

Attachment 5 –Wollondilly Development Control Plan 2016 Assessment

DA/2021/346/1 – Hume Highway, PHEASANTS NEST

Control	Requirement	Provided	Compliance
Volume 1 – General			
Part 7 – Aboriginal Heritage			
7.2 – Controls	An indigenous heritage and archaeological report must be prepared for any development application on land which contains a known Aboriginal object or Aboriginal place of heritage significance. The report must be prepared by a suitably qualified archaeologist. The report must be prepared in accordance with the Code of Practice for Archaeological Investigation of Aboriginal objects in NSW.	<p>An Aboriginal Cultural Heritage Assessment Report (ACHA) prepared by Urbis was submitted in support of the application.</p> <p>The ACHA concluded the following:</p> <ul style="list-style-type: none"> • Archaeological potential within the Northbound HSC lot is low due to high levels of historic and contemporary disturbance, and no sites were identified within this area during the field survey. • Archaeological potential within the Southbound HSC lot is low due to high levels of historic and contemporary disturbance, and surface Aboriginal objects were located. • Two Aboriginal sites were identified within the Southbound HSC portion of the subject area during the field survey: IF-1 and IF-2 (AHIMS ID pending). • A further Aboriginal site was identified during test 	Yes

		<p>excavation: Artefact Scatter 1 (AS-001), consisting of four (4) artefacts comprising two (2) complete flakes and two (2) flake fragments (broken during excavation) (AHIMS ID pending).</p> <ul style="list-style-type: none"> • Considering the results of the test excavation program it is anticipated that the proposed works will result in direct harm to subsurface Aboriginal archaeological deposits which constitutes a low scientific and moderate cultural significant site(s). <p>Based on the above conclusions the ACHA provides the following recommendations:</p> <ul style="list-style-type: none"> • Following DA approval and prior to construction an Aboriginal Heritage Impact Permit (AHIP) under s90 of the NPW Act should be sought for the impact to the identified sites within the subject area. • Following AHIP approval and prior to construction surface collection of identified artefacts IF-001 and IF-002 must be undertaken in accordance with the 	
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		<p>Code of Practice and with the involvement of the Registered Aboriginal Parties.</p> <ul style="list-style-type: none"> • It is recommended that induction materials be prepared in consultation with the Registered Aboriginal Parties (RAPs) for inclusion in the construction management plan and site inductions for any contractors working at the subject area. The induction material should include an overview of the types of sites and artefacts to be aware of (i.e. stone tools), under the NPW Act, and the requirements of an 'archaeological chance find procedure' (refer below). This should be prepared for the project and included in any site management plans. • Although considered highly unlikely, should any Aboriginal objects, archaeological deposits be uncovered during any site works, a Chance Find Procedure must be implemented. • Implementation of Human Remains Procedure in the unlikely event that 	
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		<p>human remains are uncovered during any site works.</p> <p>Council officers agree with the recommendations of the ACHA and provided the conditions outlined receive compliance. The conditions provided have been included in the Recommended Conditions of Consent provided in Attachment 7.</p>	
Part 9 – Environmental Protection			
9.3 – Controls	<p>Where a development is proposed on sites which do not contain areas mapped on the Natural Resources Water or Natural Resources Biodiversity maps and contain native vegetation, the development shall be located in accordance with the following (in order of preference):</p> <p>i) on cleared parts of the site wherever possible; or</p> <p>ii) in locations where the least amount of vegetation removal would be required (e.g. close to roads) if the development is not able to be located wholly in a cleared area; or</p> <p>iii) If the development is not able to be located wholly in a cleared area, then the development should be located on parts of the site in which the vegetation is determined as being of the least significance and recovery potential.</p> <p>This includes consideration of vegetation removal for any main buildings, ancillary buildings, asset protection zones, effluent disposal</p>	<p>Council's Natural Resources Officer and Environment Officer reviewed the following specialist studies lodged in support of the application:</p> <ul style="list-style-type: none"> • Biodiversity Development Assessment Report • Landscape Plan • Arborist's Assessment Report • Bushfire Assessment Report <p>Council's Natural Resources Officer and Environment Officer's provided a number of comments in their review of the documentation submitted.</p> <p>These comments were subsequently addressed by the applicant in amended documentation provided. The proposal is</p>	Yes

	<p>areas and access driveways that may be required for the development.</p> <p>In cases where native vegetation removal is required a flora and fauna report from an appropriately qualified ecologist may be required to satisfy compliance with any of the controls listed above.</p>	<p>acceptable to the Environment and Natural Resources Officers provided the conditions outlined receive compliance. The conditions provided have been included in the Recommended Conditions of Consent provided in Attachment 7.</p>	
Part 10 -Tree Removal			
10.5 - Trees/other native vegetation that may be removed only with development consent	Any tree or other native vegetation removal which cannot be carried out as exempt development under clause 10.3 of this volume or by obtaining a permit under clause 10.4 of this volume may only be removed with development consent.	Council's Tree Officer reviewed the application and raised no issues and provided no conditions.	Yes
Part 11 – Landscaping			
11.1 – Objectives	<p>To encourage the planting of endemic species in landscaping.</p> <p>To reduce the impact of landscaping on the environment, infrastructure and human safety.</p> <p>To create a landscape character that is defined by native vegetation and not introduced species.</p>	<p>Council's Natural Resources Officer and Environment Officer reviewed the landscape design proposed for the development.</p> <p>Council's Natural Resources Officer and Environment Officer's provided a number of comments in their review of the documentation submitted.</p> <p>These comments were subsequently addressed by the applicant in amended documentation provided. The proposal is acceptable to the Environment and Natural Resources Officers provided the conditions outlined receive compliance. The</p>	Yes

		conditions provided have been included in the Recommended Conditions of Consent provided in Attachment 7.	
Volume 5 – Commercial and Community Uses			
Part 2 - General Requirements for all Commercial and Community uses			
2.1 – Sustainability	All development resulting in more than 200 square metres of new GFA must provide rainwater collection tank(s) to collect rainfall and runoff from roof areas. The minimum volume of the tank(s) shall be 1,000 litres per 100m ² (rounded down to the nearest 100m ²) of new GFA. Such tank(s) must have their overflows connected to a point for suitable integration with the natural or constructed stormwater drainage system.	Council's Development Engineering have assessed the proposed development and have stated that the proposal is acceptable provided the conditions outlined receive compliance. The conditions provided by Development Engineering have been included in the Recommended Conditions of Consent provided in Attachment 7.	Yes
	Commercial developments where the capital investment value are more than \$500,000 and that result in more than 100m ² of new GFA must install a photovoltaic system to complement consumption of electricity from the grid system.	The proposed development incorporates a photovoltaic system to complement consumption of electricity from the grid system.	Yes
2.3 – Building Design	Building designs must ensure that main entry and exit points are readily identifiable to intending patrons.	All main entry and exit points are readily identifiable to intending patrons.	Yes
	All building facades visible from a public place must be designed to reduce bulk and enhance the appearance of the building using appropriate architectural features, articulation and finishes.	The proposed development has been designed to reduce bulk and enhance the appearance of the building clearly identifying its intended use and operation.	Yes

	All facades must be designed in accordance with the Crime Prevention through Environmental Design (CPTED) Guidelines including allowance for casual surveillance of streets and other public places.	The proposed development has been designed in accordance with the Crime Prevention through Environmental Design (CPTED) Guidelines and will incorporate measures recommended in the NSW Police Referral.	Yes
2.4 – Open Space	<p>Communal Open Space must be provided for developments exceeding the thresholds tabulated below:</p> <p>Food Premises (threshold 500m²) – 4m² per 100m² of GFA.</p> <p>Communal open space must be suitably embellished for outdoor eating and must be provided with waste management facilities.</p> <p>Communal open space must be sited and designed to achieve a minimum of 3 hours of solar access (measured at ground level) to at least 50% of its area between the hours of 9:00am and 3:00pm on the winter solstice.</p>	<p>The proposed development provides communal open space areas suitable for outdoor eating and resting in line with the use of the site as a highway service centre.</p> <p>The proposed communal open space areas have been sited and designed to ensure they achieve a minimum of 3 hours of solar access (measured at ground level) to at least 50% of its area between the hours of 9:00am and 3:00pm on the winter solstice.</p>	Yes
2.6 – Landscaping	<p>Landscaping for new commercial developments shall be in the form of garden beds and achieve the following:</p> <ul style="list-style-type: none"> a) Use at least 50% native vegetation; b) Use only low maintenance vegetation; c) Reduce or eliminate the need for fencing; d) Use only vegetation that will not damage infrastructure; and e) Provide adequate landscaped area for plants when fully grown. 	<p>Council's Natural Resources Officer and Environment Officer reviewed the landscape design proposed for the development.</p> <p>Council's Natural Resources Officer and Environment Officer's provided a number of comments in their review of the documentation submitted.</p> <p>These comments were subsequently addressed by the applicant in amended documentation provided. The proposal is acceptable to the</p>	Yes

		Environment and Natural Resources Officers provided the conditions outlined receive compliance. The conditions provided have been included in the Recommended Conditions of Consent provided in Attachment 7.	
2.7 – External Storage	There shall be no storage of goods or waste in areas that are visible to the public or patrons of facilities.	No storage of goods or waste in areas that are visible to the public or patrons of facilities is proposed.	Yes
2.9 – Access and Traffic Generation	<p>Service and delivery vehicles must have a separate access for developments with a GFA greater than 500m². This access may not be shared with the access to be used by patrons of the development.</p> <p>Commercial premises must be provided with a minimum of one (1) loading / unloading space with sufficient capacity for the site.</p> <p>Forward entry/exit onto the street from the loading/unloading space must be provided.</p>	Council's Development Engineering have assessed the proposed development and have stated that the proposal is acceptable provided the conditions outlined receive compliance. The conditions provided by Development Engineering have been included in the Recommended Conditions of Consent provided in Attachment 7.	Yes
2.10 – Parking and Manoeuvring	<p>The construction of vehicle parking and manoeuvring areas must comply with Council's adopted Design and Construction Specifications.</p> <p>Manoeuvring space must be sufficient to permit all vehicles to enter and leave a site in a forward direction in accordance with relevant Australian Standards.</p> <p>Parking spaces adjoining pedestrian accesses must be provided with wheel stops or</p>	Council's Development Engineering have assessed the proposed development and have stated that the proposal is acceptable provided the conditions outlined receive compliance. The conditions provided by Development Engineering have been included in the Recommended Conditions of Consent provided in Attachment 7.	Yes

	<p>upright kerbs to protect the safety of pedestrians.</p> <p>Parking must be provided at the rate tabulated below:</p> <p><u>Highway Service Centres</u></p> <p>1 truck parking space</p> <p><u>Service Stations</u></p> <ul style="list-style-type: none"> • 6 spaces per work bay; and • 5 spaces per 100 m² GFA of any convenience store; and the greater of • 15 spaces per 100 m² GFA of any food premises; or • 1 space per 3 seats of any food premises. 	<p>The proposed development will provide a total of 331 parking spaces (161 northbound and 170 southbound) in the following configuration:</p> <p><i>Northbound</i></p> <ul style="list-style-type: none"> • 123 car spaces (including 2 accessible spaces, 4 waiting bays for the drive thru's and 2 electric vehicle charging bays; • 7 caravan parking bays (including 1 dump point short term bay); • 5 coach parking bays; • 14 heavy vehicle bays (30m); • 12 heavy vehicle bays (36m) including 2 refrigerated and livestock truck parking bays. <p><i>Southbound</i></p> <ul style="list-style-type: none"> • 134 car spaces (including 2 accessible spaces, 4 waiting bays for the drive thru's and 2 electric vehicle charging bays; • 7 caravan parking bays (including 1 dump point short term bay); • 4 coach parking bays; 	Yes
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	<p>Car parking areas shall be designed, embellished and located to minimise adverse visual impacts in the locality.</p> <p>All above ground parking areas with more than 12 parking spaces must be landscaped including shade trees provided at the rate of one (1) canopy tree for every four (4) car parking spaces of part thereof. Shade trees must be located to provide shade to parked vehicles.</p>	<ul style="list-style-type: none"> • 25 heavy vehicle bays (36m). <p>Council's Natural Resources Officer and Environment Officer reviewed the landscape design proposed for the development.</p> <p>Council's Natural Resources Officer and Environment Officer's provided a number of comments in their review of the documentation submitted.</p> <p>These comments were subsequently addressed by the applicant in amended documentation provided. The proposal is acceptable to the Environment and Natural Resources Officers provided the conditions outlined receive compliance. The conditions provided have been included in the Recommended Conditions of Consent provided in Attachment 7.</p>	Yes
2.11 – Waste Management	<p>A completed Site Waste Minimisation and Management Plan (SWMMP) complying with the template in Appendix A of the NSW Office of Environment and Heritage's Model Waste must accompany an application for commercial buildings greater than 500m² in GFA or any commercial development that is likely to produce hazardous waste products.</p> <p>There must be convenient access from each tenancy and/or larger</p>	<p>Council's Waste Team provided a number of comments in relation to the application.</p> <p>These comments were subsequently addressed by the applicant in amended documentation provided and therefore the proposal is deemed to be acceptable by Council's Waste Team.</p>	Yes

	<p>waste producing area of the development to the waste/recycling storage room(s) or area(s). There must be step-free access between the point at which bins are collected/emptied and the waste/recycling storage room(s) or area(s).</p> <p>Every development must include adequate waste/recycling storage area(s) to accommodate all relevant waste management processes and storage.</p> <p>Special arrangements for storage, collection and disposal of medical and hazardous waste must be detailed in the Site Waste Minimisation and Management Plan (SWMMP).</p> <p>Waste/recycling storage areas must not be visible from outside of the building or by patrons.</p>	<p>Conditions provided by Council's Waste Team have been included in the Recommended Conditions of Consent provided in Attachment 7.</p>	
2.12 – On-site waste water and stormwater management	<p>On sites without reticulated sewer, provision shall be made for the disposal of treated effluent in a manner that minimises the risk to the natural environment and to human health.</p>	<p>Council's Environmental Health Team provided a number of comments in relation to the Onsite wastewater management system proposed as part of the development.</p> <p>These comments were subsequently addressed by the applicant in amended documentation provided and therefore the proposal is deemed to be acceptable by Council's Environmental Health Team.</p> <p>Conditions provided by Council's Environmental Health Team have been included in the Recommended Conditions of Consent</p>	

	<p>All stormwater management systems shall comply with Council's Design & Construction Specification.</p>	<p>provided in Attachment 7.</p> <p>Council's Development Engineering have assessed the proposed development and have stated that the proposal is acceptable provided the conditions outlined receive compliance. The conditions provided by Development Engineering have been included in the Recommended Conditions of Consent provided in Attachment 7.</p>	
3.8 – Service Stations	<p>The design and orientation of all lighting must ensure no adverse impact on approaching vehicles or neighbouring properties in terms of glare and light spill.</p> <p>Tankers must be able to enter and leave the site in a forward direction and be able to deliver fuel to a site without reversing. Parking is prohibited in areas where tanker access and egress is impeded. Tankers must be able to be positioned so as they do not obstruct other vehicles while servicing the site.</p>	<p>The proposed lighting has been designed to ensure it does not adversely impact on approaching vehicles or neighbouring properties in terms of glare and light spill.</p> <p>Council's Development Engineering have assessed the proposed development and have stated that the proposal is acceptable provided the conditions outlined receive compliance. The conditions provided by Development Engineering have been included in the Recommended Conditions of Consent provided in Attachment 7.</p>	<p>Yes</p> <p>Yes</p>