre has proceeded at the same time as the Department has been undertaking the wider strategic conservation planning for Western Sydney, known as Draft Cumberland Plan Conservation Plan (draft CPCP). The draft CPCP is one of the largest strategic conservation planning programs in Australia and is designed to address impacts on biodiversity from urban growth through commitments and actions to improve ecological resilience and function in the long term. There are a range of conservation measures being undertaken, including the protection of high-conservation-value core and corridor areas, revegetation and renewal, protection used development controls and investment in species-recovery initiatives.

The draft CPCP was on public exhibition from 26 August to the 9 October 2020. The Wilton Town Centre rezoning package has been prepared in close consultation with the Department's CPCP project team to ensure alignment of areas proposed to be zoned Environmental Conservation (E2) with the final draft CPCP boundaries.

The provisions of the draft CPCP have helped inform the planning and rezoning of the Wilton Town Centre Precinct. Department's CPCP team have been involved in the final preparation of zoning maps, including the review of minor misalignments between the draft planning package and draft CPCP.

There are four minor adjustments to the E2 zoning proposed as indicated on **Figure 6 – Final E2 Zoning** as follows:

- Removal of small E2 zoned tail of riparian area into planned school site. No evidence of first order stream in this location;
- Removal of E2 zoning over planned northern collector road through Byrnes Creek corridor;
- Removal of E2 zoning over existing dam structure immediately to the north of the planned sub-arterial road; and
- Removal of biodiversity mapping over portion of land identified by TfNSW for future road works as part of Hume Highway/Picton Road interchange upgrade.

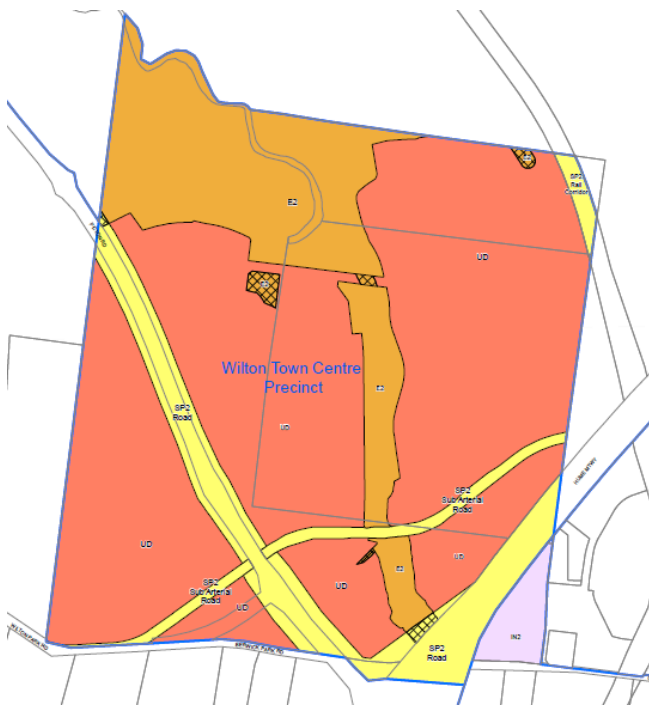


Figure 5 – Exhibited E2 zoning

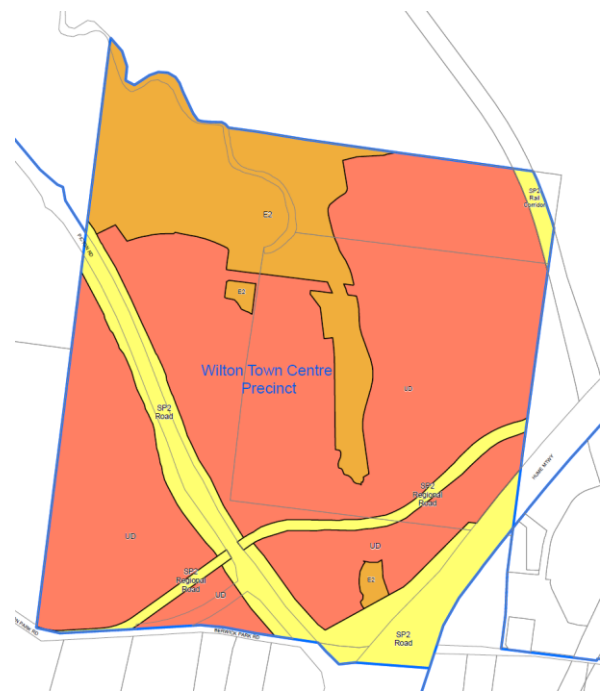


Figure 6 - Final E2 Zoning

### Riparian Corridors

The Department has worked closely with the relevant agencies to determine which riparian corridors should be mapped and protected accordingly within the Wilton Town Centre Precinct. In summary:

- Waterfront land that meets the definition under the *Water Management Act 2000* for second and third order riparian corridors are proposed to be zoned E2 Environmental Conservation;
- First order riparian corridors have been identified and will be addressed as part of neighbourhood planning and future development application stages;
- A consent authority must consider riparian land, and development is encouraged to use naturalised solutions to protect waterfront land in accordance with stormwater, water quality and water sensitive urban design principles; and
- All development will need to consider drainage impacts of development and comply with flooding and water cycle management controls.

The retained E2 Environmental Conservation for the tributary of the Byrne’s Creek for the Wilton Town Centre is considered to be positive from the ecological and biodiversity perspective as well as from a riparian corridor perspective, as it connects with a wider corridor of significant ecological land to the north of the precinct. This corridor’s biodiversity value includes endangered and critically endangered ecological communities listed under the *NSW Biodiversity Conservation Act 2016* and Australian Government’s *Environmental Protection and Biodiversity Conservation Act 1999*. At the southern end of the E2 corridor in the Town Centre Precinct, is the location of an existing man-made water storage facility and the planned north-south sub arterial road connecting with North Wilton.

Figures 5 and 6 provide a comparison between exhibited and final E2 Environmental Conservation zone areas.

#### 3.4.9 Consideration of Koala Habitat protection

Strategic conservation planning has been undertaken through the preparation of the draft CPCP. The ecological and biodiversity planning within the precinct maintains regional koala corridors consistent with the draft CPCP and what has been recommended by both the NSW Department of Environment, Energy and Science and the NSW Deputy Chief Scientist and Engineer.

The Office of the NSW Chief Scientist has provided advice on the protection of the Campbelltown koala population and the width of viable koala corridors. This advice has been used to finalise the draft CSCP and the boundaries of koala habitat and corridors in the Wilton Town Centre precinct.

The draft CSCP will support a regional approach to maintain and protect the South Western Sydney koala population. The plan will seek to balance impacts to koalas from urban development through a range of conservation measures. This would include measures to protect koala habitat corridors in perpetuity and to restore land to augment and strengthen existing corridors. The plan would also support measures such as koala-proof fencing to reduce the risks of dog attacks and impacts by vehicles.

In addition, the *State Environmental Planning Policy (Koala Habitat Protection) 2021* provides ongoing controls and processes for preparing koala plans of management, determining whether lands contain potential or core koala habitat, and assessment of development applications for sites including areas of koala habitat.

### 3.4.10 Water Supply and Wastewater Infrastructure

#### Issues

A number of submissions have raised the issue of water supply in the Wilton area and raised concerns about how wastewater will be treated in the new greenfield locality.

#### Water Supply

The Wilton Town Centre precinct is situated near two Water delivery Systems, Nepean Water Filtration Plant (WFP) to the west and Macarthur WFP to the east. The Macarthur Delivery System is supplied by the Macarthur WFP, which filters water extracted from Broughtons Pass Weir. The Macarthur trunk water network currently service the water supply zone of Appin to the east and the existing village of Wilton and the Bingara Gorge Estate. The Nepean Delivery System is supplied by Nepean WFP, which filters water extracted from Nepean Dam and provides water supply to Picton, Thirlmere and the Nepean.

Sydney Water has prepared a strategic assessment of water supply for the Wilton Growth Area, producing the Wilton New Town Sub-Regional Plan in March 2019. The outcome of this planning for the Wilton Growth area was:

- Infrastructure will be delivered over three stages to allow for efficient and prudent delivery of infrastructure in line with expected growth;
- Generally, water will be supplied from the Macarthur Water Filtration Plant with new assets staged with growth and built primarily along existing infrastructure routes. New reservoirs will be required in Wilton to service the expected growth;
- Ultimately, wastewater will be treated at a local Recycled Water Plant; however, interim wastewater servicing may be required depending on alignment of developer timelines with delivery of ultimate efficient and prudent solution; and
- Recycled water will be required throughout the Wilton Growth Area. The use of recycled water within the catchment will be maximised through a dual reticulation system supplying residential dwellings, irrigation of active and passive open space and landscaping and potentially commercial and light industrial reuse.

In the short-term (up to five years) temporary sewage facilities will provide wastewater treatment for the Precinct. Sydney Water has communicated to developers who wish to accelerate servicing that packaged plants will be considered as an acceptable interim measure. These packaged treatment plants have a lead time of around 18 months and are being considered for use in other greenfield areas across the Sydney Water areas of operation. They are located with consideration of existing and future residents and infrastructure.

The interim package treatment plants are onsite systems to treat wastewater, and they generate recycled water that can be used for irrigation, civil earthworks and potentially for supply to the dual reticulation network prior to the permanent treatment plant. The package plants would service the initial stages of development for around five years, depending on the speed of development and delivery of permanent infrastructure.

Interim infrastructure will be at the developers' expense and will not be reimbursable by Sydney Water.

The timeframe for planning and delivery of interim infrastructure will be driven by individual developers and subject to further assessment and determination during future precinct planning and development application stages.

In the coming years, the Precinct will require at least one new wastewater treatment plant, as well as new reservoirs, and trunk and distribution mains. Sydney Water has commenced concept design for the first stage of infrastructure, which will include:

- 12ML potable water reservoir;
- 8ML recycled water reservoir;
- Transfer mains;
- Distribution mains; and
- Sewer Pump Station.

One of the options being considered is the provision of a new Wastewater Recycling Plant (WRP) in Lot 200, adjacent to the location of the existing Bingara Gorge WRP. The WRP would receive wastewater flow for the wider Wilton New Town area including the Wilton Town Centre Precinct, excluding Bingara Gorge Estate and the existing village of Wilton (currently served by Bingara Gorge WRP). The Wilton Town Centre precinct topography enables the efficient layout of Sewage Pumping Station to service the area. A transfer main will be required to convey wastewater from the Wilton Town Centre Precinct would be required beneath the Hume Highway to the new Wilton New Town WRP.

### 3.4.11 Consideration of Bushfire related issues

#### Issues

A number of submissions have raised bushfire related issues in the Wilton area and raised concerns about how planning for bushfire was being addressed.

#### Response

As part of Wilton 2040 released in August 2018, the Department undertook a Strategic Bushfire Assessment for Wilton and conducted a high-level analysis of bushfire risks in the Wilton Growth Area to inform and refine the urban development footprints. More detailed bushfire assessments were required for the precinct planning stages to take into account landscape changes and determine sufficient traffic access and egress is provided to the precinct for evacuation.

A strategic bushfire assessment for the Wilton Growth Area was finalised in October 2018 (Eco Logical Australia (ELA) 2018). This assessment responded to the requests of the NSW Rural Fire Service (RFS) that have since been formalised into the strategic planning requirements of Planning for Bush Fire Protection (PBP) (RFS 2019). It identified (amongst other matters) that emergency evacuation from bushfire, had not been well demonstrated.

In response to the above findings, the Department engaged ELA to prepare a Bushfire Risk Study (April 2020) for the Wilton Growth Area. The study was a collaboration with the Department (the client), RFS, Wollondilly Shire Council and Roads and Maritime Services (RMS).

Both of the above studies were placed on public exhibition as part of the Wilton Town Centre Rezoning Package. The Bushfire Risk Study states that:



*“The staging of future development, including the provision of critical infrastructure and the removal of bushfire hazards from earlier stages, is a key consideration. Egress options for movement within and away from Wilton Growth Area, need to be carefully planned to ensure they have adequate capacity, assuming alternate options may be unavailable, and would be safe to use during a bushfire emergency”*

*“The application of bushfire protection measures is a requirement for all land development proposed on bushfire prone land. Appropriate protection should also be afforded individual development stages. Further, the planning of infrastructure for a precinct needs to consider any dependencies that other precincts may have, on the infrastructure within the subject precinct, as well as the staging of that infrastructure.”*

DPIE has consulted with RFS in regard to further strategic assessment and analysis of bushfire related matters within the Wilton Growth Area. As the Precinct has been identified as a lower risk area, RFS has advised that the rezoning of the Precinct can proceed without any additional evacuation studies.

The Wilton Growth Area DCP contains requirements to be provided at the neighbourhood plan and development application stage to minimise the risk of bushfire impacts on new development, including requirements that subdivision planning and design needs to be consistent with Planning for Bushfire Protection (PBP) 2018, Bushfire Attack Levels (BAL) ratings and Asset Protection Zones (APZ's) will need to be determined by a suitably qualified person recognised by the NSW RFS as part of detailed design of future development.

### 3.4.12 Proposed Building Heights and Density

#### Issues

A number of submissions raised concerns about the controls on height of development and the residential densities planned for the precinct, including the extent of residential development within the Town Centre.

#### Response

Similar to the adopted controls of the North Wilton Structure Plan, urban design studies have helped inform the establishment of height controls for the Town Centre Precinct. The Wilton Town Centre Structure Plan, which forms part of the statutory provisions for development, has nominated heights of between 9.5 metres for low density residential and light industrial development up to a maximum height of 30 metres within the town centre core. The heights are considered appropriate for a major strategic centre, and are comparable to the heights already adopted for the North Wilton Precinct where mixed use development up to a maximum height of 24 metres is permitted within the Lakeside Activity Hub.

In regard to density of development, the Wilton Town Centre Precinct will deliver a mix of housing types, with opportunities overtime for medium-density housing and mixed use development in the Wilton Town Centre. Low density residential development is planned for the western half of the precinct on either side of Picton Road.

There has been concern expressed that the Wilton Town Centre core may be taken over by residential development instead of providing a mix of retail, commercial, entertainment and civic functions. It is noted that mixed use development is an important component of the liveability and success of any major centre. It is noted that there are no restrictions for residential development within the mixed use area of the North Wilton Lakeside Activity Hub.

While residential apartment living will be permitted within the Wilton Town Centre, planning controls have been developed via a Key Sites Map along with a specific clause for the town centre core within the adopted SEPP instrument which are designed to maintain the appropriate core functions of the strategic centre. The objectives of this clause include:

- *To ensure that residential development does not detract from the primary function of the centre being to provide for retail, business, entertainment and community uses;*

- *To ensure that residential development does not preclude the provision of active uses at street level; and*
- *To provide and maintain land use of a higher order and density within the Wilton Town Centre Core than are permitted within other areas of the Wilton Growth Area.*

### 3.4.13 Overdevelopment and overpopulation

#### Issues

Some local residents have raised concerns about the change in character of the area and concerns about Wilton being overdeveloped and overpopulated.

#### Response

Significant strategic planning has been undertaken to provide for the sustainable growth and development within Wilton over the next 20 years in accordance with environmental constraints and opportunities of the land.

The rezoning of the Wilton Town Centre is designed to implement the “Greater Sydney Region Plan”, the “Western City District Plan” and “Wilton 2040: A Plan for the Wilton Growth Area.”

Wilton Town Centre Precinct will provide a new community of approximately 1,600 homes, a major new town centre, land for retail and commercial enterprise and opportunities and a dedicated employment area. The precinct will provide approximately 59 hectares of residential land, 26 hectares of commercial, retail and mixed use land, 17 hectares of employment land as well as the capacity to deliver as many as 4,700 additional jobs. The proposed amendments to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP) to rezone the Wilton Town Centre Precinct for primarily residential and commercial purposes is consistent with the provisions of strategic planning for the adopted Wilton Growth Area.

### 3.4.14 Co-existence with Mining

#### Issues

A number of submissions raised concerns about urban development and the legal impact on mining rights that exist over the subject land.

#### Response

Part of the Precinct has approval for coal mining over the next 15 to 30 years. The Precinct landowner, Dalbar, has reached an agreement with the mining company, South 32, to relinquish mining leases when the area is rezoned. There is a signed Deed of Agreement between Dalbar and South 32, that will enable urban development to proceed without any other impacts from underground mining. South 32 has confirmed the status and its acceptance of the provisions of this agreement during the assessment of this matter.

Furthermore, similar to the North Wilton Precinct, the written SEPP instrument for Wilton Town Centre will have a statutory clause that states that development consent must not be granted for development in the UDZ unless the consent authority is satisfied that there is no mining lease over the land.

## 4 . Consistency with Strategic Framework

### 4.1 Greater Sydney Region Plan and Western City District

The Greater Sydney Region Plan, dated October 2018, provides high level strategic guidance for the development of Greater Sydney to 2056. Under the provisions of the Greater Sydney Region Plan, the Wilton Growth Area is within the Western City District, which includes the local government areas of Camden, Campbelltown, Fairfield, Liverpool and Wollondilly.

The Western City District Plan was released in March 2018. It identifies the Western City as Greater Sydney's urban parkland, where urban lifestyles meet rural living and residents enjoy the best of both worlds. The Western City District Plan responds to the Districts planned significant growth over the next 20 years. The Western City District is envisaged to accommodate 27% (464,450) of Sydney's population growth between 2016-2036 along with 25% of Sydney housing growth during this same period<sup>3</sup>.

Wilton is an important component of the delivery of a 30-minute city for the Western City District of Sydney. Wilton's strategic location allows for connections between future employment and commercial areas in Western Sydney Airport, Greater Macarthur, and the Illawarra. The rezoning of the Wilton Town Centre precinct supports the vision for the Western City District by:

- supporting the delivery of housing choice and jobs closer to people's homes;
- designing urban places for people;
- valuing green spaces and landscape; and
- providing infrastructure to meet future needs.

### 4.2 Future Transport Strategy 2056 and Greater Sydney Services and Infrastructure Plan

Future Transport Strategy 2056 is an overarching strategy prepared by the NSW Government to achieve a 40 year vision for the NSW transport system. The Strategy outlines a vision, strategic directions and customer outcomes, with infrastructure and services plans underpinning the delivery of these directions across the state. The Strategy works with the Region and District Plan and aims to deliver integrated solutions to transport. A focus is on the role of transport in delivering movement and place outcomes that support the character of the places and communities of the future.

The Strategy is focused on specific customer outcomes for Greater Sydney including:

- efficient, reliable and easy-to-understand journeys for customers;
- efficient and reliable freight journeys;
- a safe transport system;
- 30 minute access to centres;
- fast and convenient interchanging;
- integrated walking and cycling facilities;
- vibrant centres;
- fully accessible transport;
- use of new technology;
- integration of future forms of mobility with other modes of transport;
- affordable delivery, operation and maintenance; and

<sup>3</sup> Greater Sydney Commission: Western City District Plan (March 2018) p.9

- a resilient transport system that contributes to net-zero emissions by 2050.

The Strategy acknowledges that as our population is set to increase to 12 million people by 2056, freight volumes are estimated to double in the Greater Sydney area. The Strategy identifies future directions, including the opportunity to maximise long term capacity and performance of the State's three ports, expand intermodal rail capacity in Western Sydney, and improve east-west connections to support the regional export task.

The Greater Sydney Services and Infrastructure Plan sets out the customer outcomes for Greater Sydney for the movement of people and freight to meet customer needs and deliver responsive, innovative services. The Plan defines the network required to achieve the service outcomes. A key customer outcome of the Plan is 'efficient and reliable freight journeys supported by 24/7 rail access between key freight precincts with convenient access to centres'.

### 4.3 Wilton 2040: A Plan for the Wilton Growth Area

The concept of a new town at Wilton was initially proposed in 2011. In 2015, the *Greater Macarthur Land Release Investigation Preliminary Strategy and Action Plan* was released by the State Government for community consultation. Since its exhibition in September 2017, the draft Wilton Interim Land Use and Infrastructure Implementation Plan has been finalised into a comprehensive strategic planning document called *Wilton 2040: A Plan for Wilton Growth Area (Wilton 2040)*.

*Wilton 2040* sets out the vision and plan for the Wilton Growth Area. It features an overarching strategic framework, precinct planning principles for staged development and provision of infrastructure in Wilton to establish a community of around 15,000 homes, open space, schools, employment areas, and a range of retail and commercial services.

The Wilton Growth Area comprises five undeveloped precincts – South East Wilton, North Wilton, Wilton Town Centre, Wilton West and Maldon. A sixth precinct, Bingara Gorge, was rezoned in 2005 and is being developed for low density housing.

A key attraction of the Wilton Growth Area is its setting in the natural and untouched river gorges of the Nepean River and Allens Creek. Biodiversity values in Wilton are high, and protection of significant areas of the growth area for environmental conservation has been given high importance in the detailed planning of Wilton's development.

The proposed amendments to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP) to rezone the Wilton Town Centre Precinct for residential and commercial purposes, with a major town centre, is consistent with the provisions of Wilton 2040.

### 4.4 Section 9.1 Ministerial Directions for Plan Making

The proposed SEPP amendment is not strictly required to comply with the Minister's directions as they apply only to the preparation of Local Environmental Plans. However, an assessment of consistency with the relevant directions issued by the Minister under Section 9.1 of the *Environmental Planning and Assessment Act 1979* has been undertaken. **Appendix C** outlines the assessment of consistency.

# **Appendix A Submissions Report**

(See separate attachment to BN)



## Appendix B Key stakeholders notified of public exhibition

Key stakeholders	
Local Councils	Wollondilly Shire Council
State Agencies	NSWEPA
	NSW Education School Infrastructure
	NSW DPIE Environment, Energy and Science Group
	NSW Department of Primary Industries
	Heritage NSW
	NSW Ports
	NSW Subsidence Advisory
	Sydney Water
	Transport for NSW
Industry Groups	Housing Industry Association (HIA)
	Sydney Water
	Water NSW

## Appendix C Assessment against applicable Section 9.1 Ministerial Directions

Section 9.1 Direction	Statement of Consistency
<b>Employment and Resources</b>	
1.1 Business and Industrial Zones	The rezoning of the Wilton Town Centre Precinct to UDZ Urban Development Zone encourages employment growth within suitable locations, in accordance with the adopted Wilton 2040 Plan. The proposed location is consistent with the Western City District Plan.
<b>Environment and Heritage</b>	
2.1 Environment Protection Zones	Environmentally sensitive areas that apply to the Wilton Town Centre Precinct have been identified and will be protected by applying an E2 Environmental Conservation zone.
2.3 Heritage Conservation	New provisions have been introduced into Wilton Town Centre DCP that will identify, protect and conserve heritage items, including aboriginal objects or aboriginal places.
2.6 Remediation of Contamination Land	A preliminary site investigation to identify potential sources of contamination, identify whether the proposed zoning is acceptable from a contamination and remediation perspective and identify areas which may require further investigation or mitigation measures prior to redevelopment was prepared. Further work (site audit) will be undertaken at the Neighbourhood Plan or Development Application stage.
<b>Housing, Infrastructure and Urban Development</b>	
3.4 Integrated Land Use and Transport	The rezoning of the Wilton Town Centre Precinct will increase job supply in South Western Sydney, providing jobs closer to worker's homes. Capacity for connections of the town centre to a local and regional bus network has been identified in the Structure Plan. The retention of a future freight rail corridor will provide for the efficient movement of freight within Sydney. Provisions will also be made to encourage cycling and public transport access to the employment area.
<b>Hazard and Risk</b>	
4.1 Acid Sulphate Soils	N/A
4.2 Mine Subsidence	The relinquishing of coal mining leases has been approved by Government.
4.3 Flood Prone Land	Limited areas of flood prone land within riparian corridors which are not to be developed.
4.6 Planning for Bushfire Protection	The Department has worked with the RFS to confirm that the Town Centre Rezoning may proceed.
<b>Regional Planning</b>	
5.10 Implementation of Regional Plans	The Wilton Town Centre Precinct rezoning is consistent with A Metropolis of Three Cities and the Western City District Plan.
<b>Local Plan Making</b>	

Section 9.1 Direction	Statement of Consistency
6.2 Reserving Land for Public Purposes	Areas identified for a public purpose (i.e. SP2 Infrastructure) have been identified on the zoning maps with a delivery mechanism.
<b>Metropolitan Planning</b>	
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	The rezoning of the Wilton Town Centre Precinct is generally consistent with the Interim Land Use and Infrastructure Implementation Plan for the Wilton Priority Growth Area published on 5 August 2017 (and later adopted as Wilton 2040 in 2018).