

STATEMENT OF ENVIRONMENTAL EFFECTS

141 YARRAWA RD & 32
LOVELLE ST, MOSS
VALE, 'CHELSEA
GARDENS AND
COOMUNGIE LANDS'

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Prepared for Prime Moss Vale Pty Ltd

URBIS

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TABLE OF CONTENTS

Executive Summary	1
1. Introduction	4
2. Site & Surrounding Locality	6
2.1. The Site.....	6
2.2. Locality & Wider Context.....	7
2.3. Transport Network	8
2.4. Site Photos.....	9
3. Background.....	10
3.1. Rezoning.....	10
3.2. Master Plan Design Competition	10
4. Pre-Lodgement Engagement.....	11
4.1. Council Engagement.....	11
4.2. Community Engagement	13
4.3. Future Engagement	13
5. Proposed Development	14
5.1. Overview	14
5.2. Concept Development (master plan)	14
5.3. Stage 1 Detailed Works	16
5.3.1. Overview	16
5.3.2. Site clearing and tree removal	17
5.3.3. Earthworks	17
5.3.4. Stormwater Management and Drainage.....	17
5.3.5. Services and Utilities.....	18
5.3.6. Landscaping/ Open Space	19
6. Section 4.15 Assessment	21
6.1. Wingecarribee Local Planning Strategy 2015-2031	21
6.2. NSW Biodiversity Conservation Act (2016)	22
6.3. Commonwealth Environment Protection and Biodiversity Conservation Act (EPBC) Act (1999)	22
6.4. SEPP (Infrastructure) 2007.....	22
6.5. SEPP (Building Sustainability Index: BASIX) 2004	22
6.6. SEPP No 55 Remediation of Land	22
6.7. SEPP (State and Regional Development) 2011	23
6.8. SEPP (Affordable Rental Housing) 2009.....	23
6.9. SEPP (Housing for Seniors or People with a Disability) 2004.....	23
6.10. Wingecarribee LEP 2010	23
6.10.1. Zoning and Permissibility	23
6.10.2. Clause 4.1 - Minimum Subdivision Lot Size	24
6.10.3. Clause 5.10 – Heritage conservation.....	24
6.10.4. Clause 5.11 - Bush fire hazard reduction	25
6.10.5. Clause 7.3 - Earthworks.....	25
6.10.6. Clause 7.9 – Flood Planning.....	25
6.11. Moss Vale Town Plan DCP	25
6.12. Environmental Impacts	28
6.12.1. Context, setting and amenity	28
6.12.2. Design and Built Form	28
6.12.3. Landscape	29

6.12.4. Access, Traffic and Parking	29
6.12.5. Flora and Fauna.....	30
6.12.6. Heritage	31
6.12.7. Bushfire.....	32
6.12.8. Site Drainage and Stormwater Management	32
6.12.9. Contamination and Geotechnic	33
6.12.10. Soil and Water Management	33
6.12.11. Utilities and Services	33
6.12.12. Construction.....	33
6.13. Social and Economic Impacts.....	33
6.14. Suitability of the Site for Development.....	33
6.15. Submissions.....	34
6.16. The Public Interest.....	34
7. Conclusion	35
Disclaimer	36

Appendix A	Site Survey
Appendix B	Master Plan Report
Appendix C	Stage 1 Landscape Plans
Appendix D	Civil Plans
Appendix E	Subdivision Plans
Appendix F	Water Cycle Management Study
Appendix G	Sewer Report
Appendix H	Traffic Report
Appendix I	Potable Water Report
Appendix J	Flora and Fauna Assessment
Appendix K	Geotechnical Report
Appendix L	Preliminary Contamination report
Appendix M	Bushfire Assessment
Appendix N	Aboriginal Heritage Assessment & Aboriginal Heritage Cultural Assessment (ACHA)
Appendix O	Stakeholder Engagement Summary
Appendix P	Cost Summary Report
Appendix Q	Clause 4.6 Request

FIGURES:

Figure 1 – Subject Site	6
Figure 2 – Extract of the South East and Tablelands Regional Plan 2036	8
Figure 3 – Site photos.....	9
Figure 4 – Minimum Lot Sizes proposed in the 2017 Planning Proposal.....	10
Figure 5 – Indicative Concept Master Plan.....	15
Figure 6 –Stage 1 DA Lot Layout Plan	17
Figure 7 – Proposed Riparian Corridor.....	18
Figure 8 – Whites Creek Park	19
Figure 9 – Yarrawa Road Buffer Park	20
Figure 10 – Landscape Plan.....	20

PICTURES:

Picture 1 – A southerly vista across the site from the northern portion of the site, close to Hill Road.	9
Picture 2 – A view of the eastern precinct, looking west towards the Golf Course and Yarrawa Road.	9
Picture 3 – A view from the site looking north towards the steep incline to Hill Road.	9

TABLES:

Table 1 – Supporting Documentation	4
Table 2 – Site Description.....	6
Table 3 – Site Features	7
Table 4 – Timeline of consultation with Council post withdrawal of DA 19/1183	12
Table 5 – Concept Application Lot yield	14
Table 6 – Stage 1 Lot yield.....	16
Table 7 – Moss Vale Town Plan DCP Compliance assessment.....	25

EXECUTIVE SUMMARY

The land known as 'Chelsea Gardens and Coomungie Lands' at 141 Yarrowa Road and 32 Lovelle Street, Moss Vale is proposed to be subdivided to create a new master planned residential community south of Moss Vale Golf Course.

The site is currently vacant and was subject to a planning proposal to rezone the site in 2017. The site was subsequently rezoned from RU2 Rural Landscape to predominantly R2 Low Density Residential with portions of R5 Large Lots, RE1 Public Recreation, and a small area of B1 Neighbourhood Centre.

This Statement of Environmental Effects (SEE) has been prepared by Urbis Pty Ltd on behalf of Prime Moss Vale Pty Ltd (the Applicant) to accompany a Concept Development Application (DA) and concurrent Detailed proposal (Stage 1).

The Concept DA for the master plan of the entire site was designed by Arterra Design (Arterra), who were selected as the winner of a competitive design process in 2018. The Concept DA includes the establishment of a road hierarchy and lot layout for the site, landscaping and the vision for a new neighbourhood centre (subject to a future planning proposal and development application). The concept master plan has been carefully designed to optimise the site opportunities and respect the site and surrounding land characteristics.

A concurrent Detailed proposal is proposed for Stage 1 which comprises the addition of a new residential subdivision located in the western portion of the site fronting Yarrowa Road.

Concept Development (Master Plan)

The Concept DA seeks approval for the overall master plan for the site to create a new residential community and provide new housing choice for residents in the Southern Highlands. Key features of the concept proposal include:

- Concept development approval for an indicative subdivision, road layout and open space design.
- The Concept approval will yield approximately 1,200 residential lots ranging in size from 450sqm, 600sqm and 2,000sqm+.
- An amendment to Part C – Residential Zoned Land of the Moss Vale Town Plan Development Control Plan (DCP) to provide site specific controls for the development.
- A framework for contributing to the future growth of social and physical infrastructure and utilities in the area, including open space and community facilities, stormwater management of White's Creek, and the local road network.

The Site Specific DCP for the Chelsea Gardens development has been developed in consultation with Wingecarribee Shire Council (WSC) and the draft was endorsed by Council on 8 May. The draft DCP was subsequently placed on public exhibition between 21 May 2019 and 12 June 2019 for community feedback. This Concept DA seeks to be assessed in concurrence with the finalisation of the Site Specific DCP to ensure alignment and provide transparency to the community.



Source: Arterra

Detailed Proposal (Stage 1)

The detailed proposal for Stage 1 seeks approval for the staged subdivision and staged physical works in the western portion of the site, comprising:

- Torrens Title subdivision for the creation of 182 lots for future residential use, two (2) lots for open space or drainage and three (3) Residue Lots subject to future stages of development.
- Associated works including site clearing, tree removal, bulk earthworks and construction of nine (9) new roads and public infrastructure, open space and restoration of a section of the Whites Creek.
- Access to Stage 1 will be via a new roundabout intersection on Yarrawa Road.

The proposed development will deliver a residential development with a high-quality landscaped space along Yarrawa Road to be dedicated to Council upon completion of all of Stage 1 works (subject to agreement).



Source: CDS

Planning Assessment

The estimated total capital investment value (CIV) of the concept proposal is \$74,217,639 (including GST). As the CIV for the entire master plan exceeds \$30 million, the Concept DA will be submitted to Wingecarribee Shire Council for assessment and referred to the **Southern Regional Planning Panel** for determination.

The application has been submitted under Division 4.4 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act). The Applicant is requesting the application be treated as a Concept DA with a concurrent Detailed Proposal for Stage 1 in accordance with section 4.22 of the EP&A Act.

The application is classified as Integrated Development under Section 4.46 of the EP&A Act, requiring referral to **NSW Office of Water**, **NSW Rural Fires Service** and **NSW Office of Environment and Heritage**. The DA will also require referral to **NSW Roads and Maritime Service** in accordance with the *State Environmental Planning Policy (Infrastructure) 2007*.

Summary of Key Planning Issues

The proposal has been assessed in accordance with relevant environmental planning instruments and policies, including the relevant matters for consideration listed in section 4.15 of the EP&A Act.

The proposal has also been developed in consultation with WSC and follows the previous withdrawal of a similar Development Application in March 2019 at the request of WSC to facilitate the development of the Site Specific DCP. As such, the proposal has been subject to a rigorous and robust peer review by Orion Consulting which has provided opportunity for further resolved design solutions. These matters and key planning issues have been satisfactorily addressed as outlined in detail within the SEE and as summarised below:

- **Consistent with State and local strategic planning policies:** the proposal is consistent with the goals and strategies contained within the Wingecarribee Local Planning Strategy 2015-2031, being an Urban Release Area. The layout and design of the proposed development is consistent with the vision of the site as outlined in the Planning Proposal approved by the JRPP to rezone the site in 2017.
- **Complies with environmental planning instruments:** the proposal satisfies the aims and objectives of relevant environmental planning instruments, including State Environmental Planning Policies and the *Wingecarribee Local Environmental Plan (WLEP) 2010*. The proposal substantially complies with the detailed development standards applicable to the site. The exception being a variation required to the minimum lot size of 40 hectares for the buffer zone of land zoned RE1 – Public Recreation fronting Yarrawa Road. This is an unintentional technical outcome of the development standard being unachievable as the entirety of the RE1 zoned land does not reach 40 hectares and also requires the reservation of road corridors through the buffer zone to provide access to Yarrawa Road. A written request to address the variation to the minimum subdivision lot size development standard under clause 4.6 of the WLEP 2010 is provided as **Appendix Q**.
- **Complies with detailed design requirements:** the concept master plan and detailed Stage 1 has been designed parallel with the draft Site Specific DCP for the site, which has been endorsed by Council and publicly exhibited (noting the DCP is in the process of being finalised by Council and amending the Moss Vale Town Plan DCP). Notwithstanding, the proposal has been designed and assessed in accordance with the overarching development principles and controls within the Moss Vale Town Centre DCP.
- **No unacceptable environmental impacts:** the potential environmental outcomes have been assessed in detail, including aligning the lot layout to be sympathetic to the landscape, celebrate key land features, provide high quality open space and provide a positive net outcome for stormwater management on the site and downstream – resulting in a reduced flood risk in Moss Vale Town Centre.

Since the withdrawal of the original proposal in March 2019, a peer review of the civil design has also resulted in significantly reduced the required import of fill onto the site. This has significant benefit to the local area in terms of reducing the number of construction vehicles entering the site during construction, and improved efficiency of stormwater management. Preliminary consultation with RFS, RMS and Office of Water has provided confidence in the environmental assessment of bushfire risk, road network capacity and the treatment of White's Creek.

- **Social and economic benefits:** the assessment has concluded that the proposal will result in positive social and economic outcomes, particularly in terms of providing new housing choice located in relatively close proximity to Moss Vale Town Centre, new open space and the future provision of a new community facility/local centre in the centre of the master plan (subject to a future Planning Proposal).
- **The proposal is suitable for the site:** the proposed master planned residential estate is compatible and consistent with the vision for the site established within the Planning Proposal prepared to facilitate the rezoning of the site in 2017. The site is ideally located in close proximity to Moss Vale Town Centre and the surrounding existing services, educational establishments and connections to the regional transport network, and the proposal has considered solutions to facilitate reduced car reliance. The proposal will support the growth of Moss Vale as a strategic centre in the South East and Tablelands Region.
- **The proposal is in the public interest:** the proposal is permitted with consent, will provide new housing choice and is compatible with existing and likely future development in the area. It has been designed to avoid adverse impacts and optimise its potential benefit including providing a generous amount of open space for the community in the future. The Applicant has also actively engaged with the local residents to support local groups and clubs to ensure the new master plan will successfully integrate with the existing community in the future.

Recommendation

Having considered all relevant matters, the proposal represents a sound development outcome that fulfils the vision of a high-quality master planned estate that will provide a desirable place for future residents and compliment Moss Vale.

Accordingly, it is recommended that approval be granted for the proposed Concept Master Plan to facilitate future stages of development, and the approval of the detailed (Stage 1) development, subject to appropriate conditions.

1. INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared by Urbis Pty Ltd (Urbis) on behalf of Prime Moss Vale Pty Ltd (the applicant) to accompany a Development Application (DA) for 141 Yarrowa Road and 32 Lovelle Street, (the site), Moss Vale. The land is also known as 'Chelsea Gardens'.

This SEE includes the following components:

- **Section 1:** Introduction
- **Section 2:** Site & Surrounding Locality
- **Section 3:** Background
- **Section 4:** Pre-Lodgement Engagement
- **Section 5:** Proposed Development
- **Section 6:** Section 4.15 Assessment
- **Section 7:** Conclusion

This SEE is to be read in conjunction with the following documentation:

Table 1 – Supporting Documentation

Documentation	Consultant	Appendix
Site Survey Plan	Cardno	Appendix A
Master Plan Report	Arterra Design	Appendix B
Stage 1 Landscape DA Plans	Arterra Design	Appendix C
Civil Engineering Plans	Cardno / Orion	Appendix D
Subdivision Plans	Civil Development Solutions	Appendix E
Water Cycle Management Plan	Cardno / Orion	Appendix F
Sewer Report	Cardno	Appendix G
Traffic Report	Cardno	Appendix H
Potable Water Report	Cardno	Appendix I
Flora and Fauna Assessment	Ecoplaning	Appendix J
Geotechnical Report	Douglas Partners	Appendix K
Preliminary Contamination Report	Harvest Scientific Services	Appendix L
Bushfire Assessment	Australian Bushfire Solutions	Appendix M

Documentation	Consultant	Appendix
Aboriginal Heritage Assessment	Biosis	Appendix N
Aboriginal Cultural Heritage Assessment Report	Biosis	Appendix N1
Stakeholder Engagement Summary	MediaMedia	Appendix O
Cost Summary Report	CDS	Appendix P
Clause 4.6 Variation Request	Urbis	Appendix Q

2. SITE & SURROUNDING LOCALITY

2.1. THE SITE

The site comprises two adjoining lots located on the southern edge of the Moss Vale Township. The description of the subject site is outlined below.

Table 2 – Site Description

Site	Area
'Chelsea Gardens,' 32 Lovelle St (Lot 3 DP 706194), owned by Prime Moss Vale Pty Ltd	80ha
Coomungie,' 141 Yarrawa Rd (Lot 12 DP 8660366), owned by Prime Moss Vale Pty Ltd	44ha
Total	124ha

Figure 1 – Subject Site



Source: Urbis

Table 3 – Site Features

Feature	Description
Existing built improvements	A single storey dwelling house is located on the site previously known as “Coomungie”, at 141 Yarrawa Road.
Access	Vehicle access to the site is available from the following streets: <ul style="list-style-type: none"> – Yarrawa Rd on the south and west, – Lovelle St on the north-west, – Hill Road to the north.
Topography	<ul style="list-style-type: none"> – The site forms an amphitheatre rising gently from its focus on Whites Creek to three hills and their connecting ridge lines. The steepest part of the site is the hill to the north, with the two hills to the south-east of the site being the next steepest in the vicinity. – There is a substantial variation in elevation across the site, the highest point on site being in the north, at 752m AHD or 66m above the lowest point directly to the south of the golf course (686m AHD). However, most of the site is gently undulating with slopes of 0-10%, with a few localised exceptions.
Hydrology	<ul style="list-style-type: none"> – The site contains riparian corridors (first order watercourses under the Strahler system) that form tributaries to Whites Creek. – The riparian corridors contain no significant vegetation – The site currently has several dams at its north-eastern edge. – The low-lying areas of the site are flood affected in a 100 year ARI event.
Flora and Fauna	<ul style="list-style-type: none"> – The site currently comprises cleared pasture land and exhibits low ecological value due to its highly disturbed nature. Therefore, the site is largely ecologically unconstrained.
Heritage	<ul style="list-style-type: none"> – The site is unaffected by any Heritage Items identified within the WLEP 2010. – There are three existing areas of Aboriginal cultural heritage significance located within the site, including (refer Appendix N1): <ul style="list-style-type: none"> – Chelsea Gardens Locale 1 (AHIMS 52-4-0193) – located on the western margin of the ridgeline which extends along the eastern property boundary. – Chelsea Gardens Locale 2 (AHIMS 52-4-1094) – located on a small knoll to the west of the main dam, immediately south of the golf course. – Chelsea Gardens Locale 3 (AHIMS 52-4-0689) – located on an undulating hill crest to the north east of Chelsea Gardens Locale 2.
Bushfire	<ul style="list-style-type: none"> – The site is free from bushfire impact, aside from a very small portion of the northern boundary along a creek corridor.

2.2. LOCALITY & WIDER CONTEXT

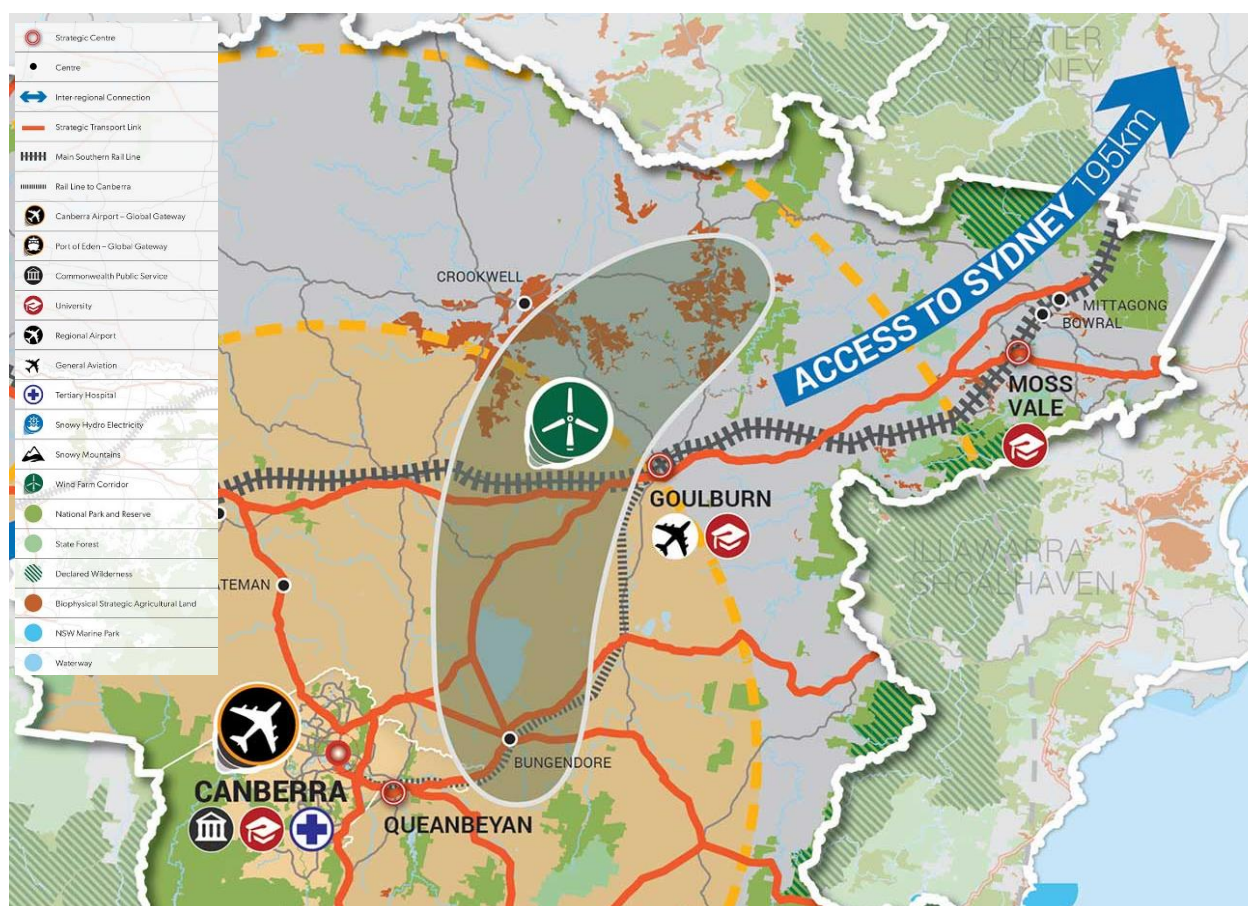
- The site is situated approximately 2km to the south-east of Moss Vale Town Centre & Railway Station.
- The site is approximately 4km south-east from the Moss Vale to Berrima Enterprise Corridor.

- The site is located adjacent to the southern edge of the existing township which is a logical location for extension of the town.
- The site as shown in Figure 1 is generally bounded by:
 - Large rural and rural residential lots to the east with lot sizes 1.5ha to 50ha.
 - Yarrawa Rd and large rural and rural residential lots to the south and west with lot sizes 4ha to 24ha.
 - Hill Rd and residential part of Moss Vale to the north with lot sizes varying between 700m² and 12ha.
 - Moss Vale Golf Club that directly adjoins the northern site boundary.

The site is located within the township of Moss Vale. Moss Vale is located approximately 130 kilometres south-west of Sydney, 160 kilometres north-east of Canberra and under 70 kilometres west of Wollongong.

Moss Vale is part of Wingecarribee Shire and is situated on the Illawarra Highway, which is a major route from Canberra/Goulburn/Hume Highway to Wollongong.

Figure 2 – Extract of the South East and Tablelands Regional Plan 2036



Source: DPE

Moss Vale is identified as a 'Strategic Centre' in the South East and Tablelands Regional Plan 2036, providing local and district services and facilities, and a range of housing types. Moss Vale is a significant contributor to the Southern Highlands region employment industry with light and medium industries, and small agriculture located around the area.

2.3. TRANSPORT NETWORK

Moss Vale is linked regionally via the Hume Motorway to the Sydney metropolitan to the north, and Goulburn to the south. The Illawarra Highway provides access to the coastal towns of Kiama and Shellharbour.

The Moss Vale Railway Station located in the Town Centre between Argyle Street and Lackey Road, is the primary southern terminus for the Southern Highlands railway line providing:

- 11-18 rail services per day to Sydney via the Southern Highlands line.
- 5 rail services per day to Goulbourn.
- 3 rail services per day to Canberra.
- at least 3 bus services to Wollongong.
- 5-15 bus services to Bowral and Mittagong.

Currently there are no formalised pedestrian access on Yarrawa Road south of Darran/Spencer Road. There are no formalised cycle paths in the vicinity of the site. On-road cycle access is proposed acceptable based on traffic volumes.

2.4. SITE PHOTOS

Figure 3 – Site photos



Picture 1 – A southerly vista across the site from the northern portion of the site, close to Hill Road.



Picture 2 – A view of the eastern precinct, looking west towards the Golf Course and Yarrawa Road.



Picture 3 – A view from the site looking north towards the steep incline to Hill Road.

Source: Arterra

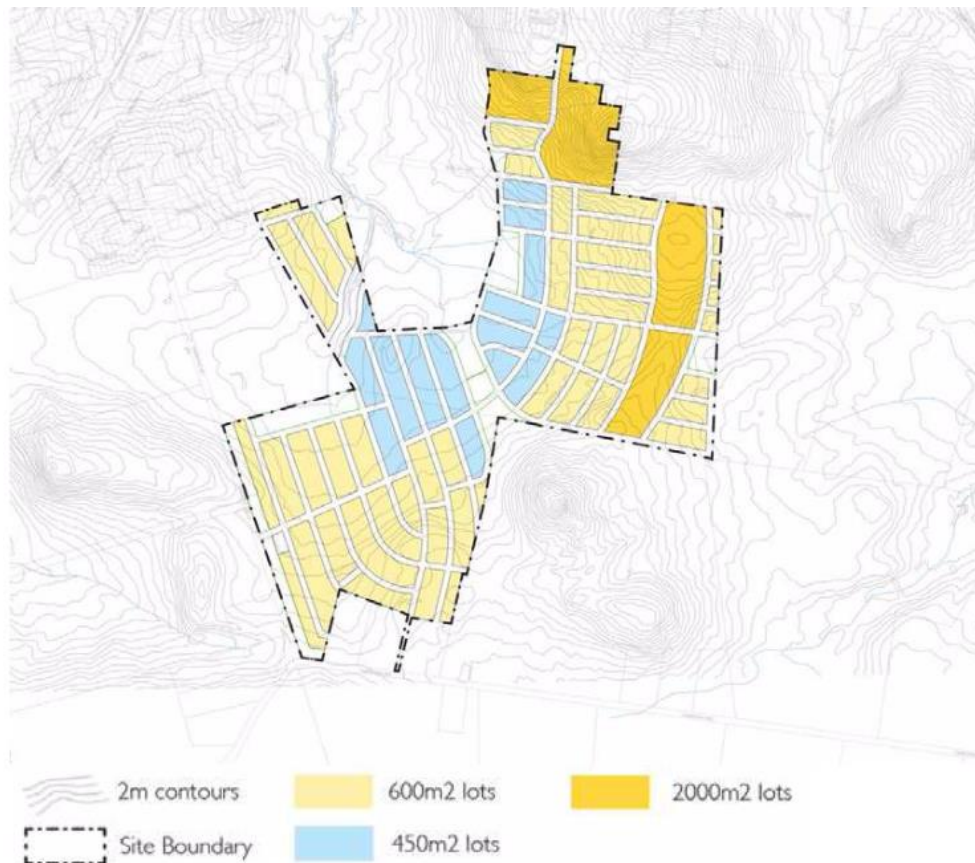
3. BACKGROUND

3.1. REZONING

The site was rezoned under delegated approval by the Southern JRRP (via Amendment No. 43 to the WLEP 2010) on 27 October 2017. The rezoning incorporated predominantly R2 - Low Density Residential, a portion of R5 - Large Lot Residential, a small area of B1 - Neighbourhood Centre, and RE1 - Public Recreation.

The rezoning also incorporated amendments to the minimum lot size controls on site, permitting 450sqm lots concentrated in the centre of the site, lots over 2000sqm situated on the top of the ridge line connecting Moss Vale Hill and the hill south-east of the site, and lots over 600sqm proposed across the remainder of the site as shown in Figure 4.

Figure 4 – Minimum Lot Sizes proposed in the 2017 Planning Proposal



It is noted the Local Planning Strategy 2015-2031 for Moss Vale Township identified the site within an Urban Release Area (URA) under WLEP 2010.

3.2. MASTER PLAN DESIGN COMPETITION

A voluntary client-led master plan design competition was commissioned by the Applicant in early 2018, in order to develop a high-quality vision and master plan concept for the site.

Four (4) concept master plans were prepared by E8urban, DKO Architects, Arterra Design and Roberts Day.

Design Competition presentations were undertaken in May 2018 and commentary on each design were provided by Urbis on 18 May 2018. Following a review of each master plan, the Applicant selected Arterra to progress with a draft Master Plan for the estate.

4. PRE-LODGEEMENT ENGAGEMENT

The applicant has actively engaged with Council and local stakeholders during the preparation of this development application. A detailed summary has been prepared by the engagement consultant (MediaMedia) and is provided as **Appendix O**. A brief summary is provided in the following sections.

4.1. COUNCIL ENGAGEMENT

Prior to February 2019

The applicant met with Council officers in 2018 to discuss details of the development and receive feedback on the Master Plan Concept layout and the draft Site Specific Development Control Plan. Items discussed included:

- Lot layout, sizes and yield.
- Road layout, typology and road design, including a reduced width for lower order internal streets.
- Development staging.
- Traffic demand, road design and potential amendments to speed limits.
- Flooding in the Moss Vale area.
- Sewer and water design, and capacity.
- Requirement for consultation and engagement with the community and other stakeholders in the area.
- Format and contents of the draft Site Specific Development Control Plan, to be included as an amendment to the existing Moss Vale Town Centre Development Control Plan.

The outcomes of discussions with Council regarding the above matters have been considered during the preparation of this application.

Aoyuan also presented the Draft Master Plan to the Councillors of Wingecarribee Shire Council in September 2018, to engage in an open discussion regarding the development and ensure Council are suitably informed of the proposal.

Subsequent to the above, a Concept DA and concurrent detailed (Stage 1) DA was lodged to Council on 11 February 2019, formally known as DA 19/1183.

Post February 2019

Following lodgement of DA 19/1183, Council requested the DA be withdrawn prior to a draft Development Control Plan (DCP) being adopted and publicly exhibited. Subsequently, the Applicant formally withdrew DA 19/1183 on 14 March 2019.

Council continued to review the draft Site Specific DCP in preparation for Council endorsement and public exhibition. The Applicant also consulted with Council officers to review technical assessments to facilitate the preparation of a revised DA.

Table 4 provides a timeline for the consultation with Council and RMS following the withdrawal of DA 19/1183 and the progress of the Site Specific DCP.

Parallel to the consultation with Council and RMS, the Applicant commissioned Orion Consulting to undertake a peer review of the Stage 1 civil design proposed in the original DA. This has resulted in a realignment of the lot layout and roads to facilitate the levels of the development being closer to the existing landform.

Table 4 – Timeline of consultation with Council post withdrawal of DA 19/1183

Date	Comment
25 February 2019	Council indicate concerns of assessing DA 19/1183 whilst the Site Specific DCP is being prepared.
5 March 2019	Meeting with WSC to discuss the lodgement of DA 19/1183 and requirements for matters Council wishes to address prior to the resubmission of a DA including, content of DCP, Traffic, Stormwater, Services and clarification on structure of DA.
14 March 2019	DA 19/1183 was formally withdrawn following request from WSC that the DA be withdrawn prior to a draft development control plan being adopted and exhibited.
21 March 2019	Meeting with WSC to discuss the development and key actions including, revised traffic modelling for 2036, confirmation of project staging and infrastructure committed to by Council.
27 March 2019	The Chelsea Gardens draft DCP was presented to Council, with proposed minor changes to the street hierarchy. The changes were endorsed by Council for incorporation into the draft DCP.
3 April 2019	Correspondence between Council and Applicant regarding the issue of Council traffic modelling data.
4 April 2019	Council issue comments to Applicant regarding Water and Sewer servicing of the site.
26 April 2019	Updated content for the draft DCP provided to Council in preparation for presentation to Council.
2 May 2019	Applicant requests additional information from Council regarding Water and Sewer servicing to assist with civil design and services connections.
8 May 2019	The Chelsea Gardens draft DCP was presented to Council for endorsement of public exhibition. Council members requested the exhibition period be extended from 28 days to 56 days and reported back to Council following the exhibition period.
17 May 2019	The Applicant and WSC met with the Roads and Maritime Service (RMS) to discuss traffic modelling and the local road network. New traffic modelling was identified to be completed based upon 'No Growth' scenarios and isolating the impact of Chelsea Gardens alone on the traffic network.
22 May 2019	The Applicant met with WSC to discuss/seek feedback Stormwater, Traffic, Sewer and Water and technical assessments of the site to ensure the revised DA would meet Council's requirements.
31 May 2019	The Applicant follows up with RMS to discuss traffic modelling. RMS requests further traffic modelling
24 June 2019	RMS requests further information which should be incorporated into a Traffic report submitted with the revised DA.

4.2. COMMUNITY ENGAGEMENT

As identified in **Appendix O**, MediaMedia were engaged to engage with the local community and key stakeholders including Moss Vale Golf Club and other local business leaders. Engagement involved letter drops, press releases in local news and community drop-in sessions through September to December 2018.

Key matters identified by the community during the engagement process included:

- Traffic movement and congestion in and surrounding the project.
- Flood Management and its impact on the area.
- What amenities would be provided within the project.
- Number of lots and proposed lot sizes.
- Discussion regarding existing infrastructure in the area and managing Moss Vale's growth.
- Construction management.
- Proximity to the Moss Vale Golf Course and management of its interface with the development.
- Link to the existing dog park (Seymour Park).

Feedback from the community was generally positive, including:

- Comfort around the number of lots proposed, which is significantly less than identified in the rezoning, and support for the range in block sizes.
- Complimented the quality of the proposed landscaping and tree-planting, to suit the character of the area.
- Appreciation in the engagement to date and the explanation on timing of the project and its delivery over a long period of time.
- Recognised the level of technical research undertaken regarding traffic and flooding informing the project.
- Support the dog park (Seymour Park) will remain unaffected by the proposed development.

4.3. FUTURE ENGAGEMENT

The community will have opportunity to provide further feedback and submissions on the proposed development during the formal public exhibition period for the development application.

The applicant is committed to continue growing relationships with the local community and stakeholders. The local community will be kept informed of the progress of the development and future construction timetables.

5. PROPOSED DEVELOPMENT

5.1. OVERVIEW

In accordance with Section 4.22 of the EP&A Act, the proposal is for Staged Development for which consent is sought comprises:

- A Concept Development Application for residential subdivision plan (Master plan) for approximately 1,200 lots; and
- A Stage 1 Development comprising Torrens Title subdivision for the creation of 182 residential lots, two (2) lots for open space or drainage and four (4) Residue Lots, with associated works including site clearing, tree removal, bulk earthworks and construction of new roads and public infrastructure, open space and restoration of a section of the Whites Creek.

The above elements of the proposed development are detailed further in the following sections and are accompanied by the Concept Master Plan, Urban Design Report, and Stage 1 Civil Plans.

5.2. CONCEPT DEVELOPMENT (MASTER PLAN)

A Concept Development Application has been prepared seeking consent for residential development as detailed in the Master plan prepared by Arterra (**Appendix B**) and shown in Figure 5. The Master plan provides an intended structure, principles and guidelines for future subsequent detailed development applications for land outside of Stage 1.

Concept approval is sought for development across the site including:

- General site layout in accordance with the Indicative Master plan prepared by Arterra, also addressing new site access points, street hierarchy and water management, open space and location for a new neighbourhood centre.
- The Master plan will create approximately 1,200 residential lots with a combination of sizes from 450sqm, 600sqm and 2,000sqm. The composition of lot yield is outlined below in Table 5.

Table 5 – Concept Application Lot yield

Item	Proposal	
Lot Types	Residential Torrens Title Lots Riparian corridor and drainage assets Open space	
Residential lot sizes	450 - 500sqm	280 - 300
	600 - 1000sqm	730 - 830
	2,000+sqm	70
Total	Approx. 1,200 residential lots	

- An amendment to Part C – Residential Zoned Land of the Moss Vale Town Plan Development Control Plan (DCP) to provide site specific controls to be assessed under Part 4 of the *Environmental Planning and Assessment Act 1979*. The site specific DCP section will be known as **Section 21, Chelsea Gardens and Coomungie Lands Precinct**.

The map displays the Moss Vale Master Plan, showing various land use zones and infrastructure. Key features include:

- Land Use Zones:**
 - Minimum Lot Size 450m²:** Shaded in orange.
 - Minimum Lot Size 600m²:** Shaded in yellow.
 - Minimum Lot Size 2000m²:** Shaded in purple.
 - Open Space:** Shaded in green.
- Infrastructure:**
 - Roads:** WARRAWARR ROAD, Seymour Park, Moss Vale, Park Leigh Hill.
 - Water Features:** Moss Vale Golf Course, Existing Pond, Lake A, Lake B, Pond.
 - Other Landmarks:** Seymour Park, Moss Vale, Park Leigh Hill.
- Legend:**
 - Minimum Lot Size 450m²
 - Minimum Lot Size 600m²
 - Minimum Lot Size 2000m²
 - Open Space
- NOTE:** Road layout (beyond Stage 1), is indicative only and subject to more detailed engineering and planning assessment at each future stage.
- Scale:** 0 50 100 200m
- North Arrow:** Indicated by a circle with 'N'.

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5.3. STAGE 1 DETAILED WORKS

Concurrent with the Concept Development Application, consent is also sought for detailed works associated with Stage 1 of the project.

The detailed Stage 1 works comprises approximately 24.3 hectares and is the first of several future stages of development (subject to future development applications) for the detailed design, construction, subdivision and occupation of the area of the site shown in Figure 6.

5.3.1. Overview

The following works are proposed within the Stage 1 Proposal:

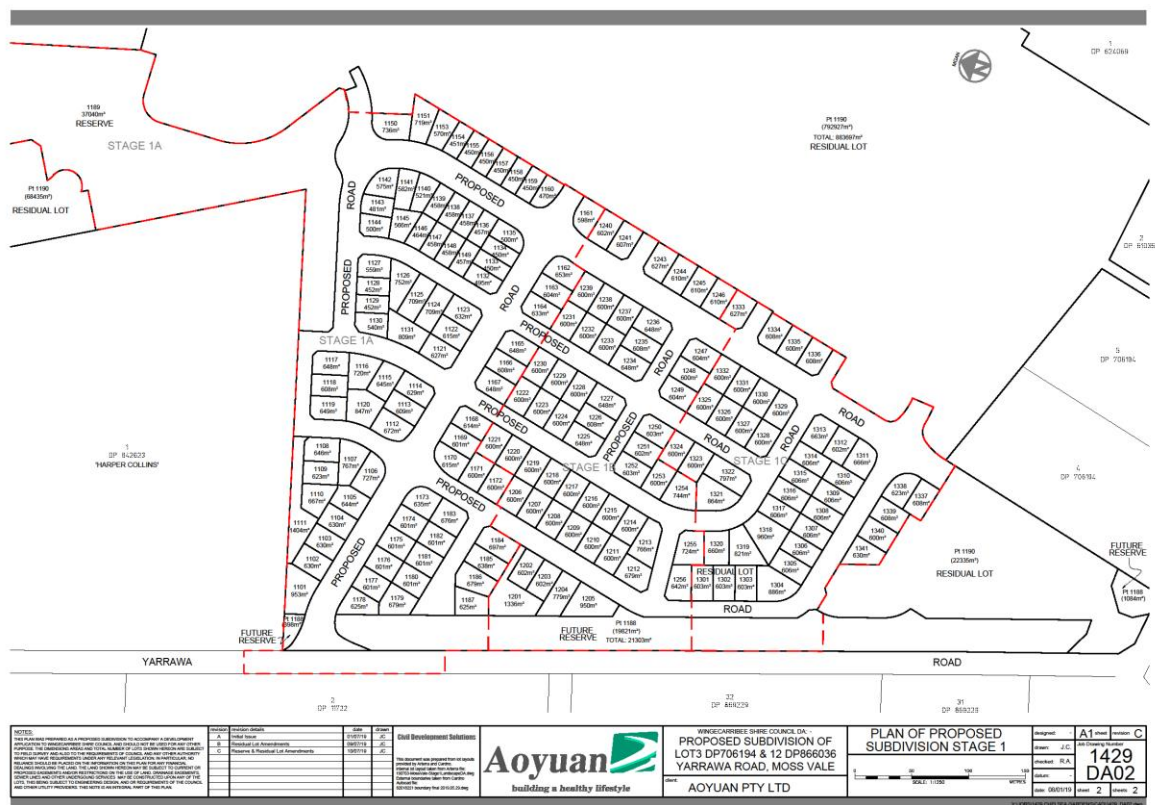
- Stage 1 comprises three sub stages 1A, 1B and 1C to facilitate staged construction and subdivision certificates.
- Torrens Title subdivision for the creation of 182 lots for future residential use, two (2) lots for open space or drainage and four (4) Residue Lots subject to future stages of development.
- Landscaping works including a new Open Space buffer zone along Yarrawa Road frontage (to be dedicated to Council upon completion of Stage 1) and street trees.
- Construction of roads, kerbs, gutters and paths (to be dedicated to Council).
- Construction and installation of essential services and ancillary infrastructure.
- Site clearing, tree removal and bulk earthworks.
- Stormwater and drainage infrastructure, including detention basins and swales, and restoration of Whites Creek riparian corridor that traverses a portion of Stage 1 of the site.
- Road works to Yarrawa Road comprising road widening and new intersection at the entrance to Stage 1.

The Subdivision Lot Layout Plan prepared by Civil Design Solutions is included in **Appendix E**. Key numeric aspects of the proposed detailed Stage 1 works are provided at Table 6 and the various components of the proposed development are described in the following sections.

Table 6 – Stage 1 Lot yield

Item	Proposal	
Lot Types	Torrens Title Residential Lots	
	Open Space/Recreation	
Yield per lot size	450 - 599sqm	31
	600 - 1000sqm	151
	2,000+sqm	-
Total	182 residential lots	

Figure 6 –Stage 1 DA Lot Layout Plan



Source: Civil Design Solutions

5.3.2. Site clearing and tree removal

Development consent is sought for site clearing and tree removal within the Stage 1 area as identified within the Civil Plans in **Appendix D**.

5.3.3. Earthworks

A specific bulk earthwork plan has been prepared for the residential development and has been designed to minimise cut and fill, and ensure the natural undulating character within Stage 1 of the site is retained. The proposed bulk earthworks are the result of a peer review and design by Orion Consulting to provide a better outcome in regard to cut and fill balance.

These works are detailed in the Civil Plans attached as **Appendix D**. Prior to any earthworks commencing on the site, erosion and sediment control measures will be put in place.

5.3.4. Stormwater Management and Drainage

Cardno were commissioned to prepare a Water Cycle Management Report (**Appendix E**) for the proposed residential subdivision. A comprehensive Stormwater Management Strategy has been prepared encompassing the entire site. However, development consent for stormwater drainage infrastructure works sought as part of this proposal is limited only to infrastructure within the Stage 1 area and can operate satisfactorily without reliance on the delivery program for future stages.

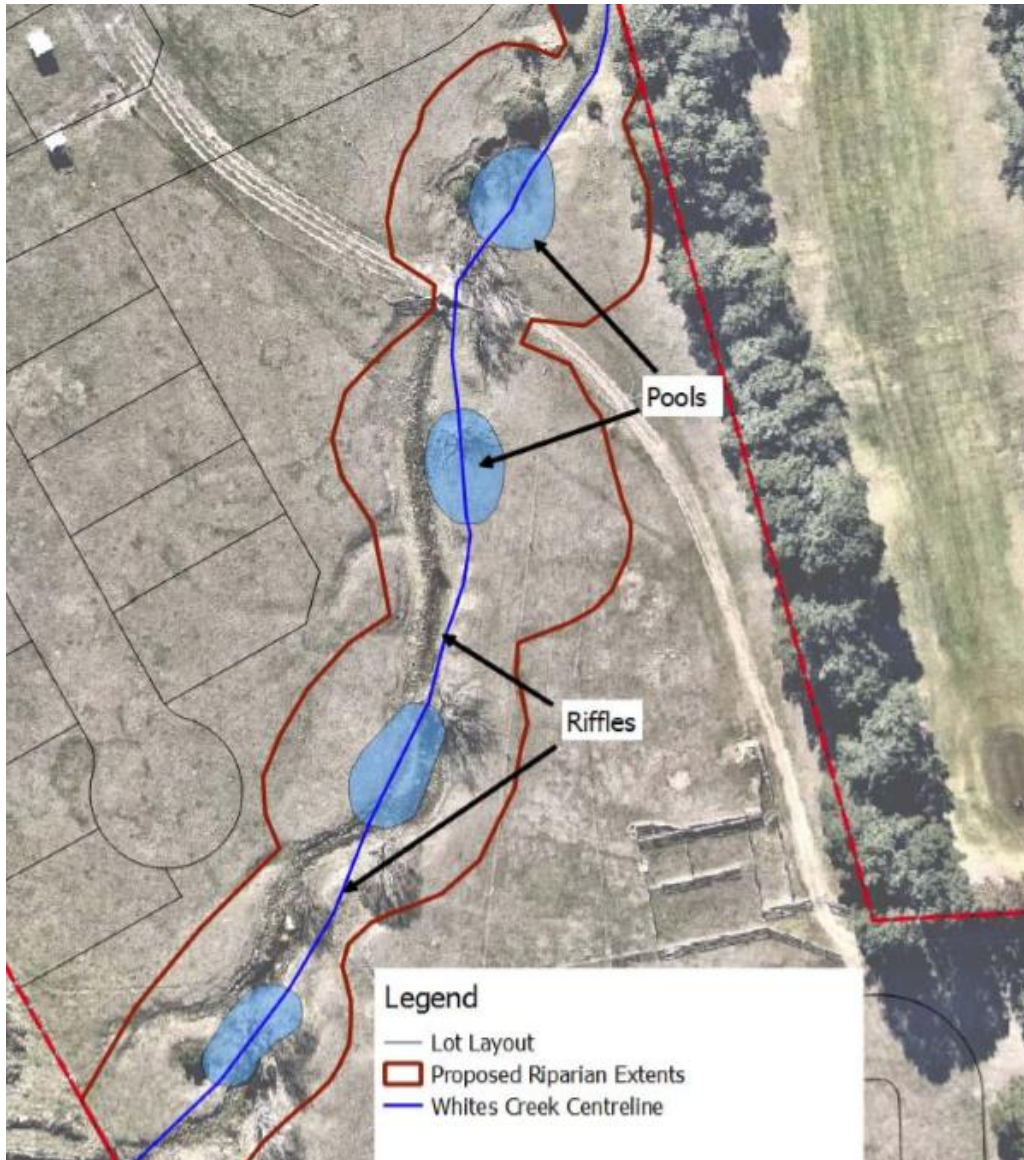
Orion Consulting has provided a peer review of the Water Cycle Management Study and additional documentation has been prepared by Orion to assess the water management cycle for the Detailed Proposal (Stage 1). This documentation is also provided in **Appendix E**.

Stormwater management and drainage infrastructure works proposed within Stage 1 include the reshaping and revegetation of Whites Creek to improve flooding behaviour both within the site and downstream towards Moss Vale township, and enhance the ecological appeal of the area.

The proposed riparian corridor works within the Whites Creek area as shown in Figure 7 include the adoption of a pool and riffle system, designed to provide passive floodplain storage and contain floodwaters within the subject site via the defined watercourse.

The riparian corridor will be revegetated to 10 metres from the top of bank as per the Guidelines for Controlled Activities on Waterfront Lands (2018). These revegetation works will be completed in accordance with the landscape design prepared by Arterra and outlined in Section 5.3.6 of this SEE.

Figure 7 – Proposed Riparian Corridor



Source: Cardno, 2018 - Water Cycle Management Study (Page 19)

5.3.5. Services and Utilities

Infrastructure arrangements for electricity, street lighting, communications, gas, water and sewer have been considered for the entirety of the site. This application proposes the delivery of infrastructure for Stage 1 only. Details of the proposed services and utilities infrastructure are detailed further in the Service Layout Plans prepared by Cardno in **Appendix D**.

As part of the design process, Cardno has consulted with the relevant service providers and confirms the proposed Stage 1 subdivision can be adequately serviced. The site will be subject to separate applications with service providers following DA approval.

5.3.6. Landscaping/ Open Space

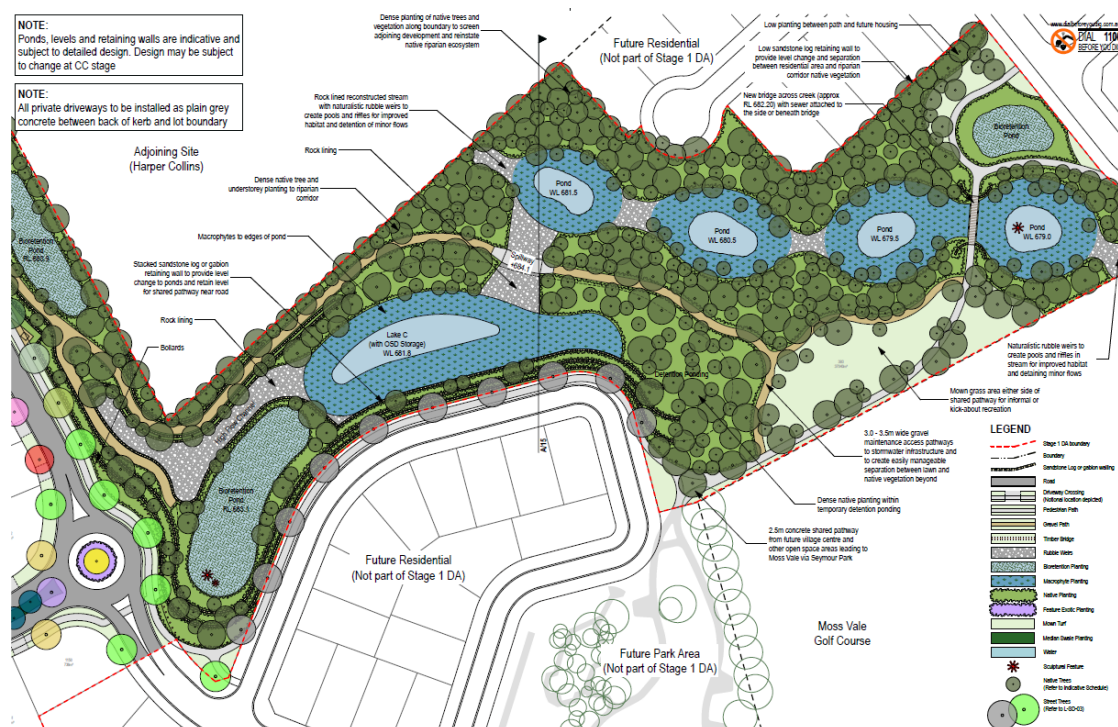
This application seeks consent for the delivery of landscaping and open space identified within Stage 1, including revegetation and embellishment of Whites Creek Park, the Yarra Road Buffer, and typical street tree planting. The proposed landscape works are detailed in the Landscape Plans prepared by Arterra in **Appendix C** and outlined in the following section.

Whites Creek Park

Whites Creek Park will be a naturalistic parkland with riparian restoration and revegetation. It will comprise of a natural stream reconstruction and natural landscaping as shown in Figure 8. Proposed landscape features and elements will include:

- Riparian corridor with native planting, cascading rock pools and ponds.
- Shared pedestrian and cycle pathway with a bridge over the riparian corridor.
- Extensive land and bioretention basins with fringing macrophyte planting.
- Shared path connection to the future adjoining adventure playground area, and Village Hub (both subject to future development applications) and adjoining the existing Seymour Park.
- Minor park furniture including mainly seating and signage.

Figure 8 – Whites Creek Park



Source: Arterra

Yarra Road Buffer

A 30-metre-wide corridor of land fronting Yarra Road is currently zoned RE1 – Public Recreation and will be utilised for dual purposes. Its primary purpose is to provide windbreak planting and a visual buffer to Yarra Road. Beyond its functional role as a windbreak, it will also be used as a naturalistic linear park as pictured in Figure 9.

The full length of the buffer park will be delivered over time, with the northern portion of Yarra Road Buffer Park to be approved and constructed as part of Stage 1. Proposed features and elements include:

- A linear park containing native trees, shrub and ground cover planting.
- Rural fencing defining the boundary to Yarra Road associated with screen hedging.
- Feature exotic planting associated with the Entry Points.

- Shared pathway traversing part of the length of the park.
- Some minor park furniture including seating.

Figure 9 – Yarra Road Buffer Park



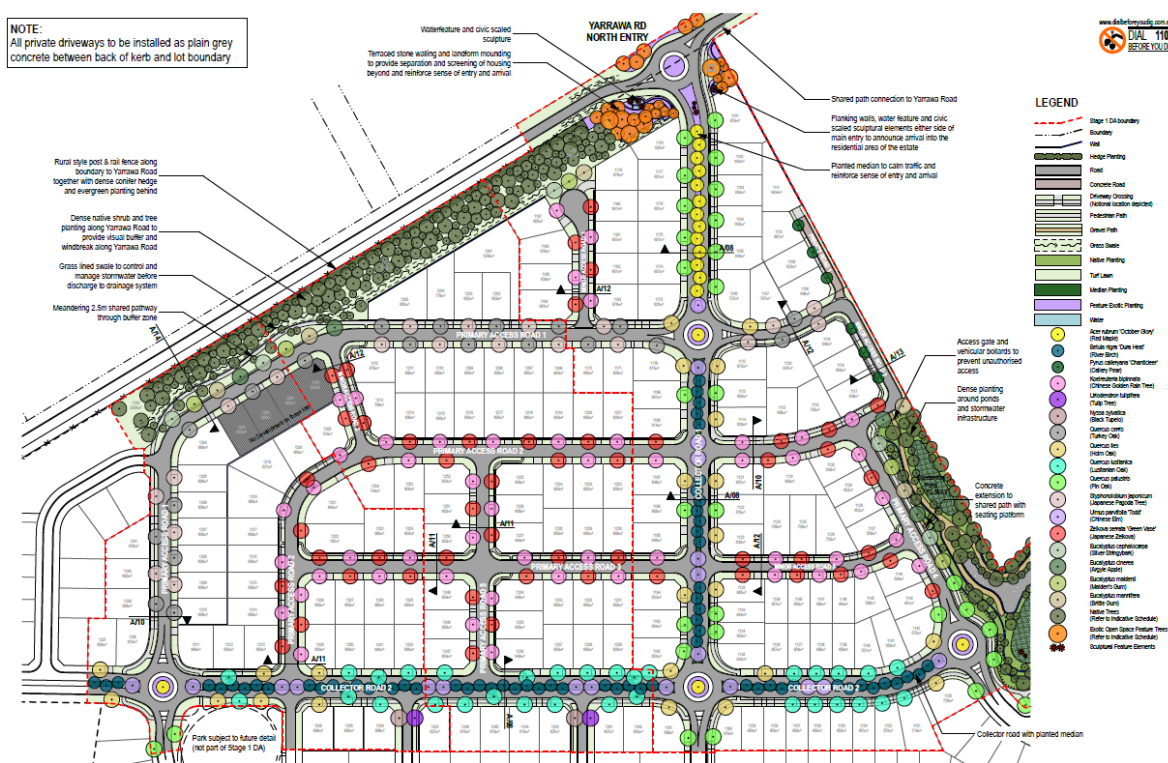
Source: Arterra

Street Tree Planting

Arterra has prepared a holistic Street Tree Planting Strategy for the Master Plan to suit the character of the Southern Highlands, consistent with the Wingecarribee Shire STMP guidelines. Street trees have also been selected to define special and different areas within the master plan to create an identity and assist with legibility.

This application seeks consent to deliver all street trees within Stage 1 of the development in accordance with the street tree specifications identified in the Landscape Plans prepared by Arterra in **Appendix C**.

Figure 10 – Landscape Plan



Source: Arterra

6. SECTION 4.15 ASSESSMENT

This section provides an assessment of the proposal against matters for consideration under Section 4.15 of the EP&A Act, including the following Plans, Acts, and Environment Planning Instruments:

Strategic Planning Policy:

- *Wingecarribee Local Planning Strategy 2015-2031*

Acts:

- *NSW Biodiversity Conservation Act 2016*
- *Commonwealth Environment Protection and Biodiversity Conservation (EPBC) Act 1999*
- *Rural Fires Act 1997*

Environmental Planning Instruments:

- *State Environmental Planning Policy (Infrastructure) 2007*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *State Environmental Planning Policy No.55 Remediation of Land*
- *State Environmental Planning Policy (State and Regional Development) 2011*
- *State Environmental Planning Policy (Affordable Rental Housing) 2009*
- *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*
- *Wingecarribee Local Environmental Plan (WLEP) 2010*

Draft Environmental Planning Instruments:

- *None applicable*

Development Control Plans:

- *Moss Vale Town Centre Development Control Plan DCP*
- *Draft Moss Vale Town Centre Development Control Plan (BDCP) – Section 21 Chelsea Gardens Precinct*

6.1. WINGECARRIBEE LOCAL PLANNING STRATEGY 2015-2031

The Local Planning Strategy provides a 'snapshot' of the Shire in 2015, identifies the key issues likely to most affect the Shire over the next 16 years to 2031 and offers land use options which meet Council's regional development obligations while also respecting community priorities and goals.

The purpose of a Local Planning Strategy is to identify a long-term direction for the future development of the Shire upon which any proposed amendments to the Local Environmental Plan (LEP), or to the Development Controls Plans (DCPs) which support it, can be based.

In a letter to Council dated 15 May 2017, the Deputy Secretary Planning Services of the Department of Planning and Environment (DPE) advised Council that the Local Planning Strategy had been conditionally endorsed. This endorsement did not extend to Chapter Four - Meeting Our Housing Needs because of Council's reliance on infill development.

The Local Planning Strategy recognises the subject site as an Urban Release Area with a potential yield of 1,200 residential lots and acknowledged the pending rezoning of the land which has now since taken place. The proposed development is consistent with the Strategy and the DPE position that housing growth in the Shire needs to incorporate a balance of infill and greenfield development. This site represents the primary greenfields development area for Moss Vale.

6.2. NSW BIODIVERSITY CONSERVATION ACT (2016)

The *Biodiversity Conservation Act 2016* (BC Act) commenced on the 25th August 2017 to provide environmental protection and ecologically sustainable development.

Approximately 0.03 hectare of Southern Highlands Shale Woodland EEC will be impacted by this proposal. An impact assessment in accordance with Section 7.3 of the BC Act (i.e Test of Significance) and associated guidelines (OEH 2018) has been undertaken by Ecoplanning (**Appendix J**).

Ecoplanning has found that subject to the avoidance and mitigation measures outlined in their report, there will be no significant impacts to the EEC, nor will there be any requirement for biodiversity offsets in accordance with the *Biodiversity Conservation Regulation 2017*.

6.3. COMMONWEALTH ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT (EPBC) ACT (1999)

The *Environmental Protection & Biodiversity Conservation (EPBC) Act (1999)* states a person must not, without an approval under the Act, take an action that has or will have, or is likely to have, a significant impact on matter of National Environmental Significance (NES).

No matters of NES will be impacted by the proposal.

6.4. SEPP (INFRASTRUCTURE) 2007

Clause 104 of the Infrastructure SEPP relates to traffic generating development. In accordance with clause 104 and the Table within Schedule 3 of the Infrastructure SEPP, the proposed development comprises subdivision of land to create more than 200 lots and therefore should be referred to the Roads and Maritime Service (RMS).

6.5. SEPP (BUILDING SUSTAINABILITY INDEX: BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (SEPP BASIX) was introduced by the NSW Government to ensure homes are designed to use less potable water and emit fewer greenhouse gas emissions. BASIX sets minimum energy and water reduction targets for houses to achieve this goal.

There are no physical dwellings proposed for construction as part of this application. BASIX assessment will therefore be undertaken for each dwelling as part of future applications.

6.6. SEPP NO 55 REMEDIATION OF LAND

The objectives of *State Environmental Planning Policy – No.55 – Remediation of Land* (SEPP 55) include the promotion of remediation of contaminated land for the purpose of reducing the risk to human health or another aspect of the environment. The consent authority must be satisfied the land is suitable for the purpose of the proposed development.

A Phase 1 Site Contamination Assessment was undertaken by Harvest Scientific Services (**Appendix L**) in 2006 to support the rezoning of the site for residential use. The assessment included a site visit for visual inspections and ground truthing of existing features identified from examination of aerial photos and review of Council records.

The preliminary contamination assessment suggests that areas of the site used for extensive grazing activities may contain diffuse agrochemicals or heavy metal contamination (such as from fertiliser), however the risk of contamination is considered to be low. The report also identifies potential for localised metal and possibly agrochemical contamination in the near vicinity of existing infrastructure. The report concludes that whilst some soil contamination is likely, its extent is likely to be limited to discrete areas (associated with existing buildings, stock handling facilities, filled areas, etc) and thus easily remediated.

Based on the above, the proposal is considered to be in keeping with the requirements of SEPP 55 and the site is suitable for residential development.

Notwithstanding, noting the findings of preliminary contamination report is associated with the rezoning from 2006, the applicant has commissioned Harvest Scientific Services to undertake a review of the report to confirm the findings remain accurate and reflect the current conditions of the site. This will be issued to Council shortly.

6.7. SEPP (STATE AND REGIONAL DEVELOPMENT) 2011

The estimated cost of works within the concept proposal is \$74,217,639 (including GST). In accordance with Clause 21 and Schedule 7(2) of the *State Environmental Planning Policy (State and Regional Development) 2011*, as the cost of works for the entire master plan exceeds \$30 million, the Concept DA will be submitted to Wingecarribee Shire Council for assessment and referred to the Southern Regional Planning Panel for determination.

6.8. SEPP (AFFORDABLE RENTAL HOUSING) 2009

The *State Environmental Planning Policy (Affordable Rental Housing) 2009* is applicable to the site but not relied upon as part of the concept or detailed (Stage 1) development application.

6.9. SEPP (HOUSING FOR SENIORS OR PEOPLE WITH A DISABILITY) 2004

The proposed concept master plan includes an area potentially reserved for Seniors Housing. This is a permissible land use within the R2 zoned land in the north western portion of the site.

Any future Seniors Housing development within the site would be subject to a future development application, requiring assessment in accordance with SEPP (Housing for Seniors or People with a Disability) 2004.

No further assessment is required as part of this application.

6.10. WINGECARRIBEE LEP 2010

6.10.1. Zoning and Permissibility

The site is predominantly zoned R2 – Low Density Residential, with small portions of land zoned R5 – Large Lot Residential, RE1 – Public Recreation and B1 Neighbourhood Centre. The Master Plan is consistent with the current zoning, aside from the future relocation of the B1 zone which will be subject to a future planning proposal.

The following sections addresses permissibility for each zone specific to Stage 1 of the development only.

R2 – Low Density Residential

The majority of the proposed Stage 1 application comprises residential subdivision within the area of the site zoned R2 – Low Density Residential. This proposed land use categorised as *dwelling houses* is permissible with consent within the R2 zone and consistent with the objectives of the R2 zone.

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The proposal will facilitate the construction of new houses with an appropriate low density and character consistent with the surrounding area.

The restoration of Whites Creek and the associated Whites Creek Park is also located within the R2 zone. *Recreation areas* are permissible with consent within the R2 zone. The proposed Whites Creek works are consistent with the zone objectives by providing effective stormwater management to facilitate the use of the site for residential purposes and provide public space amenities to future residents.

RE1 – Public Recreation

Land within the site along the frontage of Yarrawa Road is zoned RE1 – Public Recreation. This area of the site within Stage 1 has been utilised as a linear public park referred to as Yarrawa Buffer Park in Section 5.3.6 of this SEE. This proposed land use categorised as *Recreation areas* is permissible with consent within the RE1 zone and is consistent with objectives of providing public open space and will enhance the natural environment and character of the surrounding area.

- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*
- *To enable ancillary development that will encourage the enjoyment of land zoned for open space.*

B1 – Neighbourhood Centre

A small portion of Stage 1 close to Yarrawa Road is zoned B1 – Neighbourhood Centre. The objectives of this zone include:

- *To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.*
- *To generally conserve and enhance the unique sense of place of business centre precincts in villages and towns by ensuring that new development integrates with the distinct village scale, character, cultural heritage and landscape setting of those places.*
- *To ensure that new development has regard to the character and amenity of adjacent and nearby residential areas.*

The location of this zone is a result of the original master planning associated with the rezoning of the site in 2017.

As part of the master planning process for this application, it has been identified this B1 zone is no longer in a suitable location and will be relocated centrally within the site as indicated in the Concept Master Plan as a 'Village Hub'. As such, a planning proposal will be submitted in the future to rezone the B1 land to R2 – Low Density Residential to be consistent with the surrounding land use. For this purpose, the land zoned B1 has been excised as a residue lot and will remain vacant until such time the land has been rezoned for residential purposes and will be subject to a future development application.

6.10.2. Clause 4.1 - Minimum Subdivision Lot Size

The Concept Master Plan for the site has been designed for all residential lots to comply with the current minimum subdivision lot size controls as specified in WLEP 2010. All proposed residential lots within Stage 1 comply with the 600sqm minimum lot size applicable to the subject land.

Notwithstanding, Lot 1188 proposed in the detailed (Stage 1) development application is below the minimum subdivision lot size development standard of 40 hectares and therefore a request to vary the development standard is proposed under clause 4.6 of WLEP 2010. The request is addressed within **Appendix Q**.

6.10.3. Clause 5.10 – Heritage conservation

The objectives of clause 5.10 of WLEP 2010 include the conservation of heritage items and Aboriginal objects, sites and relics.

As outlined previously in Table 3, the site is unaffected by any Heritage Items identified within the WLEP 2010. An Aboriginal Heritage Cultural Assessment (**ACHA**) Report prepared by Biosis in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW 2010a) (Appendix N1) has identified three existing areas of Aboriginal cultural heritage significance, including:

- Chelsea Gardens Locale 1 (AHIMS 52-4-0193) – located on the western margin of the ridgeline which extends along the eastern property boundary.
- Chelsea Gardens Locale 2 (AHIMS 52-4-1094) – located on a small knoll to the west of the main dam, immediately south of the golf course.
- Chelsea Gardens Locale 3 (AHIMS 52-4-0689) – located on an undulating hill crest to the north east of Chelsea Gardens Locale 2.

Clause 5.10(2) requires development consent for the subdivision of land on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance. Accordingly, the ACHA Report has been prepared by Biosis during the development assessment process. This assessment involved various test excavations and extensive engagement with local Aboriginal communities to determine the cultural heritage values.

The three *Locale's* contain stone and other artefacts that have been identified as having high *Cultural* significance and moderate *Aesthetic* value. Locale 2 has been identified as an area of moderate *Scientific* value.

Further discussion of the three Locale's significance and the proposals potential impact is provided in **Section 6.12.6** and the ACHA Report attached at **Appendix N1**.

6.10.4. Clause 5.11 - Bush fire hazard reduction

The proposed development comprises bush fire hazard performance management solutions including establishment of Asset Protection Zones (APZ's).

This application is integrated development in accordance with section 4.46 of the EP&A Act and will be referred to the Rural Fire Services (RFS) to obtain General Terms of Approval.

6.10.5. Clause 7.3 - Earthworks

Orion Consulting has prepared bulk earthworks plans for Stage 1, as detailed in **Appendix D**. The lot layout, roads and overall design for Stage 1 has been designed with the aim of minimising bulk earthworks within the development to meet the natural surface levels of the site where possible, whilst ensuring the relevant design parameters to form the design surface.

The proposed includes elements of cut and fill and is considered reasonable to ensure that the site is made suitable for residential development and appropriately manage stormwater and sewer design for Stage 1. As such, the proposed is considered acceptable for approval.

6.10.6. Clause 7.9 – Flood Planning

The area of Stage 1 containing Whites Creek is identified as being affected by the 100yr + 0.5m Flood Extent on the Flood Planning Area map in WLEP 2010.

The proposed works involving stormwater management and riparian corridor restoration works has been designed to provide a positive impact on flood management within the site and downstream towards the Moss Vale Township. Further assessment is provided in Section 6.12.8 of this SEE.

6.11. MOSS VALE TOWN PLAN DCP

The Moss Vale Town Centre DCP (version effective 29 November 2017) applies to all land as mapped within the Moss Vale township. The subject site is not identified as falling within the Moss Vale township so technically the DCP does not apply.

That said, it would appear the boundary area of the township has not been updated to reflect the 2017 rezoning of the subject site, as the applicable map (Figure A1.1) in the DCP still identifies the site as a rural land zoning.

This application is accompanied by site-specific DCP controls for the site, known as; **Section 21 Chelsea Gardens -Precinct**. It is envisaged that these controls when adopted, would formally form part of the Moss Vale Town Centre DCP. Concurrently, the Moss Vale Town boundary map would be amended to include the site.

Whilst it has been identified the Moss Vale Town Centre DCP technically does not apply to the site, the following assessment has been undertaken.

Table 7 – Moss Vale Town Plan DCP Compliance assessment

Consideration	Proposal	Compliance
Part A All Land		
Section 2 General Objectives		
A2.2.4 Residential Amenity	The proposed Master Plan is designed to be a natural extension of the Moss Vale township through the provision of new connections to the town centre.	CONSISTENT

Consideration	Proposal	Compliance
	<p>The layout has been designed to be sympathetic of the existing topography, and 'celebrate' key natural landforms surrounding the site and capture its identity within the Southern Highlands.</p> <p>Larger lots and a significant amount of revegetation and street trees within the site will provide a high-quality amenity.</p>	
A2.2.5 Residential Diversity	<p>The proposed Concept Master Plan contains a range of lot sizes between 450sqm to over 2000sqm, and potential for seniors housing.</p> <p>This range of lot sizes will promote a range of housing types and choice at varying price points, whilst avoiding the 'cookie-cutter' style of residential streetscapes.</p>	CONSISTENT
A2.2.6 Visual Amenity	<p>The proposed Concept Master Plan has carefully considered the interface with existing roads and land uses surrounding the site.</p> <p>Yarrawa Road has been designed with a significant vegetated buffer zone to provide a sensitive interface between the residential development within the site and the rural landscape to the west.</p> <p>Individual streets within Stage 1 of the development will include street trees to soften the streetscape and provide shade during warmer periods of the year.</p>	CONSISTENT
A2.2.7 Public Views and Vistas	<p>Maintaining significant view corridors to existing natural landforms such as ridge lines and providing public access to the main vista across the development has been central to the design process. This is demonstrated within the Master Plan report prepared by Arterra in Appendix B.</p>	CONSISTENT
A2.2.8 Environmental Sustainability	<p>The Principles of Environmental Sustainable Development (ESD) have been considered during the design of the Master Plan, including environmentally sensitive water cycle management, minimal alteration to the existing topography and restoration/embellishment of the Whites Creek riparian corridor, and significant vegetation of the site via street trees and new public open space.</p>	CONSISTENT
A2.2.9 The Public Domain	<p>The Master Plan designates 15 hectares (12% of the site) to open space for the public enjoyment of residents and the local community. This includes a variety of open space include parks, playgrounds, lakes, drainage corridors and vegetated corridors. Specific design details will be confirmed as part of each stage of development applications.</p>	CONSISTENT
Section 3 Biodiversity		
A3.2 Flora and Fauna Assessment	<p>A Flora and Fauna Assessment report has been prepared by Ecoplanning in Appendix J. It takes into consideration clauses 7.4 and 7.5 of WLEP 2010, and the relevant biodiversity legislation.</p>	CONSISTENT

Consideration	Proposal	Compliance
Section 4 Water Management		
A4.2 Vegetation Management Plan for Riparian Corridors	<p>Approximately 1.7 hectares of Category 3 riparian land is potentially impacted by this proposal and may be restored through the implementation of a VMP. The proposed master plan, landscape master plan and civil plans provide a schematic identification of the treatment of the riparian corridor.</p> <p>A Controlled Activity Approval will be necessary in accordance with the NSW <i>Water Management Act 2000</i> (WM Act).</p>	CONSISTENT
A4.4 Water Cycle Management Study	A Water Cycle Management Study has been undertaken by Cardno and Orion Consulting (Appendix E).	CONSISTENT
A4.5 Stormwater Management Plan	A Stormwater Management Plan has been incorporated into the Water Cycle Management Study report prepared by Cardno and Orion Consulting in Appendix E .	CONSISTENT
A4.6 Erosion and Sediment Control Plans	Erosion and Sediment Control Plans for Stage 1 have been included within the Civil Plans prepared by Orion Consulting in Appendix D .	CONSISTENT
A4.7 Water Sensitive Urban Design	Water Sensitive Urban Design (WSUD) has been undertaken by Cardno and Orion Consulting in consideration of the relevant technical documentation. The preliminary concept design of proposed WSUD assets have been prepared using MUSIC modelling.	CONSISTENT
Section 5 Flood Liable Land	A Water Cycle Management Report prepared by Cardno and Orion Consulting is provided as Appendix F .	CONSISTENT
Section 6 Vegetation Management and Landscaping	Stage 1 Landscape Plans have been prepared by Arterra and is provided as Appendix C . The Landscape Plans provide guidance for the design of open space and street tree planting Stage 1.	CONSISTENT
Section 7 Subdivision, Demolition, Siting and Design		
A7.1.1 Minimum Lot Sizes	All proposed lots within the Concept Master plan and as detailed in Stage 1 are compliant with the minimum subdivision lot size as identified in WLEP 2010. As an exception Lot 1188 cannot meet the minimum lot size of 40 hectares and is addressed in Appendix Q .	CONSISTENT
A7.1.5 Street Trees	A street tree planting strategy has been prepared by Arterra in Appendix C . The tree species identified within the strategy are consistent with those identified within Councils Street Tree Plan.	CONSISTENT
A7.1.6 Lighting	Standard street lighting is proposed as part of the detailed application for Stage 1 of the development.	CONSISTENT

Consideration	Proposal	Compliance
A7.2 Demolition	No structures are proposed for demolition as part of this application. Tree removal is proposed within the bounds of Stage 1.	CONSISTENT
A7.3 Site Analysis	A site analysis was completed by Arterra and is detailed in Appendix B .	CONSISTENT
A7.4 Cut and Fill	Cut and fill has been kept to a minimum within the site, as detailed in the Civil Plans for Stage 1 (Appendix D)	CONSISTENT
Part B Business Zoned Land	Approval is not sought for development on current B1 zoned land. This land will be subject to a future planning proposal to relocate the B1 zone to a centre location within the estate.	N/A
Part C Residential Zoned Land	The proposed development does not include built form. Future built form will be subject to future assessment and will require compliance with the controls identified within Part C of the DCP and consideration of the draft Site Specific Development Control Plan – Chelsea Gardens.	N/A
Draft Site Specific Development Control Plan – Part C – Section 21 - Chelsea Gardens and Coomungie Lands Precinct		
<p>The draft Site Specific DCP for Section 21 – Chelsea Precinct and Coomungie Lands Precinct has been prepared to accompany the Concept Master Plan subject to this application and to provide structure to assess the detailed design of the development. Whilst the Master Plan has sought to maintain compatibility with the existing built form of Moss Vale Township, the controls identified within the draft DCP are tailored to the Chelsea Gardens precinct and support the proposed concept layout. This will ensure the development responds to the specific constraints and opportunities of the site and achieves the desired development outcome by the applicant.</p> <p>The draft DCP will be reviewed by Wingecarribee Shire Council concurrent to this development application and may be subject to change.</p>		CONSISTENT

6.12. ENVIRONMENTAL IMPACTS

6.12.1. Context, setting and amenity

The proposed subdivision is appropriate given its location in an area zoned for residential uses and its close proximity to Moss Vale Town Centre. The proposed subdivision fits within the strategic planning framework for Wingecarribee and has been the subject of detailed planning consideration during the rezoning and master planning process for the site.

6.12.2. Design and Built Form

The proposed Concept Master plan has been designed to create a contemporary residential development that takes advantage of the existing landscape character to create an area that brings high quality amenity to the future local community.

The proposal utilises the topography to maximise lots with district views, and lot sizes/ dimensions are consistent with the characteristics of low-density housing in the Southern Highlands setting.

Many variables were considered during the design of the development including:

- The topography and capturing the essence of the site's existing natural setting.
- Careful water cycle management to improve flooding in the area, whilst enhancing the amenity of the site through high quality lakes and ponds integrated into recreational areas.
- Creation of a green infrastructure network of open space, parks and water.
- Connectivity, accessibility and legibility via a clear network of roads, main site entry points with memorable landscaping, and connected open spaces to foster walking and cycling for a healthy lifestyle.
- Lot layout and orientation to enhance solar access and provide protection from winter weather.

Having regard to the above, it is considered that the proposed development will make a positive contribution to the area in line with the envisaged development of the site by Wingecarribee Shire Council.

6.12.3. Landscape

Street trees are proposed generally for each lot to enhance the streetscape and the residential amenity of the proposed dwellings, along with adequate shade to encourage pedestrian activity. Street trees have been selected in accordance with the Wingecarribee Street Tree Management Plan to ensure the species are compatible with the climate and can be easily maintained in the future.

The Landscape Master plan prepared by Arterra (**Appendix C**) provides a comprehensive design for the estate and practical strategies for implementation. The proposal will provide a high quality and desirable connected network of open space and landscaped areas which will enhance the local amenity for residents within the estate and provide new open space for the broader Moss Vale community.

The Master plan has also been designed to provide sightlines and vistas across the estate and towards existing natural landforms surrounding the site, and ensure the development is sympathetic of the Southern Highlands character and landscape of the surrounding area.

The development of the site for residential purposes will not adversely impact upon the landscape or scenic quality of the locality.

6.12.4. Access, Traffic and Parking

The proposed Concept Master plan has been designed to provide a street pattern that is permeable, with a hierarchical network of roads to achieve clear distinction of traffic movements. It has been carefully planned to avoid facilitating 'short cut' opportunities through existing suburban streets towards Moss Vale Town Centre (via Lovelle Street or Hill Road). The road layout also responds to the existing topography to minimise earthworks needed.

The Concept Master plan identifies four (4) entry points to the estate, being two main entrances on Yarrawa Road, one minor access point on Lovelle Street, and another minor access point to an observation area from Hill Road. Stage 1 of the development will be accessed solely from the proposed new intersection onto Yarrawa Road. This new intersection comprising a new roundabout will provide the main access to the site in the future and provide a distinctive entry to the estate.

Adequate street parking will be available to each lot at the kerb alignment as per usual residential practice.

A Traffic Impact Assessment has been prepared by Cardno in **Appendix H** and provides a comparison of traffic impacts on Moss Vale in 2036 with multiple scenarios modelled in consultation with RMS:

- 2036 Base Demand Scenario (no Chelsea Gardens development) – some sections of the road network in Moss Vale will reach capacity by 2036.
- 2036 Base Demand Scenario plus Chelsea Gardens development – additional traffic from the Chelsea Gardens development will result in additional traffic congestion in Moss Vale.
- 2036 Base Demand with Moss Vale bypass – modelling of traffic with the implementation of a Stage 1 Moss Vale bypass shows a reduction of traffic flow on Argyle Street, Moss Vale. The CBD network was observed to behave similar to the 2016 base case.
- 2036 Base Demand plus Chelsea Gardens development and with Moss Vale bypass – modelling by Cardno shows the road network performs to an acceptable level of service with the addition of the Moss Vale bypass. However, the modelling showed that the additional upgrades described within the

Cardno Traffic Report would be required in conjunction with the bypass to ensure the traffic network operates successfully.

In accordance with the Traffic Impact Assessment by Cardno, it is identified that following the implementation of new road network infrastructure already under investigation by Council and other upgrades identified in the report, that the proposed development and associated traffic can be appropriately managed and will not create adverse environmental impact.

6.12.5. Flora and Fauna

A Flora and Fauna Assessment has been carried out by Ecoplaning. A copy of the report is provided in **Appendix J**.

A field assessment of the study area aimed to validate regional vegetation mapping conducted by Tozer et al. (2010) and confirmed the presence of two isolated *Eucalyptus radiata* (Narrow-leaved Peppermint) trees which are considered remnants of Southern Highlands Shale Woodlands in 'scattered paddock tree' condition. In addition, the field assessment identified the remaining vegetation in the study area to predominantly consist of 'Exotic Pasture' with some small patches of 'Plantings' and 'Weeds and Exotics'. Numerous 'Artificial Wetlands' were also identified within the study area along with some areas of 'Existing Infrastructure'.

Southern Highlands Shale Woodlands in the Sydney Basin Bioregion is listed as an EEC under the NSW *Biodiversity Conservation Act 2016* (BC Act). Assessment in accordance with Section 7.3 of the BC Act determined that the proposed removal of approximately 0.03 ha of Southern Highlands Shale Woodlands (represented by two isolated *Eucalyptus radiata*) is not likely to have a significant effect on this EEC. However, it is recommended that these two trees be retained if possible.

No threatened flora species listed under the EPBC Act or BC Act were recorded in or are likely to occur within the study area. Several threatened microbat species have only low potential to utilise the subject site for foraging and roosting habitat, and the proposal requires the removal of only a small area of native vegetation (~0.03 ha of Southern Highlands Shale Woodlands in 'scattered paddock tree' condition).

The study area includes waterfront land as defined under the NSW *Water Management Act 2000* (WM Act) and riparian land under the Wingecarribee LEP (2010). Where the final development footprint involves impacts to waterfront land a controlled activity approval will be necessary in accordance with the WM Act. It is recommended that restoration of aquatic and riparian vegetation and habitat be achieved through the preparation and implementation of a Vegetation Management Plan to meet the requirements of clause 7.5 of the WLEP.

The potential indirect impacts associated with the proposal will be adequately mitigated through appropriate avoidance and mitigation measures recommended in the Report:

- **Vegetation Clearing**

- The proposal will remove a small amount of native vegetation (~0.03 ha of Southern Highlands Shale Woodland) in a 'SPT' condition which constitutes 0.02% of the study area. These areas are along the boundary of the study area and clearing may be avoided altogether depending on the final development footprint. The recommended implementation of a VMP (see below) will potentially mitigate this loss of native vegetation.

- **Vegetation Management Plan**

- The implementation of a VMP is required to manage impacts on 1.7 ha of riparian land on site.

- **Loss of fauna habitat**

- The entire development is to occur on extremely degraded land, which provides minimal foraging habitat for fauna. Some creek banks provide nesting areas for Spotted Pardalote and these features may be retained through the implementation of a VMP. It is recommended that the only two native trees (*E. radiata*) identified within the study area be retained as a source of foraging and roosting habitat.

- **Construction Environmental Management Plan**

- To avoid potential indirect offsite impacts during construction, an appropriate erosion and sedimentation control plan should be in place following best practice protocols such as that detailed

in Landcom (2004). It is recommended that this and the pre-clearance two-staged clearing protocol is included in a site-specific CEMP, prior to any construction works taking place.

6.12.6. Heritage

The site is not identified as being or containing any heritage items within the WLEP 2010 or the State Heritage Register. Therefore, the proposed development will have no impact on any heritage items or structures.

Previous investigations including the AHIMS search have identified potential for Aboriginal artefacts to be located on the site. As such, the ACHA Report (**Appendix N1**) has identified the following three areas of Aboriginal cultural heritage significance:

- Chelsea Gardens Locale 1 (AHIMS 52-4-0193);
- Chelsea Gardens Locale 2 (AHIMS 52-4-1094); and
- Chelsea Gardens Locale 3 (AHIMS 52-4-0689).

The 'Statement of Significance' for each of the Locale's as outlined in the ACHA Report are outlined below.

Chelsea Gardens Locale 1 (AHIMS 52-4-0193)

The statement of significance is as follows:

AHIMS 52-4-0193/Chelsea Gardens Locale 1 consists of a low density scatter of eight stone artefacts eroding out of a silage pit that is currently used as a refuse area. The site is located on the western margin of the ridgeline that extends along the eastern boundary of the study area. The artefacts were found within an area measuring 50 metres north-south by 10 metres east-west, with most being located in redeposited soil excavated from the silage pit. The artefact scatter included complete flakes and flake pieces made from chert, silcrete, quartz and volcanic material. Test excavations at this site confirmed the presence of a spread out, low density artefact deposit containing a limited range of artefact types across a hill crest and ridgeline landform, with 24 total sub surface artefacts identified. Portions of this site have been disturbed from the silage pit and agricultural uses of the study area. The artefact assemblage also displayed evidence of vertical movement of artefacts and heavy fragmentation, possibly as a result of ploughing and cattle trampling which has occurred in the study area. The scientific significance of this is assessed as low, due to the low density, disturbed nature of the site.

Locale 1 is identified as having high cultural value, low historical and scientific value and moderate aesthetic value.

Chelsea Gardens Locale 2 (AHIMS 52-4-0194)

The statement of significance is as follows:

AHIMS 52-4-0194/Chelsea Gardens Locale 2 consists of a low density scatter of at least eleven stone artefacts eroding out of the topsoil on a small knoll to the west of the main dam and immediately south of the golf course. The recorded artefacts were visible in the patches of bare earth beneath the trees. The recorded artefacts extend over an area of 50 metres north-south by 30 metres east-west. Test excavations of this site identified 92 artefacts representing a moderate density deposit, with some diversity of artefact types present. Parts of this site had been disturbed through previous land uses, but the area of highest density located in the centre of the site remained relatively intact. This site is assessed with moderate scientific significance due to its density, diversity and intactness.

Locale 2 is identified as having high cultural value, low historical value and moderate scientific and aesthetic value.

Chelsea Gardens Locale 3 (AHIMS 52-4-0689)

The statement of significance is as follows:

Chelsea Gardens Locale 3 is located on an undulating hill crest to the north east of Chelsea Gardens Locale 2. This site was originally assessed with moderate archaeological potential to contain subsurface deposits due to its elevated nature. Test excavations undertaken at this site, identified 4 artefacts making a small, low density deposit located at the highest point of the crest

(T3P1 and T2P4). The artefact deposit at this location contained a limited range of artefactual material that was common in the local and regional area and of low scientific significance.

Locale 3 is identified as having high cultural value, low historical and scientific and moderate aesthetic value.

Impact Assessment

The ACHA Report identifies the following potential impacts on the three Locale's:

- Chelsea Gardens Locale 1 and Locale 3 – potential for direct impacts with a total loss of value to the cultural heritage significance. However, it is noted that the area is of low cultural significance value.
- Chelsea Gardens Locale 2 – potential for direct impacts with a partial loss of value to the cultural heritage significance. The area is of moderate cultural significance value.

The proposed works will result in impacts with a total loss of value to Locale 1 and Locale 3, and a partial loss of value to Locale 2. The ACHA Report notes that Locale 1 and 3 are of low cultural heritage significance, whereas, Locale 2 is of moderate cultural heritage significance.

As such, Biosis recommends that the area of medium density deposit associated with Chelsea Gardens Locale 2 is conserved as green space and no further ground disturbance (including landscaping) is to occur. It is also recommended that “no go fencing” is erected around the portion of Locale 2 that will not be impacted and construction workers undergo site induction which informs them of how to avoid accidental impacts.

In addition, Biosis recommends that the Proponent apply for an area wide Aboriginal Heritage Impact Permit (AHIP) from DPIE for the entire site for a term of 20 years. Due to the low cultural heritage significance value of Locale 1 and 3, the potential impacts resulting from the proposed development is considered acceptable. Further, the conservation of the non-impacted portion of Locale 2 and the implementation of other mitigation measures and recommendations outlined in the ACHA Report is considered appropriate to preserve the moderate heritage significance values existing across the site.

Please refer to **Appendix N1** for further discussion.

6.12.7. Bushfire

A bushfire assessment has been conducted by Australian Bushfire Solutions (ABS) (**Appendix M**). As the *Planning for Bushfire Protection 2018* (PBP 2018) is expected to be legislated in 2019 and the proposed development will occur after the gazette, the proposed has been assessed and planned for in consideration of *PBP 2018*.

The site and its surrounds have been assessed for bushfire hazards, with bushfire prone land mapped along the edge of Moss Vale Golf Course and pasture land adjoining the site being potential grassland hazards. Standard Asset Protection Zones (APZs) were assessed for the site however, they are considered excessive and detrimental to the efficient development of the site. As such, ABS has identified alternative performance solutions to reduce the necessary APZs and satisfy the performance criteria required for BAL 29 or lower (ABS has identified BAL 12.5 can be achieved through the recommended alternative performance solution).

Advice has been sought and obtained from the NSW RFS regarding the use of PBP 2018, the exclusion of some minor mapped vegetation and the interface with adjoining pasture land

Following the acceptance and compliance with the recommended alternative performance solution provided by ABS, it is considered that bushfire risk can be appropriately managed, and the site is suitable for residential development.

6.12.8. Site Drainage and Stormwater Management

A full Water Cycle Management Study has been prepared in (**Appendix F**) which assesses the flood hydrology of the site and its surrounds. Cardno has made recommendations for floodplain management, including the restoration and vegetation of the section of Whites Creek which traverses the site.

The floodplain management strategy is supplemented by the stormwater management system which includes OSD and WSUD assets designed to capture and convey both the minor and major storm events.

Modelling by Cardno has demonstrated the proposed floodplain management and stormwater management systems will effectively manage future storm events not only for the site, but provided improvements to flooding within the Moss Vale Township, downstream of the site when compared to the existing scenario for

both the 10 year ARI and 100 year ARI events. This includes improvements to the flooding impacts on Mack Street and Argyle Street.

Orion Consulting has provided a peer review of the Water Cycle Management Study and additional documentation is provided to assess the water management cycle for the Detailed Proposal (Stage 1).

As such, the proposed development will have a positive environmental impact in regards to flood management of the site and surrounding land owners.

6.12.9. Contamination and Geotechnic

Preliminary Site Investigations regarding contamination and geotechnical have been undertaken for the site by Harvest Scientific Services **Appendix L** and Douglas Partners **Appendix K** respectively.

The findings of the reports have identified that the site is suitable for the proposed residential development of the site, subject to the findings and recommendations of the reports. The land outside of Stage 1 will be subject to further assessment as part of applications for future stages.

6.12.10. Soil and Water Management

Soil and water management plans have been prepared for the road and drainage works and is detailed in Appendix D. The site will be secure during construction with the perimeter site fencing installed and security measures required by Work Cover implemented.

6.12.11. Utilities and Services

As outlined in the various documentation, infrastructure arrangements for electricity, street lighting, communications, gas, water and sewer have been considered for the entirety of the site.

As part of the design process, Cardno has consulted with the relevant service providers and confirms the proposed Stage 1 subdivision can be adequately serviced. The site will be subject to separate applications with service providers following DA approval.

6.12.12. Construction

Construction will be completed in accordance with appropriate standards and conditions of consent.

6.13. SOCIAL AND ECONOMIC IMPACTS

The proposed development provides for increased social and economic outcomes through the provision of increased housing supply, new open space, and the creation of local jobs during construction.

6.14. SUITABILITY OF THE SITE FOR DEVELOPMENT

The proposal has been designed in accordance with the general Wingecarribee Shire Council development standards and is supported by the draft Site Specific Development Control Plan for Chelsea Gardens. The proposal achieves a walkable neighbourhood with high amenity for future residents.

The site is considered suitable for the proposal:

- It had previously been identified as an Urban Release Area (URA) within the Local Planning Strategy and was recently rezoned for residential development in 2017.
- The Concept Master Plan and associated Stage 1 development facilitates urban development and will provide new housing supply appropriate to the growth of Moss Vale.
- The development is sympathetic to the natural setting of the area and provides a suitable interface to the surrounding land uses.
- It facilitates improvements to road works along Yarrawa Road.
- It provides revitalisation of Whites Creek and improved flood water management benefits for the site and downstream to the Moss Vale Township.

6.15. SUBMISSIONS

Any public submission will be considered as part of the assessment process as required by the provisions of the *Environmental Planning and Assessment Act 1979*.

6.16. THE PUBLIC INTEREST

The proposal is considered to be in the public interest as it facilitates the subdivision to provide new residential dwellings and is located on land that has been zoned for such development purposes. Further, the Indicative Master plan provides a framework for the upgrade of part of Yarrawa Road, delivery of new open space and a new Village Centre.

7. CONCLUSION

This SEE and supporting documentation has been prepared for the site at Chelsea Gardens and seeks approval for the following:

- A Concept Development Application for residential subdivision plan (Master plan) for approximately 1,200 lots; and
- A detailed (Stage 1) development comprising Torrens Title subdivision for the creation of 182 residential lots, two (2) lots for open space or drainage and four (4) Residue Lots, with associated works including site clearing, tree removal, bulk earthworks and construction of new roads and public infrastructure, open space and restoration of a section of the Whites Creek.

This proposal is consistent with the relevant considerations of the *Environmental Planning and Assessment Act 1979*, the provisions of state and local plans and policies. The proposal satisfies the objectives with respect to such development and is permissible with consent.

The development is appropriate to the site. No significant impacts are envisaged by the development and with appropriate conditions of consent will support the sustainable growth for much needed housing in Moss Vale and the Wingecarribee Shire.

Having considered all the relevant matters, we conclude that the proposal represents a sound development outcome that respects and responds to the prominent site location and the amenity of surrounding developments. The proposal therefore is considered well-worthy of Council support and ultimately approval.

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APPENDIX A SITE SURVEY

APPENDIX B MASTER PLAN REPORT

APPENDIX C STAGE 1 LANDSCAPE PLANS

APPENDIX D CIVIL PLANS

APPENDIX E SUBDIVISION PLANS

APPENDIX F WATER CYCLE MANAGEMENT STUDY

APPENDIX G SEWER REPORT

APPENDIX H

TRAFFIC REPORT

APPENDIX I POTABLE WATER REPORT

APPENDIX J FLORA AND FAUNA ASSESSMENT

APPENDIX K GEOTECHNICAL REPORT

APPENDIX L

PRELIMINARY CONTAMINATION REPORT

APPENDIX M BUSHFIRE ASSESSMENT

APPENDIX N ABORIGINAL HERITAGE ASSESSMENT & ABORIGINAL HERITAGE CULTURAL ASSESSMENT (ACHA)

APPENDIX O

STAKEHOLDER ENGAGEMENT SUMMARY

APPENDIX P COST SUMMARY REPORT

APPENDIX Q

CLAUSE 4.6 REQUEST



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