

Memorandum



To:	Southern Regional Planning Panel Chair
CC:	Lisa Miscamble – General Manager Nancy Sample - Manager Development Assessment Peter Malloy – Senior Town Planner
From:	Geoff King – Director Communities and Place
Subject:	SRPP - Summary of Deferrals
Date:	21.10.2021
File Number:	

In my opinion, the supplementary report provided by Council adequately addressed the issues raised by the Southern Regional Planning Panel (SRPP) in its deferment from the meeting of the 4 of August 2021. The following table is provided as a summary to assist the panel in its consideration of the application.

In summary, the Council staff assessment of the additional information is that the applicant has addressed the issues raised in the panel's deferment. There is general acceptance documented in the supplementary report that the information provided and conditions applied to Stage 1 are adequate, and that many aspects of the revised Concept are an improvement on the original proposal.

The only issues identified in the supplementary report where any disagreement remains between Council's technical staff and the applicant relate to the further information requests for water, sewer and traffic issues and their staging.

The nature of these disagreements vary somewhat, but they generally relate to the timing of modelling updates/finalisation (for example, before Stage 1 approval, or at subsequent stages of subdivision approval), external infrastructure connections, the display of the information, and whether the most recent advice conflicts with previous advice from Council on these issues.

It is important to recognise that the report to the of August 4th contained only simple information on these elements, as Council planning officers considered the issues had been adequately dealt with by the report and draft conditions. While the information provided by the applicant (on the 7th September) may not be new to Council technical officers, it appears to be additional information for the SRPP. The panel's expertise in consideration of the adequacy of this information would be appreciated, particularly in the context of Section 4.22 (5) of the EP&A Act, and the consideration of both Stage 1 and the concept subdivision.

It is difficult to conclusively assess the risks of such technical issues, but on balance, it appears that the additional information, draft conditions of consent (and particularly the requirements for future

modelling and stage approvals over time) provide adequate information and controls to support Council's original recommendation to the SRPP – that is, approval of Stage 1 subdivision and the proposed concept subdivision with appropriate conditions.

Having reviewed the original and supplementary reports, the draft conditions of consent and the additional information supplied, I believe that the Panel now has enough information to now make a determination on this issue. Let me know if you require any further information from Council.

Regards

A handwritten signature in brown ink, appearing to read 'Geoff King', with a stylized flourish at the end.

Geoff King
Director Communities and Place
22/10/21

Summary of Deferral Items

REASONS FOR DEFERRAL (summary from the SRPP minutes)	Provided	Comment
<p>2 The applicant to submit: a) A revised concept plan which includes details which show:</p>		
<p>i. Appropriate treatment of the rural/urban interface (consistent with Section 2.4.1 of the Moss Vale Township DCP)</p>	<p>Yes Date: 7/09/21 Supplementary report See Attachment B</p>	<p>Council assessment comment (supplementary report) is that the revised concept plan is an improvement upon the previously considered concept and complies with the relevant provisions of the DCP.</p> <p>It concluded that the Rural Edge interface has been satisfactorily addressed (and previous proposed draft conditions relating to this item can be deleted).</p>
<p>ii. Proposed road and reserve layouts and access points to the local road network</p>	<p>Yes Date: 7/09/21 Supplementary report See Attachment C See Attachment F</p>	<p>The revised Concept Plan and Road Hierarchy Plan submitted have been agreed by Council officers to be satisfactory.</p> <p>Further information on staging and implications of local road access points is also included in the JMD submission (Att. F) at 3(a), 3(b) and 3(c), pages 7-9.</p>
<p>iii. Indicative lot number, layout and building envelopes, for the Special Character Area</p>	<p>Yes Date: 7/09/21 Revised Plans provided 1/10/21 Supplementary report See Attachment B See Attachment D (Plans (i), (ii) and (iii))</p>	<p>The revised Concept Plan (Att. B), and indicative plan of the Special Character Area (Att. D- 3 plans) address this issue.</p> <p>The Council assessment of these conclude that the requirements of the DCP can be met by future subdivision applications within the proposed concept plan (and previous proposed draft conditions relating to this item can be deleted).</p>
<p>iv. Indicative maximum number of lots in the total subdivision inclusive of Stage 1 consistent with the Master Plan summary Report.</p>	<p>Yes Date: 7/09/21 Supplementary report See Attachment E</p>	<p>The indicative lot yield plan (Attachment E) shows an indicative lot yield of 1073 residential lots (includes stage 1). The Concept Approval is still sought for a maximum of 1,200 residential lots, the maximum yield used for infrastructure planning.</p>

REASONS FOR DEFERRAL (summary from the SRPP minutes)	Provided	Comment
		The revised concept plan is assessed as consistent with the Master Plan Summary Report. Final lot yields will be determined by detailed subdivision design of future stages.
v. Relocation of adventure playground from the heritage conservation area	Yes Date: 7/09/21 Supplementary report See Attachment B	The revised concept plan proposes relocating this element outside the heritage conservation area. This new location will be referred to Heritage NSW (but has been addressed by the applicant).
vi. Proposed location of neighbourhood commercial hub	Yes Date: 7/09/21 Supplementary report See Attachment B	The revised concept plan submitted by the applicant shows the possible Neighbourhood Hub Relocation, noting that such relocation will be subject to a future planning proposal and conditioned accordingly.
2 b) Staging plan for the provision of reticulated water, sewerage and local road infrastructure (outside the site) which indicates who is responsible (applicant or Council) for such provision and timing relative to the development stages shown. This plan should clearly demonstrate what work will be required before each stage and who will be responsible for such works enabling the development to proceed in a logical and transparent manner. This document must reflect current advice from Council on progress with projects to	Yes (see notes) Date: 7/09/21 Supplementary report See Attachment F Attachment H	The additional information provided by JMD (dated 18 August, provided as part of the package provided on 7/09/21 – see attachment F) includes the following summary components (note: most of the information provided was not contained within the original 4 th March report): External Water Infrastructure (referencing UWS modelling and reports from May 2020 and August 2020): <ul style="list-style-type: none"> • The water connections and proposed works to service Stage 1 (pg. 2) • The water supply infrastructure required to supply the future stages (pg. 3) • References to proposed Council transfer main and reservoir upgrades (pg.3) In the August 4 th report to the SRPP, Council’s Water and Sewer Engineer advised that there was sufficient water supply capacity for the Stage 1 subdivision, and that water and sewer modelling will need to accompany future development applications relating to the concept. The Draft consent conditions reflected this recommendation.

REASONS FOR DEFERRAL (summary from the SRPP minutes)	Provided	Comment
<p>upgrade Council owned infrastructure and may require further sewer and water modelling.</p>		<p>Correspondence (07/10/22) from Council’s Water and Sewer Development engineer (responding to the information provided in Attachment F) has asked for updated modelling and a concept plan that shows the required water infrastructure by stage, applicant and Council funded projects, as well as a strategy for delivery of additional storage. This advice has been included in the supplementary report.</p> <p>The applicant believes that water & sewer infrastructure staging report adequately addresses the deferral item (see attachment H).</p> <p>External sewer Infrastructure (referencing UWS modelling from November 2019).</p> <ul style="list-style-type: none"> • External sewer infrastructure to support Stage 1 (pg. 4-5) • External sewer infrastructure to support future stages (pg. 5-6) • A brief summary of the (approved – DA 2021/0772) Interim Sewage Treatment Plant (ISTP) and timing relating to Council’s Moss Vale STP upgrades. <p>Stage 1 can be serviced by the proposed ISTP, and this is reflected by Council’s recommendation and proposed draft conditions in the 4 August report.</p> <p>Correspondence (07/10/22) from Council’s Water and Sewer Development engineer (responding to the information provided in Attachment F) has asked for updated modelling and a concept plan that shows the required sewer infrastructure by stage, applicant and Council funded projects. The request also asks for external sewer upgrades to be shown on plan and the corridor for works to be included within an addendum to the Statement of Environmental Effects. This advice has been included in the supplementary report.</p>

REASONS FOR DEFERRAL (summary from the SRPP minutes)	Provided	Comment
		<p>The applicant believes that water & sewer infrastructure staging report adequately addresses the deferral item (see attachment H).</p> <p>Local Road Infrastructure (Based on Cardno AIMSUN modelling presented to Council November 2020 and audited by Transport Modellers Alliance, provided June 2021)</p> <ul style="list-style-type: none"> • Summary of local road upgrade proposals (for 9 locations) and the stages when these works would likely be required (pgs. 7-12) • Agreement and concept design to construct a small roundabout at no cost to Council at the Yarrowa Road / Spencer Street / Darran Road intersection. <p>Council advice to the applicant (by email 23 June 2021) was that the consideration of the audit could be deferred but addressed to Council's satisfaction prior to the determination of the next DA for the following stage within the precinct.</p> <p>The 4th August report concluded that traffic generated from the Stage 1 subdivision can be absorbed into the existing road network, subject to the provision of a roundabout at the Yarrowa Road / Spencer Street / Darran Road intersection. The draft conditions of consent reflect this.</p> <p>Most recent advice from Council staff (07/10/21) is that the staging plan provided is satisfactory for stage 1 and there is minimal risk to the local network carrying out this stage.</p> <p>This advice does however now request the finalisation of a final traffic model and traffic assessment report for the whole of the development precinct prior to the determination of the DA for the Masterplan and Stage 1.</p> <p>The applicant believes the information supplied addresses the deferral item (see</p>

REASONS FOR DEFERRAL (summary from the SRPP minutes)	Provided	Comment
		attachment H) and that this request for final modelling prior to DA approval of Stage 1 contradicts previous advice.
c) Confirmation of proposed arrangements for ownership and on-going maintenance of reserves across the concept plan area.	Yes Date: 7/09/21	The applicant has submitted confirmation that “Ownership and subsequent on-going maintenance of open space and drainage reserves within the Concept Plan area is intended to be vested in Council.” Council has agreed.
d) Advice on whether the RFS requirements to maintain the concept plan area as an Inner Protected Area conflict with the proposed landscaping concept plan.	Yes Date: 7/09/21 Supplementary report See Attachment G	Australian Bushfire Solutions has confirmed that future landscaping as shown in Arterra Landscape Architects plans (6 October 2020) within the Concept Plan area is capable of being to an Inner Protection Area (IPA) standard as per the NSW RFS requirements. Council has accepted this advice.
e) Advice on how quickly the proposed landscaping can be advance (for each stage) to ensure that the visual screening outlined within the applicant submission can be satisfactorily achieved.	Yes Date: 7/09/21 Supplementary report See Attachment A	The applicant has advised that “Proposed landscaping would be installed as part of civil construction works and maintained for Council’s standard 12-month maintenance period from the date of practical completion. Council accepts the applicant’s proposed timing of installation of landscaping. Note that a proposed condition on advance planting in special character areas of future stages (to speed the visual screening) is included in the draft conditions (Attachment A, section 11).
3. Council to consider the revised plan and other information and determine whether revised additional technical studies are required to take into account any changes.	Yes. Included in the supplementary report	Council has considered the revised plans and other information submitted. The submission of revised or additional technical studies is not considered to be required to assess the proposed changes.

REASONS FOR DEFERRAL (summary from the SRPP minutes)	Provided	Comment
<p>4.</p> <p>a) Council to assess the additional information in relation to the proposed concept plan</p>	<p>Yes. Included in the supplementary report</p>	<p>All additional information requested has been included in the supplementary report and attachments.</p> <p>Except for certain sub- elements (noted in the section relating to 2 (e) Sewer, water and traffic) there is a clear consensus that the proposed amended concept has addressed the issues raised. In many areas, it is an improvement on the previous proposal. A number of original draft conditions of consent have been addressed and therefore removed from Attachment A.</p> <p>Additional information provided by the applicant has also been included (following discussion at the panel) on the proposed road link to the northeast through the unmade Shelly Road reserve to connect to Fitzroy Road. In summary, the advice concluded that removal of the 0.40 ha of SHSFW within the study area would not constitute a significant impact. Council’s consultant ecologist agreed with this conclusion.</p>
<p>b) Assess the detailed stage 1 proposal against the requirements of the Chelsea Gardens Coomungie Precinct of the Moss Vale Township DCP.</p>	<p>Yes. Included in the supplementary report</p>	<p>Council has concluded in the supplementary report (via a table assessing the component parts of the DCP controls) that the revised proposed Stage 1 subdivision layout will enable future residential development of each lot to achieve compliance with the relevant provisions of the Part 4 Residential Controls.</p>
<p>c) Prepare a supplementary report and revised draft consent which clarifies that Stage 1 is the first stage of the proposed concept plan and reorders proposed conditions accordingly.</p>	<p>Yes. The supplementary report has been prepared and circulated to the SRPP</p>	<p>This supplementary report addresses each of the deferral items in sequential order.</p> <p>A revised draft consent, which clarifies that the proposed development comprises a proposed concept subdivision of a maximum of 1200 residential lots and which reorders the proposed conditions accordingly, is attached to the supplementary report (Attachment A).</p>