

**Attachment B: Compliance Tables – Chelsea Gardens (blue – Pre-condition/fundamental)**  
**Table 1: Table of Compliance - SEPPS and LEP**

Requirement	Proposal	Comply
<b><i>State Environmental Planning Policy (Planning Systems) 2021</i></b>		
<b>Declaration of regionally significant development: section 4.5(b) (s2.19)</b>		
(1) Development specified in Schedule 6 is declared to be regionally significant development for the purposes of the Act.	The proposal is regionally significant development pursuant to Clause 2 of Schedule 6 as Development that has a capital investment value of more than \$30 million. The CIV of the proposal is \$74,217 ,639.	✓
(2) However, the following development is not declared to be regionally significant development— (a) complying development, (b) development for which development consent is not required, (c) development that is State significant development, (d) development for which a person or body other than a council is the consent authority, (e) development within the area of the City of Sydney.	The development application does not meet any of this criteria.	N/A
<b><i>State Environmental Planning Policy (Biodiversity and Conservation) 2021; Chapter 8: Sydney Drinking Water Catchment</i></b>		
<b>Land to which Chapter applies (s 8.3)</b>		
This Chapter applies to land within the Sydney drinking water catchment.	The site is within this catchment.	✓
<b>Recommended practices and performance standards of Water NSW (s8.7)</b>		
(1) Any development or activity proposed to be carried out on land to which this Policy applies should incorporate Water NSW's current recommended practices and standards.	Water NSW has considered these practices and standards in their consideration under s8.9 as outlined below.	✓
(2) If any development or activity does not incorporate Water NSW's	Refer above.	N/A

<p>current recommended practices and standards, the development or activity should demonstrate to the satisfaction of the consent authority or determining authority how the practices and performance standards proposed to be adopted will achieve outcomes not less than those achieved by Water NSW's current recommended practices and standards.</p> <p>(3) Water NSW must ensure that:</p> <p>(a) a list of each of Water NSW's current recommended practices and standards is published on Water NSW's website, and</p> <p>(b) a copy of each of Water NSW's current recommended practices and standards is available for public inspection at the office of Water NSW without cost during ordinary office hours.</p>	<p>These are provided on the Water NSW website.</p>	<p>✓</p>
<p><b>Development consent cannot be granted unless neutral or beneficial effect on water quality (s8.8)</b></p>		
<p>(1) A consent authority must not grant consent to the carrying out of development under Part 4 of the Act on land in the Sydney drinking water catchment unless it is satisfied that the carrying out of the proposed development would have a neutral or beneficial effect on water quality.</p>	<p>Water NSW has provided concurrence to the proposal and stated that the proposal can achieve a neutral or beneficial effect on water quality provided appropriate conditions are included in any development consent and are subsequently implemented.</p>	<p>✓</p>
<p>(2) For the purposes of determining whether the carrying out of the proposed development on land in the Sydney drinking water catchment would have a neutral or beneficial effect on water quality, the consent authority must, if the proposed development is one to which the NorBE Tool applies, undertake an assessment using that Tool. <i>Note— The NorBE Guideline provides information and guidance for consent authorities in the use of the NorBE Tool.</i></p>	<p>Water NSW has provided concurrence to the proposal and stated that the proposal can achieve a neutral or beneficial effect on water quality provided appropriate conditions are included in any development consent and are subsequently implemented.</p>	<p>✓</p>
<p><b>Development that needs concurrence of Regulatory Authority (s8.9)</b></p>		
<p>(1) A consent authority must not grant consent to the carrying out of development under Part 4 of the Act on land in the Sydney drinking water catchment except with the concurrence of the Regulatory Authority.</p>	<p>Water NSW concurs with Council granting consent to the application subject to the attached conditions.</p>	<p>✓</p>

<p>(2) For the purposes of section 3.18 (3) of the Act, the matters that are to be taken into consideration by the Regulatory Authority in deciding whether to grant concurrence are:</p> <p>(a) whether the development incorporates Water NSW’s current recommended practices and standards, and</p> <p>(b) if the development does not incorporate those practices and standards, whether the alternative practices that relate to the protection of water quality that have been adopted in relation to the development will achieve outcomes not less than those achieved by Water NSW’s current recommended practices and standards, and</p> <p>(c) whether the development would have a neutral or beneficial effect on water quality.</p> <p>(3) A consent authority must forward a copy of its determination of a development application that requires the concurrence of the Regulatory Authority to the Regulatory Authority within 10 days after the determination is made.</p> <p>(4) This clause does not apply if:</p> <p>(a) the Minister is the consent authority, or</p> <p>(b) the consent authority is satisfied that the proposed development has no identifiable potential impact on water quality.</p>	<p>Water NSW has considered these matters in granting concurrence to the proposal.</p> <p>Any determination issued by the Council following consideration by the Panel must be provided to Water NSW.</p> <p>The Minister is not the consent authority and given the scale of the proposed development, there is potential for impacts on water quality.</p>	<p>✓</p> <p>✓</p> <p>N/A</p>
<p><b>State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4: Remediation of Land</b></p>		
<p><b>Contamination and remediation to be considered in determining development application (s4.6)</b></p>		
<p>(1) A consent authority must not consent to the carrying out of any development on land unless—</p> <p>(a) it has considered whether the land is contaminated, and</p> <p>(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the</p>	<p>Consideration of whether the land is contaminated has been undertaken following the submission of a Detailed Site Investigation (‘DSI’) for the site. The DSI concluded that the site is suitable for the proposed development. This is considered further in the key issues section of the report.</p>	<p>✓</p>

<p>purpose for which the development is proposed to be carried out, and</p> <p>(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.</p> <p>(2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.</p> <p>(3) The applicant for development consent must carry out the investigation required by subsection (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.</p> <p>(4) The land concerned is—</p> <p>(a) land that is within an investigation area,</p> <p>(b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,</p> <p>(c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land—</p> <p>(i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and</p> <p>(ii) on which it would have been lawful to carry out such development during any period in respect of which there is no</p>	<p>Accordingly, it is considered that the proposal is consistent with these controls subject to imposition of relevant conditions of consent in relation to remediation works during construction on any consent granted.</p> <p>A DSI has been prepared and concludes that the site is suitable for the proposal. Relevant conditions have been recommended to be imposed.</p> <p>Refer above.</p> <p>The site is not in an investigation area. The site is not known to have been used for any of such uses.</p> <p>Residential uses are proposed and the land is not known to have been used for any of those Table 1 uses.</p>	<p>✓</p> <p>✓</p> <p>N/A</p>
---	--	------------------------------

knowledge (or incomplete knowledge).		
<b>State Environmental Planning Policy (Transport and Infrastructure) 2021 – Chapter 2: Infrastructure</b>		
<b>Determination of development applications—other development (s2.48)</b>		
<p>(1) This section applies to a development application (or an application for modification of a consent) for development comprising or involving any of the following—</p> <p>(a) the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,</p> <p>(b) development carried out—</p> <p>(i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or</p> <p>(ii) immediately adjacent to an electricity substation, or</p> <p>(iii) within 5m of an exposed overhead electricity power line,</p> <p>(c) installation of a swimming pool any part of which is—</p> <p>(i) within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or</p> <p>(ii) within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool,</p> <p>(d) development involving or requiring the placement of power lines underground unless an agreement with respect to the placement underground of power lines is in force between the electricity supply authority and the council for the land concerned.</p>	<p>Consultation undertaken with Endeavour Energy.</p>	<p>✓</p>
	<p>Not proposed.</p>	<p>N/A</p>
<p>(2) Before determining a development application (or an application for</p>	<p>There is likely to be the need for underground electricity lines for the proposal and consultation undertaken with Endeavour Energy.</p>	<p>✓</p>
	<p>Consultation undertaken with Endeavour Energy.</p>	<p>✓</p>

<p>modification of a consent) for development to which this section applies, the consent authority must—</p> <ul style="list-style-type: none"> <li>(a) give written notice to the electricity supply authority for the area in which the development is to be carried out, inviting comments about potential safety risks, and</li> <li>(b) take into consideration any response to the notice that is received within 21 days after the notice is given.</li> </ul>		
<b>Traffic-generating development (s2.121)</b>		
<ul style="list-style-type: none"> <li>(1) This section applies to development specified in Column 1 of the Table to Schedule 3 that involves— <ul style="list-style-type: none"> <li>(a) new premises of the relevant size or capacity, or</li> <li>(b) an enlargement or extension of existing premises, being an alteration or addition of the relevant size or capacity.</li> </ul> </li> <li>(2) In this section, relevant size or capacity means— <ul style="list-style-type: none"> <li>(a) in relation to development on a site that has direct vehicular or pedestrian access to any road (except as provided by paragraph (b))—the size or capacity specified opposite that development in Column 2 of the Table to Schedule 3, or</li> <li>(b) in relation to development on a site that has direct vehicular or pedestrian access to a classified road or to a road that connects to a classified road where the access (measured along the alignment of the connecting road) is within 90m of the connection—the size or capacity specified opposite that development in Column 3 of the Table to Schedule 3.</li> </ul> </li> <li>(3) A public authority, or a person acting on behalf of a public authority, must not carry out development to which this section applies that this Chapter provides may be carried out without consent unless the authority or person has— <ul style="list-style-type: none"> <li>(a) given written notice of the intention to carry out the development to TfNSW in relation to the development, and</li> <li>(b) taken into consideration any response to the notice that is received</li> </ul> </li> </ul>	<p>The proposal involves the subdivision of land into 1,200 lots and the opening of several public roads and therefore satisfies the criteria in Column 2 which states “200 or more allotments where the subdivision includes the opening of a public road”.</p> <p>Noted (refer above).</p> <p>Not relevant to this proposal.</p>	<p>✓</p> <p>✓</p> <p>N/A</p>

<p>from TfNSW within 21 days after the notice is given.</p> <p>(4) Before determining a development application for development to which this section applies, the consent authority must—</p> <p>(a) give written notice of the application to TfNSW within 7 days after the application is made, and</p> <p>(b) take into consideration—</p> <p>(i) any submission that RMS provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, TfNSW advises that it will not be making a submission), and</p> <p>(ii) the accessibility of the site concerned, including—</p> <p>(A) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and</p> <p>(B) the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and</p> <p>(iii) any potential traffic safety, road congestion or parking implications of the development.</p> <p>(5) The consent authority must give TfNSW a copy of the determination of the application within 7 days after the determination is made.</p>	<p>Transport for NSW ('TfNSW') was notified and there were no objections raised to the proposal.</p> <p>Refer above.</p> <p>The proposed internal road system and intersections with existing local roads is consistent with the DCP and Council engineers raise no objections subject to recommended conditions. Public transport and pedestrian connections have been adequately considered. Freight movement is not relevant to this proposal.</p> <p>Council have considered that the proposed road intersections are consistent with the DCP.</p> <p>To be undertaken by Council following determination.</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>
<p><b>Wingecarribee Local Environmental Plan 2010</b></p>		
<p><b>Part 2: Permitted or prohibited development</b></p>		
<p><b>Zoning of land to which Plan applies (CI 2.2) &amp; Zone objectives and Land Use Table (CI 2.3)</b></p>		
<p>The land contains land in the R2, R5, RE1 and B2 zones.</p>	<p>The proposed uses are permissible in the respective zones – considered further in the report.</p>	<p>✓</p>
<p><b>Additional permitted uses for particular land (CI 2.5)</b></p>		
<p>Development on particular land that is described or referred to in Schedule 1 may be carried out with development consent, or if the Schedule so</p>	<p>The site is not listed ion Schedule 1.</p>	<p>N/A</p>

provides—without development consent.		
<b>Subdivision (CI 2.6)</b>		
(1) Land to which this Plan applies may be subdivided, but only with development consent.	Subdivision is proposed and is permissible.	✓
(2) Development consent must not be granted for the subdivision of land on which a secondary dwelling is situated if the subdivision would result in the principal dwelling and the secondary dwelling being situated on separate lots, unless the resulting lots are not less than the minimum size shown on the Lot Size Map in relation to that land.	A secondary dwelling is not proposed.	N/A
<b>Demolition requires development consent (CI 2.7)</b>		
The demolition of a building or work may be carried out only with development consent.	Demolition is not proposed.	N/A
<b>Part 4: Principal Development standards</b>		
<b>Minimum subdivision lot size (CI 4.1)</b>		
(1) The objectives of this clause are as follows— (a) to identify minimum lot sizes, (b) to ensure that the subdivision of land to create new lots is compatible with the character of the surrounding land and does not compromise existing development or amenity.	The proposed lots are generally in accordance with the minimum lot sizes with the exception of the proposed public reserve lots, which could not comply with this clause following the rezoning of the site.	✓
(2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.	All of the proposed lots require consent.	✓
(3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.	The lot sizes are not provided for the concept plan however the future lot layout is designed having regard to the minimum lot sizes. The Stage 1 DA includes the following minimum and proposed lot sizes:	<b>No</b>



<p>(4) This clause does not apply in relation to the subdivision of any land—</p> <ul style="list-style-type: none"> <li>(a) by the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015, or</li> <li>(b) by any kind of subdivision under the <i>Community Land Development Act 1989</i>.</li> </ul>	<table border="1" data-bbox="1279 244 1816 719"> <thead> <tr> <th>Min lot size</th> <th>Proposed lot size Stage 1</th> <th>Comply</th> </tr> </thead> <tbody> <tr> <td>R2– 450m<sup>2</sup></td> <td>5 lots proposed – min 450m<sup>2</sup></td> <td>Yes</td> </tr> <tr> <td>R2– 600m<sup>2</sup></td> <td>168 lots proposed - min 600m<sup>2</sup> 1 residue lot proposed – 883,697m<sup>2</sup></td> <td>Yes</td> </tr> <tr> <td>R5 – 2000m<sup>2</sup></td> <td>None proposed</td> <td></td> </tr> <tr> <td>RE1 - 40Ha</td> <td>Lot 1181 – 21,303m<sup>2</sup> Lot 1182 – 38,124m<sup>2</sup></td> <td><b>No</b> <b>No</b></td> </tr> <tr> <td>B1 – N/A</td> <td>1 residue lot proposed – 1,809m<sup>2</sup></td> <td>N/A</td> </tr> </tbody> </table> <p>There is no strata or community title subdivision proposed in this application.</p>	Min lot size	Proposed lot size Stage 1	Comply	R2– 450m <sup>2</sup>	5 lots proposed – min 450m <sup>2</sup>	Yes	R2– 600m <sup>2</sup>	168 lots proposed - min 600m <sup>2</sup> 1 residue lot proposed – 883,697m <sup>2</sup>	Yes	R5 – 2000m <sup>2</sup>	None proposed		RE1 - 40Ha	Lot 1181 – 21,303m <sup>2</sup> Lot 1182 – 38,124m <sup>2</sup>	<b>No</b> <b>No</b>	B1 – N/A	1 residue lot proposed – 1,809m <sup>2</sup>	N/A	<p>N/A</p>
Min lot size	Proposed lot size Stage 1	Comply																		
R2– 450m <sup>2</sup>	5 lots proposed – min 450m <sup>2</sup>	Yes																		
R2– 600m <sup>2</sup>	168 lots proposed - min 600m <sup>2</sup> 1 residue lot proposed – 883,697m <sup>2</sup>	Yes																		
R5 – 2000m <sup>2</sup>	None proposed																			
RE1 - 40Ha	Lot 1181 – 21,303m <sup>2</sup> Lot 1182 – 38,124m <sup>2</sup>	<b>No</b> <b>No</b>																		
B1 – N/A	1 residue lot proposed – 1,809m <sup>2</sup>	N/A																		
<p><b>Boundary changes between lots in certain rural, residential and environment protection zones (CI 4.2B)</b></p>																				
<p>(1) The objective of this clause is to permit the boundary between 2 lots to be altered in certain circumstances, to give landowners a greater opportunity to achieve the objectives of a zone.</p> <p>(2) This clause applies to land in any of the following zones—</p> <ul style="list-style-type: none"> <li>(a) Zone RU1 Primary Production,</li> <li>(b) Zone RU2 Rural Landscape,</li> <li>(c) Zone RU3 Forestry,</li> <li>(d) Zone RU4 Primary Production Small Lots,</li> <li>(e) Zone R5 Large Lot Residential,</li> </ul>	<p>Consistent</p> <p>The site contains R5 zoned land under the concept plan portion of the application and which is proposed to comply with the minimum lot sizes of 2000m<sup>2</sup>.</p>	<p>✓</p> <p>✓</p>																		

<p>(f) Zone E2 Environmental Conservation,                  (g) Zone E3 Environmental Management,                  (h) Zone E4 Environmental Living.</p> <p>(3) Despite clause 4.1(3), development consent may be granted to the subdivision of 2 adjoining lots, being land to which this clause applies, if the subdivision will not result in—</p> <p>(a) an increase in the number of lots, and                  (b) an increase in the number of dwelling houses, secondary dwellings or dual occupancies on, or dwelling houses, secondary dwellings or dual occupancies that may be erected on, any of the lots, and                  (c) if each lot is at least 2 hectares before the subdivision—a lot that is less than 2 hectares.</p> <p>(4) Before determining a development application for the subdivision of land under this clause, the consent authority must consider the following—</p> <p>(a) the existing uses and approved uses of other land in the vicinity of the subdivision,                  (b) whether or not the subdivision is likely to have a significant impact on land uses that are likely to be preferred and the predominant land uses in the vicinity of the development,                  (c) whether or not the subdivision is likely to be incompatible with a use referred to in paragraph (a) or (b),                  (d) whether or not the subdivision is likely to be incompatible with a use on land in any adjoining zone,                  (e) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c) or (d),                  (f) whether or not the subdivision is appropriate having regard to the natural and physical constraints affecting the land,                  (g) whether or not the subdivision is likely to have an adverse impact on the environmental values or agricultural viability of the land.</p> <p>(5) This clause does not apply—</p> <p>(a) in relation to the subdivision of individual lots in a strata plan or a</p>	<p>The proposed lots within the R5 land comply with Cl 4.1 and therefore this clause is not applicable to the proposal.</p> <p>Refer above.</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>
---	---	----------------------------------

<p>community title scheme, or                  (b) if the subdivision would create a lot that could itself be subdivided in accordance with clause 4.1.</p>	<p>The proposed subdivision does not involve a strata or community subdivision and does not create any lots which could be subdivided in accordance with CI 4.1.</p>	
<b>Exceptions to minimum subdivision lots sizes for certain split zones (CI 4.2C)</b>		
<p>(1) The objectives of this clause are as follows—                  (a) to provide for the subdivision of lots that are within more than one zone but cannot be subdivided under clause 4.1,                  (b) to ensure that the subdivision occurs in a manner that promotes suitable land uses and development.</p> <p>(2) This clause applies to each lot (<i>an original lot</i>) that contains land in more than one zone.</p> <p>(3) Despite clause 4.1, development consent must not be granted to subdivide an original lot to create other lots (resulting lots) unless—                  (a) one of the resulting lots will contain—                  (i) land in Zone RU4 Primary Production Small Lots, in Zone E4 Environmental Living or in a residential zone that has an area that is not less than the minimum size shown on the Lot Size Map in relation to that land, and                  (ii) all of the land in all other zones that was in the original lot; and                  (iii) all other resulting lots will contain land that has an area that is not less than the minimum size shown on the Lot Size Map in relation to that land.</p>	<p>The proposed subdivision (both the concept and stage 1) can be undertaken under CI 4.1. While there are 2 undersized lots proposed (Lot 1181 &amp; 1182), both are capable of being approved pursuant to a variation under CI 4.6. There are no provisions in CI 4.6(6) which prevent a variation being approved as the undersized lots are within the RE1 zone, which is not excluded from CI 4.6.</p> <p>The site contains two original lots, both of which contain land in more than one zone.</p> <p>The proposed subdivision is permissible pursuant to, and consistent with, Clause 4.1.</p> <p>This does not apply to the proposed Lot 1181 and 1182 as they are zoned residential and are undersized. These lots can be subdivided under CII 4.1 and 4.6.</p>	<p>✓</p> <p>✓</p> <p>N/A</p>
<b>Height of Buildings (CI 4.3)</b>		
<p>(1) The objectives of this clause are as follows—                  (a) <i>to identify maximum heights of buildings,</i>                  (b) <i>to ensure that the heights of buildings are compatible with the character of the existing development within the surrounding area.</i></p>	<p>There are no structures proposed in this application.</p>	<p>N/A</p>

<p>(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.</p>		
<p><b>Floor space ratio (CI 4.4)</b></p>		
<p>(1) The objectives of this clause are as follows—  <i>(a) to identify maximum floor space ratios in major centres,</i>  <i>(b) to ensure that floor space ratios provide development opportunities that are compatible with building heights,</i>  <i>(c) to encourage development in locations readily accessible to public transport and services that will provide increased employment opportunities.</i></p> <p>(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.</p>	<p>There are no structures proposed in this application.</p>	<p>N/A</p>
<p><b>Exceptions to development standards (CI 4.6)</b></p>		
<p>(2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.</p>	<p>The proposal involves two (2) lots (Lots 1181 &amp; 1182) which do not satisfy the minimum lot size development standard and accordingly, a CI 4.6 request has been lodged.</p>	<p>Refer to CI 4.6</p>
<p><b>Part 5: Miscellaneous provisions</b></p>		
<p><b>Land acquisition within certain zones (CI 5.1)</b></p>		
<p>(1) The objective of this clause is to identify, for the purposes of section 3.15 of the Act, the authority of the State that will be the relevant authority to acquire land reserved for certain public purposes if the land is required to be acquired under Division 3 of Part 2 of the <i>Land Acquisition (Just Terms Compensation) Act 1991 (the owner-initiated acquisition provisions)</i>.</p>	<p>The site is not affected by any land acquisition requirements.</p>	<p>N/A</p>
<p><b>Heritage conservation (CI 5.10)</b></p>		

<p>(1) Objectives The objectives of this clause are as follows—</p> <ul style="list-style-type: none"> <li>(a) <i>to conserve the environmental heritage of Wingecarribee,</i></li> <li>(b) <i>to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,</i></li> <li>(c) <i>to conserve archaeological sites,</i></li> <li>(d) <i>to conserve Aboriginal objects and Aboriginal places of heritage significance.</i></li> </ul> <p>(2) Requirement for consent - Development consent is required for any of the following—</p> <ul style="list-style-type: none"> <li>(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)— <ul style="list-style-type: none"> <li>(i) a heritage item,</li> <li>(ii) an Aboriginal object,</li> <li>(iii) a building, work, relic or tree within a heritage conservation area,</li> </ul> </li> <li>(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,</li> <li>(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,</li> <li>(d) disturbing or excavating an Aboriginal place of heritage significance,</li> <li>(e) erecting a building on land— <ul style="list-style-type: none"> <li>(i) on which a heritage item is located or that is within a heritage conservation area, or</li> <li>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,</li> </ul> </li> <li>(f) subdividing land— <ul style="list-style-type: none"> <li>(i) on which a heritage item is located or that is within a heritage conservation area, or</li> </ul> </li> </ul>	<p>There are no heritage items located on the site or in the vicinity of the site and the Aboriginal cultural heritage has been adequately considered in this assessment. Relevant conditions are recommended to be imposed.</p> <p>Consent is required pursuant to Clause 5.10(2)(f)(ii) as the proposal involves subdividing land on which an Aboriginal object is located. This DA seeks consent for the proposal.</p>	<p>✓</p> <p>✓</p>
--	---	-------------------

<p>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.</p> <p>(3) When consent not required - However, development consent under this clause is not required if—</p> <p>(a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development-</p> <p>(i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and</p> <p>(ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or</p> <p>(b) the development is in a cemetery or burial ground and the proposed development—</p> <p>(i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and</p> <p>(ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or</p> <p>(c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or</p> <p>(d) the development is exempt development.</p>	<p>Consent is required for the proposal as the site contains Aboriginal objects and that is within an Aboriginal place of heritage significance.</p>	<p>N/A</p>
<p>(4) Effect of proposed development on heritage significance - The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage</p>	<p>There are no heritage items located on the site and it is not located in a heritage conservation area pursuant to Schedule 1 of the LEP.</p>	<p>N/A</p>

<p>management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).</p> <p>(5) Heritage assessment - The consent authority may, before granting consent to any development—</p> <p>(a) on land on which a heritage item is located, or</p> <p>(b) on land that is within a heritage conservation area, or</p> <p>(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),</p> <p>require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</p> <p>(6) Heritage conservation management plans - The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.</p> <p>(7) Archaeological sites - The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the Heritage Act 1977 applies)—</p> <p>(a) notify the Heritage Council of its intention to grant consent, and</p> <p>(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.</p> <p>(8) Aboriginal places of heritage significance - The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance—</p> <p>(a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or</p>	<p>There are no heritage items located on the site and it is not located in a heritage conservation area pursuant to Schedule 1 of the LEP. There are 2 local items in the vicinity of the site comprising Dormie House Guest House (Item no. I402), Arthur Street, Moss Vale and Park Hill house (Item no. I1525), 48 Narellan Road, Moss Vale. The heritage report considered there would be no adverse impacts to these nearby items and the existing structure on the subject site do not possess any heritage value. A Heritage Management document is not required.</p> <p>Aboriginal Cultural heritage is considered in the key issues section. The requirement for a heritage conservation management plan is provided in the conditions.</p> <p>Heritage NSW has considered the application as outlined in the key issues section of this report.</p> <p>Heritage NSW has considered the application as outlined in the key issues section of this report.</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>
--	---	-------------------------------------

<p>reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and</p> <p>(b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.</p> <p>(9) Demolition of nominated State heritage items - The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item—</p> <p>(a) notify the Heritage Council about the application, and</p> <p>(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.</p> <p>(10) Conservation incentives - The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that—</p> <p>(a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and</p> <p>(b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and</p> <p>(c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and</p> <p>(d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and</p>	<p>Not proposed.</p> <p>Not proposed. The proposal is permissible with consent in the respective zones.</p>	<p>N/A</p> <p>N/A</p>
--	---	-----------------------



<p>(e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.</p>		
<p><b>Subdivision of, or dwellings on, land in certain rural, residential or environment protection zones (CI 5.16)</b></p>		
<p>(1) The objective of this clause is to minimise potential land use conflict between existing and proposed development on land in the rural, residential or environment protection zones concerned (particularly between residential land uses and other rural land uses).</p>	<p>The site is located within a rural landscape on the edge of the Moss Vale centre and accordingly these objectives are relevant to the proposal. The proposed layout has considered these objectives and has provided well sized lots in this portion of the site to ensure a landscaped setting is achieved in this R5 area of the site and that boundary fencing is appropriate where it adjoins rural land. The proposal is consistent with these objectives. Relevant conditions have been recommended to be imposed.</p>	<p>✓</p>
<p>(2) This clause applies to land in the following zones—                  (a) Zone RU1 Primary Production,                  (b) Zone RU2 Rural Landscape,                  (c) Zone RU3 Forestry,                  (d) Zone RU4 Primary Production Small Lots,                  (e) Zone RU6 Transition,                  (f) Zone R5 Large Lot Residential,                  (g) Zone E2 Environmental Conservation,                  (h) Zone E3 Environmental Management,                  (i) Zone E4 Environmental Living.</p>	<p>The site contains land within the R5 zone and adjoins land within the RU2 zone to the east of the site.</p>	<p>✓</p>
<p>(3) A consent authority must take into account the matters specified in subclause (4) in determining whether to grant development consent to development on land to which this clause applies for either of the following purposes—                  (a) subdivision of land proposed to be used for the purposes of a dwelling,                  (b) erection of a dwelling.</p>	<p>The proposal involves subdivision for future dwellings and accordingly, subclause 4 applies to this application.</p>	<p>✓</p>
<p>(4) The following matters are to be taken into account—</p>	<p>The lots proposed in the R5 zoned land comply with the</p>	<p>✓</p>

<ul style="list-style-type: none"> <li>(a) the existing uses and approved uses of land in the vicinity of the development,</li> <li>(b) whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development,</li> <li>(c) whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b),</li> <li>(d) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c).</li> </ul>	<p>minimum lot sizes for the zone and are larger than the remaining lots given the steep topography of the sites. These larger lot sizes will allow for a building envelope within these constraints and the provision of landscaping and tree planting.</p> <p>This R5 land is generally surrounded by other proposed lots within the development on R2 land, with the exception of the northern and southern extents of this R5 portion of the site. The northern end of this portion of the site comprises a road buffer with landscaping while the southern end abuts the adjoining rural zoning.</p> <p>The existing and approved uses of land in the vicinity of the site comprise largely rural residential uses to the east and south, residential dwellings and a golf course located to the west and larger lot residential and rural uses to the north.</p> <p>The proposed development is generally compatible with the surrounding land use given they are generally residential in nature as well as recreation areas. The proposal involves measures to minimise any incompatibility through landscaping planting along the boundaries of the site.</p> <p>The proposal's interface with adjoining development is further considered in the key issues section.</p>	
<p><b>Flood Planning (CI 5.21)</b></p>		
<p>(1) The objectives of this clause are as follows—</p> <ul style="list-style-type: none"> <li>(a) <i>to minimise the flood risk to life and property associated with the use of land,</i></li> <li>(b) <i>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></li> </ul>	<p>Notwithstanding that the Council did not specifically address this clause, in their assessment, the proposal is satisfactory having regard to the flood planning area subject to the recommended conditions of consent.</p>	<p>✓</p>

<p>(c) <i>to avoid adverse or cumulative impacts on flood behaviour and the environment,</i></p> <p>(d) <i>to enable the safe occupation and efficient evacuation of people in the event of a flood.</i></p> <p>(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—</p> <p>(a) is compatible with the flood function and behaviour on the land, and</p> <p>(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</p> <p>(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</p> <p>(d) incorporates appropriate measures to manage risk to life in the event of a flood, and</p> <p>(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.</p> <p>(3) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—</p> <p>(a) the impact of the development on projected changes to flood behaviour as a result of climate change,</p> <p>(b) the intended design and scale of buildings resulting from the development,</p> <p>(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,</p> <p>(d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.</p>	<p>This has been considered in the key issues section of the report and is considered to be satisfactory subject to the recommended conditions of consent.</p> <p>This has been considered in the key issues section of the report and is considered to be satisfactory subject to the recommended conditions of consent.</p>	<p>✓</p> <p>✓</p>
---	---	-------------------

<p>(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.</p> <p>(5) In this clause—  <i>Considering Flooding in Land Use Planning Guideline</i> means the <i>Considering Flooding in Land Use Planning Guideline</i> published on the Department’s website on 14 July 2021.  <i>flood planning area</i> has the same meaning as it has in the Floodplain Development Manual.  <i>Floodplain Development Manual</i> means the <i>Floodplain Development Manual</i> (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.</p>	<p>Noted</p> <p>Noted</p>	<p>✓</p> <p>✓</p>
<p><b>Part 6: Urban release areas</b></p>		
<p><b>Arrangements for designated State public infrastructure (CI 6.1)</b></p>		
<p>(1) The objective of this clause is to require satisfactory arrangements to be made for the provision of designated State public infrastructure before the subdivision of land in an urban release area to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes.</p> <p>(2) Development consent must not be granted for the subdivision of land in an urban release area if the subdivision would create a lot smaller than the minimum lot size permitted on the land immediately before the land became, or became part of, an urban release area, unless the Director-General has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to that lot.</p> <p>(3) Subclause (2) does not apply to—  (a) any lot identified in the certificate as a residue lot, or  (b) any lot to be created by a subdivision of land that was the subject</p>	<p>The proposal is located on land in an urban release area which is proposed to be developed intensively for urban purposes.</p> <p>The Deputy Secretary (Greater Sydney, place and Infrastructure) provided certification that satisfactory arrangements have been made in relation to this clause dated 3 August 2021.</p> <p>Noted, refer to certification above.</p>	<p>✓</p> <p>✓</p> <p>✓</p>


<p>of a previous development consent granted in accordance with this clause, or</p> <p>(c) any lot that is proposed in the development application to be reserved or dedicated for public open space, public roads, public utility undertakings, educational facilities or any other public purpose, or</p> <p>(d) a subdivision for the purpose only of rectifying an encroachment on any existing lot, or</p> <p>(e) an urban release area for which a planning agreement was adopted or other satisfactory arrangement made before the commencement of this Plan.</p> <p>(4) This clause does not apply to land in an urban release area if all or any part of the land is in a special contributions area (as defined by section 7.1 of the Act).</p>	<p>The site is not located in a special contributions area under S 7.1 of the EP&amp;A Act.</p>	<p>N/A</p>
<p><b>Development control plan (CI 6.2)</b></p>		
<p>(1) The objective of this clause is to ensure that development on land in an urban release area occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan that includes specific controls has been prepared for the land.</p> <p>(2) Development consent must not be granted for development on land in an urban release area unless a development control plan that provides for the matters specified in subclause (3) has been prepared for the land.</p> <p>(3) The development control plan must provide for all of the following—</p> <p>(a) a staging plan for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing,</p> <p>(b) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,</p>	<p>The proposal is consistent with the indicative master plan in the DCP.</p> <p>Section 21: Chelsea Gardens Coomungie Precinct of the <i>Moss Vale Township DCP</i> became effective from 30 October 2019 and includes the matters required by subclause 3.</p> <p>These matters are outlined in the DCP and the concept plan portion of the application satisfies these requirements. An assessment under the DCP is outlined below.</p>	<p>✓</p> <p>✓</p> <p>✓</p>

<p>(c) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain,</p> <p>(d) a network of passive and active recreational areas,</p> <p>(e) stormwater and water quality management controls,</p> <p>(f) amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected,</p> <p>(g) detailed urban design controls for significant development sites,</p> <p>(h) measures to encourage higher density living around transport, open space and service nodes,</p> <p>(i) measures to accommodate and control appropriate neighbourhood commercial and retail uses,</p> <p>(j) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.</p> <p>(4) Subclause (2) does not apply to any of the following development—</p> <p>(a) a subdivision for the purpose of a realignment of boundaries that does not create additional lots,</p> <p>(b) a subdivision of land if any of the lots proposed to be created is to be reserved or dedicated for public open space, public roads or any other public or environmental protection purpose,</p> <p>(c) a subdivision of land in a zone in which the erection of structures is prohibited,</p> <p>(d) proposed development on land that is of a minor nature only, if the consent authority is of the opinion that the carrying out of the proposed development would be consistent with the objectives of the zone in which the land is situated.</p>	<p>Not proposed</p> <p>There are several public open space lots and public roads, which are covered in the DCP and concept plan.</p> <p>Not proposed</p> <p>Not proposed</p>	<p>N/A</p> <p>✓</p> <p>N/A</p> <p>N/A</p>
<p><b>Relationship between Part and remainder of Plan (CI 6.3)</b></p>		
<p>A provision of this Part prevails over any other provision of this Plan to the extent of any inconsistency.</p>	<p>Noted.</p>	<p>✓</p>

Part 7: Local Provisions		
Development on existing lots in Zones R2, R3 and R5 (CI 7.1)		
<p>(1) This clause applies to lots in Zone R2 Low Density Residential, Zone R3 Medium Density Residential and R5 Large Lot Residential that were created before the commencement of this Plan and—</p> <p>(a) have an area that is at least the minimum lot size specified for that lot on the Lot Size Map, or</p> <p>(b) on which the erection of a dwelling house was permissible immediately before that commencement, or</p> <p>(c) if located in Zone R2 Low Density Residential at Hill Top, have—</p> <p style="margin-left: 20px;">(i) an area of not less than 700 square metres, and</p> <p style="margin-left: 20px;">(ii) a width of not less than 20 metres at the front alignment of the dwelling house, or</p> <p>(d) if located in R5 Large Lot Residential west of Cumberteen Street, Hill Top, have an area of not less than 4,000 square metres.</p>	<p>The site comprising DP 706194 and DP 866036 were both created prior to the commencement of the LEP (29/6/84 and 18/12/96) and were zoned rural. Therefore, this Clause does not apply to the proposal.</p>	N/A
<p>(2) Despite any other provision of this Plan, development consent may be granted for the erection of a dwelling house, dual occupancy development or multi dwelling housing on a lot to which this clause applies, if the development is permissible with consent on the land.</p>	<p>The site is not located at this location.</p>	N/A
<p>(3) Development consent may only be granted under this clause for development on lots referred to in subclause (1)(d) if the lots, in the opinion of the consent authority, are suitable for such a purpose having regard to—</p> <p>(a) the availability of vehicular access to the land, and</p> <p>(b) the availability of public utility services to the land, and</p> <p>(c) the physical, geotechnical, drainage, flooding and bush fire risk</p>	<p>The site is not located at this location.</p>	N/A
<p>(3) Development consent may only be granted under this clause for development on lots referred to in subclause (1)(d) if the lots, in the opinion of the consent authority, are suitable for such a purpose having regard to—</p> <p>(a) the availability of vehicular access to the land, and</p> <p>(b) the availability of public utility services to the land, and</p> <p>(c) the physical, geotechnical, drainage, flooding and bush fire risk</p>	<p>These uses are not proposed.</p>	N/A
<p>(3) Development consent may only be granted under this clause for development on lots referred to in subclause (1)(d) if the lots, in the opinion of the consent authority, are suitable for such a purpose having regard to—</p> <p>(a) the availability of vehicular access to the land, and</p> <p>(b) the availability of public utility services to the land, and</p> <p>(c) the physical, geotechnical, drainage, flooding and bush fire risk</p>	<p>The site is not subject to subclause (1)(d).</p>	N/A

<p>characteristics of the land.</p>		
<p><b>Earthworks (CI 7.3)</b></p>		
<p>(1) The objectives of this clause are as follows—</p> <ul style="list-style-type: none"> <li>(a) <i>to ensure that any earthworks will not have a detrimental impact on environmental functions and processes, neighbouring uses or heritage items and features surrounding land,</i></li> <li>(b) <i>to allow earthworks of a minor nature without separate development consent.</i></li> </ul> <p>(2) Development consent is required for earthworks unless—</p> <ul style="list-style-type: none"> <li>(a) the work does not alter the ground level (existing) by more than 600 millimetres, or</li> <li>(b) the work is exempt development under this Plan or another applicable environmental planning instrument, or</li> <li>(c) the work is ancillary to other development for which development consent has been granted.</li> </ul> <p>(2A) Despite subclause (2), development consent is required for earthworks—</p> <ul style="list-style-type: none"> <li>(a) carried out on land identified as “Flood Planning Area” on the <a href="#">Flood Planning Area Map</a>, or</li> <li>(b) involving an area greater than 2,500 square metres on land to which State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 applies.</li> </ul> <p>(3) Before granting development consent for earthworks, the consent authority must consider the following matters—</p> <ul style="list-style-type: none"> <li>(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,</li> <li>(b) the effect of the proposed development on the likely future use or redevelopment of the land,</li> <li>(c) the quality of the fill or of the soil to be excavated, or both,</li> <li>(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,</li> <li>(e) the source of any fill material or the destination of any excavated material,</li> </ul>	<p>Earthworks are detailed in the stage 1 application. There are no detailed works proposed for the concept plan at this stage. A geotechnical report has been provided.</p> <p>Consent is required for earthworks proposed in this application.</p> <p>As outlined above, consent is required for earthworks proposed in this application.</p> <p>These issues have been considered by Council. Recommended conditions of consent have been included.</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>



<p>(f) the likelihood of disturbing Aboriginal objects or other relics,                  (g) proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.</p>		
<p><b>Natural resources sensitivity—water (Cl 7.5)</b></p>		
<p>(1) The objective of this clause is to maintain the hydrological functions of riparian land waterways and aquifers, including—                  (a) <i>protecting water quality, and</i>                  (b) <i>protecting natural water flows, and</i>                  (c) <i>protecting stability of the bed and banks of waterways, and</i>                  (d) <i>protecting groundwater systems.</i></p>	<p>The integrated water cycle management report adequately addresses these matters.</p>	<p>✓</p>
<p>(2) This clause applies to riparian land or land identified as “Natural Waterbodies” on the Natural Resources Sensitivity Map.</p>	<p>The site contains riparian land as outlined below in subclause (5) as it contains land within 10 metres of a category 3 stream (in blue).</p>	<p>✓</p>
<p>(3) Before granting development consent for development on land to which this clause applies, the consent authority must consider any potential adverse impact of the proposed development on the following—                  (a) the natural flow regime,                  (b) the water quality of receiving waters,                  (c) the waterway’s natural flow paths,                  (d) the stability of the waterway’s bed, shore and banks,</p>	<p>The Integrated Water Cycle Management report has adequately addressed these issues and the proposed strategy is supported.</p> 	

<p>(e) the flow, capacity and quality of groundwater systems.</p> <p>(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—</p> <p>(a) the development is designed, sited and managed to avoid any potential adverse environmental impact, or</p> <p>(b) if that impact cannot be avoided—the development is designed, sited and will be managed to minimise that impact, or</p> <p>(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</p> <p>(5) In this clause, <b>riparian land</b> means land identified as “Riparian Land” on the Natural Resources Sensitivity Map and adjoining a natural waterbody that is—</p> <p>(a) within 50 metres from the top of bank of Category 1 streams (marked red on the Natural Resources Sensitivity Map), or</p> <p>(b) within 30 metres from the top of bank of Category 2 streams (marked green on the Natural Resources Sensitivity Map), or</p> <p>(c) within 10 metres from the top of bank of Category 3 streams (marked blue on the Natural Resources Sensitivity Map).</p>	<p>The Integrated Water Cycle Management report has adequately addressed these issues and the proposed strategy is supported. This strategy will allow the restoration of the Whites Creek corridor, together with the VMP, and has therefore been designed to avoid any potential adverse environmental impact. The retention of the hollow bearing trees and the ECC trees will further avoid potential adverse environmental impacts.</p> <p>This applies to the site as outlined above.</p>	<p>✓</p>
<p><b>Public utility infrastructure (CI 7.10)</b></p>		
<p>(1) This clause applies to land in urban release areas and also to land in Zone RU4 Primary Production Small Lots, R2 Low Density Residential, R5 Large Lot Residential and E4 Environmental Living.</p> <p>(2) Development consent must not be granted for development on land to which this clause applies unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required.</p> <p>(3) This clause does not apply to development for the purpose of providing,</p>	<p>The site is within an urban release area (map 7B).</p> <p>The Council supports the water and sewer strategy for the site.</p> <p>This is not proposed in the application.</p>	<p>✓</p> <p>✓</p> <p>N/A</p>

extending, augmenting, maintaining or repairing any public utility infrastructure.		
Proposed Instruments – <ul style="list-style-type: none"> <li>• SEPP (Infrastructure) 2007</li> <li>• SEPP (Environment)</li> <li>• SEPP (Remediation of Land)</li> </ul>	The proposal is generally consistent with these provisions.	✓

**Table 2: Table of Compliance – DCP**

Requirement	Proposal	Comply
<b>Section 1: Chelsea Gardens/Coomungie Lands Precinct</b>		
<b>DEVELOPMENT TO WHICH THIS SECTION APPLIES (1.2)</b>		
This section applies to all development on land identified on Figure 1 to which WLEP 2010 applies.	The plan applies to the site.	Yes
<b>INDICATIVE MASTER PLAN (1.5)</b>		
Figure 2 below illustrates an indicative master plan layout for the site. The indicative master plan is provided to illustrate a long-term vision of how development is envisaged to evolve. Due to the scale of the project, development will occur in a staged manner over several years. Stage 1 of the development will occur on the western portion of the site, with access off a proposed new roundabout at Yarrawa Road north (see <b>Figure 6</b> ). Stage 2 of the development will occur in the south-western portion of the site, with the remainder of the development to be staged progressively from the south-west to the north-east. Over time, should changes occur to the road layout and/or lot plans, development approvals will be required to be sought.	The proposal is generally consistent with this indicative master plan and is further discussed in the Key issues Section of the report.	✓
<b>Overall Site Vision (1.6)</b>		
The overarching project development vision is to foster an authentic Southern Highlands community with a strong 'sense of place'. A thoughtfully designed master planned community, developed in harmony with the natural beauty of its surrounds, offering diverse housing choices, environmental protection, greenery, recreational opportunities and walkable neighbourhoods. A community centred in creating a healthier, happier lifestyle for those who	The proposal is generally consistent with this indicative master plan and is further discussed in the Key issues Section of the report.	✓

<p>choose to call it home. The key pillars underpinning the site vision are:</p> <ul style="list-style-type: none"> <li>• To be true to the southern highlands charm</li> <li>• To ensure future development is in harmony with nature</li> <li>• To provide for a safe and connected community</li> <li>• To foster a healthy lifestyle for residents</li> <li>• To embrace sustainable and innovative measures</li> </ul>		
<p><b>Desired Landscape Character (1.7)</b></p>		
<p>The desired landscape is characterised by:</p> <ul style="list-style-type: none"> <li>• A strong ‘sense of place’ that reflects the character of the Southern Highlands, whilst being sympathetic to existing conditions of the site and its surrounds.</li> <li>• A beautiful and sustainable network of high quality streetscapes and public open spaces to promote a walkable neighbourhood.</li> <li>• The landscaping and public domain being designed to enhance the social, economic and environmental value of the area and integrate into the broader Moss Vale township.</li> <li>• A range of active and passive recreational uses to encourage healthy wellbeing amongst the community.</li> <li>• Open spaces connected via an internal network of shared pedestrian and cycle paths, and planned with the ability to connect externally to Moss Vale Town Centre and the broader network of open spaces in Wingecarribee.</li> </ul>	<p>The proposal is generally consistent with this indicative master plan and is further discussed in the Key issues Section of the report.</p>	<p>✓</p>
<p><b>Desired Residential Character (1.8)</b></p>		
<p>The desired character of the residential domain is defined by:</p> <ul style="list-style-type: none"> <li>• A highly landscaped setting with tree lined streets to enhance its rural setting, character and views.</li> <li>• Unobtrusive buildings which are low in scale with generous garden settings, simple roof lines, restricted hard surfaces and semi-rural character.</li> <li>• Built form which reinterprets a contemporary ‘country style’ living with quality detail to provide a visually interesting streetscape.</li> </ul>	<p>The proposal is generally consistent with this indicative master plan and is further discussed in the Key issues Section of the report.</p>	<p>✓</p>
<p><b>Desired Village Hub Character (1.9)</b></p>		
<p>The desired village hub vision is to create a neighbourhood scale of local retail and community services to meet the convenience needs of the new residential community. The village hub is envisioned to be an attractive and engaging</p>	<p>The village hub is proposed to be relocated and is not detailed in this application.</p>	<p>N/A</p>

<p>place that fosters social interaction and activity for the community. It will be a low scale area, with architecture that is sympathetic to the Southern Highlands character.</p> <p>The future planning and design of the village hub is to take advantage of its proximity to broad lake and golf course views. The village hub is to be pedestrian focused design, maximising active frontages to the public domain and well-integrated service areas.</p>		
<p><b>Section 2: PUBLIC DOMAIN CONTROLS</b></p>		
<p><b>Sustainability (2.2)</b></p>		
<p><b>Sustainable Water Management (2.2.1)</b></p>		
<p>I. To use a combination of different treatment measures such as GPTs, vegetated swales, sediment (inlet) ponds, rainwater tanks, bio-retention basins and constructed wetlands to manage the stormwater quality within the site.</p>	<p>The Integrated Water Cycle Management ('IWCM') report has adequately demonstrated the use of these devices on the site for the proposal.</p>	<p>✓</p>
<p>II. Ensure stormwater management assets integrate well with public open space and perform a useful function for recreation as well as water management. Wetlands and ponds are to be located to be sympathetic to the existing environment and to compliment the proposed urban environment.</p>	<p>The IWCM report ensures that stormwater assets and open space have been co-located and provide for dual use of these areas.</p>	<p>✓</p>
<p>III. Identify and implement opportunities to improve the quality of stormwater from external catchments that are conveyed through the development site from the south and west where practical and consistent with the overall urban design of the project.</p>	<p>Stormwater quality discharge from the site meets the NorBE test.</p>	<p>✓</p>
<p>IV. Site stormwater management planning to respect existing landform by adopting watershed zones and natural waterways in the design of stormwater drainage system.</p>	<p>Achieved by the IWCM plan for the site.</p>	<p>✓</p>
<p><b>Ecology (2.2.2)</b></p>		
<p>I. Council as asset manager must approve any proposed planting proposal.</p>	<p>The proposal is generally consistent with these controls and is further discussed in the Key issues Section of the report.</p>	<p>✓</p>
<p>II. Vegetation Management Plan should address the following issues: Vegetation Management Plan objectives; existing condition of vegetation;</p>		

<p>vegetation management strategy; Protective measures; and vegetation schedules.</p> <p>III. Include consideration of future climate change risk of increased drought and heatwave in selection of planting species</p>		
<p><b>Transport (2.2.3)</b></p> <p>I. Create direct pedestrian and bicycle pathway connections to Moss Vale town centre and local public transport nodes</p> <p>II. Design streets to create safe, comfortable pedestrian-friendly environments that enable, children, seniors and people with disabilities to get around independently and safely</p> <p>III. Design a select set of streets to accommodate future bus service, as per Figure 3 below.</p>	<p>Council’s report indicates that this will be required with the future DAs.</p> <p>The concept plan outlines the street pattern with verge and median planting consistent with the DCP.</p> <p>The internal road system is consistent with the DCP, including abius route provided throughout the site via the collector road system.</p>	<p>✓</p> <p>✓</p> <p>✓</p>
<p><b>Subdivision (2.3)</b></p>		
<p>I. All applications for subdivision must be consistent with, or demonstrate an improvement to the Indicative Master Plan shown in Figure 2.</p> <p>II. The subdivision layout is to create a legible and permeable street hierarchy that responds to the natural site topography, the location of existing significant site features, place making opportunities and solar design principles.</p>	<p>The proposed concept plan is generally consistent with the Master Plan in the DCP, with some refinements arising from the assessment including:</p> <ul style="list-style-type: none"> <li>• Relocation of the adventure playground</li> <li>• Provision of a perimeter road along the eastern side boundary of the site</li> <li>• Relocation of the village hub from the Yarrawa Road location as outlined in the LEP to adjoining the open space area in the central area of the site</li> <li>• Refinements to the road layout (retaining the hierarchy of the roads).</li> </ul> <p>The proposed concept plan layout is consistent with the DCP.</p> <p>The proposed road layout (consistent with the DCP) provides for a legible and connected street network which will provide a walkable site with good pedestrian access throughout the site.</p>	<p>✓</p> <p>✓</p>

<p>III. Pedestrian connectivity is to be maximised across the site with a particular focus on pedestrian routes connective to public open space, bus stops and the neighbourhood centre.</p>	<p>Refer above.</p>	<p>✓</p>
<p>IV. Subdivision should ensure adequate provision for stormwater management in accordance with Section 2.2.1 of this DCP.</p>	<p>Refer to stormwater.</p>	<p>✓</p>
<p>V. Where stormwater drainage to the street is not possible, inter-allotment drainage easements must be created.</p>		
<p>VI. All applications for subdivision must demonstrate consistency with the <i>NSW Planning for Bushfire Protection Guidelines</i>.</p>	<p>The application was referred to the RFS, with GTAs issued.</p>	<p>✓</p>
<p>VII. Subdivision design and road construction is to minimise the need for retaining structures, garden walls and similar.</p>	<p>There are numerous retaining walls present on the site, to account for the changing topography over the site.</p>	<p>✓</p>
<p>VIII. Subdivision applications should nominate fixed driveway locations that do not conflict with the landscape plan and proposed street tree planting.</p>	<p>Indicative driveways are provided.</p>	<p>✓</p>
<p>IX. On cross-sloped land, ensure side boundary cut and fill (and associated retaining wall) at subdivision stage is no greater than 900mm.</p>	<p>Complies</p>	<p>✓</p>
<p>X. On front-to-back sloped land, ensure rear boundary cut and fill (and associated retaining wall) at subdivision stage is no greater than 1.5m, to reduce front to back lot grades. No further rear boundary retaining walls are permitted.</p>	<p>Complies</p>	<p>✓</p>
<p><b><u>Battle-axe subdivision</u></b></p>		
<p>XI. Subdivision layout should minimise the use of battle-axe lots without public frontage to resolve residual land issues.</p>	<p>Only 1 battle axe lot is proposed in stage 1 arising from the layout of proposed Road 3.</p>	<p>✓</p>
<p>XII. Battle axe lots are to be limited to certain circumstances and are to be determined in the context of the surrounding lots, built form and the location of principal private open space.</p>	<p>Refer above</p>	<p>✓</p>
<p>XIII. A Battle-axe driveway is to be 4.5m wide and located within a 6.0m wide access handle.</p>	<p>Relevant conditions recommended in the draft conditions.</p>	<p>✓</p>
<p>XIV. A Battle-axe driveway or shared driveway is to include adjacent planting to</p>		<p>✓</p>

<p>provide screening for the adjoining properties.                  XV.A shared driveway will require reciprocal right of way for both lots.                  XVI.Building setbacks for battle-axe lots are to be consistent with the minimum front and rear setbacks set out in the Moss Vale DCP.</p>	<p>Relevant conditions recommended in the draft conditions.                  Relevant conditions recommended in the draft conditions.                  Relevant conditions recommended in the draft conditions.</p>	<p>✓                  ✓</p>
<p><b>Subdivision Land Use Interfaces (2.4)</b></p>		
<p><b>Residential Design Rural Edge Interface (2.4.1)</b></p>		
<p>I. Development adjoining the rural edge interface should be designed to minimise impacts on adjoining rural lands.</p> <p>II. Development along the rural edge interface should be sensitively designed to minimise the visual impacts of the development when viewed from public roads and adjoining rural landscapes.</p> <p>III. Development along the rural edge interface is to be designed to enhance passive surveillance with views over the rural landscapes.</p> <p>V. Development controls i. – iii. above can be achieved by:                  a. Provision of perimeter roads along the rural edge interface maintaining existing rural fencing along the property boundaries, or                  b. Provision for a rural 'style' fence and landscape buffer at the boundary interfacing with rural land as shown in Figure 4 below. Note – Council would need to be satisfied that appropriate arrangements are made at the subdivision stage to address development controls i. – iii. This may require, for example, a restriction on the Title of residential lots in relation to fencing.</p>	<p>The rural edge interface has been designed with a road adjoining this boundary with street tree planting to reduce any likely visual impacts to adjoining land.</p> <p>This is achieved via the provision of the road adjoining the boundary and the street tree planting. Rural style fencing is to be provided along these elevations (via recommended conditions). This is considered further in the Key issues section of the report.</p> <p>Refer above.</p>	<p>✓                  ✓                  ✓</p>
<p><b>Residential Design Golf Course Edge Interface (2.4.2)</b></p>		
<p>I. Development adjoining the golf course edge interface should be designed to minimise impacts on the operation of the adjoining golf course.</p> <p>II. Development along the golf course interface should be sensitively designed to minimise the visual impacts of the development when viewed from the golf course.</p> <p>III. Development along the golf course edge interface is to be designed to enhance passive surveillance with views over the golf course.</p>	<p>The areas of the site impacted by the golf course interface are generally perimeter road with street planting. There is a small number of lots proposed where there is no perimeter roads, which will require a appropriate landscape buffer or fencing to be considered further at DA stage for that stage and for the individual dwellings (recommended conditions included).</p>	<p>✓</p>



<p>V. Development controls i. – iii. above can be achieved by:</p> <ul style="list-style-type: none"> <li>a. Provision of perimeter roads along the golf course edge interface with and appropriate landscape buffer or fencing, or</li> <li>b. Where no perimeter road is proposed, an appropriate landscape buffer or fencing at the boundary interfacing with the golf course is required to maintain golf hazards to a manageable risk. Note – Council would need to be satisfied that appropriate arrangements are made at the subdivision stage to address development controls i. – iii. This may require, for example, a restriction on the Title of residential lots in relation to landscaping / fencing.</li> </ul>	<p>Refer above.</p>	<p>✓</p>
<p><b>Street Network and Hierarchy (2.5)</b></p>		
<p><i>Yarrawa Road</i></p>		
<p>i. Yarrawa Road is to be designed to provide a transitional buffer between the existing rural setting and the future residential area.</p>	<p>A landscaped buffer zone is proposed along the length of the Yarrawa Road boundary to the site. This ensures there is an appropriate transition from the rural setting to the south-west of the site to the future residential setting within the site.</p>	<p>✓</p>
<p><i>External Connections</i></p>		
<p>i. Collector Road connections are to be limited to the approximate locations shown in <b>Figure 6</b>.</p>	<p>The proposed collector roads within the site connect the local street network as outlined in the DCP.</p>	<p>✓</p>
<p>ii. A north-eastern access linking the URA with the Illawarra Highway will be required to alleviate future congestion along Yarrawa Road and through the Moss Vale Town Centre. The proposed location of the access point (subject to RMS approval) is shown in <b>Figure 6</b>.</p>	<p>The proposed road layout of the concept plan allows for the future connection of the site to the north east road as envisaged by TfNSW.</p>	<p>✓</p>
<p>iii. Roundabout size and locations are to be considered and minimised. They should be pedestrian friendly and be designed suitable for anticipated traffic volume and vehicle speed as safety issues necessitate. Roundabouts are to be designed and constructed in accordance with relevant Council and RMS standards.</p>	<p>The proposed roundabouts within the stage 1 DA will be required to be constructed in accordance with the engineering standards relevant for the site. Footpaths are provided within the verges of all road son the site, with the exception of the minor accessways/cul-de-sac roads and those on the steep eastern section of the site.</p>	<p>✓</p>
<p><b>2.5.1. Internal Road Hierarchy</b></p>		
<p>i. Street types are to be limited to the following to provide a clear and legible hierarchy for traffic movement:</p>	<p>The proposal provides a road layout consistent with the hierarchy outlined in the DCP. The layout of the roads has</p>	<p>✓</p>

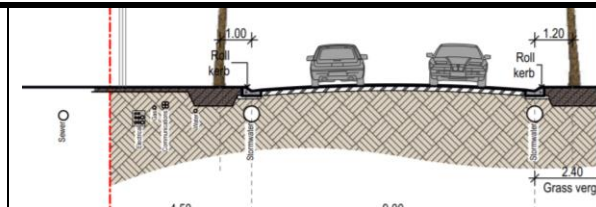
<p>a. Boulevard/Collector Roads                  b. Access Streets                  c. Minor Access Streets                  d. Cul-de-sac                  e. Access Way Steep Slope</p> <p>ii. Variation to these types are to be localised design responses to environmental constraints, e.g., tree or heritage artefact preservation.</p> <p>iii. The street network is to be a grid system to promote pedestrian and cycle movements, modified only where necessary to respond to environmental constraints or opportunities.</p> <p>iv. Street blocks are to be generally a maximum of 250 metres long and 70 metres deep. Block lengths in excess of 250 metres may be considered by Council where pedestrian connectivity, stormwater management and traffic safety objectives are achieved.</p> <p>v. Cul-de-sac streets are to be minimised.</p> <p>vi. Provide for perimeter roads adjacent to high conservation or sensitive lands.</p> <p>vii. Provide legal and practical access to lots.</p>	<p>been refined during the assessment of the application including to provide perimeter roads along the eastern boundary of the site and to realign some of the roads within the site.</p> <p>Refer above.</p> <p>Refer above.</p> <p>Refer above.</p> <p>There are only 4 cul-de-sacs proposed on the site.</p> <p>Perimeter roads are now proposed along the majority of the site boundaries, particularly along the eastern boundary adjoining the rural parts of the area.</p> <p>The proposed lots in stage 1 are provided with public road access, with proposed Lot 1111 provided with a ROW while proposed Lot 1201 is provided as a battle axe lot with an access handle. The concept plan component of the proposal provides a legible and connected road network with access to all of the proposed lots achievable from public roads.</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>
<p>i. Internal road hierarchy and street design standards should be in accordance with those in Table 1 and illustrated in Figure 5.</p>	<p>The Road Hierarchy Plan Revision E dated 30 August 2021 for the concept plan is consistent with the requirements of Table 1 in the DCP (page 22).</p>	<p>✓</p>

<p>ii. Street design standards should be in accordance with those in Table 1 and illustrated in the Figures in Appendix B.</p>	<p>The proposed stage 1 DA plans are also consistent with the DCP requirements:</p> <ul style="list-style-type: none"> <li>• Road No 1 &amp; 2 (collector) – 24 to 25 metres;</li> <li>• Roads No 3, 4, 5 &amp; 6 (local L1) - 18 metres;</li> <li>• Road No 3, 5 (part) &amp; 7 (local L2) – 16 metres.</li> </ul>	<p>✓</p>
<p>iii. Verge widths may vary to accommodate water cycle management measures, paths and landscaping.</p>	<p>Refer above</p>	<p>✓</p>
<p>iv. Shared paths and foot paths should be setback 600mm to the property boundary.</p>	<p>Refer above</p>	<p>✓</p>
<p>v. Roundabouts within the site are to be designed to relevant Council and RTA standards to accommodate large rigid vehicles.</p>	<p>Refer above</p>	<p>✓</p>
<p>vi. Intersection treatments and pedestrian crossings will utilise the same material as road surfaces and be marked in accordance with Council and RTA standards.</p>	<p>Conditions where relevant for stage 1 DA; concept plan – subject to future further detail.</p>	<p>✓</p>
<p>vii. \Special paving treatment of the crossing thresholds at the Village Hub is encouraged to slow vehicle speeds and signify the pedestrian priority environment.</p>	<p>As above</p>	<p>✓</p>
<p>viii. Provide adequate soil quality, mulching and provision for watering, drainage and protection of plants and street trees.</p>	<p>As above</p>	<p>✓</p>
<p>ix. Provide Street trees and plant material in accordance with the Street Tree Identification Manual. An indicative list of plant materials is outlined in Section 3.5.</p>	<p>As above</p>	<p>✓</p>
<p><b>Main Entry Points (2.6)</b></p>		
<p>I. Yarra Road northern entry is to create a generous sense of arrival, being a primary access point with a distinctive Southern Highlands character. This entry road will incorporate mature trees where possible and work with landform to define and raise trees above entry level.</p> <p>II. Yarra Road southern entry is to create a generous sense of entry with a distinctive Southern Highlands character, but less prominent than the</p>	<p>The main entry point is the northern Yarra Road roundabout, while the southern Yarra Road entry is subject to future detail. The Lovelle Street and Hill Road intersections are also subject to future detail and their locations are consistent with the DCP.</p>	<p>✓</p>

<p>northern entry.</p> <p>III. Lovelle Street entry is to be a discrete and blend with the existing street character.</p> <p>V. Hill Road is to be a small scale and discrete local entry and blend with the existing street character.</p>		
<p><b>Street Tree Planting Strategy (2.7)</b></p>		
<p>Street tree planting should be in accordance with the Wingecarribee Street Tree Master Plan and the concept plan shown in <b>Figure 8</b>.</p>	<p>The Stage 1 DA is consistent with Figure 8 – Street Tree Master Plan of the DCP in that River Birch, Helm Oak, Pin Oak and Chinese Elm trees are proposed within the collector roads while Japanese Zelkova and Chinese Golden Rain Trees are proposed along the local streets.</p> <p>The concept plan proposal is generally consistent with the planting regime for street trees as outlined in the DCP.</p>	<p>✓</p>
<p><b>Open Space Network (2.8)</b></p>		
<p>i. Planting material for use in the public domain is to be selected from the schedule Appendix B.</p> <p>ii. Council as asset manager must approve any proposed planting proposal.</p> <p>iii. All necessary embankments, channels, revetments, overflows are to be designed to have the minimum visual intrusion.</p> <p>iv. Retaining or garden walls are to be avoided in the creek corridor except where associated with bridges or culverts.</p> <p>v. Minimise cut and fill to maintain the undulating rural feel of the locality and respect the existing view across the site.</p> <p>vi. Pedestrian and cycle paths to be located on desire lines, and integrate with existing vegetation, landform and landscaping.</p> <p>Local Parks are to be generally located as indicated in the Indicative Master Plan,</p>	<p>The proposed parks are generally in accordance with the DCP.</p>	<p>✓</p>
<p><b>Lake/pond Treatments (2.9)</b></p>		
<p>i. Lake edge designs that minimise the risk of fall injuries.</p> <p>ii. Safety benches are to be designed into all lake edges as per current guidelines.</p> <p>iii. Appropriate balustrading to pedestrian bridges and decks to prevent falls. <u>Controls to minimise ongoing maintenance issues shall include:</u></p> <p>iv. Lake designs will ensure water circulation and aeration to minimise the</p>	<p>The Integrated Water Cycle Management ('IWCM') report has adequately demonstrated the use of these devices on the site for the proposal.</p> <p>The IWCM report ensures that stormwater assets and</p>	<p>✓</p>

<p>formation of stagnant or dead water areas which can cause blue-green algal blooms.</p> <p>v. Maintenance paths will be designed into the lake system to ensure easy access when required.</p> <p>vi. Upstream bioretention basins and wetlands will ensure water retardation, sedimentation and nutrient removal prior to entering the main lake system.</p> <p>vii. Design and composition of lake edges will be robust and hardwearing.</p> <p><u>Controls for lake edge and aquatic planting shall include:</u></p> <p>iii. Preference for hardy and low maintenance species, in particular locally indigenous species, however suitable exotic species shall be acceptable when close to high amenity areas and the village centre areas</p> <p>ix. Use of suitable native species that will tolerate and thrive in local climatic and site-specific conditions.</p> <p>x. Species selection that will perform the required water quality function of retarding and filtering stormwater pollutants.</p> <p>xi. Exclude any invasive and environmental weed species that may spread to local bushland and waterways or compete with local vegetation communities.</p> <p>xii. Create habitat and provide food source for local fauna where possible.</p>	<p>open space have been co-located and provide for dual use of these areas.</p> <p>Stormwater quality discharge from the site meets the NorBE test.</p>	
<b>Pedestrian and Cycleway Network (2.10)</b>		
<p>i. Footpaths are to be provided on at least one side of Collector, Access and Local Access Roads.</p> <p>ii. Shared paths and cycleways to be a minimum width of 2.5 metres.</p> <p>iii. Roads constructed with flush kerb and swale drainage do not require footpaths in both verges.</p> <p>iv. In general, cyclists are to share the carriageway with motor vehicles on Access Roads, Local Access Roads and Access Ways.</p> <p>v. Cycle ways are to be separated from vehicular movement on Boulevards and Collector Roads, and integrated into landscaped areas where possible.</p> <p>vi. Cycle and pedestrian bridges should generally comply with the following requirements:</p> <ol style="list-style-type: none"> <li>a. Be located above the 20-year ARI flood level.</li> <li>b. Fail in a manner that allows for retrieval after the event.</li> <li>c. Presence must be taken into account in hydraulic modelling (ie. Debris forming a dam and restricting flow).</li> </ol>	<p>The proposed roads within the site all have footpaths with the exception of the smaller accessways. There are shared paths on all of the collector roads while only footpaths on the local access roads.</p>	✓

<p>d. Finish must be high quality and durable. e. Design must be carried out by a suitably qualified and experienced structural engineer.</p>		
<p><b>Water And Sewer Servicing Strategies (2.11)</b></p>		
<p>A water and sewer servicing strategy is required for the development. The strategy must include the ultimate development potential and be supported by water and sewerage modelling and consider existing capacity within the reticulation networks and treatment facilities. The strategy must be completed to the satisfaction of council and consider levels of service provisions.</p> <p>Water infrastructure may include reservoirs, water pumping stations, trunk and reticulation mains, other water network upgrades and WTP upgrades.</p> <p>Sewer infrastructure may include sewage pumping station, sewer trunk and reticulation mains, other sewer network upgrades and STP upgrades. Scheme Plans for water, sewer and stormwater services are to be provided by the Applicant. These plans will document the planned provision of water, sewer and stormwater infrastructure for the development. The Scheme Plans will identify where trunk and reticulation services (such as sewer mains and man holes, water mains, pumping stations) will be provided, and give an indication of likely timing. The Scheme Plans will be approved by Council prior to granting consent.</p> <p>Variations to the approved Scheme Plans will only be approved by Council where the applicant can demonstrate to Council’s satisfaction that the proposed changes are consistent with the approved Scheme Plans.</p> <p>Standard service allocations for water and sewer assets in footpaths to be adopted as per Section 3.5 and in compliance with WSAA Codes and <i>Guide to Codes and Practices for Street Opening</i>.</p>	<p>Discussed in the independent engineering assessment.</p> <p>Council satisfied – pending</p>	<p>pending</p>
<p><b>Location of Underground Services (2.12)</b></p>		
<p>Standard service allocations for water and sewer assets in footpaths shall be in accordance with the WSAA Codes and the <i>Guide to Codes and Practices for Street Opening</i>.</p>	<p>The proposed road hierarchy plan outlines that these services are provided in the footpath in accordance with this requirement.</p>	<p>✓</p>



**Section 4: RESIDENTIAL CONTROLS**

**Residential Lot Controls (4.3)**

<p>I. Minimum lot widths:</p> <ul style="list-style-type: none"> <li>• Courtyard (450sqm -499sqm) – 12.5m</li> <li>• Courtyard (500sqm – 599sqm) – 15m</li> <li>• Traditional lots (600sqm – 899sqm) – 18m</li> <li>• Parkland lots (900-1,500sqm) – 20m</li> </ul>	<p>The minimum lot widths for the proposed lots within the concept application will be considered in detail at the DA stage for those later stages.</p> <p>The proposed lots within Stage 1 comply with the minimum lot widths.</p>	<p>✓</p>
---	---	----------

**Special Character Area Controls (4.4)**

<p>I. Dwellings must comply with the development controls contained in Table 3.</p> <p>II. Address greater cut and fill requirements within the limits of the building envelope to suit appropriate construction methods and level changes, and limit site benching.</p> <p>III. Retaining walls are not to exceed 1,000mm to any area visible from the street or surrounding area.</p> <p>IV. Dwellings are to be designed to respond to the topography of the site. Stepping of buildings or stilt houses are encouraged to avoid cut and fill.</p> <p>V. Design of dwellings on are to have regard to the building on slope diagram in Figure 9 to be consistent with the above objectives.</p>	<p>Dwellings are to be assessed as part of future DAs. The stage 1 DA does not include any proposed lots within the special character areas. This is further considered in the Key Issues section of the report.</p>	<p>✓</p>
--	--	----------