Attachment 2 – Moss Vale Township Development Control Plan Assessment

Control	Requirement	Provided	Compliance		
Part A All Land					
Section 3 Biodiv	Section 3 Biodiversity				
A3.2 Flora and Fauna Report	A Flora and Fauna Assessment Report is required to be lodged with a Development Application under the following circumstances and must address the requirements in the Wingecarribee Shire Council Flora and Fauna Assessment Guidelines (link will be provided) for Development Applications.	Resources Sensitivity Map and the DA is accompanied by an Arborist Report which	Yes		
	 (i) if the proposed development site: contains native vegetation, which is defined as, "any species of vegetation that existed in NSW before European settlement including trees, saplings, shrubs, scrub, understorey, groundcover or plants in a wetland"; contains remnant native trees; is adjacent to native vegetation if the study area has been extensively cleared; and/or contains sensitive environmental areas likely to contain important habitat resources for fauna such as 				

	and rocky outcrops, caves, cliffs.				
Section 4 Water	Section 4 Water Management				
A4.3 Development in Sydney's Drinking Water Catchments	All development shall incorporate WaterNSW's current recommended practices (or equivalent standards and practices) which represent best industry or development practice in terms of maintaining water quality.	The application was referred to Water NSW who advised that who advised that insufficient information has been provided with the application to enable an adequate assessment of the probable effect of the development on water quality. Specifically, they requested updated information relating to MUSIC stormwater quality model, report and Stormwater Drainage Plan. The amended documentation submitted by the applicant was re-referred to Water NSW who raised no objections subject to recommended conditions of consent. As such, it is satisfied that the proposed development can achieve a neutral or beneficial effect (NorBE) on water quality.	Yes		
A4.4 Water Cycle Management Study	All development applications in a drinking water catchment must be accompanied by a Water Cycle Management Study. The contents of a Water Cycle Management Study will vary according to the type of development and the risks it poses to water quality.	As above.	Yes		
A4.5 Stormwater Management Plan	A Stormwater Management Plan report will be required by Council for all development that will result in:a) An increase in the impervious area of the site, or	This development application is accompanied by Civil Engineering Plans which demonstrate the proposed means of stormwater drainage.	Yes		

	b) b) A change in the direction of overland flow		
A4.6 Erosion and Sediment Control Plans	Where building or earthworks are proposed, an Erosion & Sediment Control Plan must be provided to Council.	This development application is accompanied by Erosion and Sediment Control Plans.	Yes
A4.7 Water Sensitive Urban Design	All development within the shire must comply with the requirements of SEPP (Drinking Water Catchment) 2011 to ensure water quality exiting a site post development achieves a neutral or beneficial effect (NorBE) in comparison to pre-development water quality runoff. All developments within the shire shall be designed in accordance with the WSUD part of Council's Engineering Design and Construction Specifications.	The application was referred to Water NSW who raised no objections subject to recommended conditions of consent. As such, it is satisfied that the proposed development can achieve a neutral or beneficial effect (NorBE) on water quality.	Yes
Section 6 Vegeta	tion Management & Landscaping		
A6.1 Preservation of Trees and Other Vegetation	A person must not ringbark, cut down, top, lop, remove, injure, or wilfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by (a) development consent, or (b) a permit granted by Council.	Consent is sought for the removal of 12 low and very low retention value trees and 1 high category tree (Eucalyptus sp.). The application has been reviewed by Council Vegetation officer who raised no objections	Yes
Section 7 Subdiv	vision, Demolition, Siting and Design		

A7.1.2 Building Envelopes	 When designing allotments, building envelopes (in the form of restrictions to the title of the allotments – i.e. Section 88(b) restrictions) may need to be considered in order to ensure: (a) important public vistas and view corridors are maintained from within and into the subdivision; (b) energy efficiency principles are incorporated in design, construction and ongoing habitation (eg. Northern orientation); (c) the mitigation of visually obtrusive development; and (d) the provision of efficient, approved on-site storm water disposal. Where considered necessary by Council, these restrictions may be required as conditions of development consent. 	The applicant has provided no details of how proposed residue lot (Remaining development lot) will be developed. The applicant was requested on a number of occasions to consider the potential redevelopment of this land with no further details provided.	No.
A7.1.3 Noxious and Environmental Weeds	If any property, other than a property which is, or is within the vicinity of, an Item of Heritage, or is within a Heritage Conservation Area, is found to have noxious or environmental weeds, then a condition of any approval shall be that these weeds shall be thoroughly eradicated before the linen plans shall be released.	Conditions of consent could be imposed	Yes.

A7.1.4 Landscape Embellishment	A condition of Council's subdivision approval will be that landscape embellishment of allotments and public roads shall occur, thereby enhancing native vegetation in the locality. Such landscaping should attempt to mitigate the visual obtrusiveness of new development and enhance the visual connection between the newly created landscape and remnant native vegetation in the locality (including road reserves).	Conditions of consent could be imposed	Yes.
A7.1.6 Lighting	Standard street lighting is required in order to provide consistency between subdivision developments, providing a unified theme for the town.	Conditions of consent could be imposed	Yes
A7.3 Site Analysis	Every land use application which involves significant alteration to the site whether through development of currently vacant land, extensive renovation of an existing building, or demolition, must be accompanied by an appropriate Site Analysis Report.	The application is accompanied by a Site Analysis.	Yes
A7.4 Cut and Fill	Where the cut and fill objectives cannot be met, the development must be stepped in order to accommodate the contours of the site.	The proposed development has been stepped in a manner that accommodate the contours of the site.	Yes
A7.10 New Development within the vicinity of Heritage Items	In considering a development application within the vicinity of Items of Heritage, Council shall not grant consent to the carrying out of	No objections have been raised by Council's heritage officer.	Yes

	development on any land to which this Clause applies unless it is satisfied that
	he development shall:
b	 a) remain compatible with the average height, bulk and scale of buildings located on adjoining or nearby land and be adequately set back to ensure that heritage items and other significant buildings in the streetscape are not dominated by new or infill development. b) seek unification with existing built forms on adjoining or nearby land, by ensuring respect for and compatibility with architectural elements including: (i) the existing building line, (ii) brickwork styles, (iii) parapet style and rhythm, (iv) window and door opening dimensions, proportions and spacing, (v) fenestration treatment, (vi) roof form and treatment, (vi) materials and finishes. (c) ensure that the angle of awnings on the commercial street frontage is no greater than 20%, (i.e. within a range of 90 to 100 degrees from the wall of the building), and that the soffit (or underside of the awning) follows the line of the top of the awning and is not flat.

Section 8 Safer b	Section 8 Safer by Design			
A8.3 Crime Prevention Through Environmental Design	The principles of Safer by Design may be applied to both commercial and residential development. In particular, Council requires all development to demonstrate that it provides:	The application is accompanied by CPTED Report. The report concludes Based on the implementation of the abovementioned CPTED measures, it is considered that the development provides a built form and site layout that adequately addresses the four CPTED principles	Yes.	
	 a) Well-defined building entrances which are clearly visible from the street. Narrow or splayed entrances are preferable to deep-set entrance ways. 	Entries are well defined and visible from the street.	Yes.	
	b) Internal spaces must be open and visible, eliminating hidden corners.c) Walkways and connecting paths must be open with good visibility.	Internal spaces are open and visible and do not create hidden corners.	Yes.	
	 d) Signs and vegetation should be located so that they do not create 'entrapment' points where people are hidden from view. 	Signs and vegetation to no create 'entrapment' points where people are hidden from view.	Yes.	
	e) On-site garaging must provide clearly defined exit points and be lit at night, both inside the	Conditions of consent could be imposed	Yes.	

Section 9 Constr	 garaging and around the enctrance/exit points. Such lighting should be movement-activated lighting that focusses on the access areas. f) Building entrances, walkways, connecting paths and garaging must be well lit in accordance with the provisions of Section A8 of this Plan to ensure that such lighting is down-ward focussed and effective without generating glare or annoyance beyond the area being lit. uction Standards & Procedures 	Conditions of consent could be imposed	
A9.10 Site Access Standards During Construction	All Council assets (eg sewer manholes, stormwater systems etc.) shall be protected from damage. An inspection of the existing assets shall be carried out prior to the commencement of any work on site. Vehicular access to the site shall be via a single designated access point. This point is to be located so that the possibility of damage to Council's property is minimised during construction and shall be constructed to Council's satisfaction.	Conditions of consent could be imposed requiring all Council assets (eg sewer manholes, stormwater systems etc.) to be protected from damage and to ensure suitable means of access is provided during construction.	Yes
A9.12 Waste Management and Disposal	Prior to all demolition and / or some construction works a) A Waste Management Plan is	A Waste Management Plan accompanied the development application. The application has been revied by Council Environmental Health Department who raised no objection	Yes

	required for all demolition works and /or construction works (with a value greater than \$50,000).	subject to conditions.	
Section 10 Signa	ge and Outdoor Advertising		
A10.3 General Requirements for All Signage	All buildings shall be clearly numbered on the face of the building or on the awning.	Conditions of consent could be imposed	Yes
	Signs shall only appear wholly on land where the advertised activity or development is carrried out.	The proposed development involves the addition of pylon signage within the SP2 zone adjoining the site and providing access to the site.	No
	Signs shall relate to the architectural detailing design lines of the building on which it is to be located, and of adjacent buildings, particularly those constructed prior to 1950.	With the exception of the Pylon Sign fronting Argyle Street, the proposed signage relates to the architectural detailing design lines of the building.	Yes. Yes.
	Signs shall maintain the existing architectural 'balance' of the building.	The proposed development relates to the construction of a new building.	
	Signs shall be of a high-quality design	The proposed signage is of a high-quality design and finish consistent with the	Yes

and finish.	commercial character and scale of development.	
Signs shall complement the finishes and colours of the building/place to or in which it is attached/erected.	The proposed signage responds and complements the finishes and colours of the building including the intended uses.	Yes.
Signs shall be simple in both design and message presentation and legible in terms of both colours and text style.	The proposed signage is generally simplistic and responds to the character of the building and proposed uses.	Yes
Signs shall reflect the quality of the business, services or product to which they relate.	As above.	
Signs incorporating corporate graphics and colours will be considered, but may be restricted in terms of size, location,	Conditions of consent could be imposed	Yes
colour and quantity, to meet the other objectives of this section of the Plan.	All cables will be concealed.	
Signs which are illuminated (as in making a sign appear brighter than it otherwise would appear) must:	All signage contains static displays. Digital signs are not proposed.	Yes.
(i) Conceal all cables in the frame of		

the sign		Yes.
(ii) Must not have animation or moving/flashing images, and Note: Subclause	Conditions of consent could be imposed	Yes
above does not apply to Digital Signage for the purpose of advertising (see Section 10.7)		
(iii) Must comply with Australian standards for the control of outdoor lighting.		
(iv) If situated on, or within, 50m of a residential, rural or environmental protection zone, only be illuminated as approved by Council.		
Signs associated with multiple building or site occupancy, as in shopping arcades and business services occupying first floor office suites, shall adopt a single co-ordinated approach to advertising by means of clear building identification and appropriately located 'shared' directory facilities.	The applicant is proposing a pylon sign located within SP2 land which is considered prohibited. It is considered that an appropriately located pylon sign could be achieved on the site, just not in the proposed location.	No
 standards for the control of outdoor lighting. (iv) If situated on, or within, 50m of a residential, rural or environmental protection zone, only be illuminated as approved by Council. Signs associated with multiple building or site occupancy, as in shopping arcades and business services occupying first floor office suites, shall adopt a single co-ordinated approach to advertising by means of clear building identification and appropriately located 	located within SP2 land which is considered prohibited. It is considered that an appropriately located pylon sign could be achieved on the site, just not in the proposed	No

	Signs shall achieve a high degree of safety and not represent hazards to passing drivers or pedestrians, transport workers or other property.	The proposed signage will not represent hazards to passing drivers or pedestrians, transport workers or other property.	Yes
	Signs shall not be confused with, or inhibit instructions given by, official traffic management facilities and signs.	Signage will not be with, or inhibit instructions given by, official traffic management facilities and signs.	Yes.
	Signs shall not require the removal of a tree or other vegetation. Signage requiring the pruning of a tree or other vegetation must obtain Council consent.	The proposed signage does not necessitate tree removal.	Yes.
A10.6.1 Assessment Criteria for all Signage requiring Council Consent Including Digital Signage)	all Development Applications for Signage or Outdoor Advertising for which Council consent is required will be assessed against the criteria contained within State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64).	An assessment is provided in the body of the report.	Yes.
A10.6.3 Free Standing Business Identification Signs in Business and Industrial	A maximum of one (1) free standing business identification sign shall be permitted in the area between the building and the street alignment where such sign may be single or double sided and must be framed.	The applicant is proposing a pylon sign located within SP2 land which is considered prohibited One pylon sign is proposed on each street frontage.	No.

Zones	A free-standing sign may run either parallel to the street or perpendicular to the street frontage.	Both pylon signs are perpendicular to the street frontage.	Yes.
	A free-standing sign shall be located within an overall sign structure envelope with dimensions not exceeding a height of 4.5 metres, width of 1.5 metres and depth of 300mm.	The applicant is proposing a pylon sign located within SP2 land which is considered prohibited	No
	No part of the sign structure shall overhang Council's footpath, nor the public road reserve.	The applicant is proposing a pylon sign located within SP2 land which is considered prohibited	No
	The sign shall be supported by 'simply designed' pole supports, avoiding large exposed supporting frameworks, unless in the opinion of the Council such framework is intentionally designed as an architectural feat		
A10.6.4 Signage for Multiple Premises	Signage for 'hidden' premises, ie no direct street or public area frontage, shall be included on a single signage structure that shares signage between all businesses that occupy the same development.	The applicant is proposing a pylon sign located within SP2 land which is considered prohibited.	No.

	In multiple unit 'shopping complexes' villages etc, where buildings are set back from a public road and have frontage to a car park, pedestrian area or the like, Council may permit a free standing directory sign, which will be assessed on its merits, based on the objectives for signs in commercial zones.		
	In multiple unit shopping complexes without premises having frontage to a car parking area or external pedestrian area etc, signage attached to external building facades will be assessed on its merits based on the objectives for signs in commercial zones.	The proposed signage attached to the façade of the building are located internally from the lot and will not be visible from the public domain. The proposed signage I considered acceptable in this instance.	Yes.
Section 11 Outdoor Lighting	All outdoor lighting fixtures shall be designed, installed, located and maintained to avoid glare on to adjacent properties or streets.	Conditions of consent could be imposed	Yes.
	All direct illumination shall be kept within the boundaries of the subject property.		
Section 12 Devel	opment Near Rail Corridors & Busy Roa	ds	

A12.1 Development Adjacent to a Rail Corridor	The protection of the stability of the nearby rail corridor and railway land during excavation and construction of any development must be ensured. Any excavation greater than 2m in depth and within 25 metres of the rail corridor will require concurrence with the	The DA was referred to the ARTC who provided no response. It is considered that should the DA be approved, comments will be required prior to any determination.	No.
	relevant authority under clause 86 of SEPP (Infrastructure) 2007.		
	Drainage from the development is to be adequately disposed of so as not to be diverted on to the rail corridor.		
	Appropriate fencing is to be constructed to clearly separate the development from the railway land so as to avoid people straying on to railway land, either during construction or following completion of the development.		
	Appropriate landscaping and fencing is to be installed to screen and soften views of the rail tracks from the development and to help alleviate the 'sense' of exposure of the development to the source of rail noise.		

	avoids any new direct vehicular access to any relevant road and removes any existing access where alternative rear lane or other access is achievable.		
	provides that any essential access to any relevant road be designed so that all vehicles enter and leave the site in a forward direction.		
	restricts vehicular access, car parking and loading/unloading facilities to an alternative access, such as a rear lane, where such access is available.		
	Applicable to Business-zoned land		
Section 1 Introdu			
B1.3 Business Precincts	All Business-zoned land within Moss Vale has also been allocated to one of eight (8) Precincts as listed below and shown on Figure B1.1	The site is located within the Hoskin Street Precinct,	Yes.
Section 2 Design	Considerations		

B2.2 Height of Buildings	All new business development within the town must comply with the maximum building heights indicated on the Height of Buildings Map which forms part of the WLEP 2010, an extract of which is reproduced as Figure B1.1. above	Refer to the LEP Compliance Table.	Yes.
B2.3 Floor Space Ratios	All new business development within the town must comply with the maximum floor space ratios indicated on the Floor Space Ratio Map which forms part of the WLEP 2010.	Refer to the LEP Compliance Table.	Yes.
B2.4 Designing for Pedestrian Access within the Town	the development allows pedestrians to move through, within and around the site in a safe and convenient manner.	Refer to the urban design comments in the main body of the report	No
	Pedestrian access ways are suitable for wheelchairs and meet the needs of all people with disabilities.		
	Pedestrian access ways comply with the Safer by Design Principles discussed in Part A Section 5 of this Plan.		
	Pathway surfaces are suitable to all weather conditions and particularly do not become slippery during wet weather.		
B2.5 Signage	Applicants are reminded to consult the provisions of Section A9 with regard to	Refer to Section A9 Above.	No.

	signage objectives and controls for development on business zoned land.		
Section 3 Parent	ing Facilities		
B3.3 Option B	 Parenting Rooms between greater than 2000m2 shall provide the following: a) A Convenient quiet place to feed in privacy. b) Comfortable seating (armchair style preferred) with 300mm either side of the chair. c) Somewhere safe and clean to change nappies. d) Hot and cold water and hand drying facilities. e) Waste containers with tight fitting lids. f) A smoke free zone. g) Privacy so that male carers of infants can access the area without disturbing the privacy of breast feeding women. h) Easy pram/stroller access. i) Doors should be light to push and have the ability to be propped open for pram access, but not be automatic, as toddlers can escape. j) Adequate signage to be displayed to identify the room and sign posted using a symbol that will easily be interpreted by all persons and indicates the parenting is for fathers, mothers, toddlers and babies – see 	Suitable parenting facilities have been provided on the ground floor of the proposed development.	Yes

Section 4 Onsite	 diagrams below. k) Directional signage should be provided to identify the location of the parenting room. l) Fixtures such as change benches, a mirror, adult toilet(s) in separate compartment with a minimum width of 900mm and other fixtures as indicated in the diagrams below. m) Hot water and thermostat regulators to ensure water temperature does not exceed 50°C. n) Confined play area for toddler safety. o) Bottle warming facility. 		
B4.4 Requirements for New Development or Redevelopment	The number of car parking spaces to be provided on the site is determined by the nature of the development. Applicants should refer to the Table at the end of this section for the requirements for all types of commercial development. This is detailed as follows:	A total of 268 car parking spaces are required. A total of 280 car parking spaces are	Yes
	Retail, Office, Commercial	provided	
	 1 space per 30 m² of gross leaseable floor area for buildings of single storey. 		
	Shops		
	• Small - 1 space per 30 m ² of gross		

	 floor area. <u>medium Large</u> - 1 space per 20 m² of gross floor area. Supermarkets 1 space per 20 m² of gross leasable floor area. 		
B4.6 Use of Parking Areas	All parking spaces shall be used solely for the parking of motor vehicles for owners, staff and customers, and on no account shall such spaces be used for storage or garbage purposes.	Conditions of consent could be imposed requiring all parking spaces shall be used solely for the parking of motor vehicles.	Yes.
	Boom gates, remotely operated doors and other devices designed to stop the public from accessing the parking are not permitted.	Conditions of consent could be imposed	
	No signposting or restrictions on individual spaces is allowed.	Conditions of consent could be imposed	
B4.7 Disabled Parking Requirements	Disabled parking spaces shall be provided for each building use according to the applicable Standard.	Disabled parking spaces have been provided in accordance with relevant AS.	Yes
B4.9 Design of Off-Street Parking Facilities	The minimum design requirements for parking facilities are the Australian Standard AS 2890 series. Council prefers the use of AUSTROADS	Refer to Council's engineers / traffic comments	Yes.

		Design Vehicles and Turning Templates for all vehicle movements on, or on to public roads, and the turning template, found in AS 2890.1 and AS 2890.2 for on-site manoeuvring.		
Section Loading Facilities Waste Resource Recovery Storage Collection	5 and & and	Full details of anticipated vehicle sizes, volumes and frequency of delivery and other service vehicles must be supplied with the development application. These estimates, particularly vehicle sizes, must be realistic and based on established averages for the range of businesses likely to occur in the development.	Refer to Council's engineers / traffic comments	No.
		The turning templates from Australian Standard AS 2890.1 and AS 2890.2 must be used for on-site manoeuvring, including reversing manoeuvres and vertical clearance requirements.		
		For retail developments with a gross leaseable floor area of 1,000 square metres or greater or developments such as supermarkets, discount department stores or other high volumes delivery usages, the following controls shall apply:		
		 (i) The development shall provide a loading facility to accommodate an Articulated Rigid Vehicle (19.0 metre) as defined by Australian Standard AS 2890.2 or Single 		

 Articulated Vehicle (19.0 metre) as defined by Austroads 2008 as the minimum standard. (ii) Council will require a positive covenant to be placed on the title of the land giving Council the power to release, vary or modify the restriction to enforce the requirements of this clause. 	
 (iii) (iThe reversing of vehicles on to a main road, or arterial road, or future road, or any other public road, will not be permitted. 	
(iv) The design of off-street commercial vehicle facilities must comply with AS 2890.2 : 2002.	
(v) Loading bays are not to be used for the storage of goods or waste storage other than during the unloading / loading process.	
(vi) Waste and resource recovery material storage should be enclosed or screened from the road in a dedicated facility.	
(vii)Waste and resource recovery material collection shall be from the loading facility if one is provided with the development. If no loading facility	

	is provided then collection of waste and resource recovery material must be from a central collection area by private contractor. The waste and resource recovery material must be collected outside of business hours to ensure disruption to the public is minimised. All service vehicles accessing a development need to accommodate geometric swept path and vertical clearance in accordance with Austroads and Australian standards.		
Section 19 Hawk	ins Street Precinct		
B19.1 Preferred Development Outcomes	This site offers a unique opportunity for appropriate redevelopment. Council would prefer the following outcomes for this Precinct:		
	a) Encourage the appropriate amalgamation of sites to ensure efficient redevelopment while still maintaining a scale of the development which is in keeping with surrounding development.	The amalgamation of the site is note proposed. The proposed subdivision is considered to be unacceptable because of the lack of detail on how the remaining lot could be developed.	No.
	 b) Respect the 12 metre maximum building height boundary within the central section of the precinct, and maintain the maximum building height along 	The development maintains a maximum building height of 10.5 metres. The building does not maintain a direct frontage to Argyle Street or Hoskins Street, owing to the site	Yes.

the street frontage to 7.5 metres. Because the portion of land where the 12 metre maximum applies is lower than the land closer to the street, this ensures that the building height remains constant at the lower level when viewed from Argyle Street.	configuration.	
 c) provide an attractive streetscape and substantial areas for landscaping and screen planting along relevant street frontages. 	The proposed development does not contain a frontage to a street.	
d) ensure that Heritage Items on Argyle Street are adequately protected.	The application has been referred to Councils Heritage Officer who have raised no objections	Yes.
e) ensure that adequate provision is made for ingress and egress points to ensure that traffic flows along Argyle Street are not impeded	The proposed means of access has been reviewed by Council Traffic and Transport Engineers and Transport for NSW who provided comments, in particular Council's traffic engineer has raised concerns which are discussed in their referral response.	No.

B19.2 Additional	Council shall not grant consent to the		
Development Controls	carrying out of development on any land within this precinct unless:		
	 a) the development provides an architectural outcome that, in Council's opinion, responds sympathetically to the established heritage character and style of older buildings having frontage to Argyle Street. 	The application has been referred to Councils Heritage Officer who raised no objections.	
	 b) vehicular access to and from the land is designed and maintained in conjunction with the Roads and Traffic Authority such that the efficiency and safety of the local road network and adjoining and nearby residential amenity is not compromised; 	Transport for NSW are satisfied and have recommended conditions of consent. Council's traffic engineer has concerns with the amended design which is discussed in their referral response	No.
	c) The controls of Part A10 of this Plan, applicable to land previously owned by RailCorp or adjacent to land still owned by RailCorp, have been incorporated into the proposal.	The proposed development was referred to ARTC who have provided no comments.	
	 d) The controls of Part A11 of this Plan, applicable to land fronting Argyle Street, have been incorporated into the proposal. 	The proposed development provides an appropriate response to Argyle Street.	Yes.