

Our Ref: DCU23/0017, PN 1754630
Contact: Adan Davis



4 March 2023

Fabcot Pty Ltd
1 Woolworths Way
BELLA VISTA NSW 2153

Civic Centre, 68 Elizabeth St,
Moss Vale NSW 2577
PO Box 141, Moss Vale

02 4868 0888

mail@wsc.nsw.gov.au

ABN 49 546 344 354

Attention: Tony Pratt

Dear Sir,

DCU MEETING DATE: 7 February 2023
ADDRESS: 233 ARGYLE STREET MOSS VALE NSW 2577
PROPERTY: Lot 5 DP 1101186
DEVELOPMENT: Shopping centre and subdivision

Reference is made to the above development control unit meeting relating to the proposal for a shopping centre and subdivision on the subject land.

Those present at the meeting were:

Development Proponents:

- Tony Pratt – Regional Development Manager Woolworths
- Paul Hume – Premise
- Nikita Mahapatra - Woolworths

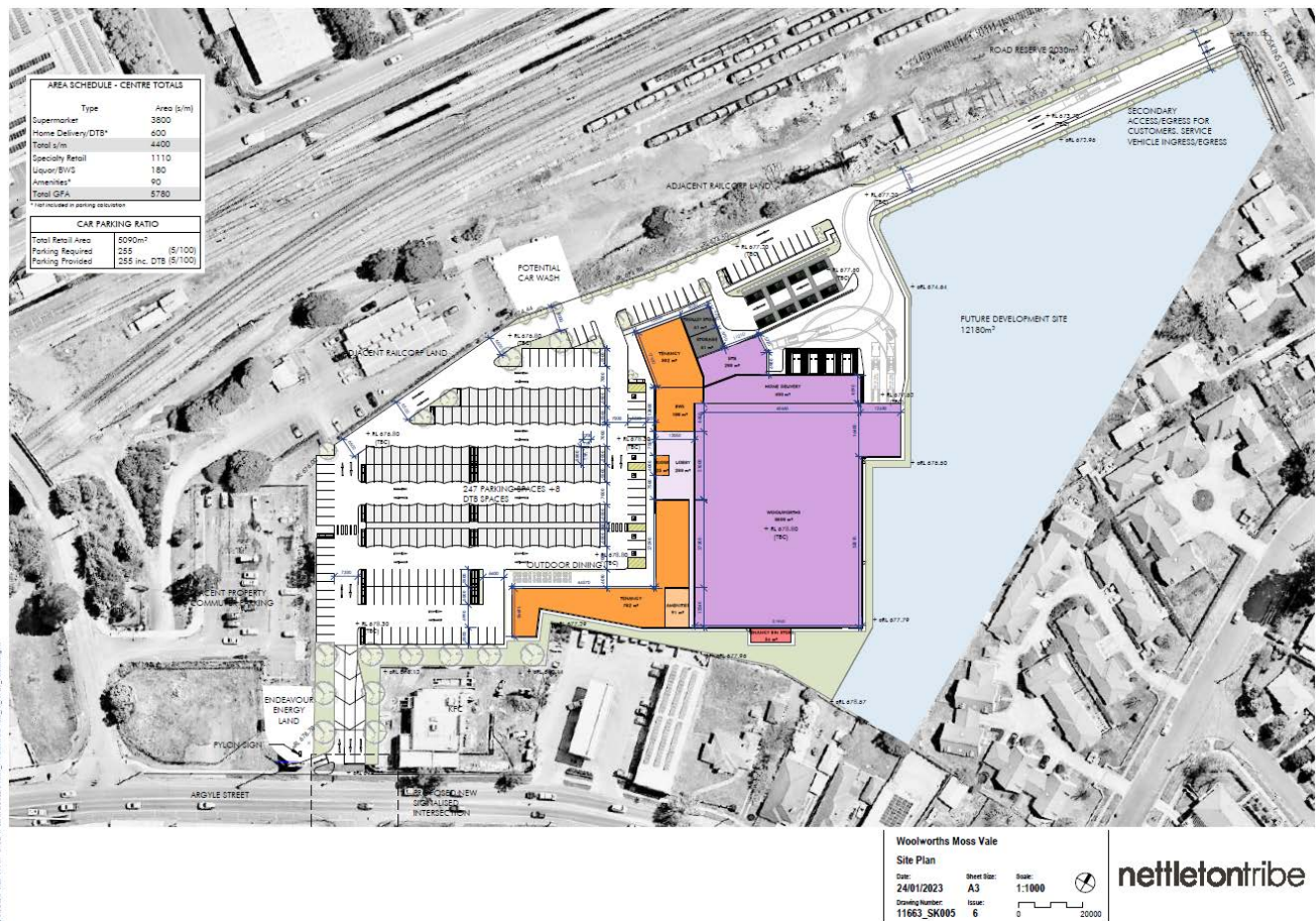
Council:

- Adan Davis – Director Communities and Place
- Michael Park – Executive Manager Strategic Outcomes
- Peter Malloy – Senior Town Planner
- Jocelyn Do – Development Engineer

The proposal was considered based upon the following information put forward by the proponent:

- Concept plans 11663_SK005, SK007, SK008, SK009 , dated 24/1/2023, and accompanying Design Vision dated January 2023 prepared by Nettleton Tribe

Working with you



- Email correspondence from Tony Pratt dated 27 January 2023 explaining the proposed development comprises:
 - a full-line (3,800sqm approx.) Woolworths supermarket
 - 8-bay Direct to Boot facility for customers to collect groceries ordered online
 - Home Delivery facility for delivery of online grocery orders to the local community
 - specialty shops
 - BWS liquor store
 - on-grade parking
 - surplus land for future development. The subdivision of this section of the site may be part of our DA
 - access via a new signalised intersection at Argyle and Valetta Sts, with a secondary customer ingress/egress from Hoskins St at the northern end, which is intended to also be used by service vehicles.

Council's comments are based upon the information provided as follows:

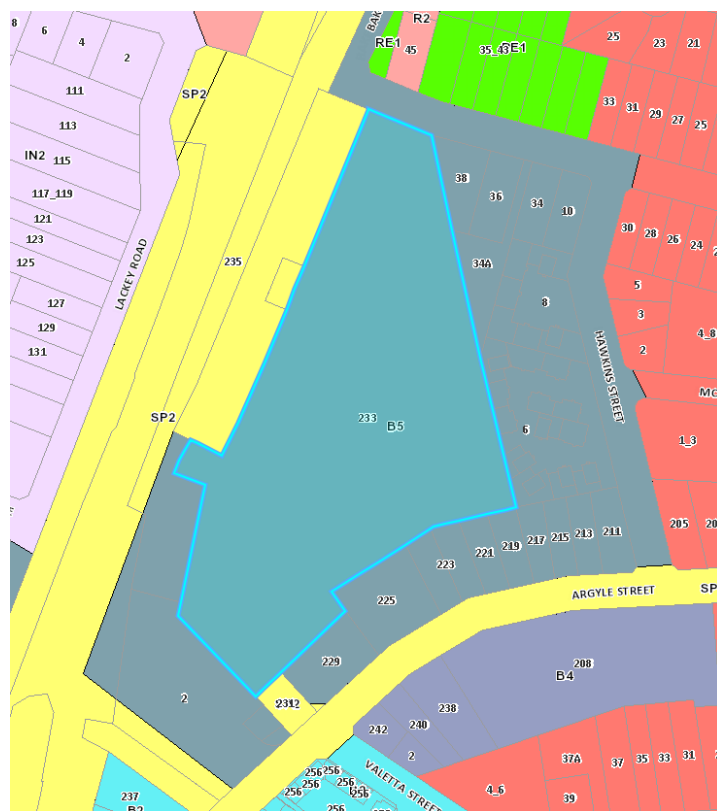
KEY POINTS

The following key points were noted:

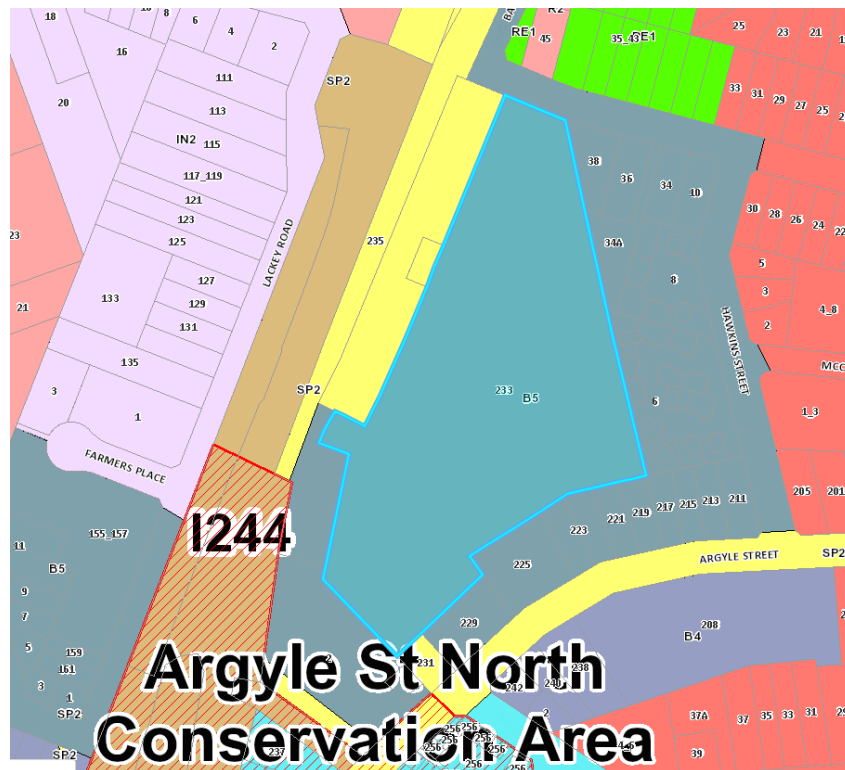
Wingecarribee Local Environmental Plan 2010

The subject land is zoned Zone B5 Business Development under *Wingecarribee Local Environmental Plan 2010*, as shown below.

A shopping centre and subdivision is permitted with consent within the B5 Business Development Zone subject to the development consent of Council.



The site is also within proximity to the Moss Vale Railway Station item of heritage, and Argyle Street North Conservation Area identified under *Wingecarribee Local Environmental Plan 2010*, as shown below, therefore the impact of the proposed development upon nearby heritage will need to be addressed in accordance with Clause 5.10 of WLEP 2010.



The site is subject to a maximum building height of 12.5 metres, and a maximum floor space ratio of 0.9:1 under Wingecarribee Local Environmental Plan 2010.

State Environmental Planning Policy (Biodiversity and Conservation) 2021 – Ch 8 Sydney Drinking Water Catchment

The site is within the Sydney Drinking Water Catchment; therefore the proposed development must address the requirements of State Environmental Planning Policy (Biodiversity and Conservation) 2021 – Ch 8 Sydney Drinking Water Catchment to prove the development achieves a neutral or beneficial effect on water quality.

State Environmental Planning Policy (Resilience and Hazards) 2021 – Ch 4 Remediation of Land

The proposed development must address the requirements of State Environmental Planning Policy (Resilience and Hazards) 2021 – Ch 4 Remediation of Land.

Moss Vale Town Development Control Plan

The DCP sets numerous controls which must be addressed by the proposed development.

In particular, Section B 19 of the DCP identifies that the site is contained within the Hawkins Street Precinct, and contains provisions detailing preferred development outcomes for the precinct, and development controls including:

- 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
- Respect the maximum building height
- Provide an attractive streetscape and substantial areas for landscaping and screen planting, including screen planting to screen railway corridor
- Protection of heritage items
- Adequate provision is made for ingress and egress points to ensure that traffic flows along Argyle Street are not impeded

Section A 12.1 is also applicable to the development, as the site is adjacent to the railway corridor. Particularly controls are relevant including:

- 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 relevant authority under clause 2.99 of State Environmental Planning Policy (Transport and Infrastructure) 2021.
- Drainage from the development is to be adequately disposed of so as not to be diverted on to the rail corridor
- 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

Access

The development proposes access over the adjoining Lot 11 DP 1192264 to obtain access to Argyle Street. Lot 11 DP 1192264 is owned by Wingecarribee Shire Council. In order to maintain a clear separation of roles between Council as the consent authority assessing the development application, and Council as the owner of Lot 11 DP 1192264, you will need to approach Council as owner of Lot 11 DP 1192264 independently and separate to the development assessment process.

While the site has access to Hoskins Street, this access point will increase traffic impacts upon the adjoining residential area. Minimal traffic impacts from customer vehicles, service vehicles and delivery trucks upon the residential area is required, so that residential amenity is maintained. Impacts will need to be addressed in a Statement of Environmental Effects, Traffic report and Acoustic report. Designing the proposal so that traffic accessing the proposed shopping centre is directed away from the adjoining residential area is strongly encouraged.

Similarly, should a subdivision component form part of the application, details will need to be provided regarding the likely use of a subdivided lot, to ensure that any commercial use should direct traffic away from the adjoining residential area.

Pedestrian movement through the site from Hoskins Street to Argyle Street

While it is understood the proposed design is at an early conceptual stage, future design will need to show clear pedestrian movement through the site from Hoskins Street to Argyle Street.

Signage

Section A10.6.3 of the Moss Vale Township DCP states that 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

Landscaping

Landscape species and materials which respect existing Moss Vale character are encouraged, including the use of Photinia hedging, Plane trees, Boston Ivy on retaining walls, and the use of dry stone basalt walls

A reduction in proposed shade sails in carpark area to enable an increase in provision of large shade trees in the carpark (including diamond planter tree bays placed at one per 6 – 12 car spaces) would better respect the existing landscaped character of Moss Vale. Plane trees have been used in Council carparks and Coles Moss Vale carpark in Moss Vale.

External Materials

The inclusion of external building materials such as elements of Bowral blue bricks, which are characteristic in the Moss Vale locality, is encouraged.

Voluntary Planning Agreement

Should a Voluntary Planning Agreement be in consideration, discussions will need to be undertaken with Council's Executive Manager Strategic Outcomes Michael Park.

Development Engineer comments

Access and Traffic:

- Please submit the Traffic Report and road upgrade plans at DA stage, showing any road and any intersection upgrade at both Argyle Street and Hoskins Street.

- Hoskins Street is currently a very low trafficked road. The pavement will unlikely be able to sustain the extra heavy vehicle traffic, to be further investigated at Section 138.
- Please confirm if there will be any measures in place to prevent shoppers from using Hoskins Street.
- There will be community disapproval from people on Hoskins Street and possibly Suttor Road. Delivery times may be able to be restricted to reduce impacts on residents.
- The main access to Woolworths is proposed via Argyle Street which is a State Road managed by TfNSW. The proposed signalised intersection upgrade, right turn treatment and left turn treatment shall be done in consultation with TfNSW and Council.
- Access is proposed via a Council's owned land (Lot 11 DP 1192264), please ensure to discuss with Property team for any land purchase or access easement enquiry.
- Delivery and service vehicles are proposed to gain access via Hoskins Street via a driveway crossover. The crossover and the internal driveway dimension will be sized to suit the turning swept path of the largest service vehicle.
- The applicant will need to liaise with Andrew Maskiell (WSC's Project Manager) to discuss the impact the bypass will have on Argyle Street traffic volumes – Andrew.Maskiell@wsc.nsw.gov.au
- Sight distance is limited around the bend at Hoskins Street, especially for when large trucks manoeuvring in and out of the site. Please provide sight distance analysis and if not sufficient, please provide with additional warning measures for incoming vehicles.
- Kerb, gutter, drainage and pavement upgrade shall be provided along Hoskins Street to the Hoskins St and Hawkins St intersection.
- As discussed in the meeting, it is unclear how the "future development site 12180m²" being developed – whether it will be residential / commercial purpose. Access, stormwater, sewer, water, etc arrangement shall be provided for the future lot, to either Hoskins Street for residential development or to Argyle Street if developed for commercial usage.

Stormwater and Overland Flow:

- There is an existing stormwater channel within the site that discharges across Hoskins Street. Please provide a overland flow analysis when filling in the channel and ensure that there is no impact leaving the site.
- It was discussed during the meeting that the applicant wishes to pipe the existing overland flow within the drainage channel to build the carpark over it. This is acceptable from an engineering point of view, but please double check within Section 88B instrument for any drainage restriction and covenant that might prevent piping the channel or changing the shape of the easement.
- The applicant has indicated in the meeting that the site existing overland flow within the existing easement will be piped and will discharge at ARTC land. As part of the DA assessment the assessing officer will refer this DA to ARTC and further requirements might arise from their end. Council will need to be satisfied that a legal point of discharge is provided for the development site (i.e. to ARTC land) at the full cost of the developer. The developer might be required to come into a drainage licence / infrastructure licence / drainage easement arrangement with ARTC.

Sewer and Water:

- Water and Sewer modelling will be required. The applicant does not have to include this as part of the DA Application as the requirement can be conditioned, but it is strongly suggested to undertake this report prior to DA submission as it will help inform any potential capacity issues related to the proposed demand. The sewer/water modelling fact sheet can be found in the following link which details the process to be followed: <https://www.wsc.nsw.gov.au/Services/Water-Sewer/Water-Sewer-Modelling-Services>
- The applicant has previously been advised (via duty enquiry) that no building over sewer or within the 3m centrally placed easement would be allowed. This sewer trunk main is critical for Moss Vale and Council requires free and full access to operate/maintain the asset in the future. If a relocation of the existing asset is required, concept design plans for the proposed location of the asset in relation to the proposed building works would be required as part of the Development Application.
- All private sewer within the proposed development site will need to connect to a point in Council's sewer networks via gravity – applicant to show this location on DA plans
- Show proposed potable water and fire connection points on the DA plans.

Accredited Certifier comments

Proposed development shall comply with the provisions of the Building Code of Australia.

Referrals / Advertising

Should a Development Application be submitted, the application will be referred:

Internally

- Development Engineer
- Traffic Engineer
- Heritage Advisor
- Water and Sewer Engineer
- Accredited Certifier
- Environmental Officer
- Contributions Planner

Externally

- Water NSW
- Transport for NSW
- Rail Corp NSW

A development application will also be advertised for a period of 28 days.

Reports to accompany development application

Reports to accompany the development application shall address the particulars of the site, including its constraints, and shall include:

- Statement of Environmental Effects (including statement of heritage impact)
- Water and Sewer Modelling Report
- Traffic Report
- Acoustic Report
- MUSIC modelling and Water Quality Management Report

Determination

Should the proposed development exceed \$30,000,000 in value, the application will be presented to the Southern Regional Planning Panel for determination.

Should 10 or more submissions be received objecting to the proposed development, the application will be presented to the Local Planning Panel for determination.

Conclusion

The above comments are provided in response to the plans submitted for discussion. However, this is not a formal assessment of a Development Application - the lodgement and considered assessment of the application in accordance with s.4.15 of the *Environmental Planning and Assessment Act 1979* will determine whether the proposal warrants approval or refusal.

Should you have any further queries, please contact Adan Davis on (02) 4868 0888.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Adan Davis', with a stylized flourish at the end.

Adan Davis
Director Communities and Place

IMPORTANT DISCLAIMER: This document is a summary of the key items discussed during the meeting. It may also include further information resulting from enquiry following the meeting. It does not provide a comprehensive assessment, with applications required to address relevant legislation and policy specific to the proposed development. These minutes and comments made at the meeting should not be taken as endorsement of the proposal, nor as a guarantee that Council will approve this or any other development proposal at the site. Council is required to assess any development application on its merits and in accordance with relevant and current planning requirements.