



Review of Environmental Factors

Walton Street Carpark, Picton

Nos 3-11 Walton Street & No 16 Menangle Street, West Picton

Prepared for Wollondilly Shire Council by Gyde Consulting

22 July 2025

Acknowledgment of Country

Gyde Consulting acknowledges and pays respect to Aboriginal and Torres Strait Islander peoples past, present, Traditional Custodians and Elders of this nation and the cultural, spiritual and educational practices of Aboriginal and Torres Strait Islander people. We recognise the deep and ongoing connections to Country – the land, water and sky – and the memories, knowledge and diverse values of past and contemporary Aboriginal and Torres Strait communities.

Gyde is committed to learning from Aboriginal and Torres Strait Islander people in the work we do across the country.



Towards Harmony by Aboriginal Artist Adam Laws

This report was prepared by:

Approver: David Ryan (Executive Director)
Author: Richard Kinninmont (Senior Associate)
Project: Walton Street Carpark, Picton
Report Version: Final

This report was reviewed by: David Ryan, Executive Director


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Author Approval

Title	Review of Environmental Factors – Walton Street Carpark, Picton
Client Name	Wollondilly Shire Council
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Project Manager	David Ryan (Executive Director)
Author	Richard Kinninmont (Senior Associate)
Signed	
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Determining Authority Certification

I, Peter Buckley, certify that I am an employee or agent of the determining authority and am a suitably skilled, qualified and experienced professional with responsibility for reviewing and endorsing the REF document.

I certify that I have reviewed and endorsed the contents of this REF document and, to the best of my knowledge, it is in accordance with the EP&A Act, the EP&A Regulation and the Guidelines approved under clause 170 of the EP&A Regulation, and the information it contains is neither false nor misleading

Signature: 

Position: Director Shire Services

Date: 29.7.2025

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Glossary and Abbreviations

Term/Acronym	Description
AS	Australian Standards
BCA	Building Code of Australia
BC Act	<i>Biodiversity Conservation Act 2016</i>
CEMP	Construction Environmental Management Plan
Council	Wollondilly Council
CPTED	Crime Prevention through Environmental Design
DA	Development Application
DCP	Development Control Plan
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
The Regulations	Environmental Planning and Assessment Regulations 2021
ESD	Ecologically Sustainable Development
GFA	Gross Floor Area
INP	Industrial Noise Policy
LALC	Local Aboriginal Land Council
LEP	Local Environmental Plan
LGA	Local Government Area
NCC	National Construction Code
REF	Review of Environmental Factors
SEPP	State Environmental Planning Policy
WSUD	Water Sensitive Urban Design

1. Executive Summary

1.1 The Proposal

This Review of Environmental Factors (REF) has been prepared by Gyde Consulting for Wollondilly Shire Council to examine the environmental effects of a proposed infrastructure upgrade of the Walton Street carpark located at Nos 3-11 Walton Street & No 16 Menangle Street, West Picton.

The proposed activity, to be undertaken by Wollondilly Council, consists of:

- The upgrade of the existing ground level public carpark, including two (2) new entry driveways and two (2) exit driveways, ramps and stairs to accommodate 235, 90° angled parking spaces and associated landscaping. The ground level of the carpark provides 121 spaces, and 113 spaces are provided on the roof top parking area. This represents an additional 109 spaces within the carpark.

The upgrade to the existing public carpark is scheduled for delivery in the 2025/2026 financial year.

The primary objective of the project is to deliver additional public carparking through practical infrastructure that supports community needs while contributing positively and sensitively to Picton's historic townscape.

Adding an additional level to the existing structure will significantly increase parking availability and assist in alleviating congestion in the immediate area.

The upgrade will also reduce pressure on surrounding streets and help support the day-to-day operations of both local businesses and community facilities in central Picton. This project also aims to ensure Wollondilly Council's vision to promote the Picton Town centre as the civic, cultural and commercial heart of Wollondilly.

The REF has been prepared to:

- Satisfy the requirements of relevant NSW environmental legislation, in particular the requirements of the Environmental Planning and Assessment Act 1979.
- Identify, assess, and mitigate any environmental impacts that are likely as a result of the activity, during its decommissioning, construction and operation.

The Picton carpark site is classified as "operational land" under the Local Government Act 1993.

The proposed works constitute "development without consent" under Sections 2.67 and Section 2.73(3) of the State Environmental Planning Policy (Transport and Infrastructure) 2021. (TISEPP).

The preparation of this REF has taken into consideration relevant legislation, key environmental considerations and recommendations made by experts to assess potential impacts. The upgrade of the car park will not result in any adverse view, amenity, visual and lighting impacts to adjacent commercial and residential properties.

The site is identified as being located within the "Wilton Mine Subsidence District", which requires consultation with Mine Subsidence Board NSW under section 2.15(2)(f) of the TISEPP. The site is also situated within the Picton Conservation Area (C2), which is classified as being locally significant. Surrounding properties and land within proximity to the site are also classified as local heritage items under the Wollondilly LEP.

The proposed development activity, carried out in accordance with the environmental mitigation measures outlined in this REF, will not result in any significant effects, nor is it likely to have any significant long-term negative impacts on the environment, and can be approved by Council to proceed, subject to the recommended mitigation measures in Section 6, it is our opinion that an Environmental Impact Statement is not required for the proposed activity.

2. Site and Context

2.1 The Site

The existing at-grade car park is located at Nos 3-11 Walton Street and No16 Menangle Street, situated on the western periphery of Picton Town Centre within the Local Government Area (LGA) of Wollondilly. The site is a rectangular shaped allotment, with its eastern boundary curved because of the geometric design of Walton Street, West Picton. The site comprises of 6 allotments with a total site area of 4,452.4m². Table 1 below identifies the site's legal descriptions and allotments. Figure 1 below provides an aerial view of the subject site.

The car park currently provides 126 parking spaces, including one (1) electric vehicle charging station. Entrance and exiting driveways are currently provided from Walton Street.

Table 1 Subject site legal descriptions and allotments

Property Address	Legal Description
3 Walton Street, Picton	Lot 103, DP 1174568
5 Walton Street, Picton	Lot 104, DP 1174568
7 Walton Street, Picton	Lot 105, DP 1174568
9 Walton Street, Picton	Lot 101, DP 1265625
11 Walton Street, Picton	Lot 102, DP 1265625
16 Menangle W Street, Picton	Lot 102, DP 1174568



Figure 1 Aerial view of the lot outlined in red (Source: Nearmap)

2.2 Existing site improvements

The site contains an open, at-grade public car park, serving as one of the key public parking facilities for the Picton Town centre. The history of the car park is described in Section 2.6 below. It currently offers facilities including:

- 126 parking spaces
- Electric vehicle charging station
- On-street and off-street lighting and CTV cameras

The car park is open 24 hours a day, providing flexible access for drivers, and is owned and managed by Wollondilly Shire Council. Ingress and egress into the carpark are via Walton Street. An existing pavement, kerb and gutter are located along the Menangle Street and Walton Street frontages and 5 entry /exit points are provided from Walton Street. The north-eastern frontage to Walton Street contains a planter bed containing 5 Brachychiton "Bella donna" trees.

Figure 2 below is a site survey extract illustrating the site characteristics and allotment configuration.

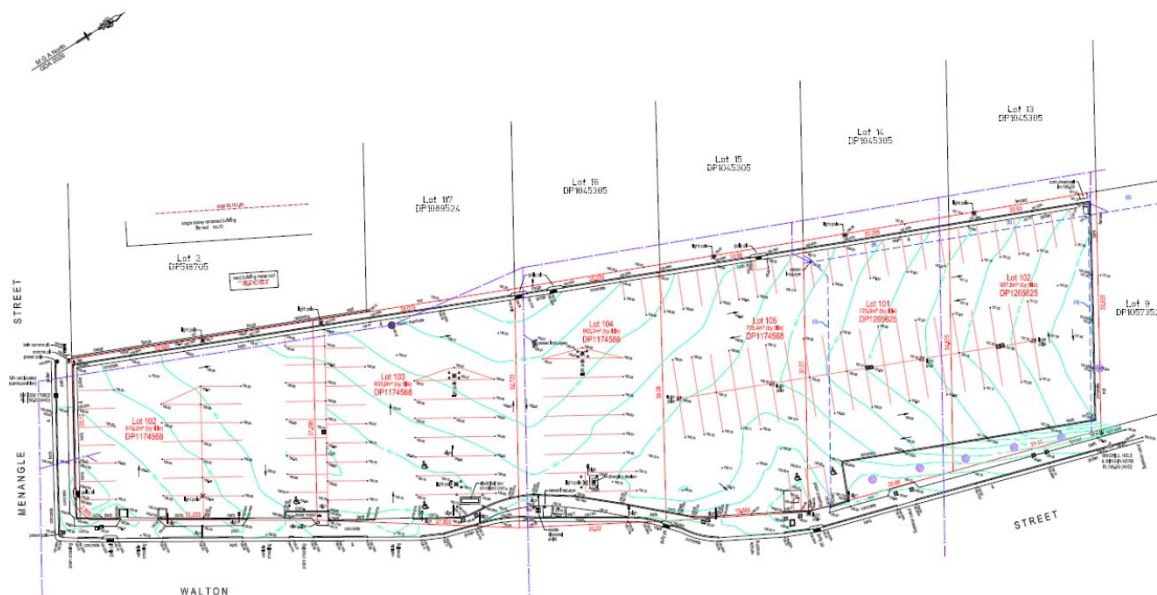


Figure 2 Site survey extract (Source: Vince Morgan)

Figures 3 - 6 below provide photographs illustrating the site characteristics from various vantage points.



Figure 3 View of car park looking in a westerly direction from Walton Street entry towards No 10 Menangle Street (source: GYDE)



Figure 4 View of car park and 10 Menangle Street adjoining looking in a northerly direction from Walton Street (source: GYDE)



Figure 5 Walton Street carpark EV station adjoining 10 Menangle Street (source: GYDE)



Figure 6 Northern end carparking as viewed from Walton Street (source: GYDE)

2.3 Ownership and Classification

The Picton carpark site is owned by Wollondilly Shire Council and is classified as “operational land” under the Local Government Act 1993.

2.4 Site History

Walton Street public car park was first constructed in late 2014 with its completion in 2015. It has undergone several upgrades, between 2014-2023. In 2021, the car park was expanded north, providing additional parking spaces. In 2022, the car park was expanded south towards Menangle Street, with a new entry and exit driveway along Walton Street (see figure 11 - 12).

Figure 07 - 12 provides a visual depiction and timeline of the site improvements.



Figure 7 April 1st 2014 – Walton Street Car Park
(Source: NearMap)



Figure 8 May 30th 2015 – Walton Street Car Park
(Source: NearMaps)



Figure 9 May 16th 2021 – Walton Street Car Park
(Source: NearMap)



Figure 10 June 27th 2021 – Walton Street Car Park
(Source: NearMaps)



Figure 11 June 15th 2022 – Walton Street Car Park
(Source: NearMaps)



Figure 12 January 9th 2023 – Walton Street Car Park
(Source: NearMaps)

2.5 Local Context

Picton is a town in the Macarthur Region, situated within the Wollondilly Shire Local Government Area (LGA), and approximately 90km southwest of Sydney. It's also the administrative centre of Wollondilly Shire Council. The town is experiencing growth and is the subject of a Picton Place Plan, a vision for the future of the town.

The site is bounded to the north and west by empty, grassed land with vegetation and trees. Adjacent to the site, situated south of the carpark, is Menangle Street, a small local road providing vehicle access to the town centre, for nearby residential dwellings. Opposite the carpark, fronting Menangle Road, is St Mark's Anglican Church and Cemetery, a local heritage item (I184). Located east of the subject site, across Walton Street are predominately commercial properties, including a Shell petrol station, and commercial building at Nos 85–87 Argyle Street, Picton, which is classified as a local heritage item (I136).

The Picton Town Centre is located approximately 15 minutes' walk away from Picton Station, which services the Southern Highlands Rail Line. Private bus routes 828, 900, 901, 911, 912, 913 and 914, connect Picton to key destinations including Bowral, Campbelltown, Wilton and Bargo.

Figure 2 above illustrates the predominant flat topography across the town centre. It also shows the distinction and transition from open grassed land and low residential dwellings west of the site, to the urbanised commercial and civic town centre of Picton, situated east of the site.

2.6 Regional context

Picton is located in the southern part of the Wollondilly local government area (LGA) and is bounded by the localities of The Oaks and Mount Hunter in the north, the locality of Razorback and the main southern railway line in the east, the Nepean River, the localities of Tahmoor and Thirlmere and the Cedar and Stonequarry Creeks in the south, and the localities of Lakesland and Oakdale in the west.

The eastern portion of the LGA comprises predominantly residential and agricultural land uses. The western portion of the LGA is primarily dominated by State Conservation Areas, including Burragong State Conservation Area, Yerranderie State Conservation Area and Nattai State Conservation Area. East of the town centres is Dharawal National Park and Wollongong Council (see Figure 13).

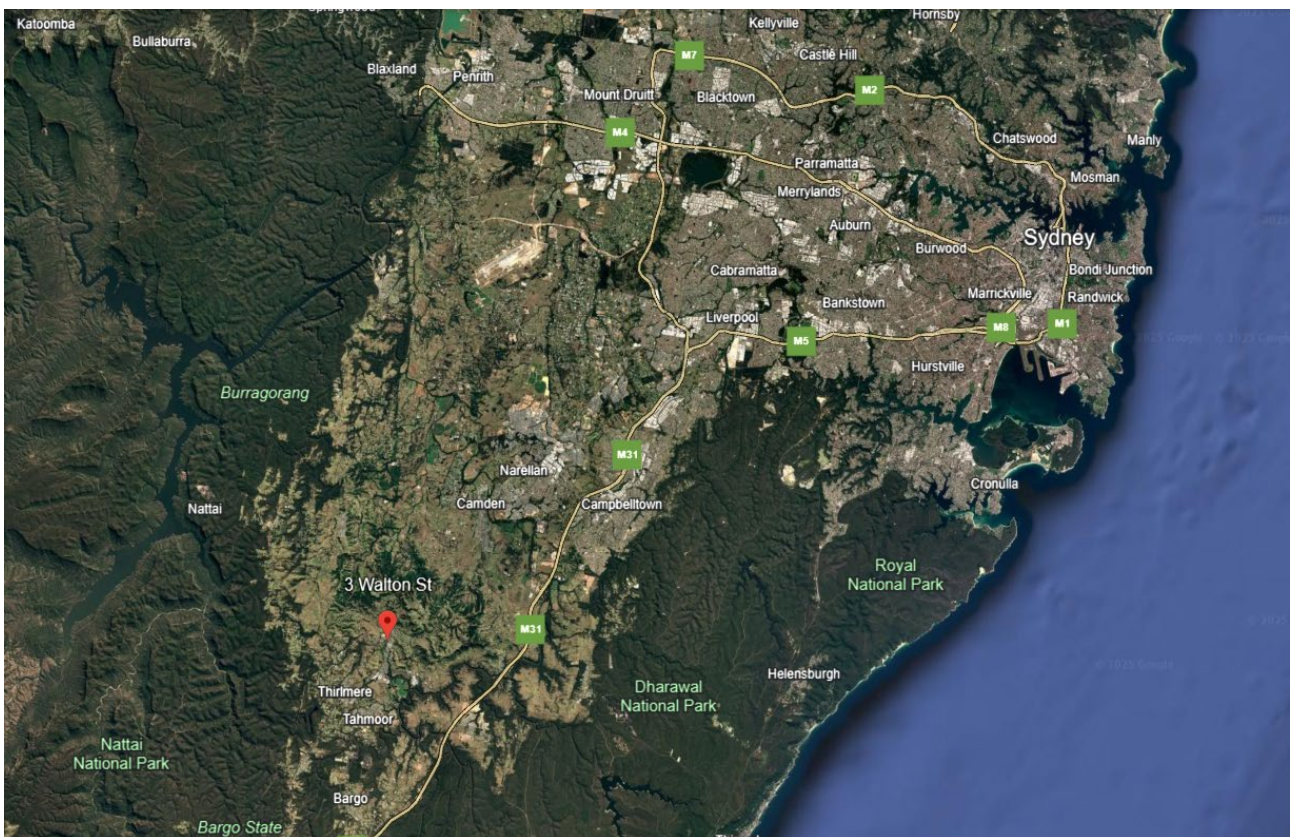


Figure 13 Aerial view of the Walton Street carpark in a regional context (Source: Google Earth)

2.7 Environmental Constraints

The following site constraints are identified based on the Wollondilly Shire Council GIS mapping.

The subject site is located within Flood Planning Area (FPA), (figure 14).

Southeast of the site, land along the corner of Elizabeth Street, Picton and Menangle Street West, Picton, are identified as being bushfire prone land (figure 15).

The development is also situated within the Wilton Mine Subsidence District and therefore requires consultation with Mine Subsidence Board NSW (figure 16).

Council's records indicate that historically the land associated with the subject site contained asbestos contaminated soils.

The site is not identified as a heritage item but is located within the Picton Heritage Conservation Area, surrounded by highly sensitive, heritage buildings. The site is adjacent and within proximity to several local heritage buildings such as the red-brick Old Post Office, Sheil Memorial Church and Picton Courthouse. The car park is directly opposite two significant heritage landmarks: St Mark's Church and the Pioneer Cemetery.

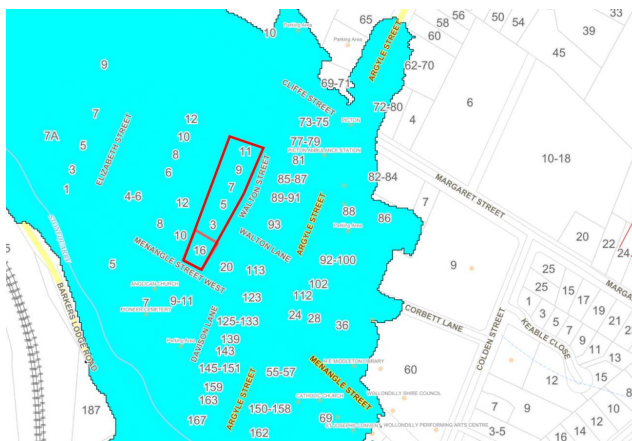


Figure 14 Flood Planning Area Map, site outlined in red
(Source: Wollondilly Shire Council GIS)

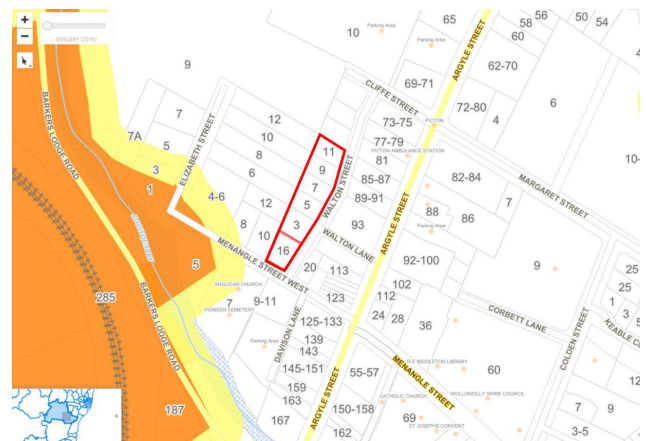


Figure 15 Bushfire Prone Land Map, site outlined in red
(Source: Wollondilly Shire Council GIS)

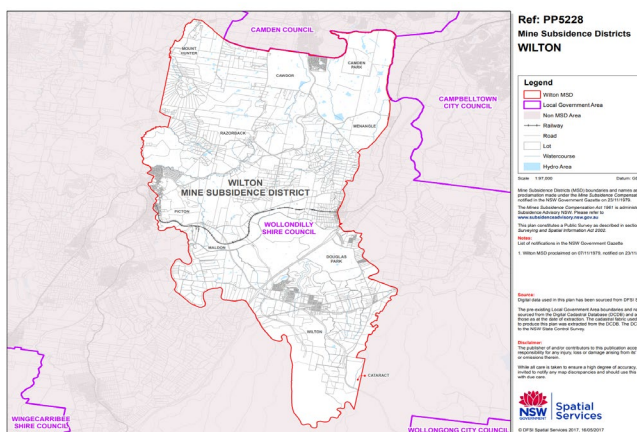


Figure 16 Mine Subsidence District Map, site outlined in red
(Source: Wollondilly Shire Council GIS)

3. Project Description

3.1 Project Overview

The proposed works involves an upgrade to the existing Walton Street carpark and involves the construction of a single storey carpark to provide additional roof level car parking.

The external finishes of the carpark will be of textured concrete and painted in a suitable colour to integrate respectfully with Picton's historic character while remaining contemporary and visually appealing.

The upgraded structure will feature planters and include perimeter vegetation.

Conceptual illustrations of the design are provided below (Figure 17 & 18).

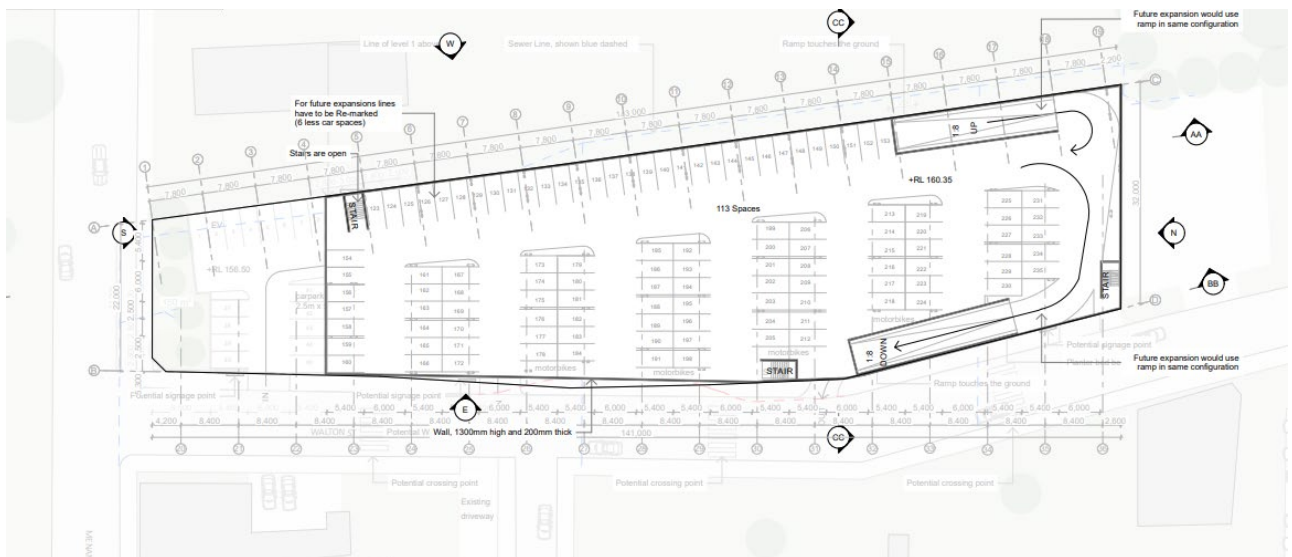
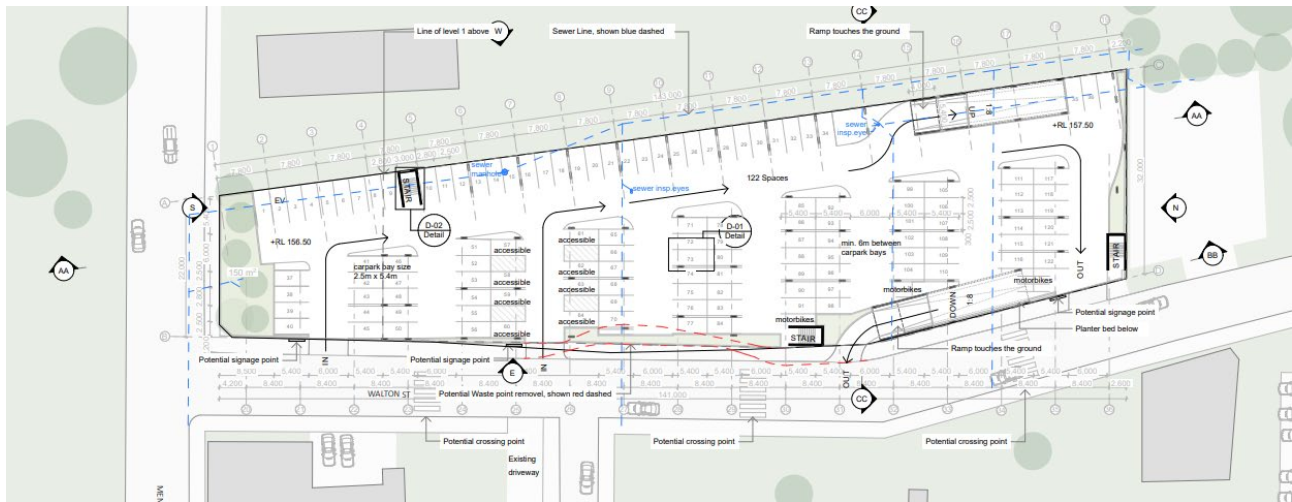


Figure 17 Proposed Car park Entrance on Walton St (Source: Lockhart – Krause Architects)



Figure 18 Proposed View on Menangle Street (Source: Lockhart – Krause Architects)

The upgrade has been designed to support surrounding businesses, residences, and events held at Wollondilly Performing Arts Centre. Figures 19 & 20 below provide the proposed ground floor and first floor level layouts.



3.2 Description of Development

The overall upgrade involves the following works:

- The construction of a single-storey car park, including two (2) new entry driveways and two (2) exit driveways, ramps and stairs to accommodate 235 overall parking spaces. The ground level of carparking spaces 121 spaces, and 113 spaces on the roof level parking area.
- Landscaping at both ground level, contained in planter boxes and structures allowing elevated plantings.
- The removal of 5 Brachychiton "Bella donna" trees located at the northeastern part of Walton Street and the planting of new trees along Menangle West Street, opposite of St Mark's Anglican Church and Cemetery.
- The provision of directional and identification signage
- The decommissioning of the existing electrical vehicle charging station.
- The provision of carpark lighting including pole mounted luminaires with optical controls suited for carparking mounted on aluminium outreach poles or similar.

The overall upgrade is depicted in the architectural drawings (A0-1 – A010) dated 16 May 2025 and prepared by Lockhart-Krause Architects.

3.3 Construction Activities and Management

Construction and management activities associated with the carpark upgrade include:

- Carry out site establishment works including service authority safety requirements, the installation of site fencing, workers' site sheds and other required site infrastructure. Install all required signage and warning signs
- Arrival of workforce and delivery/unloading/manoeuvring of equipment
- Designate working area and materials laydown/store/stockpile areas (these areas will be confirmed by the construction contractor)
- Delivery of plant, skip bin delivery/drop off, electrical disconnection works
- General delivery of other construction materials and construction equipment
- Connection to power source by contractor
- Materials management in and around the site as necessary
- Removal of waste and excavated material to a suitable waste facility
- Reinstatement & restoration of work areas.

Plant and equipment likely to be used for the works (but not limited to) include:

- Heavy to medium vehicles for delivery and removal of building materials
- Flatbed delivery trucks
- Excavator
- Mobile crane
- Truck mounted mobile piling boom
- Forklift & mobile crane
- Light vehicles
- Generators/air compressors
- Excavation machinery
- Various hand tools and small machinery.

Table 2 Construction Items to be considered

Construction Items	Considerations
Construction period	Works to commence: October 2025. Anticipated construction period: 4 months.
Construction hours	Construction would generally occur during the standard working hours set out in the Interim Construction Noise Guideline (DECC, 2009): <ul style="list-style-type: none"> • Mondays to Fridays between 7am and 6pm • Saturdays between 7am and 3pm No work would normally occur on Sundays or public holidays; however, some night works might be required for various works. Construction may be required outside the recommended standard hours to install/construct public infrastructure. Night works may be required.
Construction Environmental Management Plan	The appointed contractor will be provided with the Construction Environmental Management Plan (CEMP) in consultation with relevant stakeholders and in accordance with relevant standards. The CEMP provides information on traffic management, site access and parking arrangements during construction, and the measures to minimise the impacts on the relevant road network and environment.
Public Utilities	Existing public utilities/services exist in the vicinity of the works. It will be the contractor's responsibility to locate all services prior to commencement of works.
Operation & Maintenance	The relevant infrastructure authority will be responsible for the ongoing maintenance and operational obligations, including fault rectification in accordance with the terms of their operating license.
Waste Disposal	A garbage receptacle (skip or container) will be provided at the work site before works begin and will be maintained until the works are completed.
Dust and airborne pollutants	Dirt, sand and other materials relating to the construction or other work comprised in the development and loaded on to any vehicles entering or leaving the site, will be covered. All vehicles, before leaving the site, will be cleaned of dirt, sand or other materials that have adhered during that construction or other work and could be tracked onto public roads.
Security services	Site security for the project will be the responsibility of the construction manager with current periodic security inspections of the site to occur up to completion to prevent potential misuse of buildings.

3.4 Project Justification

Population growth

Based on the 2021 ABS census, Picton has a population of 5,282. It is estimated that the population within the Picton will increase to 6,874 by 2036, a 30% increase from its population in 2021. The growth of population within the locality is generating increased private vehicle ownership and the demand for more parking spaces. The proposal for increasing the capacity of the existing Walton Street public car park will assist in meeting the parking needs of this growing community.

Car usage

Over 70% of Wollondilly residents travel by car on an average weekday, relying primarily on private vehicles to complete trips for social, work, shopping, education and personal business purposes (Household Travel Survey Data 2018/ 2019, TfNSW). These trips are supported by public parking within the town centre. As the future redevelopment plans materialise, parking demand is expected to gradually increase as new land uses and attractions are completed and some parking supply is removed to make way for parts of the proposed development.

Commercial Centres Study 2006 and the Towns and Villages Centres Study 2008

These studies provided objectives for the revitalisation of the Picton Town Centre and made references to the need for parking areas to be progressively upgraded and constructed by Council to meet increasing demands.

Wollondilly Community, Cultural and Civic Precinct (WCCCP) 2019

The WCCCP was approved at the Council meeting in August 2019. The Concept Master Plan comprised development over a 20-year period across identified stages. Specifically, the Master Plan envisages a new administrative and governance building, a cultural and entertainment building of 1,200m² co-located with the new library in a cohesive precinct with a community plaza.

Development consent No DA/2023/674/1 aligns with the masterplan and granted approval for the demolition of existing structures and the construction of a public administration building, public library, public plaza and associated works at Lot 70 DP 1279596, 62-64 Menangle Street, Picton. Condition Nos 48 & 68 of this consent required alternative carparking arrangements to be made to accommodate any loss of carparking throughout construction. The carpark upgrade will offer additional car parking to address this requirement.

It has long been recognised that there will be a growing demand for the provision of additional carparking to service the revitalisation of the Picton Town centre under this Precinct Plan. An extract from the master plan adopted by Council is included below at Figure 21.



Source: Wollondilly Community, Cultural and Civic Precinct Master Plan Report (William Ross Architects, 2020).

Figure 21 Extract of Wollondilly Community, Cultural and Civic Precinct Master Plan prepared by William Ross Architects (Source: Cardno – Picton Town Centre Parking Strategy)

Throughout all construction activities associated with the various stages, there will be increased parking demand generated from construction workers and reduced car parking availability due to construction activities occurring on former car parking land. Parking demand is already high throughout the Picton Town Centre, often resulting in informal car parking on undeveloped land. There is a risk for this issue to be exacerbated as the various stages of the WCCCP project materialise. As stated above, the carpark upgrade will offer additional car parking to address this requirement.

Picton Town Centre Parking Strategy 2022

The project is consistent with the Picton Town Centre Parking Strategy 2022, which identifies the parking demand within Picton to gradually increase with new land uses and attractions.

In general, the proposed works are also justified for the following reasons:

- The expansion of the car park will relieve pressure on surrounding public on-road parking spaces.
- The provision of additional parking spaces will support the commercial viability of the town centre.

3.5 Project alternatives

The proposal was developed through an iterative design process in which various ideas were considered. Alternative options considered included:

- **Take no action:** this option would limit the site's usability, resulting in a missed opportunity for its optimisation. This option also would be contrary to Wollondilly Council's strategic planning initiatives, objectives and recommendations aimed at revitalising the Picton Town centre (described above). This could lead to adverse commercial, social, financial, operational and traffic consequences for both the Council, the local community, surrounding businesses and visitors to the area. A lack of additional parking would likely result in some increased waiting durations for parking and result in an increase in the demand of parking spaces that would put pressure on other surrounding public off-street and on-street parking spaces.
- **Alternative locations:** The Picton Town Centre Parking Strategy 2022 identifies several opportunities to accommodate at-grade off-street parking. This could include upgrades to other Council carparking infrastructure. Initial Council investigations suggest that the feasibility and appropriateness of such options fail to be justified considering corresponding cost, environmental impacts and planning constraints, etc.

Additional off-street spaces could also be achieved if one of more multi-deck parking sites were considered. It is likely that the adverse environmental and planning impacts associated with alternative locations and different designs would materially outweigh those associated with the current design and by comparison would not be considered an optimum outcome.

While these options may result in a larger number of centrally located spaces, alternative locations would likely encourage car trips to the core of the town centre, in opposition to the strategic planning initiative of providing parking supply in the periphery of the town centre and the promotion of the 'people first' precinct. Some of the land identified is currently zoned as "future residential" and might be better suited for residential.

- **Alternative design options:** Various design alternatives were explored for the upgrade of the existing Walton Street carpark; however, the current design was judged by Council to be the optimum outcome for the site in consideration of environmental impacts, cost and community benefit.
- **Parking management practices**
Various types of parking management practices could be considered (timed vs all day, free vs paid, resident parking etc.), however, are considered less desirable to providing additional carparking to increase supply for users.

These alternative options fall short in addressing the community need for additional parking spaces within the town centre, particularly with the future demand expected to be generated from the construction of the Wollondilly Community, Cultural and Civic Precinct. Additionally, they would likely result in higher costs and greater environmental impacts. In contrast, the proposed works facilitate a balance between functionality, sustainability, community benefits and cost.

4. Statutory Planning Considerations

Sections 2.67 and Section 2.73(3) under State Environmental Planning Policy (Transport and Infrastructure) 2021 enables work for the purposes of a “single storey carpark” to be carried out by a public authority, without consent.

While these provisions remove this activity from Part 4 of the EP&A Act, it remains necessary for the determining authority to consider the environmental impact of the proposal consistent with the requirements of Division 5.1 of the Act.

The primary legislation relevant to the evaluation of this activity is:

- *Part 5 of the Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2021.*

However, various other legislation, and Environmental Planning Instruments (EPIs), include provisions which have also been considered, primarily including:

- State Environmental Planning Policies (Transport and Infrastructure) 2021
- Wollondilly Local Environmental Plan 2011

Legislation and planning instruments identified above, are addressed below.

A summary of all other legislation has also been prepared to ascertain relevant compliance.

The above framework is considered in this report, along with any key provisions contained within the Wollondilly Development Control Plan 2016 (Wollondilly DCP 2016).

4.1 Commonwealth Legislation

4.1.1 Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

The objectives of EPBC Act are to provide for the conservation of threatened species, populations and ecological communities of animals and plants.

Under the EPBC Act, a proponent must not take an action if that action is a controlled action but instead must refer the proposed development to the Minister for the Environment for the Minister's decision as to whether or not the action is a controlled action. A controlled action is one that has or will have; or is likely to have an impact on matters protected under the EPBC Act (Matters of National Environmental Significance).

An action includes project, development, undertaking, activity, or series of activities. The EPBC Act identifies nine Matters of National Environmental Significance:

1. World Heritage properties.
2. National Heritage places.
3. Wetlands of international importance (those listed under the Ramsar Convention).
4. Listed threatened species and communities.
5. Migratory species listed under international agreements.
6. Great Barrier Reef Marine Park.
7. Commonwealth marine areas.
8. Nuclear actions
9. A water resource, in relation to coal seam gas development and large coal mining development.

The location of the site, the nature of the activity and the mitigation measures outlined in this report will not have an impact upon these matters.

Each of these is considered in the table 3 below:

Table 3 EPBC Act Checklist

Factor	Comment
Any significant impact on a declared World Heritage Property?	No
Any significant impact on a National Heritage Places?	No
Any significant impact on Commonwealth listed threatened species or endangered community?	No
Any significant impact on Commonwealth listed migratory species?	No
Does any part of the proposal involve nuclear actions?	No
Any significant impact on Commonwealth marine areas?	No
Any significant impact on the Great Barrier Reef Marine Park?	No
Any significant impact on Commonwealth land?	No

Based on the above, it is considered that the proposal will not have an impact on Matters of National Environmental Significance. The proposed activity does not involve the removal of any trees or vegetation listed under the EPBC Act. The proposal is also unlikely to have an impact on any matters of NES or Commonwealth Land. Accordingly, a referral to the Commonwealth Minister for the Environment is not required.

4.2 Environmental Planning and Assessment Act 1979

4.2.1 Part 5, Division 5.1 – Environmental Impact Statement

This section of the Act defines an "activity" for the purposes of Part 5 of the Act, as being:

(1) *In this Division -*

activity means -

- (a) *the use of land, and*
- (b) *the subdivision of land, and*
- (c) **the erection of a building**, and
- (d) **the carrying out of a work**, and
- (e) *the demolition of a building or work, and*
- (f) *any other act, matter or thing referred to in section 3.14 that is prescribed by the regulations for the purposes of this definition,*

but does not include—

- (g) *any act, matter or thing for which development consent under Part 4 is required or has been obtained, or*
- (h) *any act matter or thing that is prohibited under an environmental planning instrument, or*
- (i) *exempt development, or*
- (j) *development carried out in compliance with a development control order, or*
- (k) *any development of a class or description that is prescribed by the regulations for the purposes of this definition.*

The activity the subject of this REF satisfies the definition of an "activity" for the purposes of Part 5 of the Act in that it:

- Comprises the carrying out of a work;
- Does not require consent under Part 4 by virtue of the TISEPP;
- Is not prohibited by another instrument;
- Is not exempt; and
- Is not being undertaken to comply with an Order under Division 2A, Part 6.

This section of the Act also provides a definition for "determining authority" being:

a Minister or public authority and, in relation to any activity, means the Minister or public authority by or on whose behalf the activity is or is to be carried out or any Minister or public authority whose approval is required in order to enable the activity to be carried out.

The Council is a public authority and is the Determining Authority for this REF.

Section 5.7 of the EP&A Act 1979 prescribes that a determining authority must carry out or grant approval to an activity that:

- Is a prescribed activity; or
- Is an activity of a prescribed kind; or
- Is likely to significantly affect the environment unless it has considered an Environmental Impact Statement (EIS).

The proposal is not a prescribed activity, or an activity of a prescribed kind. As demonstrated by the assessment of environmental impacts in section 4.4, including the factors identified in Section 171 of the EP&A Reg 2021, the proposed activity will not significantly affect the environment, subject to implementation of the mitigation measures set out in section 6. On this basis an EIS is not required for the proposed activity.

4.2.2 Section 5.5 - Duty to Consider Environmental Impact

Section 5.5 of the Act requires the Determining Authority to consider the effect of an activity on certain prescribed matters. An assessment of this activity against those matters is provided in section 5.3 below.

The proposal has been considered in terms of the provisions of Section 5.5 of the EP&A Act 1979 where a determining authority in its consideration of an activity shall, notwithstanding any other provisions of the EP&A Act 1979 assess matters affecting or likely to affect the environment by reason of that activity. An analysis of the activity is provided below. In summary, the proposed activity will not negatively affect the environment.

Table 4 Section 5.5 of the Act compliance table

Matters to be addressed	Comment
<ul style="list-style-type: none"><i>For the purpose of attaining the objects of this Act relating to the protection and enhancement of the environment, a determining authority in its consideration of an activity shall, notwithstanding any other provisions of this Act or the provisions of any other Act or of any instrument made under this or any other Act, examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity.</i>	All environmental impacts have been addressed in section 5 of this REF. The works are compatible with the character of the area and existing land use and are unlikely to result in adverse impacts upon the natural, built, social, economic and economic aspects of the environment. Any impacts because of the construction works are short term and can be adequately mitigated as per the mitigation measures in section 6 of this REF.
<ul style="list-style-type: none"><i>Without limited subsection (1), determining authority shall consider the effect of an activity on any wilderness area (within the meaning of the Wilderness Act 1987) in the locality in which the activity is intended to be carried on.</i>	The site is not located within a wilderness area, nor within the vicinity of a wilderness area and will have no effects on any such area.

4.3 Environmental Planning and Assessment Regulation 2021

Section 170 of the EP&A Regulations nominates that the Planning Secretary may issue guidelines to be considered when assessing the likely impact of an activity, and that consideration must be given to section 171 in any assessment.

This REF has been prepared considering 'Guidelines for Division 5.1 Assessments' issued by the NSW Department of Planning and Environment (June 2022).

An assessment of this activity against those matters is provided below.

4.4 Section 171 – Environmental Planning and Assessment Regulation 2021

Section 171 of the Regulation prescribes factors that must be taken into account concerning the impact of an activity on the environment for the purpose of Part 5 of the Act. The prescribed matters and an assessment of the proposed activity against those matters are outlined in **Error! Reference source not found.** below. In summary, the proposal has appropriately considered the impact of the activity on the environment and is not expected to negatively impact the environment, subject to the incorporation of the mitigation measures identified within Section 6 of this REF.

Relevant sections of the report are referenced which provides a more detailed assessment of the potential impacts. Section 6 of this REF provides the applicable mitigation measures that need to be implemented.

Table 5 Environmental factors for consideration under section 171 of the EP&A Regulation 2021

Factor	Impact Assessment	Rating
(a) Any environmental impact on a community	<p>As described in Section 5 of this REF, the carpark upgrade will not result in any unreasonable environmental impacts on the community. Some minimal and temporary environmental impacts can be expected during the construction phase. These may include short-term noise, dust and traffic associated with the construction work, which can be appropriately managed or minimised through the mitigation measures outlined in Section 6.</p> <p>All operational amenity impacts have been addressed in Section 5 of this REF. Crime Prevention Through Environmental Design (CPTED) principles have been embodied within the carpark upgrade with the overall design minimising concealed areas, ensuring good surveillance, including thoughtful landscaping and lighting.</p> <p>Considerations relating to light spill, noise & safety will be satisfactorily addressed via mitigation measures that have been included in Section 6 of this REF.</p>	<p><input type="checkbox"/> Nil <input checked="" type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High</p>
(b) Any transformation of the locality	<p>As described in Section 5 of this REF, the design and external appearance of the carpark has considered the characteristics of the existing built forms and Heritage landscape. The external finishes of the structure will reflect the colour palette of Picton's heritage buildings, ensuring no adverse transformative effects on the locality.</p> <p>Additionally, there would be no material change to the interface between the building and the public domain at ground level.</p>	<p><input type="checkbox"/> Nil <input checked="" type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High</p>

Factor	Impact Assessment	Rating
(c) Any environmental impact on the ecosystems of the locality	The proposed activity involves building work that is within a pre-existing developed area and would not involve the clearing of significant vegetation. Moreover, the construction of a single storey carpark will not have any substantial impact on nearby ecosystems and vegetations within the locality.	<input checked="" type="checkbox"/> Nil <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High
(d) Any reduction of the aesthetic, recreational, scientific or other environmental quality or value of the locality	<p>As described in Section 5 of this REF, the proposal does not diminish the aesthetic, recreational, scientific, or environmental quality of the locality, considering impacts on visual character, recreational spaces, ecosystems, and overall environmental health.</p> <p>A series of mitigation measures have been recommended in Section 6 of this REF report to mitigate any potential impacts on the environment that may result from the proposed activity</p>	<input type="checkbox"/> Nil <input checked="" type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High
(e) Any effect on a locality, place or building having aesthetic, anthropological, archaeological, architectural, cultural, historical, scientific or social significance or other special value for present or future generations	<p>The proposed activity will not result in any effect on a locality, place or building having any aesthetic, anthropological, archaeological, architectural, cultural, historical, scientific or social significance.</p> <p>This is further discussed in Section 5 of this REF. Section 6 of this REF identifies procedures to mitigate impacts should anything having aesthetic, anthropological, archaeological, architectural, cultural, historical, scientific or social significance or other special value Heritage significance be found.</p>	<input type="checkbox"/> Nil <input checked="" type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High
(f) Any impact on the habitat of protected animals (within the meaning of the Biodiversity Conservation Act 2016)	The proposed activity involves building work that is within a pre-existing developed area and would not cause any impact on the habitat of protected animals under the <i>Biodiversity Conservation Act 2016</i> .	<input checked="" type="checkbox"/> Nil <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High
(g) Any endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air	<p>The works will not endanger any species of animal plant or other form of life.</p> <p>The proposed works have been designed to avoid disturbing habitats or disrupting the natural environment. The project will comply with relevant environmental regulations to protect biodiversity and prevent any negative effects on local species</p>	<input checked="" type="checkbox"/> Nil <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High
(h) Any long-term effects on the environment	The proposal will not result in any long-term effects on the environment. Any disturbance to the site will be restored throughout the operation of the activity and at the completion of the proposed activity.	<input type="checkbox"/> Nil <input checked="" type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High
(i) Any degradation of the quality of the environment	No degradation of the quality of the environment is anticipated.	<input checked="" type="checkbox"/> Nil <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High

Factor	Impact Assessment	Rating
(j) Any risk to the safety of the environment	Subject to the mitigation measures set out in Section 6 of this REF, the proposed works will not result in any risk to the safety of the environment.	<input type="checkbox"/> Nil <input checked="" type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High
(k) Any reduction in the range of beneficial uses of the environment	The proposed works will not result in any reduction in the range of beneficial uses of the environment. The proposed activity will not displace other adjoining uses, and the current use remains and is improved.	<input checked="" type="checkbox"/> Nil <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High
(l) Any pollution of the environment	<p>As described in Section 5 of this REF, any pollution because of the proposed works will be controlled by appropriate mitigation measures and regulated to acceptable levels by legislative requirements.</p> <p>The potential noise emission from the proposed works will be mitigated through the adoption of recommended attenuation measures.</p> <p>The activity may result in generation of minor or low volume of pollutants during the construction phase, such as noise, dust, fumes and waste. These impacts would be temporary and could be appropriately mitigated and managed through the preparation of a construction management plan.</p>	<input type="checkbox"/> Nil <input checked="" type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High
(m) Any environmental problems associated with the disposal of waste	<p>The demolition and construction waste generated would be disposed of in accordance with legislative requirements for waste disposal and health regulations and in a manner that is consistent with Council's Waste Management and Resource Recovery Strategy and Action Plan 2020-2025 and Wollondilly Development Control Plan 2016.</p> <p>The handling and disposal of any potentially hazardous materials will be managed through the preparation and implementation of a construction management plan.</p> <p>Mitigation measures have been included in Section 6 of this REF to ensure that waste is managed appropriately.</p>	<input type="checkbox"/> Nil <input checked="" type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High
(n) Any increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply	The construction of the car park and its ongoing use and operation would not generate significant additional demands for resource (energy and water, etc.) beyond what is expected for a carpark. The proposed works will not result in an increase in demands on resources that are, or are likely to become, in short supply.	<input type="checkbox"/> Nil <input checked="" type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High
(o) Any cumulative environmental effect with other existing or likely future activities	Subject to adopting the mitigation measures identified in Section 6 of this REF, the proposed works will not result in any cumulative environmental effects with the existing or future activities on the site.	<input checked="" type="checkbox"/> Nil <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High
(p) Any impact on coastal processes and coastal hazards, including those under projected climate change conditions	The site is not located within proximity to the coast or identified as being located within a coastal hazard area and will therefore have no impact on coastal processes.	<input checked="" type="checkbox"/> Nil <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High

Factor	Impact Assessment	Rating
(q) Any applicable local strategic planning statement, regional strategic plan or district strategic plan made under the Division 3.1 of the Act	<p>The proposed development is consistent with the Wollondilly Local Strategic Planning Statement 2040 (LSPS) including aspects relating to planning priorities that outlines the need to align infrastructure provision with community needs.</p> <p>In particular, the proposed carpark upgrade will ensure the following: -</p> <ul style="list-style-type: none"> • Improvements to transportation options and connectivity, aligning with the LSPS's objectives of enhancing infrastructure to support the region's growth. • The upgrade of local infrastructure that will facilitate local business activities and enhance accessibility to key destinations, thereby supporting economic growth and community well-being. • The alignment with these broader regional planning objectives by improving infrastructure, connectivity and accessibility, thereby contributing to the region's sustainable development. <p>The LSPS sets out planning priorities that are also in accordance with the Community Strategic Plan (CSP) Create Wollondilly 2033. The LSPS also responds to objectives and visions for the Western Parkland City as articulated in the Western City District Plan.</p> <p>The proposed activity does not detract from any State and local strategic plans applying to the area.</p>	<input checked="" type="checkbox"/> Nil <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High
(r) Any other relevant environmental factors	No other environmental factors are considered relevant to this proposal.	<input checked="" type="checkbox"/> Nil <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High

4.5 Section 171A – Environmental Planning and Assessment Regulation 2021

The subject site is located within the regulated Sydney Drinking Water Catchment. Section 171A of the Environmental Planning and Assessment Regulation 2021 (NSW) outlines specific considerations for determining authorities when assessing activities proposed within regulated catchments. It requires them to take into account the impacts on the environment, particularly in relation to biodiversity and water quality, as specified in the State Environmental Planning Policy (Biodiversity and Conservation) 2021.

In undertaking an activity, the determining authority must satisfy sections 6.6(2), 6.7(2), 6.8(2) and 6.9(2) and consider environmental impacts listed in sections 6.6(1), 6.7(1), 6.8(1) and 6.9(1) of State Environmental Planning Policy (Biodiversity and Conservation) 2021. This includes specific consideration of water quality and quantity, aquatic ecology, flooding, and recreation and public access.

All construction and operational amenity impacts have been addressed in Section 5 of this REF. Considerations relating to biodiversity and water quality relevant to State Environmental Planning Policy (Biodiversity and Conservation) 2021 are detailed in Table 9 of this REF and will be satisfactorily addressed via mitigation measures that have been included in Section 6 of this REF

4.6 State Environment Planning Policy (Transport and Infrastructure) 2021

4.6.1 Overview

Chapter 2 of SEPP (Transport and Infrastructure) 2021 (SEPPTI) aims to facilitate the effective delivery of infrastructure across the state. The policy includes provisions which enable certain development to attain approval by a public authority pursuant to Part 5 of the Act, following an environmental assessment. This type of activity is known as ‘development without consent’. Section 2.67 of the SEPPTI states:

2.67 Development permitted without consent

Development for any purpose referred to in section 2.73(3) may be carried out without consent on operational land by or on behalf of a council.

The land is classified as “Operational land” under the Local Government Act, 1993 and the existing carpark is owned and controlled by Council.

Section 2.73(3) of the SEPPTI states:

“2.73 Development permitted without consent

(3) Any of the following development may be carried out by or on behalf of a public authority without consent on land owned or controlled by the public authority—

(a) development for any of the following purposes—

*(i) roads, pedestrian pathways, cycleways, **single storey car parks**, ticketing facilities, viewing platforms and pedestrian bridges,...*

Section 2.3 of the SEPPTI states:

“2.3 Interpretation—general

(1) A word or expression used in this Chapter has the same meaning as it has in the Standard Instrument unless it is otherwise defined in this Chapter”.

Chapter 2 of the SEPPTI does not include a definition of “storey”.

In the Dictionary to the Standard Instrument – Principal Local Environmental Plan 2006, “storey” is defined as follows:

“storey means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include—

- (a) a space that contains only a lift shaft, stairway or meter room, or**
- (b) a mezzanine, or**
- (c) an attic.”**

The carpark upgrade will be a structure built over an existing at grade car park (noting that Schedule 1 of the SEPPTI refers to “carparks – at grade only” as (subject to pre-conditions) being a form of exempt development (i.e. no planning approval required).

In the terms of the definition of “storey”, the existing ground level is the base of “one floor level”. The “floor level next above” is the roof of the structure. This “space” represents one (or “a single”) storey.

As the roof top parking will be open to the sky, there is no floor level, ceiling or roof “next above”. As such, the proposed upgrade is characterised as a single storey structure under this definition.

Other relevant provisions of this policy are considered below.

4.6.2 Consultation

Chapter 2 - Division 1 of the SEPPTI identifies when consultation with council or other public authorities must occur. All matters that may trigger consultation are addressed below in Table .

Table 6 TISEPP Consultation Requirements

Relevant Provision	Comment
2.10 Consultation with councils - development with impacts on council-related infrastructure or services	In accordance with clause 2.17(1)(c) formal notice is not required as Council is the authority carrying out the development.
2.11 Consultation with councils - development with impacts on local heritage	In accordance with clause 2.17(1)(c) formal notice is not required as Council is the authority carrying out the development.
2.12 Consultation with councils— development with impacts on flood liable land	In accordance with clause 2.17(1)(c) formal notice is not required as Council is the authority carrying out the development.
2.13 Consultation with State Emergency Service—development with impacts on flood liable land	The development is identified as being located within flood liable land and therefore requires consultation with State Emergency Service. Consequently, in accordance with this clause 2.13, the State Emergency Service was notified in writing and in response raised no objection to the proposed activity.
2.14 Consultation with councils— development with impacts on certain land within the coastal zone	The carpark is not within proximity to a coastal zone

Relevant Provision	Comment
2.15 Consultation with public authorities other than councils	<p>The development is identified as being located within the Wilton Mine Subsidence District and therefore requires consultation with Mine Subsidence Board NSW under section 2.15(2)(f) of the SEPPTI.</p> <p>Consequently, in accordance with this clause 2.15, the Mine Subsidence Board NSW was notified in writing and any comments remain outstanding. A recommended mitigation measure will be imposed under Section 6 of this REF that requires the approval of the Mine Subsidence Advisory NSW prior to any works been carried out and any recommendations to be satisfied.</p> <p>The proposal is not:</p> <ul style="list-style-type: none"> • development adjacent to a marine park declared under the <i>Marine Parks Act 1997</i> • development adjacent to an aquatic reserve declared under the <i>Fisheries Management Act 1994</i> • development comprising a fixed or floating structure in or over navigable waters • development on defence communications facility buffer land • development adjacent to land reserved under the <i>National Parks and Wildlife Act, 1974</i>
2.16 Consideration of Planning for Bush Fire Protection	<p>The proposal is situated near bushfire prone land; however, it is not located within or adjacent to bushfire prone land. Its distance from bushfire prone land ensures that the proposed development will not be impacted.</p>

4.7 Other Legislation

Other legislation has been considered to determine whether it is applicable or otherwise relevant to the proposed works. An analysis has been provided below in Table and Table .

Table 7 Commonwealth legislation

Commonwealth Legislation	Comment
<i>Disability Discrimination Act 1992</i>	<p>This Act provides a legal framework for the prohibition of discrimination against people with disabilities in employment, education, publicly available premises, provision of goods and services, accommodation, clubs and associations, and other contexts.</p> <p>Accessible parking spaces would be provided on the ground floor as part of the proposal.</p> <p>As a mitigation strategy, all construction works are to be in accordance with the relevant provisions of the Building Code of Australia, Australian Standards, and Premises Standards.</p>
<i>Native Title Act 1993</i>	<p>The Act provide a legal framework in relation to Native title. The works are not located upon Crown land and thus the provisions of the Act are not triggered.</p>

Table 8 Additional NSW Legislation Considered

NSW Legislation	Comment
<i>Contaminated Land Management Act 1997</i>	This Act establishes a process for investigating and remediating contaminated land. The carpark is not regulated under the <i>Contaminated Land Management Act 1997</i> (CLM Act). Refer to Section 5.3.3 for further detailed assessment of site contamination.
<i>Heritage Act 1977</i>	The objects of this Act are to promote and encourage the understanding and conservation of State's Heritage Listed Items. The site is situated within a heritage conservation area within the LEP, however, the site is not a State Listed Heritage Item or on the State Heritage Register, as confirmed in the Heritage Impact Statement prepared by Black Mountain Projects Heritage Consultants.
<i>Local Government Act 1993</i>	The purpose of this Act is to provide a legal framework for local government in NSW. The proposed development is 'development permitted without consent,' the determining authority is the Wollondilly Shire Council. All necessary approvals required under the <i>Local Government Act 1993</i> (NSW) (LG Act), including those required under Section 68, if relevant will be addressed via mitigation measures detailed in Section 6 of this REF.
<i>Rural Fires Act 1997</i>	The objects of the <i>Rural Fires Act 1997</i> are to provide for the prevention, mitigation, and suppression of bush and other fires NSW. The subject site is not identified as bushfire prone land. The provisions of this Act are not applicable.
<i>Wilderness Act 1987</i>	The objects of this Act are to provide permanent protection and proper management of wilderness areas. The subject site and immediate locality are not identified as wilderness areas. The provisions of this Act are not applicable.
<i>Protection of the Environment Operations Act 1997</i>	The objects of this Act are to protect, restore and enhance the quality of the environment in NSW. The activity does not require a license under the Act. Mitigation measures have been imposed to ensure works are in accordance with the POEO Act and do not result in offensive noise as defined. The activity is to be principally contained within the existing site footprint and therefore minimal impact on the external environment is likely to result.
<i>Roads Act 1993</i>	The objects of this Act are to set out matters in relation to public roads. The proposed works are associated with minor road works along Walton Street to accommodate vehicle entry and exit driveways. It is unlikely that any works within the road reserve would require road closures, but mitigation measures will be in place to notify local businesses and residents during construction. Wollondilly Shire Council is the Road Authority and would be responsible for notifying local businesses and residents of potential road closures, if required. Appropriate mitigation measures will be imposed.
<i>Sydney Water Act 1994</i>	The object of this Act relates to Sydney Water assets. The Proposal would not involve discharge of wastewater to the sewer.

NSW Legislation	Comment
<i>Biodiversity Conservation Act 2016</i>	<p>The objects of this Act are to conserve the biological diversity and promote ecologically sustainable development.</p> <p>The proposed development is wholly contained within a developed and urbanised site, with no works proposed that would affect any vegetation.</p> <p>The provisions of this Act are not applicable.</p>
<i>Water Management Act 2000</i>	<p>The objects of the <i>Water Management Act 2000</i> are to provide for sustainable and integrated management of water sources of the State.</p> <p>The proposal would not involve any water use (directly from a natural source such as an aquifer, river), water management works, drainage or flood work, controlled activities or aquifer interference.</p> <p>The activity does not trigger a requirement to obtain an activity approval under s91. Irrespective, a public authority is exempted from this provision (s.40 Water Management (General) Regulation 2018).</p>
<i>Coal Mine Subsidence Compensation Act 2017</i>	<p>The objects of this Act are to provide a scheme from compensation for damage cause by subsidence resulting from coal mine operations, and the assessment and management of risks associated with subsidence resulting from coal mine operations.</p> <p>Consultation is required under section 2.15(2)(f) of TISEPP, as well as Part 3 of the Coal Mine Subsidence Compensation Act 2017, as the proposal is on land mapped under the Wilton Mine Subsidence Zones.</p> <p>The proposal will be required to comply with the relevant Surface Development Guideline, which outlines the requirements for constructing a complying development on a property in a Mine Subsidence District. The Guidelines apply to properties that are likely to be undermined in the future with subsidence-induced ground movements.</p> <p>The proposed development is not identified as an exempt development under Subsidence Advisory, and therefore consultation and compliance with the relevant Guideline would is required. This referral has been undertaken, however has not yet been received. A recommended mitigation measure will be imposed under Section 6 of this REF that requires the approval of the Mine Subsidence Advisory NSW prior to any works been carried out and any recommendations to be satisfied.</p>
<i>Coastal Management Act 2016</i>	<p>The objects of this Act are to manage the coastal environment of New South Wales in a manner consistent with the principles of ecologically sustainable development for the social, cultural and economic well-being of the people of the State. The site is not located within a coastal environment or coastal zone.</p> <p>The provisions of this Act are not applicable.</p>

4.8 Other Environmental Planning Instruments

Additional Environmental Planning Instruments (EPIs) have been considered to determine whether or not they are applicable or relevant to the proposed works. An analysis has been provided below in Table . In summary, no other EPIs are relevant to the proposal.

Table 9 Other Environmental Planning Instruments

Environmental Planning Instrument	Comment
State Environmental Planning Policy (transport and Infrastructure) 2021	The relevant provisions of SEPP TI 2021—Schedule 1, Chapter 2 (Exempt Development)—permit identification, directional, community information, or safety signage associated with the use of a car park (road infrastructure). The proposed signage as depicted on the architectural drawings are considered consistent with this provision, as it supports road safety and complies with outdoor advertising policies and guidelines approved by the Planning Secretary and published in the Gazette. No further approvals are required.
State Environmental Planning Policy (Biodiversity and Conservation) 2021	<p>The relevant provisions of this SEPP and impacts associated with construction and operation have been addressed in Section 5 of this REF. Given the works are predominately within a developed site and urbanised context with limited fauna habitat values and no significant vegetation or trees proposed to be cleared, the impacts upon water quality and quantity, aquatic ecology, flooding, and recreation and public access are minimal to neutral.</p> <p>Construction of the proposal would not affect existing flood regimes within or surrounding the subject site. Mitigation measures would include monitoring and contingency planning for large flood events.</p> <p>Sediment control measures would be put in place and maintained during construction to avoid contaminants such as sediment escaping from the proposal area. Control measures would include those for sediment and run-off control, avoiding work during periods of heavy rainfall, and storing fuel/chemicals in dedicated, contained locations. With adequate controls implemented, it is expected that the overall impact upon local waterways and their water quality would be negligible to minor.</p> <p>Operation of the proposal is not expected to generate any additional pollutants (including sediments or contaminants) that could impact water quality, resulting in a neutral effect.</p>
State Environmental Planning Policy (Resilience and Hazards) 2021	If any asbestos or hazardous materials are identified, they will be removed in accordance with Working with Asbestos: Guide 2008, published by the WorkCover Authority.
State Environmental Planning Policy (Planning Systems) 2021	The works are not classified as regional or state significant

4.9 Wollondilly Local Environmental Plan 2011

The Wollondilly Local Environmental Plan (LEP) 2011 aims is the primary environmental planning instrument for land in the Wollondilly Local Government Area (LGA). The activity, involving the proposed construction of a *carpark* is permissible within the E1 Local Centre zone applying to the site. The works are consistent with the following zone objectives:

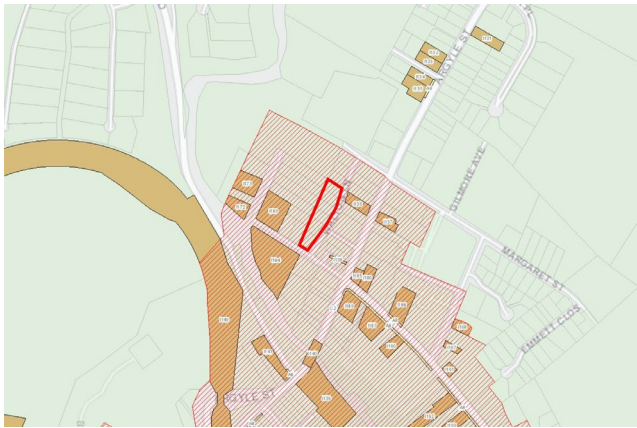
- *To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.*
- *To encourage vibrant local centres by allowing tourist and visitor accommodation and facilities.*

The upgrade to the Walton Street carpark is a positive response to addressing the increasing demand for parking in Picton's Town centre.

The upgrade will also support local retail, business and community uses, providing additional parking spaces to serve the needs of people who live in, work in or visit Picton.

Consideration of the key provisions of the Wollondilly LEP 2011 is undertaken in the table 10 below:

Table 10 Consideration of Wollondilly LEP 2011

Relevant Section	Provision	Comment
4.3 – Height of Buildings	The site is subject to a maximum building height of 11.5 metres	The proposed car park will have a maximum height of 4.15m.
4.4 – Floor space ratio	There is no maximum FSR that applies to the site.	N/A
5.10 – Heritage Conservation	<p>The site is situated within the Picton Conservation Area, and is within proximity to several locally listed heritage items including but not limited to:</p> <ul style="list-style-type: none"> • Macquarie House - 55 Argyle Street (Local - I135) • Commercial building - 85–87 Argyle Street (Local - I136) • Courthouse - 88 Argyle Street (Local - I137) • Commercial building - 117 Argyle Street (Local - I138) • Cottage - 1 Elizabeth Street (Local - I172) • Victorian house - 4–6 Elizabeth Street (Local - I183) • Larkin Cottage and outbuilding - 5 Elizabeth Street (Local - I173) • Former post office - 22–26 Menangle Street (corner Argyle Street) (Local - I185) • St Mark's Anglican Church, cemetery and gardens - 5 and 7 Menangle Street West (Local - I184) • Furniture store - 28 Menangle Street (Local - I186)  <p>Figure 12 Wollondilly LEP Heritage Map, site outlined in red (Source: NSW Planning Portal Digital EPI Viewer)</p>	<p>A Heritage Impact Statement prepared by Black Mountain Projects Heritage Consultants assesses the potential impact of the carpark upgrade on the Conservation area and local listed heritage items.</p> <p>Mitigation measures are provided (refer to Section 6 of this REF) to address the potential heritage impact associated with the development.</p> <p>To ensure the carpark is consistent with the context and character of the Heritage buildings & Conservation area, the carpark will use sympathetic colour tones and textured concrete that reflects the tones of these surrounding structures.</p> <p>See Section 5 of this REF in relation to the protection of Non-European Heritage Impacts.</p>
5.21 – Flood Planning	(1) <i>The objectives of this clause are as follows—</i>	The site is flood affected. Flooding, in terms of potential environmental impact, is

Relevant Section	Provision	Comment
	<p><i>(a) to minimise the flood risk to life and property associated with the use of land,</i></p> <p><i>(b) to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,</i></p> <p><i>(c) to avoid adverse or cumulative impacts on flood behaviour and the environment,</i></p> <p><i>(d) to enable the safe occupation and efficient evacuation of people in the event of a flood.</i></p> <p><i>(2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—</i></p> <p><i>(a) is compatible with the flood function and behaviour on the land, and</i></p> <p><i>(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and</i></p> <p><i>(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and</i></p> <p><i>(d) incorporates appropriate measures to manage risk to life in the event of a flood, and</i></p> <p><i>(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.</i></p> <p><i>(3) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—</i></p> <p><i>(a) the impact of the development on projected changes to flood behaviour as a result of climate change,</i></p> <p><i>(b) the intended design and scale of buildings resulting from the development,</i></p> <p><i>(c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,</i></p> <p><i>(d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.</i></p> <p><i>(4) A word or expression used in this clause has the same meaning as it has in the Considering Flooding in Land Use Planning Guideline unless it is otherwise defined in this clause.</i></p>	<p>addressed further in Section 5.3.6 of this REF.</p> <p>The site is affected by overland flow from upstream catchments, with some localised flood storage within the site due to a low point along the western edge of the existing carpark.</p> <p>A Flood Emergency Management Plan (FERP) has been prepared by Woollacott's Consulting Engineers in support of the proposed upgrade and to minimise the flood risk to life and property associated with the use of land in accordance with Section 5.21(Flood Planning) of the WLEP.</p> <p>These requirements are to be implemented as mitigation measures as outlined in Section 6 of this REF</p> <p>Consequently, the proposed development does not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood.</p>

Relevant Section	Provision	Comment
5.23 – Public Bushland	There are relevant matters for consideration for Council in granting consent to development for areas situated in or within close proximity to public bushland.	The proposal will not disturb public bushland on adjoining sites or result in the erosion of soil, the siltation of streams and waterways and the spread of weeds and non-native plants within public bushland.
7.9 – Development within metropolitan rural area	<p>The objective of this clause is to protect and enhance environmental, social and economic values in metropolitan rural areas.</p> <p><i>(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered the following—</i></p> <p><i>(a) the impact of the proposed development on—</i></p> <p><i>(i) the natural habitat and biodiversity, and</i></p> <p><i>(ii) drinking water catchments, and</i></p> <p><i>(iii) mineral and energy resources and extractive industries,</i></p> <p><i>(b) whether the proposed development—</i></p> <p><i>(i) preserves land for agriculture, including by providing buffers, and</i></p> <p><i>(ii) prevents incompatible uses, and</i></p> <p><i>(iii) maintains and enhances the distinctive character of rural towns and villages, and</i></p> <p><i>(iv) protects areas of cultural, heritage or scenic value, and</i></p> <p><i>(v) appropriately manages the risk of hazards including bush fire or flooding.</i></p>	<p>The proposed development is not within proximity to any drinking water catchments, mineral and energy resources and extractive industries, and therefore will have no impact.</p> <p>The proposed development is not situated within proximity to areas with biodiversity value or habitats.</p> <p>As the site is currently operating as a carpark, there are no natural habitat, significant biodiversity, water catchment, mineral and energy resources.</p> <p>To ensure the proposed car park is consistent with the context and character of local heritage buildings, the carpark will use a sympathetic colour tone and textured concrete that reflects the tones of the surrounding structures.</p>

4.10 Wollondilly Development Control Plan 2016

The Wollondilly Development Control Plan 2016 (WDCP) applies to the Site and contains general provisions relevant to development and specific to areas within the Wollondilly LGA. The WDCP provides guidance with respect to commercial development within the Wollondilly LGA in terms of setbacks, parking, building envelope, heritage, landscape and general development standards. A development control plan is not strictly a statutory planning consideration, however where relevant, the applicable provisions of the DCP are referenced in relation to the upgrade of the carpark.

5. Environmental Impact Assessment

5.1 Introduction

This section describes and assesses the potential impacts of the proposed activity.

Section 171 & 171A of the Regulation stipulates the environmental factors and provisions that must be taken into account when consideration is being given to the likely impact of an activity on the environment. An evaluation of the proposal against those environmental factors is provided in Section 5.3.

5.2 Assessment Methodology

5.2.1 Overview

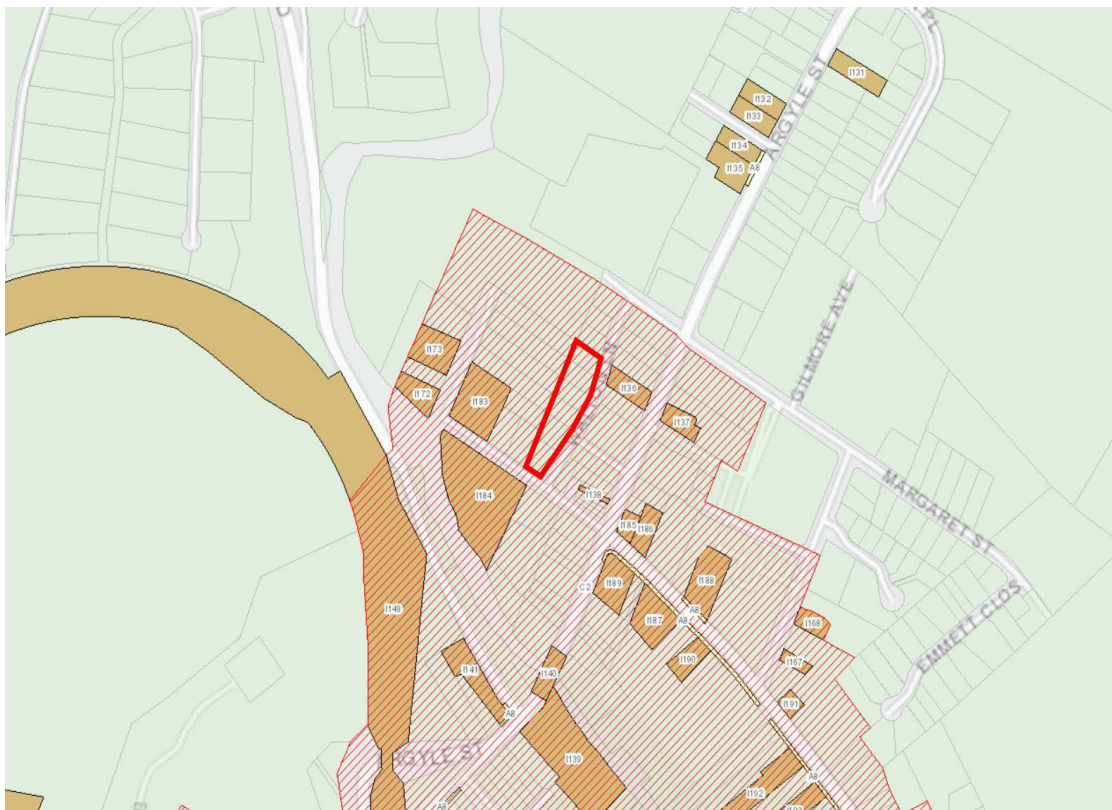
The environmental assessment methodology for the project involves the following:

1. Identifying potential environmental risks/impacts associated with the project
2. Evaluating identified risks/impacts to determine the potential for occurrence and degree of severity
3. Identifying and determining suitable environmental management procedures and mitigation measures for planned works.

5.3 Consideration of Key Issues

5.3.1 European heritage

The site is not identified as a heritage item but is situated within the Picton Conservation Area. (see Figure 23) below. The locally listed Heritage items are also identified in the Figure and in Table 10 above.



The Black Mountain Projects Heritage Consultants' report dated April 2025 outlines the anticipated impacts upon local heritage values and the scenic qualities of the Picton Conservation area. The findings of the report confirm that the carpark upgrade will have measurable impacts particularly through visual and contextual changes.

However, the report concludes that subject to the implementation of the recommended mitigation measures contained in the report, the visual and contextual impacts will be appropriately addressed and will align with the provisions of the Wollondilly LEP 2011 and the NSW Heritage Council guidelines.

The mitigation measures recommended by the Heritage consultant include the implementation of offsite tree planting upon adjoining private and public owned land. In consideration of the measures identified and to ensure heritage impacts are suitably minimised, it is recommended that the Project Manager in consultation with a Qualified Heritage expert & qualified Landscaping Designer, shall identify areas of the site, and adjoining public land or adjoining private land subject to landowner's approval, where suitable landscape screening of the car park can be implemented. Tree planting is to be implemented prior to commencement of the use of the new car park.

The consultation process must consider the objectives of the proposed heritage mitigation measures outlined in the Heritage Impact Statement dated April 2025 and prepared by Black Mountain Projects.

The scope of excavation associated with construction is minimal and is unlikely to uncover any further artifacts. However, should any archaeological objects be discovered during construction, work will cease immediately, and the object must not be moved until it has been assessed by a qualified archaeologist. If the item is determined to be an artifact of significance, the archaeologist will make further recommendations and consult with Heritage NSW. Although the potential impact is minimal, it is important to ensure that any archaeological finds are properly assessed.

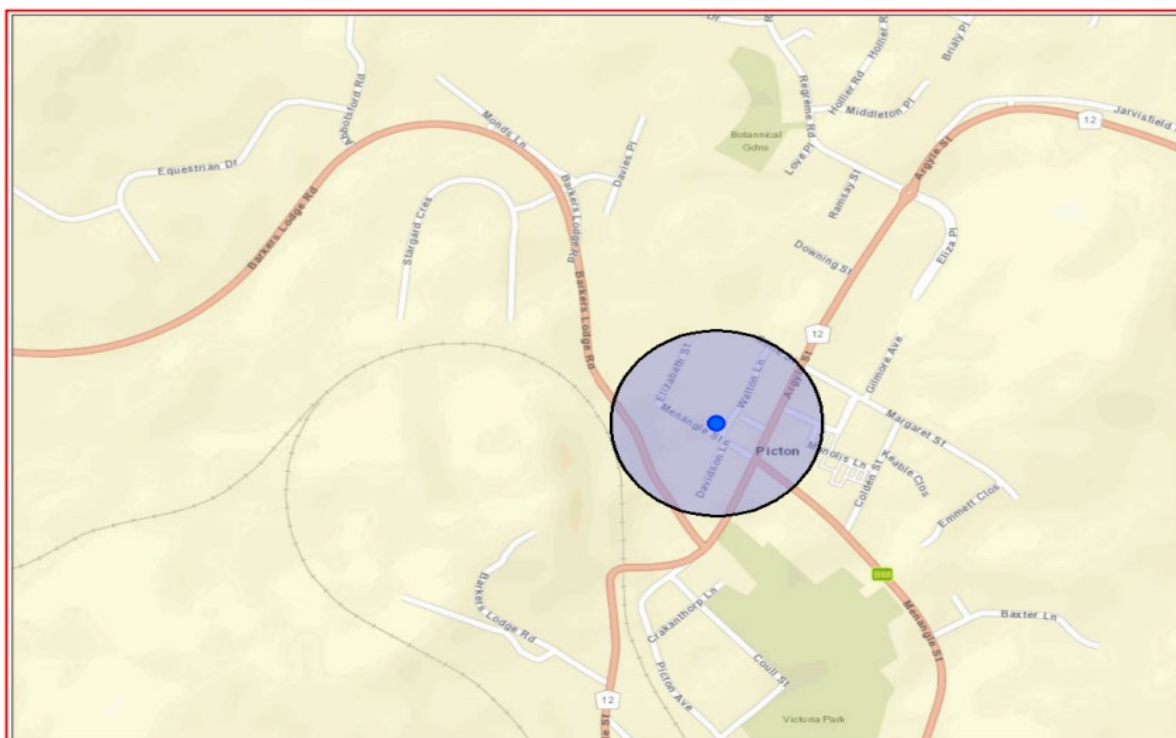
The proposed mitigation measures are detailed in Section 6 of this REF.

5.3.2 Aboriginal heritage

Picton has a rich Aboriginal heritage. The traditional custodians of this land are the Gundungurra and Dharawal peoples, who have a living culture and spiritual connection to the area dating back tens of thousands of years. Picton is also at the intersection of various tribal lands, recognising the continuing contribution of all Aboriginal Nation Groups.

The site is highly disturbed due to its historical use as a carpark. As a result, the likelihood of encountering intact archaeological deposits is minimal.

An Aboriginal Information Management System search (AHIMS) was undertaken in May 2025 with a Buffer of 1,000 metres from the subject site (See below map). This search indicated that there are no known artefacts, sites or landscape items associated with or located on the site.



search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

Figure 24 AHIMS Web Service search for the subject site (1000m buffer radius) (Source: AHIMS, Accessed May 2025)

The proposed activity will not result in any locational conflicts or material physical disturbances to the site.

During construction, should any Aboriginal objects be encountered, works must cease, and the find should not be moved until it is assessed by a qualified archaeologist. If the object is identified to be an Aboriginal object, the archaeologist will provide further recommendations, and both Heritage NSW and Aboriginal stakeholders should be notified.

Mitigation measures identified in Section 6 will ensure that any archaeological or aboriginal artefacts found during installation will be properly protected, recorded and relevant authorities notified.

5.3.3 Contamination

The following documentation has been provided by Wollondilly Shire Council to ascertain the extent of previously identified contamination: -

- Ground Surface Asbestos Clearance Certificate dated 6 April 2021 prepared by JBS&G Australia Pty Ltd.
- Site Layout and clearance maps dated 20 April 2021 prepared by JBS&G Australia Pty Ltd.
- Asbestos Management Works Summary dated 26 April 2021 prepared by JBS&G Australia Pty Ltd.
- Construction Asbestos Management Plan dated 8 September 2022 prepared by JBS&G Australia Pty Ltd.
- Asbestos Ground clearance certificate dated 13 September 2022 prepared by JBS&G Australia Pty Ltd.
- Second Expansion fill Assessment dated 29 August 2022 prepared by JBS&G Australia Pty Ltd.
- Preliminary Environmental Advice dated 13 May 2025 prepared by Earth 2 Water.

This documentation identified previous contamination including bonded and friable asbestos and heavy metal impacted soils across the northern portion of the site. It also confirmed that suitable remediation of the site has occurred through removal of contaminants, capping and containment.

Earth2Water Pty Ltd (E2W) was engaged by Wollondilly Shire Council to review the environmental reports for the carpark upgrade and provide advice regarding the potential contamination risk for the proposed carpark upgrade.

The site currently has an asphalt surface over subgrade or engineered clean fill. Two (2) remediated areas (1,400 m², 800 m²) have been recently capped to contain potentially asbestos contaminated soils. The proposed construction methodology (screw pylons within foundation pads) involves the potential intersection of the asbestos contaminated soil but “excludes” significant excavation or soil extraction works that may trigger health and safety risks.

E2W has confirmed that a remediation action plan (RAP) is not required for the car park site, however a construction environment management plan (CEMP) and an unexpected finds protocol (UFP) must be prepared to ensure the low-risk construction methodology and commercial land use.

According to the NSW spatial viewer mapping profile the subject site is not identified as being located on lands subject to Acid Sulphate Soil affectation.

As a precautionary measure to ensure the protection of the workforce and surrounding community, should any suspected contaminants or substances be identified (or any other unexpected potentially hazardous substance), work must stop in the immediate vicinity of suspected contamination and the UFP be implemented. The recommended contamination mitigation measures are detailed in Section 6 of this REF.

5.3.4 Acoustic Impacts

Typical acoustic impacts associated with the use of the existing carpark and associated upgrade relate to operational noise associated with vehicles arriving, moving and departing the carpark and from breaking, car door opening/closure & engine start up. Acoustic impacts are also expected to be generated throughout the construction of the upgrade works (from site establishment to completion).

A Noise Impact Assessment dated 6 May 2025 has been prepared by Pulse White Noise Acoustics and has investigated relevant noise impacts likely to be generated because of the upgrade during operation of the site. The assessment identifies nearby noise sensitive receivers as including (R01-10 Menangle Street and R02 – 2-6 Menangle Street) located along the western boundary of the proposed development site.



Figure 25 identifies the subject site and sensitive receiver locations R01 & R02. (Source: NIA - Pulse White Noise Acoustics)

The additional commercial / educational / place of worship receivers are located across Walton Street / Menangle Street West to the east and south respectively. The report concludes that compliance with the applicable noise criteria is achieved at all sensitive receiver locations during daytime and nighttime operations provided that the recommended acoustic treatments are implemented into the design of the carpark. Sleep disturbance noise impacts have also been assessed against applicable screening criterion. Subject to the recommended noise mitigation measures detailed in Section 6 of this REF, the resulting noise impacts will comply with the relevant noise emissions criteria for the carpark use.

The Interim Construction Noise Guideline (DECC, 2009) provides noise management levels for construction work. Noise management levels differ depending on the type of sensitive receiver that may be affected and the time of day that the work is being carried out. According to the Interim Construction Noise Guideline, for residential receivers, construction noise levels should be managed with the aim of not exceeding the noise affected level, which is the Rating Background Level (RLB) plus 10dB(A) during standard working hours or the RBL plus 5dB(A) outside of standard working hours.

Where construction noise is predicted to exceed the noise affected level, all reasonable and feasible mitigation measures should be applied. The highly noise affected level is 75dB(A). Where construction noise is predicted to reach this level, respite periods for very noisy work may be required.

Significant potential vibration sources include plant and equipment such as a jack hammer. Potential vibration impacts are to be managed in accordance with the *German Standard DIN 4150: Part 3-1999 and British Standard BS7385-2:1993*.

Overall, the proposed demolition activities will be of a short duration (4 months) with minimal and manageable noise and vibration impacts to surrounding receivers.

Whilst there are no avoiding noise impacts at construction sites, there are standard construction good practice noise safeguards and mitigation measures that would be expected on site. Subject to the recommended noise mitigation measures detailed in Section 6 of this REF, it is anticipated that noise impacts during the works would be acceptable to local receptors.

5.3.5 Lighting

The architectural plans or design report do not depict the proposed lighting layout in relation to the carpark upgrade. A Natural Ventilation and Lighting memorandum dated 14 May 2025 from Lucid Consulting Australia has been provided in support of the proposed works and details the lighting scope, lighting controls and targeted lighting levels and areas. It is noted that pole mounted luminaires with optical controls suited for carparking mounted on aluminium outreach poles or similar, will be utilised. All lighting is to be set within luminaire body to mitigate upward light spill and oriented to protect the amenity of adjoining development.

The proposed lighting shall be installed in accordance with the recommendations of the memorandum dated 14 May 2025 from Lucid Consulting Australia. The roof top carparking must be in accordance with:-

- Australian Standard AS4282-1992: Control of the Obtrusive Effects of Outdoor Lighting.

Compliance with the Australian Standard AS4282-1992 will ensure compliance with the light spill and artificial sky glow minimised in accordance with the Lighting for Roads and Public Spaces Standard and shall be installed to prevent spill into nearby premises through effective glare control measures.

These mitigation measures are outlined in the mitigation measures in Section 6.

5.3.6 Stormwater Management

The existing site contains a stormwater network that connects to Wollondilly Shire Council's trunk drainage system within Walton Street. The existing drainage on the site consists of two stormwater sag pits along the eastern boundary and a single stormwater pit in the south-eastern corner. There is no existing on-site detention or water sensitive urban design system within the site. The stormwater discharge points from the site discharge into the existing Council drainage system along Walton Street.

The proposed work necessitates the upgrading of the existing stormwater system. The upgrade will ensure that the design will comply with the following requirements: -

- Wollondilly Shire Council 'Development Control Plan (2016)',
- Water Sensitive Urban Design Guidelines (2020)
- Wollondilly Design Specification (2016).
- Wollondilly Shire Council 'Design Guidelines' 2023

On-Site Detention (OSD)

In accordance with Section D5 of the 'Wollondilly Design Specification (2016)', stormwater runoff from the proposed development is not to exceed the pre-development runoff for all storms up to the 1% Annual Exceedance Probability (AEP) storm event. The stormwater Management report prepared by Woolacotts Consulting Engineers, dated 22 April 2025, has provided an assessment in relation to stormwater runoff from the existing and proposed development based on the relevant catchment areas. The proposed development introduces a reduction in expected stormwater run-off from the site. Therefore, no on-site detention is required for the carpark upgrade. The assessment has also recognised that the site is impacted by flooding, and on-site detention will be not effective to control stormwater discharge from the site in such circumstances.

Water Sensitive Urban Design (WSUD)

In accordance with Section 4 of Wollondilly Shire Council's 'Water Sensitive Urban Design Guidelines (2020)', a water quality treatment assessment has been undertaken to determine whether a strategy is required for the proposed development. The proposed reduction in site's impervious areas introduces a reduction in expected stormwater pollutant loads from the site. Therefore, no water sensitive urban design elements are required for the proposed development.

5.3.7 Flood Impacts

Picton Town centre is subject to flooding. This requires future infill and redevelopment to be compatible with the management and movement of floodwaters to protect safety and the environment. In June 2020, Council adopted the Stonequarry Creek Floodplain Risk Management Study and Plan. It identified the hydraulic categorisations through Picton centre and identified significant areas of flood affectation throughout the centre.

Wollondilly Shire Council's Stonequarry Creek Flood Study Update (2020) has indicated that the site is affected by flooding, as follows:

- The site is affected by flooding for the 5% Annual Exceedance Probability (AEP) storm event, 1% AEP and PMF (Probable Maximum Flood) storm events.
- The site is affected by overland flow from upstream catchments, with some localised flood storage within the site due to a low point along the western edge of the existing carpark.
- During the 1% AEP storm event, the site is completely inundated with water, from 1.15m-2.35m deep.

In accordance with Wollondilly Shire Council's Development Control Plan (DCP) 2016, flood controls have been adopted to ensure no adverse impacts to the environment, to flood behaviour, structural soundness and evacuation controls. A Flood Impact and Risk Assessment Report dated 13 May 2025 has been prepared by Woollacott's Consulting Engineers to address all environmental Impacts. A Flood Emergency Management Plan (FERP) has also been prepared by Woollacott's Consulting Engineers in support of the proposed upgrade and to minimise the flood risk to life and property associated with the use of land in accordance with Section 5.21(Flood Planning) of the WLEP. These requirements are to be implemented as mitigation measures as outlined in Section 6 of this REF.

5.3.8 Transport and traffic

Woolacotts Consulting Engineers have been engaged to undertake a Traffic Impact Study (TIS) as part of the detailed technical investigations of the carpark upgrade. The assessment confirms that the proposed carpark complies with the requirements of AS2890.1 in relation to the following design requirements: -

- Parking Module Size
- Minimum Aisle Width
- Ramp Width
- Ramp Grade
- Sight Distance at Exist Driveway
- Swept Path Analysis

Based on a conservative assessment in relation to expected traffic volumes and associated impacts to the surrounding road network, the Traffic Impact Study has found the following: -

- The traffic generated by the proposed development will have a minimal impact on the existing road network along Walton Street, Cliffe Street, and Menangle Street, all of which feature a single lane in each direction.

- The surrounding intersections, including Cliffe Street/Margaret Street and Argyle Street (signalised) and Menangle Street and Argyle Street (unsignalised), will continue to operate at acceptable levels of service following the development.
- Given the minimal change in intersection performance, no physical upgrades to the intersections are warranted. The intersections are expected to continue operating efficiently, with adequate capacity to accommodate the projected traffic volumes generated by the proposed carpark.

Having regard to the scope and anticipated duration of works (4 weeks), it is unlikely that construction works will result in adverse impacts to the surrounding community and environment from the use of surrounding roads nor from associated traffic noise. Temporary disturbances to traffic conditions may occur as vehicles associated with the works arrive or depart from the site. This will result in minimal disturbance and can be adequately coordinated by the site contractors.

No road closures are anticipated to accommodate the proposed works. Based on a review of local amenities and facilities in the area, no specific constraints to the road network in terms of road haulage/site access are identified. The responsible contractor is to ensure all vehicles enter and exit the site via designated entry/exit points.

If necessary, a dedicated area for trucks to queue before approaching the part of the site where the construction works take place will be identified and the area will be large enough to accommodate the anticipated number of trucks without obstructing traffic on public roads. When loading out demolition material, truck drivers will always follow the instruction of the plant operator and be in radio contact with plant operators and site supervisor.

All truck loads leaving site will be covered or secured where required and trucks will be free from loose material so as not to track dirt onto public roads. If necessary, a traffic controller will be engaged to manage the flow of trucks entering the construction site if more than a single delivery is required at any given time.

The Demolition Contractor will have a Construction Vehicle Movement document, with all staff inducted into the accepted movement routes to and from the site, entry and exit points and sites rules.

These transport and traffic requirements are to be implemented as mitigation measures as outlined in Section 6 of this REF.

5.3.9 Built form

A design report has been prepared by LKA architects in support of the proposed upgrade.

The existing site conditions are described in Section 2.2 of this REF. To respond sensitively to this context, the proposed carpark will use a reddish concrete (or suitably coloured and textured materials) to reflect the tones of these surrounding structures, echoing the warm hues of the historic brick and sandstone buildings nearby. The carpark upgrade has endeavoured to ensure an open design with minimal external walls from all viewing points and landscaping components will be incorporated to soften the structure's appearance from adjoining residential and commercial properties. The landscaping details for the carpark upgrade are yet to be fully resolved, however a mitigation measure will be imposed as a recommendation of this REF which will require that these details are finalised in consultation with a suitably qualified landscape designer prior to the carpark becoming operational. The material choice and inclusion of landscaping elements allows the new development to integrate respectfully with Picton's historic character while remaining contemporary in its expression.

5.3.10 Amenity impacts

The proposed carparking upgrade ensures that solar access is retained to existing neighbouring developments. The design report prepared by LKA architects provides a shadow analysis and demonstrates the overshadowing created by the carpark upgrade. As a result of the north-south orientation of the site, overshadowing from the development in midwinter (21 June) will be primarily cast upon the subject site and Walton Street road reserve. Adjoining properties will be virtually unaffected. The below illustrations depict the

extent of shadowing impact to adjoining properties resulting from the proposed upgrade (noting no morning impacts):



Figure 26 1pm Winter Shadows (Source: Wollondilly Shire Council)



Figure 27 2pm Winter Shadows (Source: Wollondilly Shire Council)

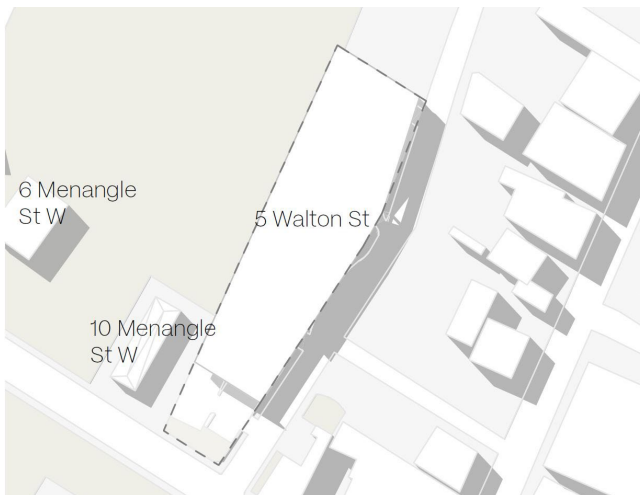


Figure 28 3pm Winter Shadows (Source: Wollondilly Shire Council)

As stated above, the carpark upgrade has endeavoured to ensure an open design with minimal external walls to soften the visual impact of the overall structure having regard to its relationship with surrounding residential and commercial properties. The facades of the structure will also be enhanced in their presentation via planting elements.

The property located at No 10 Menangle Street presents a single storey townhouse/villa development and shares its eastern boundary with the subject site. The setback from the eastern side boundary consists of a concrete driveway and apron dedicated to the provision of car spaces and manoeuvring. This setback area is currently exposed, and little privacy is afforded to the property from either Menangle Street or the existing at grade carpark located on the subject site.

The proposed carpark upgrade will not materially affect the existing levels of privacy and amenity enjoyed by this property. The rooftop component of the carpark upgrade is set back approximately 23.4 metres from the alignment of Menangle Street and for this distance, the existing at-grade carpark remains substantially unchanged in relation to how it presents to No 10 Menangle Street. The additional height of the carpark structure that is estimated at 4.15 metres, complies with the maximum permitted height standard of 11.5 metres and aligns with approximately 15.6 metres of the side elevation of No 10 Menangle Street, (facing the subject site). The viewing possibilities as experienced from the rooftop component of the carpark upgrade

are also interrupted by an existing outbuilding in this location. The outbuilding provides a physical barrier to the proposed carpark structure

There will be an obvious change to the visual outlook from the dwellings located on No 10 Menangle Street, however, noting the “E1 Local Centre” zoning of the existing carpark, and maximum height allowable of 11.5metres, this is an expected outcome for the site in these circumstances.

5.3.11 Air Quality

The proposal is not expected to give rise to any long term or adverse impacts on local or regional air quality.

The proposed construction activities will be of a short duration (4 months) with minimal and manageable air quality and dust impacts to the locality and community.

- A Construction and waste management plan will be required to address any construction related adverse impacts. The further mitigation measures are also recommended:
- All rubble should be removed from the location of the works on a regular and orderly basis. Water suppression techniques should be used to minimise potential dust formation.
- The relevant contractor will be required to comply with the provisions of the Clean Air Act and must supervise all demolition work.
- The relevant contractor will trap all sedimentation arising from any excavations on the site by using appropriate hessian or other approved material as sedimentation screens.
- The relevant contractor shall be responsible for the proper disposal of all solid, liquid and contaminated wastes in accordance with all statutory requirements.
- All hoppers, buckets and other containers used for the disposal of waste shall be of the types that fully contain the waste material and effectively prevent the dissemination of dust.
- All motor vehicles leaving the site shall have the materials loaded in such a manner that will prevent the discharge or dropping of any of the materials in a public roadway.
- The relevant contractor shall ensure that the wheel tracks and body of all construction plant leaving the site are free of mud, dust or debris.
- The relevant contractor shall take all necessary steps to prevent the erosion of any lands used during the construction process.

Refer to the full list of management strategies and controls in Section 6 of the REF for mitigation measures.

5.3.12 Economic and Employment

The proposal will deliver significant economic and employment benefits by creating jobs during the construction phase and ongoing roles in facility management and maintenance.

Upgraded infrastructure will improve usability and increase parking capacity for Picton’s Town centre.

The project outcome will support the commercial viability of local retail, business and community uses, providing additional parking spaces to serve the needs of people who live in, work in or visit Picton.

The proposed upgrade is also consistent with Council’s strategic planning objectives as outlined in Sections 4 of this REF and will provide vital infrastructure to support Council operations and improve community services.

5.3.13 Landscaping & Trees

The proposed upgrade works will involve the removal of 5 Brachychiton "Bella donna" trees located at the northeastern part of Walton Street and the planting of new trees along Menangle West Street, opposite of St Mark's Anglican Church and Cemetery. Any replenishment landscaping is to be provided in accordance with Wollondilly Councils preferred planting types. The removal and transplantation of the 5 trees shall be undertaken under the supervision of a qualified Arborist in consultation with the Project Manager. A suitable location for transplantation shall be selected within the Picton Town centre.

The landscaping design proposed for the carpark upgrade (including any planter boxes and or structures that are to support elevated planting species) and species selection are to be finalised in consultation with a suitably qualified landscape designer and are to be implemented in consultation with the Project Manager and Project Architect prior to the carpark becoming operational. All landscaping elements are to integrate respectfully with Picton's historic character while remaining complementary with the contemporary expression or the structure.

The finalisation of the landscaping details for the carpark upgrade will be addressed via the imposition of a mitigation measure contained in Section 6 of this REF which will require that these details are finalised in consultation with a suitably qualified landscaping designer prior to the carpark becoming operational.

5.3.14 Additional Relevant Codes

Where relevant, the proposed works will be required to achieve compliance with the Building Code of Australia (BCA) and any relevant Australian Standards, which will be determined by an appropriately qualified certifier.

A BCA/Accessibility Capability Statement has been prepared by Concise Certification in support of the carpark upgrade and forms part of this assessment. The assessment was based on the following:

- National Construction Code Series – Volume 1 – Building Code of Australia 2022A1 (BCA)
- National Construction Code Series – Guide to the Building Code of Australia 2022
- Environmental Planning & Assessment Act 1979
- Environmental Planning & Assessment Regulation 2021
- Environmental Planning and Assessment (Development Certification & Fire Safety) Regulation 2021
- Access to Premises - Building Standards 2010
- Architectural Plans prepared by Lockhart – Krause Architects, Sketches A.01 to A.15 dated 14.04.2025

The proposed building design will entail a combination of compliance with the deemed to satisfy provisions and performance requirements of the BCA. The assessment concludes that subject to the recommendations of the report being appropriately addressed and overseen by the project Fire Safety Engineer and Access consultant, compliance with the of the BCA is readily achievable.

The proposed mitigation measures are detailed in Section 6 of this REF.

5.3.15 Site Suitability

All constraints and potential adverse impacts have been examined and where required, mitigation measures that have been recommended and are detailed in Chapter 6 of this REF. An assessment of the proposal against the relevant statutory planning considerations is summarised in Chapter 4 of this REF. The carpark upgrade is consistent with the objects of the EP&A Act, and with the relevant controls contained in the WLEP. Subject to imposition of the recommended mitigation measures detailed in Section 6, the site constraints are deemed to be management to acceptable levels.

5.3.16 Cumulative Impacts

No concerns arise about any potential cumulative effects from the proposed works providing the mitigation measures set out in Section 6 of this REF are implemented.

6. Mitigation Measures

The mitigation measures for the proposed works are provided below.

Table 11 Mitigation Measures

No.	Aspect	Mitigation Measure	Responsibility	Timing																																																				
1	Details of the Activity	<p>The activity must be carried out substantially in accordance with the following plans / documents as modified below and by any of the undermentioned identified requirements:</p> <table><tr><th colspan="4">Table - Identified requirements</th></tr><tr><td colspan="4">Architectural drawings prepared by Lockhart-Krause Architects dated 16 May 2025 (Rev- S).</td></tr><tr><th>Number</th><th>Rev</th><th>Name of Plan</th><th>Date</th></tr><tr><td>A0-1</td><td>S</td><td>Cover page</td><td>16/05/25</td></tr><tr><td>A0-2</td><td>S</td><td>Ground plan</td><td>16/05/25</td></tr><tr><td>A0-3</td><td>S</td><td>Level 1</td><td>16/05/25</td></tr><tr><td>A0-4</td><td>S</td><td>E Elevation - Walton St</td><td>16/05/25</td></tr><tr><td>A0-5</td><td>S</td><td>S Elevation - Menangle St</td><td>16/05/25</td></tr><tr><td>A0-6</td><td>S</td><td>W Elevation</td><td>16/05/25</td></tr><tr><td>A0-7</td><td>S</td><td>N Elevation</td><td>16/05/25</td></tr><tr><td>A0-8</td><td>S</td><td>Render Option 1</td><td>16/05/25</td></tr><tr><td>A0-9</td><td>S</td><td>Render Option 2</td><td>16/05/25</td></tr><tr><td>A0-10</td><td>S</td><td>Render Option 3</td><td>16/05/25</td></tr></table> <p>Design Report prepared by Lockhart-Krause Architects dated 16 May 2025 (Rev B).</p> <p>The external finishes and materials are to be generally in accordance with those</p>	Table - Identified requirements				Architectural drawings prepared by Lockhart-Krause Architects dated 16 May 2025 (Rev- S).				Number	Rev	Name of Plan	Date	A0-1	S	Cover page	16/05/25	A0-2	S	Ground plan	16/05/25	A0-3	S	Level 1	16/05/25	A0-4	S	E Elevation - Walton St	16/05/25	A0-5	S	S Elevation - Menangle St	16/05/25	A0-6	S	W Elevation	16/05/25	A0-7	S	N Elevation	16/05/25	A0-8	S	Render Option 1	16/05/25	A0-9	S	Render Option 2	16/05/25	A0-10	S	Render Option 3	16/05/25	Project Manager/ Contractor	At all times
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No.	Aspect	Mitigation Measure	Responsibility	Timing
		contained within the Architectural drawings prepared by Lockhart-Krause Architects dated 16 May 2025 (Rev- S) & Options analysis and shall be selected to allow the new development to integrate respectfully with Picton's historic character while remaining contemporary in its expression.		
2.	Hours of Work	<ul style="list-style-type: none"> Demolition and Construction, may only be carried out between the following hours: <ol style="list-style-type: none"> Monday to Friday: 7am - 6pm Saturdays: 7am – 3pm No work may be carried out on Sundays or public holidays. Deliveries may occur outside the hours referred to above, but not before 6.30am or after 6.30pm. Night works as required and with appropriate notification. 	Project Manager/ Contractor	During Works
3	Approvals	<ul style="list-style-type: none"> All necessary approvals required by State and Commonwealth legislation and relevant Wollondilly Shire Council policies are to be obtained. This includes any approvals required under Section 68 of the <i>Local Government Act 1993</i> (NSW) (LG Act). A copy of all approvals is to be always kept on-site throughout the construction period. 	Project Manager/ Contractor	Prior to Commencement of any works
4	Building & Access Compliance	<ul style="list-style-type: none"> The Building and Access requirements as outlined in the Building Code of Australia & Access Capability Statement dated 15 May 2025 and prepared by Concise Certification are to be implemented in consultation with the project Fire Safety Engineer, Access Consultant & Design Consultant. 	Project Manager/ Contractor.	During construction & at all times
5	Compliance Certification	<ul style="list-style-type: none"> Once all works are finalised, the proposed works shall be the subject of certification verifying compliance with the Building Code of Australia. 	Project Manager/ Contractor	Prior to Commencement of any works

No.	Aspect	Mitigation Measure	Responsibility	Timing
6	Construction Environmental Management Plan	<ul style="list-style-type: none"> A Construction Environmental Management Plan (CEMP) must be prepared. The CEMP must address/include (as a minimum): <ol style="list-style-type: none"> Legislative requirements and relevant non-statutory policies Specific environmental construction mitigation measures described in this REF Requirements outlined in any relevant approvals, permits or licences Details of: <ul style="list-style-type: none"> hours of work; 24-hour contact details of site manager; and community consultation and complaints handling. Construction traffic and pedestrian management and construction access. Construction noise and vibration Erosion and sediment control in accordance with Landcom's Management Urban Stormwater: Soils and Construction. Tree management and protection. Air quality/dust suppression Management of hazardous materials Unexpected finds protocols for Aboriginal cultural heritage, European heritage and contamination. 	Project Manager/ Contractor	Prior to Commencement of any works
7	Demolition & Waste Management	<ul style="list-style-type: none"> Any demolition work must comply with the demolition work plans required by Australian Standard AS 2601-2001 The demolition of structures (Standards Australia, 2001) and endorsed by a suitably qualified person. Where relevant, a Demolition Waste Management Plan shall be prepared by an appropriately qualified contractor prior to the commencement of works. The Waste Management Plan should be prepared in accordance with DECCW's "Waste Classification Guidelines (2008)" and the 	Project Manager/ Contractor	All demolition works & during any work

No.	Aspect	Mitigation Measure	Responsibility	Timing
		<p>Protection of the Environment Operations Act 1997.</p> <ul style="list-style-type: none"> The contractors shall remove from site rubbish resulting from the works. Any waste produced throughout the timeframe of works must be disposed of at a licensed waste facility. Rubbish shall be handled in a manner so as to confine the material completely and to minimise dust emissions. All waste generated by the project, is to be beneficially reused, recycled or directed to a waste facility lawfully permitted to accept the materials in accordance with the "Waste Classification Guidelines" (DECCW, 2008) and the Protection of the Environment Operations Act 1997. No burning or burying of wastes is to be permitted on site. The workforce shall use temporary portable toilet facilities located on-site. Non-recyclable waste and containers are to be regularly collected and disposed of at a licensed landfill or other licensed disposal sites in the area. Any bulk garbage bins delivered by authorised waste contractors are to be placed and kept within the property boundary. Waste management practices for the proposal are to follow the resource management hierarchy principles embodied in the Waste Avoidance and Resource Recovery Act 2001. These practices include; avoid unnecessary resource consumption; recover resources (including reuse, reprocessing, recycling and energy recovery); and dispose (as a last resort). 		
8	Structural & Geotechnical Compliance	<ul style="list-style-type: none"> The structural and geotechnical engineering requirements as outlined in the Geotechnical Report dated 8 May 2025 and prepared by JK Geotechnics and supporting documentation including the 	Project Manager/ Contractor	During Construction Works

No.	Aspect	Mitigation Measure	Responsibility	Timing
		Structural Design Statement dated 13 May 2025 are prepared by MG Consulting Engineers are to be implemented.		
9	Asbestos Removal	<ul style="list-style-type: none"> Any asbestos detected during the construction period must be removed and disposed of in accordance with Work Health Safety Regulations 2017, and the following documents: <ul style="list-style-type: none"> a. Code of Practice: Construction Work; b. Code of Practice: Demolition Work; c. Code of Practice: How to Manage and Control Asbestos in the Workplace d. Code of Practice: How to Safely Remove Asbestos. Only suitably certified contractors who hold a current SafeWork Class A asbestos removal licence can demolish, handle and transport asbestos. The contractor is required to follow appropriate notification and guidelines issued by SafeWork NSW as well as those listed above. Notification to residents and SafeWork NSW will be provided if required under the relevant Code of Practice. 	Project Manager/ Contractor	During any demolition & construction works
10	Services and Infrastructure	<ul style="list-style-type: none"> Prior to commencement of any demolition or construction activities, any services near the building site which may be impacted by the works are to be accurately located. Dial Before You Dig should be contacted prior to the commencement of any works. All services and utilities around construction must be appropriately disconnected and reconnected as required. The contractor is required (if necessary) to consult with the various service authorities regarding their requirements for the disconnection of services. 	Project Manager/ Contractor	During Works

No.	Aspect	Mitigation Measure	Responsibility	Timing
11	Water Quality and Water Sensitive Urban Design	<ul style="list-style-type: none"> All care and due diligence are to be taken to minimise or prevent pollutant material entering drain inlets or waterways. Erosion and sediment control is to be undertaken in accordance with Landcom's Management Urban Stormwater: Soils and Construction. 	Project Manager/ Contractor	During Works
12	Unexpected Finds Protocol – Aboriginal Heritage	<ul style="list-style-type: none"> If any unexpected Aboriginal objects, sites or places (or potential Aboriginal objects, site or places) are discovered during construction, all works in the vicinity should cease and the proponent should determine the subsequent course of action in consultation with a heritage professional and/or the relevant State government agency as appropriate. Not recommence work at that location unless authorised in writing by Heritage NSW. 	Project Manager/ Contractor	During Works
13	Unexpected Finds Protocol – European	<ul style="list-style-type: none"> If any unexpected archaeological relics are uncovered during the work, then all works must cease immediately in that area and the NSW Heritage Division contacted. Depending on the possible significance of the relics, an archaeological assessment and management strategy may be required before further works can continue in that area. Works may only recommence with the written approval of the NSW Heritage Division. 	Project Manager/ Contractor	During Works
14	Unexpected Finds - Contamination	<ul style="list-style-type: none"> If unexpected, contaminated material is encountered during the works, all work shall cease, the site will be secured and a safe work method statement(s) and appropriate documented practices are to be implemented to ensure the site is suitable for its use in accordance with the approved Construction & Environmental Management Plan. Prior to use of the activity a site inspection (with possible testing), and a clearance certificate should be provided upon completion. 	Project Manager/ Contractor	During Works

No.	Aspect	Mitigation Measure	Responsibility	Timing
15	Noise & Vibration	<ul style="list-style-type: none"> The noise mitigation measures as outlined in the Acoustic report dated 6 May 2025 Rev 2 and prepared by Pulse White Noise Acoustics are to be implemented. All staff on the project are to be inducted with information explaining the project's specific hours of operation, site opening times, on plant, equipment and vehicles noise generation, any noise limitations, workers parking areas and lay down areas. Works will be during standard hours of operation only. Noise level generated by plant and equipment will conform to the requirements set by Australian Standard AS2436 Guide to noise and vibration control on construction, demolition and maintenance sites. Silencing of construction equipment will be applied as practically possible. Any associated construction equipment and/or machinery will be turned off when not in use. Fitting of all compressors, percussion tools and vehicles with effective silencers that are approved writing by the manufacturers of the compressors, tools or vehicles. Ensure all vehicles enter and exit the site via designated entry/exit points. The Demolition Contractor is to have a Construction Vehicle Movement document, with all staff inducted into the accepted movement routes to and from the site, entry and exit points, sites rules for vehicle movements onsite such as speed limits. This document will be disseminated to supply companies. Monitoring is to be implemented in the event of a complaint with noise and vibration monitoring equipment to verify levels offsite. Workers cannot use radio, public address systems or other audio 	Project Manager/ Contractor	During Works and prior to the commencement of any activity.

No.	Aspect	Mitigation Measure	Responsibility	Timing
		equipment in ways or at times that may cause a nuisance.		
16	Air Quality & Dust	<ul style="list-style-type: none"> The Contractor is to comply with the requirements of the <i>POEO (Clean Air) Regulation 2010</i>. Water suppression techniques of fine mist water spray will be used during works to minimise the dust formation. The contractor where necessary will ensure the following: - <ol style="list-style-type: none"> Minimise stockpiling through regular removal of demolition waste. Any stockpiling is to occur on flat ground only. Geotech sock sediment traps or similar are to be installed around any stockpiles. Stockpiles are not to be any higher than the site perimeter fencing. Stockpiles may need to be mist sprayed with water, as deemed necessary upon inspection. Any stockpiles in place for more than one week, or that are present with a rainfall event forecast, need to be at least 70% covered with a plastic sheeting. All hoppers, chutes, buckets and other containers used for the disposal of waste will fully contain the waste material. All trucks carrying wastes must be equipped with a tailgate to contain waste during transport. Vehicles will be loaded in a way that prevents the release of any materials during transport. All vehicles leaving the site are to be inspected along the body and the wheels and must be free from mud. 	Project Manager/ Contractor	During Works
17	Lighting	<ul style="list-style-type: none"> The proposed lighting shall be installed in accordance with the recommendations of the memorandum dated 14 May 2025 from Lucid Consulting Australia. All 	Project Manager/ Contractor.	Prior to operation of activity

No.	Aspect	Mitigation Measure	Responsibility	Timing
		<p>new lighting must be in accordance with: -</p> <ul style="list-style-type: none"> - Australian Standard AS4282-1992: Control of the Obtrusive Effects of Outdoor Lighting. • To ensure there are no adverse impacts to adjoining and nearby properties a test run of the new lights operating is to occur prior to the operation of activity. <p>A report detailing this assessment is to be submitted to Council confirming that the lux levels do not exceed the maximum acceptable in accordance with Australian Standard AS4282-1992: Control of the Obtrusive Effects of Outdoor Lighting.</p> <p>A report detailing that Light spill and artificial sky glow are minimised in accordance with the Lighting for Roads and Public Spaces Standard is to be submitted to Council.</p>		
18	Stormwater Management	<ul style="list-style-type: none"> • The site stormwater system is to be designed to comply with the requirements of the Wollondilly Shire Council 'Development Control Plan (2016)', 'Water Sensitive Urban Design Guidelines (2020)'. • Induction training to be held with all personnel on site and include soil and sediment management controls. • Erosion and sediment control is to be undertaken in accordance with Landcom's Management Urban Stormwater: Soils and Construction. 	Project manager/ Contractor	Prior to commencement & during any works
19	Flooding	<ul style="list-style-type: none"> • The Flood Risk management measures as outlined in the Flood Assessment & Risk Assessment Report dated 13 May 2025 and prepared by Woolacotts Consulting Engineers are to be implemented. • The Flood Emergency Management Plan (FEMP) recommendations, safety procedures and action requirements as outlined in the FEMP dated 13 May 2025 and prepared by Woolacotts Consulting Engineers are to be implemented 	Project Manager/ Contractor	Prior to operation of activity

No.	Aspect	Mitigation Measure	Responsibility	Timing
		<p>and are applicable at the operation of the activity. The FEMP shall be updated to address the following requirements: -</p> <ol style="list-style-type: none"> 1. The reliance on external personnel must be minimised (e.g. SES, Council officers, police) for evacuation. 2. Include estimated timeframes for evacuation, demonstrating that full evacuation can occur before inundation of the car park. 3. A further assessment of the time lag between sensor activation and site inundation must be undertaken, confirmed and detailed in the FERP to ensure that the warning-to-evacuation time is sufficient to evacuate the car park without travelling through floodwaters. 4. The effectiveness of the proposed notification system, including mobile phones, PA systems, and vehicle registration lookup, must be verified and outlined in the FERP to ensure customers receive timely warnings even if not on site. 5. Clearly outline any 'shelter in place' provisions in the FERP. 6. An assessment must be undertaken of the additional burden on emergency roles, including the LEMO and Flood Wardens, caused by the proposed car park and associated evacuation plan and this must be verified and updated in the FERP to confirm that these responsibilities can be supported under realistic flood event conditions. 		
20	Transport and traffic	<ul style="list-style-type: none"> • The proposed activity is to be designed in accordance with AS 2890.1 and in accordance with the carparking/vehicular/pedestrian access requirements as outlined in the Traffic Impact Study dated 13 May 2025 and prepared by Woolacotts Consulting Engineers. 	Project Manager/ Contractor	Prior to operation of activity
21	Deliveries	<ul style="list-style-type: none"> • Disruption to road users is to be kept to a minimum by scheduling any delivery activities outside of peak network hours 	Project Manager / Contractor	During Works

No.	Aspect	Mitigation Measure	Responsibility	Timing
22	Heritage	<ul style="list-style-type: none"> The Project Manager in consultation with a Qualified Heritage expert, shall resolve and select the external concrete finishes and materials of the structure to ensure its suitable integration with Picton's historic character while remaining contemporary in its expression: - <ol style="list-style-type: none"> If ribbed or fluted concrete is proposed, climbing vegetation must be incorporated and supported by measures that ensure successful and consistent coverage across the façade. Structural elements should use coloured, plain concrete in tones that are low contrast and visually recessive, to blend with the surrounding environment. Mesh screening or cladding with low visual contrast should be considered to reduce the visual dominance of horizontal concrete surfaces. Where large blank walls remain, consider the application of murals or painted artworks to soften visual impacts and contribute positively to the character of the heritage area. Provide details of façade treatment options—including any proposed mesh, cladding, or applied artwork—to a qualified heritage expert for review prior to finalising design. The Project Manager in consultation with a Qualified Heritage expert, Project Landscaping Designer and Council's Environment Team, shall identify areas of the site, and adjoining public land or adjoining private land subject to landowner's approval, where suitable landscape screening of the car park can be implemented. Tree planting is to be implemented prior to commencement of the use of the new car park. The consultation process must consider the objectives of the proposed heritage mitigation measures outlined in the Heritage Impact Statement dated April 2025 and prepared by Black Mountain Projects. 	Project Manager / Qualified Heritage expert/ Landscaper/ Contractor	Prior to commencement

No.	Aspect	Mitigation Measure	Responsibility	Timing
		<ul style="list-style-type: none"> The use of non-invasive exotic or mixed exotic/native species with seasonal colour that suit Picton's cooler climate and align with existing heritage streetscapes should be considered. 		
23	Landscaping scheme, Design Details and relocation of existing trees.	<ul style="list-style-type: none"> The landscaping must be carried out substantially in accordance with landscaping scheme identified in the architectural documentation and as referenced in Mitigation Measure 1, above and as modified as follows: - <ol style="list-style-type: none"> The Project Manager & Project Landscaping Designer shall consult with Council's Environment Team to ensure that a finalised landscaping scheme for the activity includes appropriate species selection, suitable planting structures, irrigation systems and maintenance schedules. The design of any green walls must include adequately selected climbing species for the conditions. Where necessary, additional supporting trellises or webbed mesh at more regular intervals (between support beams) should be considered to support the green wall and provide maximum coverage of the structure. may may be required to support the green wall. Where possible opportunities for planting should be considered in the narrow areas along Walton Street, and tree planting shall be incorporated into planter beds near pedestrian crossings or at intervals along the street. The southern boundary deep soil planter bed is to provide large native canopy trees (e.g. <i>Corymbia maculata</i>) to screen views from St Marks Anglican Church and Cemetery and utilise the western boundary for deep soil planting where possible. The five existing <i>Brachychiton</i> are to be relocated under the supervision of a qualified 	Landscaper / Project Manager / Project Architect/ Contractor	Prior to commencement of any demolition of Construction Works.

No.	Aspect	Mitigation Measure	Responsibility	Timing
		Arborist and in consultation with the Project Manager. Identify a suitable replanting location within Picton Town Centre or other approved off-site location. The project arborist must monitor tree health post-relocation.		
24	Mine Subsidence Advisory NSW consultation	<ul style="list-style-type: none"> • In accordance with section 2.15(2)(f) of the SEPPTI, any works that are carried out must comply with the conditions of approval and recommendations provided, in the approval of the Mine Subsidence Advisory NSW. • If the proposed development is amended, Subsidence Advisory must be notified to determine if any variations to the determination are required. • Upon completion of construction, submitted certification from a qualified engineer, builder or certifier that confirms construction is in accordance with the plans approved by Subsidence Advisory. 	Project Manager/ Contractor	Prior to commencement of the activity.
25	At the Completion of Works	<ul style="list-style-type: none"> • At the completion of the project, documentation and certification must be submitted to Wollondilly Council which demonstrates that the work as undertaken complies with the terms of this REF. 	Project Manager/ Contractor	Prior to commencement of the activity.

7. Conclusion

This REF identifies and assesses the likely impacts of the carpark upgrade on the environment and details the mitigation measures to be implemented to minimise any potential impacts on the environment.

The assessment has concluded that the carpark upgrade as described in this REF, subject to the identified mitigation measures and safeguards described in Section 6, will not result in significant impacts on the environment.

The carpark upgrade will not be carried out in a declared area of outstanding biodiversity value and is not likely to significantly affect threatened species, populations or ecological communities, or their habitats or impact biodiversity values. As such, a Species Impact Statement (SIS) and a Biodiversity Development Assessment Report (BDAR) are not required.

Following the above assessment, it is concluded that the proposed activity is not likely to have a significant impact on the environment, and an Environmental Impact Statement (EIS) is not required to be prepared.

It is recommended that the proposed activity proceed for the following reasons:

- The proposed development will not result in adverse impacts on the natural and built environments.
- The proposed development will not result in adverse impacts on the social and economic aspects of the environment.
- The proposed development will not result in unreasonable adverse impacts on the amenity of adjoining residents and businesses.
- The proposed development will not result in adverse impacts upon the any surrounding heritage items.
- The project is in the public interest.

Should Wollondilly Council proceed with this activity, the development should be subject to the mitigation measures listed in Section 6 of this REF.