

REVIEW OF ENVIRONMENTAL FACTORS

Tree removal and construction of a manor house comprising 3 dwellings (2 x 1 bedroom and 1 x 2 bedroom units), with attached garages and associated works including landscaping, fencing and civil works

at

24 Thurrallilly Street, Queanbeyan East

Lot 17 in DP 222494

September 2024





Acknowledgement of Country

Homes NSW acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land, and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

Published by Homes NSW

REVIEW OF ENVIRONMENTAL FACTORS

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On February 1 2024, Homes NSW, a division of the Department of Communities and Justice (DCJ) was formed. It has brought together the housing and homelessness services of DCJ with the NSW Land and Housing Corporation (LAHC), Aboriginal Housing Office (AHO) and key worker functions from across government under one roof.

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DOCUMENT CONTROL REGISTER

The following register documents the preparation and issue of this Part 5 Review of Environmental Factors (REF), prepared by Homes NSW.

No	Date	Version	Change since last version	Pages
1	July 2024	1	Initial version	All
2	September 2024	2	Manager's review	Various
3	September 2024	3	Director's review	Various

DOCUMENT SIGN-OFF

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Having prepared the Review of Environmental Factors:

- I have declared any possible conflict of interests (real, potential or perceived) to the A/Executive Director of Portfolio, Strategy and Origination, Housing Portfolio, Homes NSW.
- I do not consider I have any personal interests that would affect my professional judgement.
- I will inform the A/Executive Director of Portfolio, Strategy and Origination, Housing Portfolio, Homes NSW as soon as I become aware of a possible conflict of interest.

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19 September 2024

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1 Executive Summary

The subject site is located at 24 Thurrallilly Street, Queanbeyan East NSW 2620 and is legally described as Lot 17 in Deposited Plan 222494. The proposed activity is described as follows:

Tree removal and construction of a manor house comprising 3 dwellings (2 x 1-bedroom and 1 x 2-bedroom units) with attached garages and associated works including associated landscaping, fencing and civil works.

The proposed activity is permitted on the site pursuant to 3B.1A *Development for the purposes of manor houses*, of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* and can therefore be carried out by Homes NSW (Land and Housing Corporation) without consent under the provisions of Chapter 2, Part 2, Division 6 of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) as it does not exceed either 11m in height or a floor space ratio of 0.65:1, proposes less than 75 dwellings and provides the required amount of parking for development that is in a non-accessible area.

The removal of trees on the site is covered by the definition of consent under Section 6 of the Housing SEPP. It has therefore been incorporated in this review of environmental factors under Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and Part 8 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation).

The REF has identified and considered the following:

- From an analysis of the environmental impacts associated with the proposed development activity, it has been determined that preparation of an Environmental Impact Statement is not required;
- From a review of environmental impacts resulting from the proposed development activity it has been determined that, subject to implementation of mitigation measures to be incorporated as Identified Requirements of determination, the activity will not have any significant adverse impact on the environment;
- The proposal will not have any effect on matters of national significance and approval of the activity under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* is not required;
- The design of the proposed activity has adequately taken into consideration the design principles and requirements in *Good Design for Social Housing* and *NSW Land and Housing Corporation Design Requirements*;
- The site planning and design of the proposed activity adequately address the applicable local environmental planning and development control controls of Queanbeyan-Palerang Regional Council;
- A BASIX certificate and NatHERS certificate and stamped plans have been submitted for the proposed activity demonstrating compliance with the State Government's environmental sustainability targets;
- There are no separate approvals, authorisations or notifications required in relation to the proposed development activity prior to determination under Part 5 of the EP&A Act or under any other Acts; and
- Queanbeyan-Palerang Regional Council and occupiers of adjoining land were notified of the proposed activity under the provisions of the Housing SEPP. A response was received from Council dated 4 July 2024. Comments on the response are provided in Section 7.1 of this REF. One submission from a neighbouring land owner or occupier was also received.

The proposed activity, when carried out in accordance with the environmental mitigation measures outlined in this REF, will not result in any significant and long-term negative impacts on the environment and can proceed subject to the implementation of the Identified Requirements of determination contained in the **Activity Determination**.

2 Introduction

This Review of Environmental Factors (REF) under Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) is for an activity involving tree removal and the construction of a manor house comprising 3 units (2 x 1-bedroom and 1 x 2-bedroom units). Two driveway crossings will be constructed and a total of 3 car parking spaces are proposed within garages attached to each unit. Landscaping and new fencing is proposed along with civil works.

The subject activity will be carried out by, or on behalf of, the Land and Housing Corporation (LAHC) and is 'development without consent' under the Housing SEPP.

This REF has been prepared by Homes NSW (LAHC) in satisfaction of the provisions of Part 5 of the EP&A Act and relevant provisions of Part 8 of the EP&A Regulation.

A Statement of Compliance accompanying this REF certifies that in accordance with the requirements of the EP&A Act, all matters affecting or likely to affect the environment by reason of the proposed activity have been taken into account to the fullest extent possible and the activity will not have a significant impact on the environment.

2.1 Purpose of this Review of Environmental Factors (REF)

The purpose of this REF is to assist LAHC to fulfil its obligations as a determining authority for the proposed activity in accordance with Part 5 of the EP&A Act and Section 171 of the EP&A Regulation by:

- describing the existing environment;
- describing the proposed activity;
- analysing the potential impacts of the activity on the environment;
- identifying measures to mitigate those impacts;
- analysing whether the activity, with the mitigating measures in place, will have a significant impact on the environment; and
- recommending Identified Requirements to ensure the mitigating measures are implemented if the activity were to proceed.

2.2 Assessment Methodology

The following methodology was applied in undertaking this REF for the proposed development activity under Part 5 of the EP&A Act.

- A Section 10.7 Planning Certificate was obtained for the subject lot. The zoning was confirmed against the current applicable environmental planning instrument, which is the *Queanbeyan-Palerang Regional Local Environmental Plan 2022* (QPRLEP 2022);
- it was determined that manor houses are 'permitted with consent' in the R3 zone pursuant to 3B.1A *Development for the purposes of manor houses, of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, and can be carried out 'without consent' under the provisions of Housing SEPP;

- a desktop analysis and investigation of the site and surrounds was undertaken to determine the suitability of the site for the proposed development activity, including a site visit on 20 June 2024, taking into account the existing site conditions, constraints and local context;
- relevant local planning controls and State and Commonwealth Government legislation were considered in the environmental assessment of the proposed development activity;
- an environmental impact analysis was undertaken to determine if an Environmental Impact Statement was required;
- potential environmental impacts identified in the analysis and measures to mitigate these impacts were subsequently discussed in this Review of Environmental Factors; and
- Identified Requirements incorporating the mitigation measures for undertaking the proposed development activity were identified for inclusion in the recommendation for approval of the activity.

3 Existing Site & Locality

3.1 Existing Site

The site is located in the suburb of Queanbeyan East within the Queanbeyan-Palerang Regional local government area (LGA) and comprises one residential allotment. A location plan is provided at **Figure 1**.

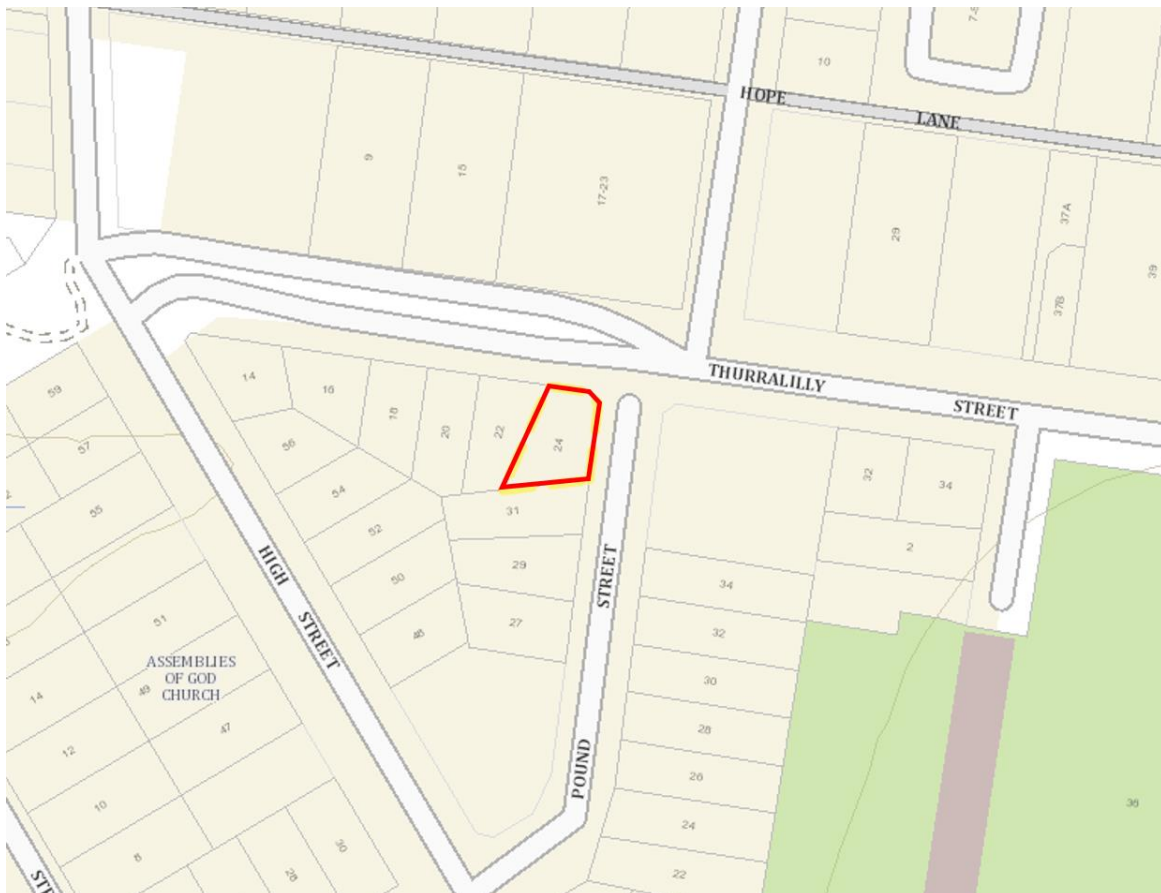


Figure 1 Location Plan (Source: NSW ePlanning Spatial Viewer 18 June 2024)

The subject site is an irregular shaped allotment comprised of one lot, legally described as Lot 17 in DP 222494. The site has a total site area of 689m², with a northern boundary frontage to Thurrallilly Street of 14m and an eastern side boundary of 24.48m to Pound Street (refer to the submitted Survey Plan in **Appendix D**).

The topography of the subject site falls approximately 1.27m as measured from the north-eastern boundary (584.27mAHD) to the south-western corner of the site (583.00mAHD).

The site currently vacant, following demolition in recent years of a previous house at the site.

A copy of the Section 10.7(2) & (5) Planning Certificate (No PL.2024.0637) dated 18 March 2024 is provided in **Appendix F**.

The site contains several trees (refer to Arboricultural Report provided in **Appendix I**). A total of 14 trees were assessed including 2 trees within the public reserve in front of the site, 9 trees within the site and 3 trees on adjoining properties.

All services are available to the site, including water, electricity and sewer.

Site Photograph provided below in **Figure 2**.



Figure 2 Subject site viewed from Pound Street. Source: Site visit photo (June 2024)



Figure 3: Subject site viewed from Thurrallilly Street. Source: Site visit photo (June 2024)

3.2 Neighbouring Development and Locality

The site is located within an established residential area characterised by mainly detached single storey dwelling houses or two storey residential flat buildings to the east, south and west. To the north, across Thurrallilly Street, are single storey attached residential villas (refer to **Figure 5**). The site has boundaries to 2 residential lots (refer to **Figure 44**).

The adjoining property to the south along the rear boundary of the site is 31 Pound Street, a single storey dwelling (see **Figure 6**).

To the western boundary is 22 Thurrallilly Street, another single storey dwelling (see **Figure 7**).

On the opposite side of Pound Street is a two storey seniors housing development (see **Figure 8**).

Further north of the site is an expansive area containing general industrial units and businesses.



Figure 4 Aerial view of subject site (highlighted in red). Source: Nearmap (July 2024)



Figure 5: Single storey residential development located north of the site, on opposite side of Thurrallilly Street. Source: Site visit photo (June 2024)



Figure 6 No. 31 Pound Street to the south of the site. Source: Google Streetview (accessed June 2024)



Figure 7 No. 22 Thurrallilly Street to the western boundary of the site. Source: Google Streetview (accessed June 2024)



Figure 8 Photograph showing development located opposite the site on Pound Street. Source: Site visit photo (June 2024)

Access to Services – Shops and Transport

The subject site is located approximately 2km from the main town centre of Queanbeyan featuring retail shops, medical centres, pharmacies, newsagents and supermarkets.

Train Station

Queanbeyan Train Station is located approximately 3.1km to the west of the site.

Bus Stops

The closest bus stop is located on Thurrallilly Street (Stop ID: 262042). The stop is located next to the site and easily accessible by pedestrian pathways (see **Figure 4** clearly showing bus stop located next to site boundary on corner of Pound and Thurrallilly Streets).

The stop is serviced by Route 832 loop service from the site to Queanbeyan Bus Interchange at a frequency that does not meet the rates specified under the Housing SEPP to be an 'accessible area'.

Therefore, the site is not in an accessible area.

Accessible area means land within -

(c) 400m walking distance of a bus stop used by a regular bus service, within the meaning of the Passenger Transport Act 1990, that has at least 1 bus per hour servicing the bus stop between –

(i) 6am and 9pm each day from Monday to Friday, both days inclusive, and

(ii) 8am and 6pm on each Saturday and Sunday. (Housing SEPP)

4 Project Description

The proposed activity can be described as follows.

4.1 Removal of Trees

The site contains several trees (refer to Arboricultural Report provided in **Appendix I**). A total of 14 trees were assessed including 2 trees within the council's reserve in front of the site, 9 trees within the site and 3 trees on adjoining properties. Only one tree was identified as high retention value (Tree S1, *Pinus radiata*, Monterey Pine) located at the rear of the site along the side western boundary. This tree is recommended for retention and protection during the construction process, together with another tree (Tree S5, *Hesperocyparis macrocarpa*, Monterey Cypress) located at the front north eastern corner of the site. A total of 7 trees are proposed to be removed at the site (Trees S2, S3, S4, S6, S7 and 2 x S8). These trees are identified as either medium or low retention value, with the majority being identified as low retention value.

More appropriate tree plantings will be provided as part of the proposed landscaping plan to compensate for the loss of these trees (refer to submitted Landscape Plan in **Appendix B**).

4.2 Proposed Dwellings

A total of 3 dwellings are proposed within the manor house, comprising of 2 x 1-bedroom and 1 x 2-bedroom units. Two driveway crossings will be constructed, one from Pound Street serving Unit B (1 x 2 bedroom unit)

and one from Thurrallilly Street serving Units A and C (2 x 1 bedroom units). A total of 3 car parking spaces are proposed within garages attached to each unit. Landscaping and new fencing is proposed along with civil works.

Each unit will be provided with its own enclosed private open space area, in the form of ground floor alfresco landscaped areas and Unit B also benefits from a balcony at first floor level. All these areas are directly accessible from the living areas in each unit, with Unit B able to access the POS provided at first floor level from its living space.

Reverse cycle air conditioning will be provided to the living areas of each dwelling to assist with climate control, as well as photovoltaic systems to offset energy costs.

Cut and fill is proposed to provide a level building platform, with levels indicated in the Cut and Fill Plan (refer to **Appendix A**). Cut is generally limited to the northern and eastern sides of the site, with fill proposed for the footprint of the building.

A variety of new landscape plantings are proposed to offset the proposed tree removal and enhance the appearance of the site. New plantings will consist of a mixture of new trees, shrubs and groundcovers, which will enhance landscaped setbacks and contribute to the streetscape.

A 1.8m high metal boundary fence is proposed along the southern rear and western side boundaries, dropping to between 1.2m to 1.8m high elsewhere within the site. Along the Thurrallilly Street frontage there will be new planting either side of the proposed new driveway. Along the Pound Street frontage of the site will be planting in front of a new fence that will enclose the private open space of Dwelling A.

Figures 9 to 12 include extracts from the architectural plans illustrating the proposed development.

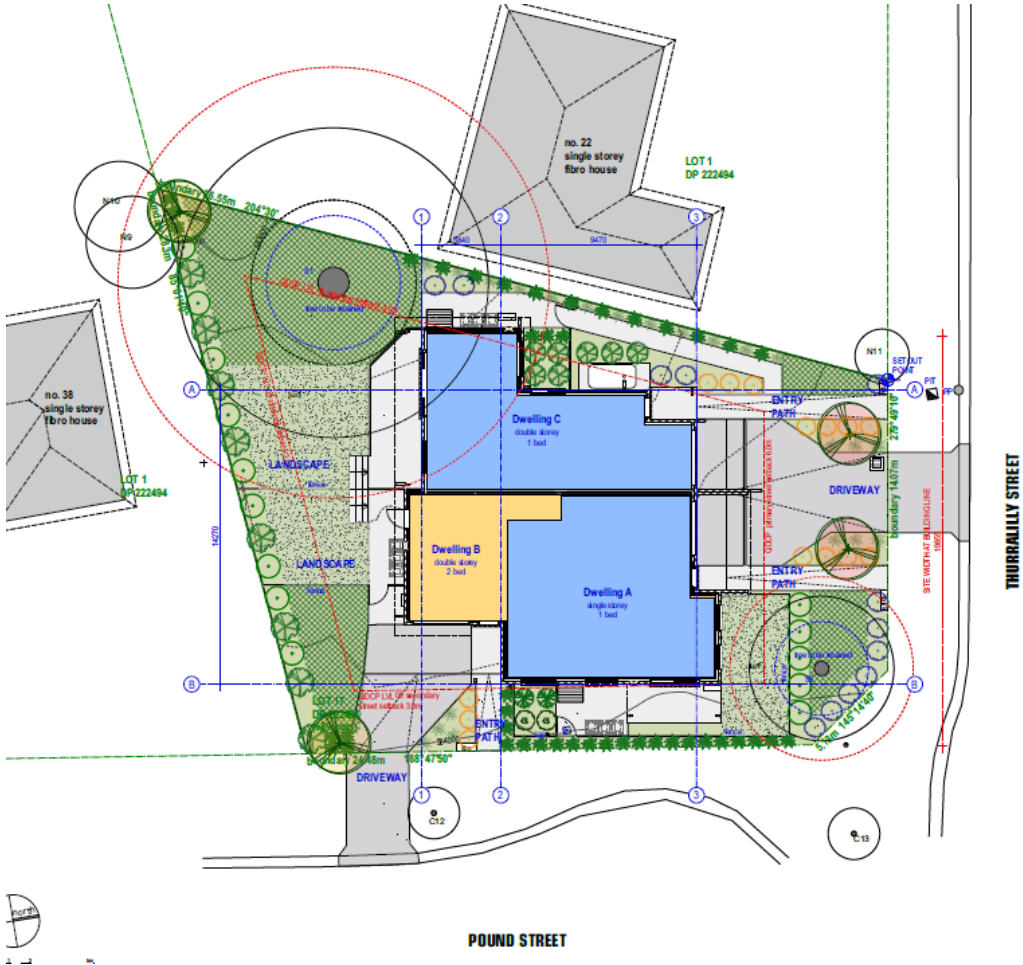


Figure 9 Extract of Site Plan (Source Kennedy Associates Architects)

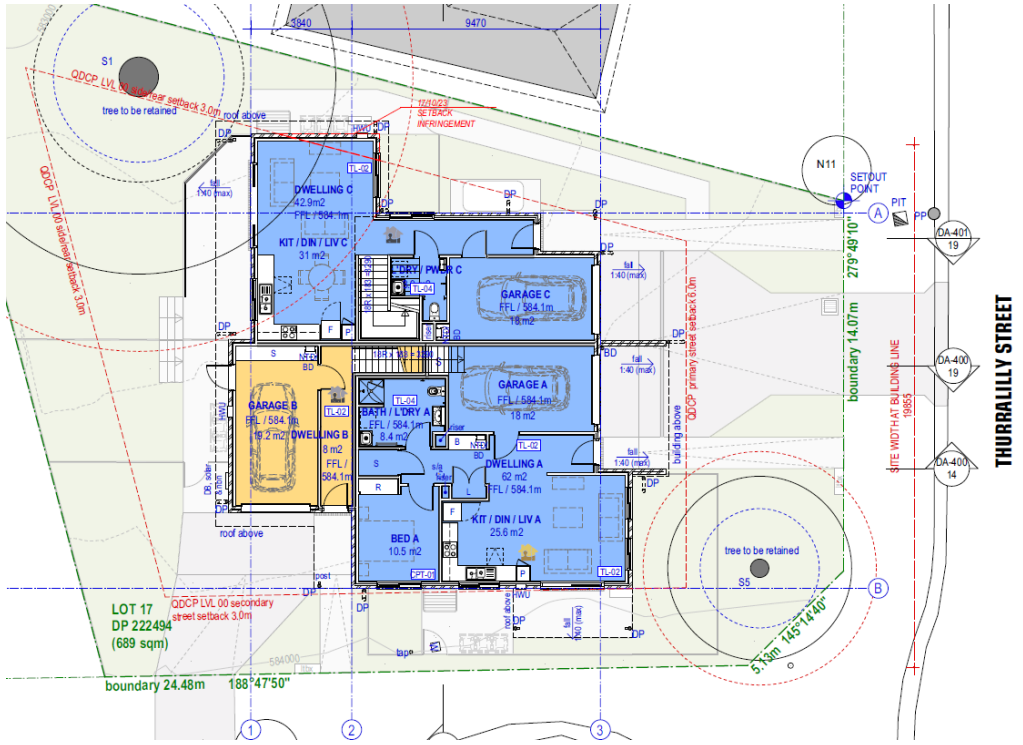


Figure 10 Extract of Ground Floor Plan (Source Kennedy Associates Architects)

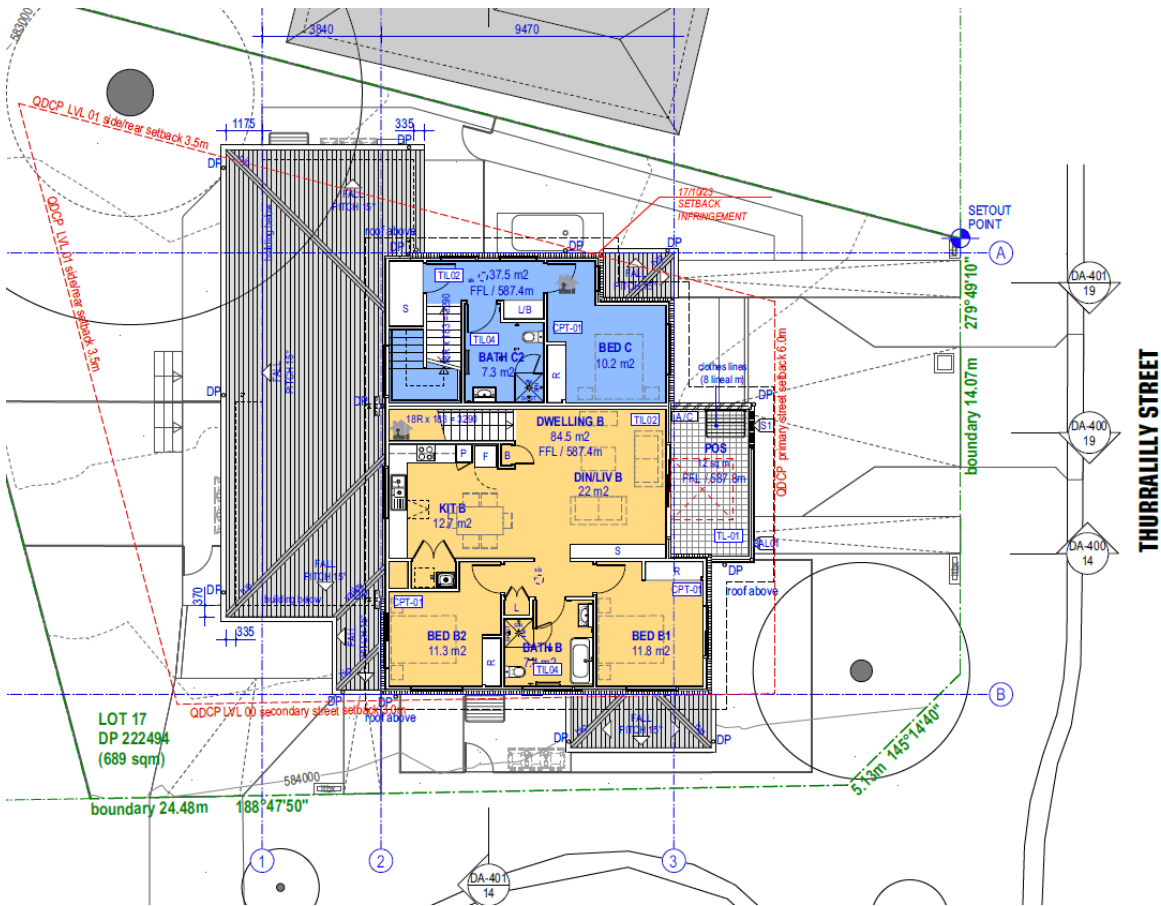


Figure 11 Extract of First floor Plan (Source Kennedy Associates Architects)



Figure 12 Extract of Plans showing Thurralilly Street Perspective (Source Kennedy Associates Architects)

4.3 Supporting Information

The proposal is detailed in the following plans, drawings and specialist reports and supporting information.

Table 1: Supporting Information

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd-mm-yyyy]:	Prepared by:
Architectural – Appendix A				
Cover page	DA-000	A	22-03-2024	Kennedy Associates Architects
Block Analysis Plan	DA-001	A	22-03-2024	Kennedy Associates Architects
BASIX Commitments and Area Counts	DA-002	A	22-03-2024	Kennedy Associates Architects
Site Analysis	DA-100	A	22-03-2024	Kennedy Associates Architects
Demolition Plan	DA-101	A	22-03-2024	Kennedy Associates Architects
Site Plan	DA-102	A	07-05-2024	Kennedy Associates Architects
SRZ & TPZ – External Works	DA-200	A	07-05-2024	Kennedy Associates Architects
General Arrangement – External Works	DA-201	A	07-05-2024	Kennedy Associates Architects
General Arrangement – Level 00	DA-202	A	07-05-2024	Kennedy Associates Architects
General Arrangement – Level 01	DA-203	A	07-05-2024	Kennedy Associates Architects
General Arrangement – Roof Level	DA-204	A	07-05-2024	Kennedy Associates Architects
Access Zone – Level 00	DA-210	A	24-04-2024	Kennedy Associates Architects
Access Zone – Level 01	DA-211	A	24-04-2024	Kennedy Associates Architects
Cut + Fill Retaining Wall Plan	DA-212	A	22-03-2024	Kennedy Associates Architects

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd-mm-yyyy]:	Prepared by:
Solar Access Study – Sheet 01	DA-213	A	22-03-2024	Kennedy Associates Architects
Solar Access Study – Sheet 02	DA-214	A	22-03-2024	Kennedy Associates Architects
Shadow Diagrams – Winter Solstice 1	DA-215	A	22-03-2024	Kennedy Associates Architects
Shadow Diagrams – Winter Solstice 2	DA-216	A	22-03-2024	Kennedy Associates Architects
Elevations – Sheet 01	DA-300	A	22-03-2024	Kennedy Associates Architects
Elevations – Sheet 02	DA-301	A	22-03-2024	Kennedy Associates Architects
Sections – Sheet 01	DA-400	A	22-03-2024	Kennedy Associates Architects
Sections – Sheet 02	DA-401	A	22-03-2024	Kennedy Associates Architects
3D Views	DA-410	A	22-03-2024	Kennedy Associates Architects
3D Views Height Plane	DA-411	A	22-03-2024	Kennedy Associates Architects
Door Schedule – Sheet 01	DA-500	A	22-03-2024	Kennedy Associates Architects
Door Schedule – Sheet 02	DA-501	A	22-03-2024	Kennedy Associates Architects
Window Schedule – Sheet 01	DA-510	A	22-03-2024	Kennedy Associates Architects
Landscape – Appendix B				
Landscape Plan	L01	3	07-05-2024	Inview Design Pty Ltd
Landscape Details and Specification	L02	3	07-05-2024	Inview Design Pty Ltd
Civil – Appendix C				
Cover Sheet – Notes and Legends	C01	3	28-02-2024	Greenview Consulting

Title / Name:	Drawing No. / Document Ref	Revision / Issue:	Date [dd-mm-yyyy]:	Prepared by:
Ground Floor Drainage Plan	C04	2	28-02-2024	Greenview Consulting
Site Stormwater Details Sheet 1	C05	3	28-02-2024	Greenview Consulting
Site Stormwater Details Sheet 2	C06	2	28-02-2024	Greenview Consulting
Survey – Appendix D				
Detail and Contour Survey	Job 230896	Sheet 1 of 1	11-12-2023	Total Surveying Solutions
BASIX / NatHERS – Appendix J and K				
BASIX Certificate	1742827M	-	08-04-2024	A.C CLARKE & R.J CLARKE
NatHERS Certificate	HR-5ZYA0P-01	-	08-04-2024	Adam Clarke – 10 Star Building Assessments
Specialist Reports				
Visual Tree Assessment and Tree Management Plan	436181	v.3.0	14-12-2023	Treeworks
BCA Compliance Assessment	24031	v.2.0	9-05-2024	National BCA
Geotechnical Investigation Report	R.001	-	10-09-2021	Douglas Partners Pty Ltd
Traffic Management Report	23NL216-T3	3	08-05-2024	Loka Consulting Engineers
Access Report	22100	D	11-05-2024	Vista Access Architects
Waste Management Plan	-	-	November 2023	Kennedy Associates Architects

Section 10.7 Planning Certificate – Appendix F

Lot 17 DP 222494 Cert no. PL-2024-0637, dated 18 March 2024 –Queanbeyan-Palerang Regional Council

Notification Letters and Submissions – Appendix S

Design Compliance Certificates – Appendix M

Architect's Certificate of Building Design Compliance – 09-04-2024

Certificate of Landscape Documentation Compliance –27-03-2024

Certificate of Stormwater Documentation Compliance – 05-04-2024

Title and Deposited Plan – Appendix N

Title Search, Folio: 17/222494, Search date 21-05-2024, First Schedule: LAHC

AHIMS Search – Appendix H

AHIMS Search, 24 Thurrallilly Street, search date 24-05-2024

5 Zoning and Permissibility

The site is zoned R3 Medium Density Residential under the *Queanbeyan Palerang Regional Local Environmental Plan 2022* (QPRLEP 2022), in which *multi dwelling housing* is permitted with consent. As such, the proposed activity is permitted on the site pursuant to 3B.1A *Development for the purposes of manor houses*, of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

The proposed activity can therefore be carried out by the NSW Land and Housing Corporation without consent under the provisions of Chapter 2, Part 2, Division 6 of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) pursuant to section 42.

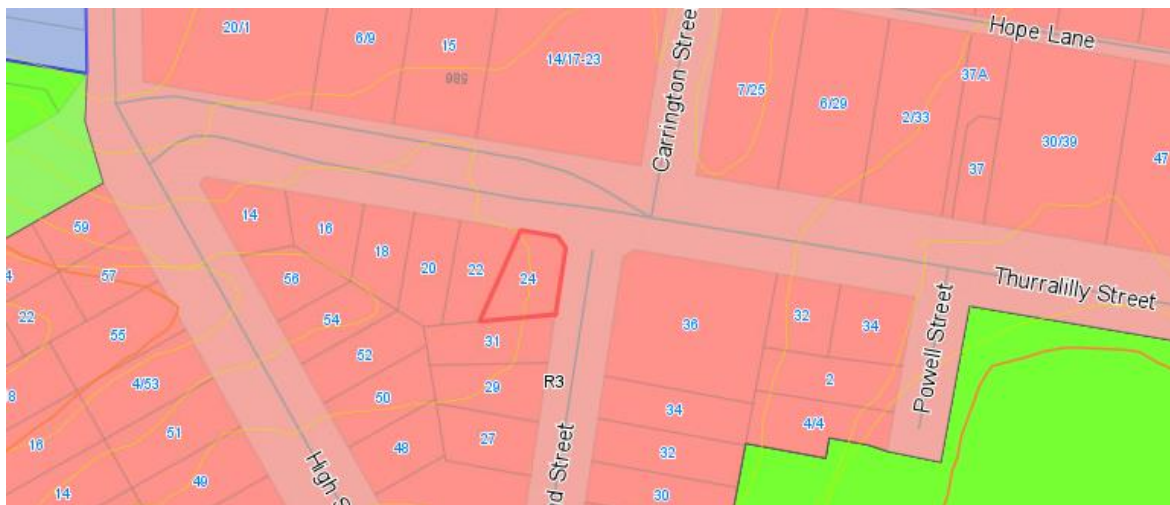


Figure 13 Land zoning map (site outlined in red) (Source: Council GIS Mapping)

The objectives of the R3 zone, as set out in QPRLEP 2022 are:

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To encourage development that is consistent with the amenity of existing and future residents.

The proposed development provides housing that meets the identified needs of the community and provides a variety of housing types, including 1 and 2 bedroom units, so will be consistent with the relevant objectives

above. The development is in direct response to the community's immediate need for social and affordable housing in the Queanbeyan Palerang Regional LGA.

The development will not hinder the ability of surrounding lands to be developed for the purposes of providing facilities or services to residents. This is achieved by providing adequate side and rear setbacks; and adopting a building design that ensures that there will not be any unacceptable overlooking or overshadowing issues.

Section 42 of the Housing SEPP permits residential development that may be carried out 'with consent' to be carried out by LAHC as 'development without consent' subject to the provisions set out under that clause.

Table 5 in Section 6.5 of this REF demonstrates compliance with the relevant provisions of section 42 of the Housing SEPP.

6 Planning and Design Framework

6.1 Environmental Planning and Assessment Act 1979

6.1.1 Duty to consider environmental impact [Section 5.5]

Section 5.5(1) states that, for the purpose of attaining the objects of the EP&A Act relating to the protection and enhancement of the environment, a determining authority in its consideration of an activity shall, notwithstanding any other provisions of the Act or the provisions of any other Act or of any instrument made under the EP&A Act or any other Act, examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity.

Table 2 below demonstrates the effect of the proposed development activity on the matters listed for consideration in subsection 3 of Section 5.5.

Table 2 Compliance with subsection 3 of Section 5.5 of the EP&A Act 1979

Matters for consideration under sub-section 3 of Section 5.5 of the EP&A Act

Matter for consideration	Effect of Activity
Sub-section 3 Without limiting subsection (1), a determining authority shall consider the effect of an activity on any wilderness area (within the meaning of the <i>Wilderness Act 1987</i>) in the locality in which the activity is intended to be carried on.	No effect, as the site and surrounding areas are not within a wilderness area (within the meaning of the <i>Wilderness Act 1987</i>).

6.2 Biodiversity Conservation Act 2016 (BC Act)

Part 7 of the BC Act sets out the test for determining whether a proposed development or activity is likely to significantly affect threatened species, ecological communities or their habitats. For the purposes of Part 5 of the EP&A Act, an activity is to be regarded as an activity likely to significantly affect the environment if it is likely to significantly affect threatened species.

Based on the criteria set out in Section 7.3 of the BC Act, the proposed activity is unlikely to affect threatened species, ecological communities or their habitats and therefore no further assessment is necessary. This is because the land does not contain threatened species, endangered ecological communities or constitute habitat of threatened species or ecological communities. The proposed activity will neither be a key threatening process and the land is not part of or in the vicinity of any declared area of outstanding biodiversity value.

6.3 Other Acts

No other State and Commonwealth Acts are applicable to the proposed activity.

6.4 Environmental Planning and Assessment Regulation 2021

6.4.1 Factors that must be taken into account concerning the impact of an activity on the environment [Section 171]

For the purposes of Part 5 of the EP&A Act, the factors in **Table 3** and **Table 4** below have been taken into account in considering the likely impact of the proposed activity on the environment. The table and comments made in this section of the REF are not mutually exclusive and are to be read in conjunction with the other sections of the REF dealing with the environmental impacts of the proposed development activity.

Table 3 Environmental Planning and Assessment Regulation 2021 Section 171

Factors to be taken into account concerning the impact of an activity on the environment.	Comment
Is the activity of a kind for which specific guidelines are in force? If so the factors to be taken into account when considering the likely impact of the activity on the environment are those referred to in the guidelines.	No specific guidelines
Is the activity of any other kind for which general guidelines are in force? If so the factors to be taken into account when considering the likely impact of the activity on the environment are those referred to in those guidelines.	Yes - Department of Planning and Environment issued "Guidelines for Division 5.1 assessments" made under Section 170 of the EPA regulation 2021.

Table 4 Factors to be taken into account concerning the impact of an activity on the environment

Guidelines for Division 5.1 assessments require the following Environmental factors to be taken into account:	Relevant?	Impact Assessment		
	YES/NA	Temporary	Minor	Significant [Note 1]
(a) environmental impact on the community	Yes	x	x	
(b) transformation of a locality;	Yes		x	
(c) environmental impact on the ecosystems of the locality;	NA			
(d) reduction of the aesthetic, recreational, scientific or other environmental quality or value of a locality;	NA			
(e) effect on a locality, place or building having aesthetic, anthropological, architectural, cultural, historical, scientific or social significance or other special value for present or future generations;	NA			
(f) impact on the habitat of protected animals (within the meaning of Biodiversity Conservation Act 2016);	NA			
(g) endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air;	NA			
(h) long-term effects on the environment;	Yes		x	
(i) degradation of the quality of the environment;	Yes	x	x	
(j) risk to the safety of the environment;	Yes	x	x	
(k) reduction in the range of beneficial uses of the environment;	NA			
(l) pollution of the environment;	Yes	x	x	
(m) environmental problems associated with the disposal of waste;	Yes		x	

(n) increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply;	Yes		x	
(o) cumulative environmental effect with other existing or likely future activities.	Yes		x	
(p) impact on coastal processes and coastal hazards, including those under projected climate change conditions. [Note 2]	NA			
(q) applicable local strategic planning statements, regional strategic plans or district strategic plans made under the Act, Division 3.1,	Yes – discussed below in subsection 6.4.2 below			
(r) other relevant environmental factors.	Yes – discussed in Section 7		x	

Note 1: A significant impact triggers the preparation of an Environmental Impact Statement.

Note 2: The *NSW Coastal Planning Guideline: Adapting to Sea Level Rise* provides guidance on considering projected climate change conditions such as sea level rise.

The proposed housing development is not expected to generate any significant or long-term impacts on the environment. The short-term impacts, during construction, will be offset by positive social outcomes in the long-term social benefits of providing affordable housing that meets the needs of the community.

6.4.2 Strategic Planning Framework

Future Directions for Social Housing

The NSW Government announced its 10-year vision for social housing on 24 January 2016 called the *Future Directions for Social Housing in NSW*.

The plan has three strategic priorities:

- To provide more social housing.
- To provide more opportunities, support and incentives to avoid and/or leave social housing.
- To provide a better social housing experience.

An identified action to meet the strategic priorities of the plan include increasing redevelopment of LAHC properties to renew and grow supply.

The plan identifies the increasing demand for social and affordable housing, with around 57,000 households on the NSW social housing waiting list at 31 July 2024. In relation to the Queanbeyan East suburb in the Queanbeyan-Palerang Regional LGA (which is in the Queanbeyan allocation zone S009), the waiting list for social housing is approximately 400, with the wait time for one and two-bedroom units up to 2 years.

The proposed manor house development is in direct alignment with the *Future Directions for Social Housing* actions, particularly increasing development of LAHC properties to renew and grow supply and is therefore consistent with the strategic priorities of the plan.

Queanbeyan-Palerang Local Strategic Planning Statement – Towards 2040

The Queanbeyan-Palerang Local Strategic Planning Statement – *Towards 2040* (LSPS) was adopted by Queanbeyan-Palerang Regional Council in July 2020. The LSPS sets out:

- a 20-year vision for land-use in the local area;

- the special characteristics which contribute to local identity;
- shared community values to be maintained and enhanced; and
- how growth and change will be managed into the future.

The LSPS identifies 14 Planning Priorities for the LGA, that focus on a number of issues including community, lifestyle, revitalisation of existing centres, economic growth, environmental resources and infrastructure.

Notably, Planning Priority 4 seeks to facilitate the provision of housing choices at different costs to meet the changing needs of the community and consider the options for community housing provider partnerships to provide affordable housing. The proposed development will be contributing social housing in the form of a manor house which will help to increase the diversity of housing options in the Queanbeyan-Palerang Regional LGA

Queanbeyan-Palerang Community Strategic Plan – 2042

The Queanbeyan-Palerang Community Strategic Plan (Q-PCSP) is a vision plan developed with input from over 1,700 community members contributing to review the community vision, priorities and aspirations for the next 20 years for the LGA.

The Q-PCSP consists of five Strategic Pillars and strategic objectives. The Strategic Pillars are Community, Choice, Character, Connection and Capability. These are focused around, shaping a happy healthy community, delivering a diverse resilient economy, providing a safe well-connected community and infrastructure and ensuring leadership and governance is open and accountable. The proposed manor house is not in conflict with the Q-PCSP and will contribute to providing affordable housing within the LGA.

6.5 State Environmental Planning Policy (Housing) 2021

6.5.1 Development without Consent

Section 42 of the Housing SEPP permits certain development that may be carried out 'with consent' to be carried out by the Land and Housing Corporation, as 'development without consent' subject to the provisions set out under that section. **Table 5** demonstrates compliance with the relevant provisions of section 42 of the Housing SEPP.

Table 5 Compliance with relevant provisions under sections in Chapter 2, Part 2, Division 6 of Housing SEPP 2021

Provision	Compliance
42 Development to which division applies	
(1) – This Division applies to residential development if -	
(a) the development is permitted with development consent on the land under Chapter 5 or another environmental planning instrument, and	Yes, the proposed activity is permitted on the site pursuant to 3B.1A <i>Development for the purposes of manor houses, of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.</i>
(b) all buildings will have a height not exceeding the greater of (i) 11m, or (ii) the maximum permissible building height for the land, and	Yes, proposed building height of 8.03m.

Provision	Compliance
(c) all buildings will have a floor space ratio not exceeding the greater of – (i) 0.65:1, or (ii) the maximum permissible floor space ratio for the land, and	Yes, the proposed FSR is 0.33:1.
(d) the development will not result in more than 75 dwellings on a single site, and	Yes, the proposal is for 3 dwellings.
(e) for development on land in an accessible area – the development will result in the following number of parking spaces – (i) for each dwelling containing 1 bedroom – 0.4 parking spaces (ii) for each dwelling containing 2 bedrooms – 0.5 parking spaces (iii) for each dwelling containing at least 3 bedrooms – at least 1 parking space, and	N/A as the site is not an accessible area
(f) for development on land that is not in an accessible area – the development will result in at least the following parking spaces – (i) for each dwelling containing 1 bedroom – 0.5 parking spaces (ii) for each dwelling containing 2 bedrooms – 1 parking space (iii) for each dwelling containing at least 3 bedrooms – 1.5 parking space, and	Yes. 3 spaces provided.. Required = 2 spaces. 0.5 x 2 (1-bedroom dwellings) = 1 space 1 x 1 (2-bedroom dwellings) = 1 space
(2) This Division also applies to the following development if the development is permitted on the land under another environmental planning instrument –	
(a) the demolition of buildings and associated structures if the building or structure is on land that – (i) is non-heritage land, and (ii) is not identified in an environmental planning instrument as being within a heritage conservation area,	No demolition required.
(b) the subdivision of land and subdivision works.	N/A
(3) This Division does not apply to – (a) development to which Chapter 2, Part 2, Division 5 applies, or (b) development that is part of a project, or part of a stage of a project, that the Minister determined under the Act, former section 75P to be subject to the Act, Part 4.	Division 5, Residential flat buildings – social housing providers, public authorities and joint ventures does not apply in this instance. The subject development is not subject to Part 4 of the Act and no part of the project has been determined under Section 75P (former Part 3A) of the Act.
(4) <i>State environmental planning policy (Transport and Infrastructure) 2021</i> , sections 2.15 and 2.17 apply to the development and, in the application of the sections - ...	The development is not located in an area that triggers the requirement to notify public authorities other than Council. Refer to Section 7.3 for further details.

Provision	Compliance
<p>(5) In this section –</p> <p>former section 75P means the Act, section 75P, as in force immediately before its repeal by the Environmental Planning and Assessment Amendment (Part 3A Repeal) Act 2011.</p> <p>non-heritage land means land that –</p> <p>(a) does not contain a heritage item, and</p> <p>(b) is not the subject of an interim heritage order under the Heritage Act 1977, and</p> <p>(c) is not listed on the State Heritage Register under the Heritage Act 1977.</p>	Noted.
43 Residential development permitted without consent -	
<p>(1) Development specified in section 42(1) may be carried out without consent if the development is carried out by or on behalf of –</p> <p>(a) Landcom, if all dwellings resulting from the residential development are used for affordable housing, or</p> <p>(b) another relevant authority.</p> <p>(2) Development specified in section 42(2) may be carried out without consent if the development is carried out by or on behalf of a relevant authority other than Landcom.</p>	<p>Development will be carried out by or on behalf of NSW LAHC.</p> <p>N/A</p>
43A Notification before carrying out development	
<p>(1) Before carrying out development to which this Division applies, the relevant Authority must do the following-</p> <p>(a) request that the council nominate persons who must, in the council's opinion, be notified of the development,</p>	<p>Advice was sought from Queanbeyan-Palerang Regional Council via emails from LAHC on 30 November 2023 and 3 May 2024, regarding whether any additional persons or properties should be notified of the development in addition to the draft scope of notification prepared. Council advised via email on 13 May 2024 of those property owners it would like notified.</p>
<p>(b) give written notice of the intention to carry out the development to –</p> <p>(i) the council, and</p> <p>(ii) any persons nominated by the council under paragraph (a), and</p> <p>(iii) the occupiers of adjoining land,</p>	<p>A letter notifying Queanbeyan-Palerang Regional Council of the proposed development activity was sent by LAHC on 11 June 2024.</p> <p>Letters notifying occupiers of surrounding land, and those persons nominated by Council of the proposed development activity, were sent by LAHC on 11 June 2024.</p>

Provision	Compliance
(c) take into account the responses to the notice that are received within 21 days after the notice is given.	Council responded to LAHC's notification by email dated 4 July 2024. Responses to Council's comments are provided in Section 7.1 of this REF. One submission was received from an adjoining/nearby occupier. Response to this submission is provided in Section 7.2 of this REF.
(2) In this section, a reference to the council is a reference to the council for the land on which the development is proposed to be carried out.	Noted
44 Considerations before carrying out development	
(1) Before carrying out development to which this division applies, the Aboriginal Housing Office must consider the <i>AHO Design Guidelines NSW</i> , published by the Aboriginal Housing Office in January 2020.	N/A - the proposed development will be undertaken by or on behalf of LAHC.
(2) Before carrying out development to which this division applies, the Land and Housing Corporation must consider – (a) <i>Good Design for Social Housing</i> , published by the Land and Housing Corporation, in partnership with the Government Architect NSW, in September 2020, and (b) the <i>NSW Land and Housing Corporation Design Requirements</i> , published by the Land and Housing Corporation in February 2023.	Refer to subsections 6.5.2 and 6.5.3 of this report, which detail that consideration has been given to, and that the development is satisfactory, in regard to these documents.
(3) Before carrying out development to which this division applies, Landcom must consider the <i>Landcom Affordable Housing Design Guideline</i> , published by Landcom, in partnership with the Government Architect NSW, in November 2023.	N/A

6.5.2 Good Design for Social Housing

Good Design for Social Housing establishes the four key goals and their underpinning principles to delivering better social housing outcomes for NSW.

Clause 44(2)(a) of the Housing SEPP requires the applicable authority to consider the relevant provisions of the *Good Design for Social Housing* policy (September 2020) when assessing a proposed residential development under Part 2, Division 6 of the Housing SEPP.

The following assessment against the *Good Design for Social Housing* demonstrates that the proposed development has adequately considered the goals and principles outlined. Each goal is individually addressed below.

Wellbeing

The proposed development supports the wellbeing of future tenants by providing safe and accessible housing where residents have privacy and feel safe. The floor plan design allows for future adaptation to accommodate the changing needs of tenants over time, and allowing them to age in place, with 1 ground floor unit (Dwelling A) having been designed with a Liveability Rating of Gold and the two other units (Dwelling B and C) having been designed with some features to comply with LHA Silver Level requirements.

The development incorporates passive and active sustainable design, durable and low maintenance materials, and appropriately sized units to reduce running costs. The proposal achieves a NatHERS rating with an average of 7.1 stars - which exceeds the minimum targets set by LAHC. The proposed building accommodates 10 solar panels and will be used to offset energy use in the development. PV solar panels are positioned on the roof elevations to maximise solar gains. Air conditioning is proposed to enable living areas to be climate controlled to ensure comfortable living for residents.

Each unit is provided with an area of private open space that accommodates a hardstand area for outdoor dining and attractive gardens planted with turf and low maintenance species at ground level. Quality landscaping across the site will enhance the amenity for residents.

Ample parking is provided to residents, and good passive surveillance is provided.

Belonging

The form and materiality of the proposed development have been selected to respond to the style and character of the local area and will make a high-quality contribution to the streetscape. The use of exposed brickwork and wall cladding in a neutral colour palette will ensure the visual appeal of the development is maintained over time.

The development is set in a garden setting with landscaped interfaces to neighbours and the street.

Value

The redevelopment is an efficient and economical use of existing serviced urban land. Previously the site had an older single house (already demolished) and this will be replaced with new and additional high-quality dwellings, designed to be fit-for-purpose, and incorporating sustainable design elements.

The development has been designed in accordance BASIX and BCA requirements and the proposed landscape planting scheme focusses on native species. Whilst solar panels provide a renewable energy source that can offset costs for tenants and LAHC.

Collaboration

The proposal is of a scale and character that assists with place making, by ensuring integration with the surrounding development. Collaboration with a number of stakeholders has been undertaken during the design and assessment process, with the development shaped by input from a wide range of consultants and stakeholders.

6.5.3 Land and Housing Corporation Design Requirements

The *Land and Housing Corporation Design Requirements* (LAHC Design Requirements) (February 2023) are used to inform the design and development of the LAHC social housing portfolio. These requirements apply to all new developments and are driven by tenant wellbeing, design quality, environmental performance and operational effectiveness within cost parameters.

Clause 44(2)(b) of the Housing SEPP requires the relevant authority to consider the relevant provisions of the LAHC Design Requirements February 2023 when assessing a proposed residential development under Part 2, Division 6 of the Housing SEPP.

An assessment of the proposed development against the LAHC Design Requirements February 2023 has been undertaken and the design is deemed to achieve compliance, as certified by the Architect's Certificate of Building Design Compliance (**Appendix M**). Further detail will be incorporated in the construction documentation.

6.5.4 Other State Environmental Planning Policies

Table 6 outlines applicability of, and compliance with, other State and Environmental Planning Policies (SEPPs).

Table 6 Compliance with other applicable State and Environmental Planning Policies

SEPP (Sustainable Buildings) 2022

A BASIX Certificate has been obtained for the development proposal, as required under the SEPP (refer to *Appendix J*).

SEPP (Transport and Infrastructure) 2021

The Transport and Infrastructure SEPP provides planning controls relating to development for the purposes of essential services infrastructure (hospitals, roads, water supply, telecommunications and electrical networks), educational establishments and childcare facilities and major infrastructure corridors.

The site is not located in close proximity to a State Classified Road, adjacent/near a rail corridor or electricity infrastructure and as such, the provisions of the SEPP do not apply.

SEPP (Biodiversity and Conservation) 2021

This Biodiversity and Conservation SEPP provides planning controls related to conservation and management, to ensure protection of the natural environment.

The development proposes tree removal and thus the provisions of the SEPP related to vegetation clearing do apply. Section 2.6(1) of this SEPP requires a permit from Council for clearing of vegetation required under the policy.

Notwithstanding, Clause 6 of Housing SEPP specifies that development permitted without consent may be carried out without another consent or a licence, permission, approval or authorisation otherwise required under another environmental planning instrument. This means the proposed removal of trees within the site can be included within the REF scope and does not require a permit from Council.

An assessment of the proposed tree removal has been undertaken within Section 8 of this REF below.

The site is not located within a regulated catchment.

SEPP (Resilience and Hazards) 2021

The Resilience and Hazard SEPP provides provisions for development in the coastal zone, management of hazardous and offensive development and remediation of contaminated land.

Section 4.6 of this SEPP requires the consent authority to consider whether land is contaminated prior to granting development consent.

The Section 10.7 Planning Certificate does not identify the site as being subject to any matters arising from the Contaminated Land Management Act or is listed on the loose fill asbestos register.

Notwithstanding, the *draft Contaminated Land Planning Guidelines* (draft Guidelines) prepared by the Department of Planning, Housing and Infrastructure and the Environment Protection Authority provides a checklist of matters to be considered in an initial evaluation of land in relation to potential for contamination and these are considered in the **Table 7** below:

Table 7: Checklist for guiding an initial evaluation

Previous evidence of contamination	Yes/ No	Response
a) Was the subject land at any time zoned for industrial, agricultural or defence	No	LAHC records indicate that the land has been used for residential purposes since the 1960s.

purposes?

(b) Do existing records held by the planning authority show that a potentially contaminating activity listed in Table 1 in Appendix 1 has previously been approved or carried out on the subject land? (The use of records held by other authorities or libraries is not required for an initial evaluation.)	No	LAHC records indicate that the land has not been used for a potentially contaminating activity listed in Table 1, Appendix 1 of the draft Guidelines.
(c) Is the subject land currently used for a potentially contaminating activity listed in Table 1 in Appendix 1?	No	The lot is currently vacant and until recent years contained a single storey detached dwelling.
(d) Has the subject land ever been regulated through licensing or other mechanisms in relation to any potentially contaminating activity listed in Table 1 in Appendix 1?	No	LAHC records indicate that the land has not been regulated through licensing or other mechanisms.
(e) Are there any land use restrictions on the subject land relating to possible contamination, such as orders or notices issued under the CLM Act?	No	As noted in the section 10.7 certificate, there are no land use restrictions relating to contamination under the CLM Act.
(f) Has a site inspection indicated that the site may have been associated with any potentially contaminating activities listed in Table 1?	No	A site inspection has been undertaken which indicated that the site is unlikely to have been associated with potentially contaminating activities.
g) Are there any contamination impacts on immediately adjacent land which could affect the subject land?	No	No, adjoining development is residential.
(h) Are there any human or environmental receptors that could be affected by contamination?	No	A standard identified requirement (No. 16) has been recommended to cover the possibility of discovering site contamination during construction works.
i) Is the site adjacent to a site on the EPA's list of notified sites under s60 of the CLM Act, or adjacent to a site regulated by the EPA under the CLM Act?	No	A review of the EPA's register of notified sites indicates that the land is not adjacent to a notified site under s60 of the CLM act or a site regulated by the EPA under the CLM Act.

6.6 Local Planning Controls

6.6.1 Queanbeyan-Palerang Regional Local Environmental Plan (QPRLEP 2022)

Compliance with the relevant provisions / development standards set out in the QPRLEP 2022 is demonstrated in **Table 8** below.

Table 8 Queanbeyan-Palerang Regional Local Environmental Plan 2022

Relevant Provisions / Development Standards			
Clause	Provision / Development Standard	Required	Provided
4.3	Height of Buildings	8.5m	The maximum building height proposed is 8.03m.
4.4	Floor space ratio	N/A	The maximum FSR proposed is 0.33:1.
5.10	Heritage	To conserve the environmental heritage of Queanbeyan-Palerang Regional LGA.	The site does not contain any heritage items, is not within a heritage conservation area nor in close proximity to a heritage item. As such, this provision is not applicable.
5.21	Flood Planning	Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied that the development:	The Section 10.7 certificate does not identify the site as being flood affected. As such, this clause does not apply.
		(a) is compatible with the flood function and behaviour on the land, and	
		(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and	
		(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and	
		(d) incorporates appropriate measures to manage risk to life in the event of a flood, and	
		(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.	

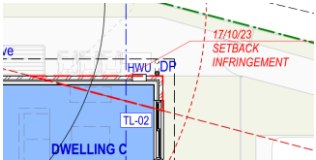
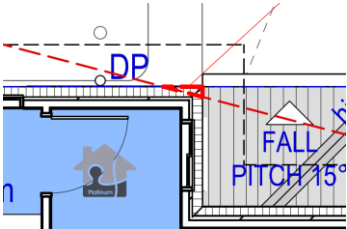
6.6.2 Queanbeyan Development Control Plan 2012

The *Queanbeyan Development Control Plan 2012* (QDCP2012) is the applicable development control plan for the subject site. The QPDCP 2012 does not contain development controls that are specifically applicable to manor houses. As such, the building setbacks for multi-dwelling housing have been used for comparative purposes to demonstrate the suitability of the site for the proposed scale of the development as shown in Table 9 below.

Table 9: Queanbeyan Development Control Plan 2012

Relevant Provisions / Development Standards for multi-dwelling housing			
Clause	Provision / Development Standard	Required	Provided
3C.5.2	Site Size & Density	<p>Performance Criteria</p> <p>a) Density of development should be in keeping with the medium to high density character of the area which promotes up to four storey multi-unit housing.</p> <p>b) Buildings should provide a mix of dwelling types.</p> <p>c) The area of the site covered by impervious surface (including roofed areas, paving, driveways etc.) should be minimised to reduce stormwater runoff from the site and maximise landscaped open space.</p>	The proposed density at the subject site is considered to be consistent with the desired future density for the area. The development offers a mix of 1 and 2 bedroom dwellings. Landscaping with deep soil zones enable the site to maximise landscaped open space.
3C.5.3	Setbacks	<p>Performance Criteria</p> <p>a) Setbacks should complement the streetscape.</p> <p>b) Lower scale development may be permitted to encroach within the setback area where it enhances the design of buildings and complements the streetscape.</p> <p>c) Setbacks should provide for sufficient landscaping to reduce the bulk and scale of buildings.</p> <p>d) Building elements within a setback encroachment area should provide a transition in building form to reduce bulk and scale.</p> <p>Prescriptive Measures</p> <p>a) <u>Front Road Setbacks</u></p> <p>First 2 storeys (building height up to 8.5m):</p> <p>A minimum setback of 6 m should be provided to the main street frontage</p> <p>Corner sites: for building up to 8.5m = 3.5m</p> <p>b) <u>Side and Rear Setbacks</u></p> <p>building height up to 6m (1 storey) = 3m</p> <p>building height up to 8.5m (2 storeys) =</p>	<p>Proposed front setback complies. Front setback from Thurrallilly Street is 8m.</p> <p>Proposed setback from Pound Street is 3m to the main side elevation. An attached ground floor level open awning providing cover above the POS of Dwelling B is setback only 1.2m from the boundary with Pound Street. This is a non-compliance with the DCP requirement for 3.5m for corner sites, however, given the open nature of this</p>

Relevant Provisions / Development Standards for multi-dwelling housing

3.5m	<p>structure and that this part of Pound Street is a dead end with a turning circle, a setback of 3m to the main elevation at ground and first floor level is considered to be acceptable.</p> <p>The proposed western side setback for ground and first floor levels does not comply at ground floor level (with proposed minimum setback only 2.3m), and has a negligible encroachment at first floor level (with minimum setback of approx. 3.34m at the eaves). Given this is for a small portion of the building only, and relates mainly to ground floor level only, it is considered acceptable.</p> <p>Below is a plan extract showing the breach to the ground floor of Dwelling C.</p>  <p>Below is a plan extract showing the very marginal breach to the first floor of Dwelling C.</p>  <p>The majority of the proposed building is compliant with the setback control for the western side of the building.</p> <p>The proposed rear setback complies. The proposed building is setback from the rear boundary between 6m and 11m at ground floor level and 11m and 14m at first floor level.</p>
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Relevant Provisions / Development Standards for multi-dwelling housing			
3C.5.6	Fencing	<p><u>Fences behind the building line of the primary road frontage</u></p> <p>(a) side and rear boundary fences – no higher than 2.1, above ground</p> <p>(b) Corner blocks (secondary street frontage) – be not higher than 2.1m above ground level for 50% of the secondary frontage. Open elements are required for the portion of fencing that is above 1.8m.</p> <p><u>Fences – forward of the building line for the primary road frontage</u></p> <p>a) Any fence located along the boundary of, or within the setback area to, a primary or secondary road must:</p> <p>i) not be more than 1.2m above ground level (existing), and</p> <p>ii) contain open elements for at least 20% of the area of the fence that is more than 400mm above ground level (existing), with any individual solid element of the fence above this height being no more than 350mm in width with a minimum aperture of 25mm.</p> <p><u>Fencing/Walls for Primary Private Open Space (POS) In Front of Multi-Unit Development</u></p> <p>a) Where POS is provided in the front setback of a development, the fencing or walls for the POS must be designed to avoid negatively impacting the aesthetic qualities of the streetscape.</p> <p>b) Fencing or walls up to 1.8m may be erected to enclose the POS provided that:</p> <p>i) the fence or wall is designed to reflect the design character of the development and is not incompatible with other fences and walls within the streetscape,</p> <p>ii) the top 0.3m (minimum) of the fence is predominantly constructed of semi-open materials to provide for some surveillance,</p>	<p>It is proposed to erect a 1.8m high metal boundary fence along the southern rear and western side boundaries, behind the building line.</p> <p>Along the secondary street frontage (eastern side boundary) to Pound Street, the proposed fence will be between 1.2m to 1.8m high elsewhere within the site.</p> <p>Fencing forward of the building line to the Thurralilly Street frontage will be no more than 1.2m in height, aluminium slat fencing closely spaced for privacy.</p> <p>Along the Pound Street frontage of the site will be planting in front of a new fence that will enclose the private open space of Dwelling A. This will have a maximum height of 1.8m horizontal aluminium slat design, closely spaced for privacy.</p> <p>The proposed fencing is considered to be compliant with the intent of the DCP control.</p>
3.5.13.2	Waste Storage	<p>b) For up to 6 units, each dwelling in the development will be provided with waste, recycling and green waste bins. Storage areas need to be provided within the curtilage of each unit and may include</p>	<p>The proposed dwellings all have access to their own individual waste, recycling and green waste bins in their own dedicated POS with access to the street.</p>

Relevant Provisions / Development Standards for multi-dwelling housing

		garages or courtyards that provide external access. Residents shall be responsible for wheeling the mobile garbage bins to the kerbside for weekly/fortnightly collection.	The site will have a total of 9 x 240L bins to be taken out to the kerbside for weekly/fortnightly collection. Waste bins will be placed at the kerbside for collection by Council's waste management service. Refer to the Waste Management Plan for further details (Appendix P).
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7 Notification, Consultation and Consideration of Responses

7.1 Council Notification

In accordance with section 43A of the Housing SEPP, Queanbeyan-Palerang Regional Council was notified of the development by letter dated 11 June 2024 (refer to **Appendix S**). The notification response period formally closed on 6 July 2024 and Council responded to the notification by email dated 4 July 2024. Council’s response has been extracted in Table 10 below. A response is provided in relation to the matters raised in Council’s letter and where appropriate, these matters have been addressed in the identified requirements in the Activity Determination.

Table 10: Issues raised in Council Submission

Issues raised	LAHC Response
QPRC staff understand Homes NSW is utilising the State Environmental Planning Policy (Housing) 2021 to progress the proposal.	Noted.
The sight distance at Thurralilly Street at the intersection with High Street is difficult; the no right turn restriction is noted.	Noted. Due to the existing nature strip in the centre of Thurralilly Street, and the location of the driveway to the dwellings from Thurralilly Street, vehicles for Dwellings A and C will need to exit the site left only towards High Street. Traffic Engineers have assessed the proposal and raised no objection to the proposed driveways and parking arrangements. Refer to Appendix Q for Traffic Report.
Footpaths around the proposal are 1.0 metre - an upgrade to 1.5m is recommended	Noted. However, considering the scale of the development, being only 3 units, it is considered appropriate to continue with the existing established footpath at this time. It is also noted the recent 18 dwelling seniors housing development at 26-30 Thurralilly Street, opposite the subject site, retains the existing established footpath width and the proposal would be consistent with this.
It is noted that because the proposed manor house development comprises 3 units, it has no requirement to meet the Access and Mobility controls outlined in Part 3C.5.10 of the Queanbeyan Development Control Plan 2012 (QDCP2012). This is because the QDCP 2012 does not require adaptable dwellings to be incorporated into proposals involving fewer than 5 units. While not required by the Queanbeyan Development Control Plan 2012, Homes NSW are requested to consider incorporating adaptable dwellings into further redevelopments of housing in Thurralilly Street, Queanbeyan.	Noted. The proposal ensures two of the dwellings (Dwellings B and C) achieves the Livable Housing Australia Silver Level features and Dwelling A has been designed with to a Livable Housing Australia Gold Level. The proposed dwellings will enable adaptation to accommodate the changing needs of tenants over time and allowing them to age in place.

Issues raised	LAHC Response
The proposed manor house development is supported with a BASIX building sustainability index certificate which outlines commitment to thermal performance, water usage and energy. It is noted however, that the living area of Unit C faces south and west. It is requested that orientation be taken into account in further redevelopment of housing in Thurralilly Street Queanbeyan.	Noted. Unit C also benefits from a north facing window to the living area which should assist this unit in terms of thermal performance and solar access.
Given the aspect of Unit C, it is requested that NSW Homes consider double glazing and additional insulation as necessary, to assist residents to better manage heating and cooling.	The development incorporates passive and active sustainable design, durable and low maintenance materials and appropriately sized units to reduce running costs. The proposal achieves a NatHERS rating with an average of 7.1 stars - which exceeds the minimum targets set by LAHC. The proposed building accommodates 10 solar panels and will be used to offset energy use in the development. PV solar panels are positioned on the roof elevations to maximise solar gains. Air conditioning is proposed to enable living areas to be climate controlled to ensure comfortable living for residents.
That unit connections to the solar power be individually metred for each unit.	Units will be individually metred, in accordance with LAHC guidelines.
That only electric appliances be installed into the units.	In accordance with LAHC guidelines, electric appliances only will be installed into the units.

7.2 Notification of Occupiers of Adjoining Land and Other Persons

Under section 43A(1)(a) of the Housing SEPP, Queanbeyan-Palerang Regional Council was requested to nominate any other persons who should, in the Council’s opinion, be notified of the development. Advice was sought from Council regarding additional persons or properties that should be notified of the development via emails dated 30 November 2023, 3 May 2024 and again on 9 May 2024. Council provided an email response on 13 May 2024, with a list of addresses and property owners it recommended be notified. Figure 13 illustrates the properties in which the occupiers and landowners were notified of the development.



Figure 14: Map of properties notified of the proposed development.

Under section 43A(1)(b) of Housing SEPP, occupiers of adjoining land, as identified in the above map, were notified of the proposed development activity by letter dated 11 June 2024. A sample of the notification letter is provided at **Appendix S**.

The notification response period formally closed on 6 July 2024. One response was received on 23 June 2024 by email from occupants of a neighbouring property, summarised below.

Table 11 Matters raised in neighbour submission

Matters raised	LAHC Response
<p>Based upon the detailed information provided in the letter and notification plans attached therein, and on the ever worsening housing crisis in Australia at this time, the development is entirely appropriate and welcome.</p> <p>I wish to pass on my sincere and deepest gratitude to Homes NSW and in particular to the Minister Rose Jackson for the goodwill in attempts to alleviate the burden of homeless people of this state.</p>	<p>Noted. Homes NSW acknowledges this supportive feedback. Neighbours will be informed of the outcome of the proposed development via mail.</p>

7.3 Notification of Specified Public Authorities

The development is “residential development” under section 42 of the Housing SEPP. As required by section 42(4) of the Housing SEPP, consideration has been given to the need to notify the “specified public authorities” identified in *State Environmental Planning Policy (Transport and Infrastructure) 2021*, sections 2.15 and 2.17. The development is not located in an area that triggers the requirement to notify public authorities other than Council.

8 Review of Environmental Factors

This Review of Environmental Factors examines the significance of likely environmental impacts of the proposal and the measures required to mitigate any adverse impacts to the environment. A review of the salient environmental factors associated with the proposed activity, and the measures required to mitigate any adverse impacts to the environment, are provided below.

8.1 Neighbourhood Character

The site is located within an established residential area generally supporting single and 2-storey attached and detached dwelling houses. The height and density of the proposed development is compliant with the planning controls for the area, and the development's design, siting, layout and landscape setting are consistent with the surrounding existing neighbourhood character. The proposed development will not appear out of place, or inconsistent with the existing character of the neighbourhood.

The proposal is compatible with the character of the neighbourhood and delivers built outcomes consistent with the planning controls for the locality under the QPRLEP 2022 and the QDCP 2012. The design of the proposed manor house is sympathetic to the neighborhood character.

Mitigation Measures

No mitigation measures are required.

8.2 Bulk and Density

The proposed development is compatible with the bulk and scale existing in the area, and satisfies Council's QPRLEP2022 controls for height and density, relevant to the area. Council's QPRLEP2022 specifies that buildings in the locality are to have a height of no more than 8.5m, from ground level to the highest point of the building. This is in comparison to the proposed development, which achieves a maximum building height of 8.03m.

In addition, the proposed 2-storey building is compatible with the typology of adjoining, and nearby dwellings, with similar types of contemporary development in surrounding nearby streets. This compatibility is aided through the provision of setbacks that are in most instances exceeding of minimum requirements, a varied external finish and materials palette and a landscaping plan that works around the retention of existing established trees. These features reduce the visual bulk and add interest to the streetscape.

Mitigation Measures

No mitigation measures are required.

8.3 Streetscape

The proposed development activity will make a positive contribution to the streetscape of Thurrallilly and Pound Streets, by virtue of the following:

- The proposed development will replace ageing housing stock that was previously on the site and which had reached the end of its economic life, with a new contemporary, architecturally designed residential manor home development.

- The built form has been designed to address the street frontages through incorporation of street facing windows and POS within the setbacks to the streets, improving casual surveillance of the street.
- The façades are modulated by projecting and recessed elements, using different materials and textures.
- Significant landscaping is being provided throughout the development, which will help soften the development and benefit the streetscape interactions.

Mitigation Measures

No mitigation measures are required.

8.4 Visual Impact

The proposed development will generate some short-term visual impact on the surrounding area during construction, with a long-term positive visual impact associated with the establishment of new dwellings in an existing urban residential context.

The proposed development will make a positive contribution to the residential streetscape through construction of new contemporary dwellings that respond to the site context and neighbourhood character. Articulation, diverse mix of materials and a neutral colour palette will assist with the overall aesthetic of the site.

Mitigation Measures

No mitigation measures are required.

8.5 Privacy

Internal and external privacy is maintained by the proposed development activity through a range of measures including careful and considered site landscaping, 1.2-1.8m high side and rear boundary fencing, adequate site setbacks and strategic placement and design of windows and balconies so as to avoid direct overlooking of neighbouring properties. For example:

- Screening between the proposed development and adjoining neighbours is achieved through the planting of new trees and shrubs, which when mature will screen, and minimise any overlooking. Furthermore, a large existing *Pinus Radiata* tree is to be retained at the rear of the site, and a Monterey Cypress tree is to be retained at the front of the site, both of which will help provide immediate privacy for future occupants of the proposed development and the existing neighbours given their existing established nature.
- Windows facing the side boundaries are adequately set back in terms of DCP requirements and further screened by 1.8m high boundary fencing and perimeter landscaping. Furthermore, the windows to the west side elevation and rear elevation at first floor level to Dwelling C will serve hallway and stairs only as opposed to habitable spaces.
- As such the proposed design will mitigate unacceptable overlooking from the proposed units into properties adjoining.
- Private open spaces within the development have been appropriately separated by location or fencing and/or landscape treatments.

Mitigation Measures

No mitigation measures are required.

8.6 Solar Access

The design and siting of the proposed development will provide adequate daylight access to the proposed dwellings' living areas, private open spaces and the private open space areas of neighbouring properties in accordance with the solar access and shadow diagrams forming part of the Architectural Plans (**Appendix A**). The proposed development will not negatively impact access of sunlight to living areas and private open space of the dwellings on adjoining sites. Given the orientation of the site, most of the shadow cast by the proposed building will be cast within the site in the morning and then over the road (Pound Street) in the afternoon when shadow will be cast eastwards.

Mitigation Measures

No mitigation measures are required.

8.7 Overshadowing

Shadow diagrams in **Appendix A** confirm the proposed development will not generate unacceptable shadow impacts to living areas and private open space of adjoining dwellings.

Given the orientation of the site, shadows cast by the proposed development predominately fall within the site to the rear (south) or to the adjoining road (Pound Street) to the east of the site. While the Shadow plan shows shadows will be cast over a portion of the POS of adjoining dwellings 22 Thurrallilly Street and 31 Pound Street, it is noted this will occur only in the early morning by 9am and will be mostly unaffected by 10am.

The adjoining properties will therefore maintain a minimum 3 hours of sunlight to living and private open space areas between 8am and 4pm at the mid-winter solstice.

Mitigation Measures

No mitigation measures are required.

8.8 Traffic & Parking

A total of 3 car parking spaces for residents, provided within private garages for each dwelling, will be available on site to serve the proposed development. The provision of on-site car parking exceeds the parking requirements set out in the Housing SEPP and unrestricted street parking is available on Thurrallilly and Pound Streets to accommodate any overflow parking demand generated by the proposed development.

The Traffic Impact and Parking Assessment Report (**Appendix Q**) indicates that the projected net increase in traffic as a consequence of the proposed development is acceptable and any increase can be accommodated within the capacity of the existing local street network.

The proposed development is only expected to generate 2 peak hour vehicle trips, which is relatively minor and as such, no noticeable impacts to the surrounding traffic environment are expected.

Mitigation Measures

Standard Identified Requirement (1) has been applied to ensure compliance with the Traffic Impact and Parking Assessment Report (**Appendix Q**).

8.9 Flora and Fauna

An Visual Tree Assessment and Tree Management Plan has been prepared for the site by Treeworks (**Appendix I**). The report considers 14 trees, of which 9 are located within the subject site, 2 are located within the council's road reserves in front of the site and 3 are located on adjoining properties. The report recommends the removal of 7 existing trees (Trees S2, S3, S4, S6, S7 and 2 x S8). These trees are identified as either medium or low retention value, with the majority being identified as low retention value.

Only one tree was identified as high retention value (Tree S1, *Pinus radiata*, Monterey Pine) located at the rear of the site along the western side boundary. This tree is recommended for retention and protection during the construction process, together with another tree (Tree S5, *Hesperocyparis macrocarpa*, Monterey Cypress) located at the front north eastern corner of the site.

More appropriate replacement planting of tree species is proposed, as indicated on the landscape plan and details (refer to submitted Landscape Plan in **Appendix B**). The new trees and plantings will provide replacement tree cover on the site and increase the variety of species, which will provide additional habitat for fauna in the long-term.

Existing trees in the road reserve and on adjoining properties in close proximity to the site will be retained and protected, and as such will not be impacted by the proposed development.

There will be no significant impact on native fauna as a result of the proposed development, given that compensatory planting is proposed.

Mitigation measures

Retained trees are to be protected in accordance with the recommended tree retention and protection measures detailed in the Visual Tree Assessment and Tree Management Plan (**Appendix I**).

8.10 Heritage (European/Indigenous)

No heritage items are identified in Queanbeyan-Palerang Regional Council's Section 10.7(2) & (5) Planning Certificate located on or in the vicinity of the site.

Aboriginal Heritage

An Aboriginal Heritage Information Management System (AHIMS) search, dated 24 May 2024 (**Appendix H**) did not find any record of Aboriginal Sites or Places on the site or in the surrounding locality and the site is not considered to be disturbed land. Consideration of the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*, determined that no additional investigation was warranted. Discovery of cultural material during development activities cannot be ruled out, however, an identified requirement has been applied should any Aboriginal relics be discovered on the site during excavation/construction.

Other Cultural Heritage

No cultural heritage items have been identified in Queanbeyan-Palerang Regional Council's Section 10.7(2) & (5) Planning Certificate and the likelihood of any heritage relics being discovered during excavation / construction is considered to be minimal.

Mitigation Measures

Standard Identified Requirements (41 & 42) have been applied should any cultural heritage relics be discovered on the site during excavation / construction.

8.11 Soils/Contamination/Acid Sulfate Soils/Salinity

Geotechnical

A Geotechnical Investigation prepared by Douglas Partners (**Appendix O**), indicates the following:

- **Test Pit 3:** Low plasticity sandy silt topsoil fill to 0.1 m depth, then low plasticity sandy silt to 0.4 m depth, then medium plasticity silty clay to 0.7 m depth overlying medium to high strength sandstone to the slow progress depth of 1.0 m.
- **Test Pit 4:** Low plasticity sandy silt topsoil fill to 0.1 m depth, then low plasticity sandy silt to 0.2 m depth, then medium plasticity silty clay to 0.6 m depth, low to medium strength sandstone to 0.9 m depth overlying medium to high strength sandstone to the slow progress depth of 1.1 m.
- Groundwater was not observed during drilling works.

Mitigation Measures

Foundation design and construction methods are to be carried out in accordance with the recommendations of the Geotechnical Investigation, prepared by Douglas Partners (**Appendix O**). Identified Requirement (1) requires the development to be undertaken in accordance with this report.

Contamination

The Section 10.7 Planning Certificate does not identify the site as being subject to any matters arising from the Contaminated Land Management Act or listed on the loose fill asbestos register.

Mitigation Measures

A standard Identified Requirement (16) has been recommended requiring implementation of management measures in the unlikely event of contamination prior or during construction works.

Acid Sulfate Soils

According to Council's Section 10.7(2) & (5) Planning Certificate, the land is not affected by a policy relating to acid sulfate soils.

Mitigation Measures

No mitigation measures are required.

Salinity

Council's Section 10.7(2) & (5) Planning Certificate indicates that the site is not affected by salinity.

Mitigation Measures

No mitigation measures are required.

8.12 Drainage/Flood Prone Land/Hydrology

Drainage

Stormwater drainage for the proposed development has been designed in accordance with Council's requirements. Stormwater will be collected via a series of stormwater pits, connected to an on-site detention tank.

Roof water will be collected by downpipes and connected to a rainwater tank located along the western side elevation of the building.

Mitigation Measures

Identified Requirements (5-8 and 38) have been recommended to ensure that stormwater drainage is managed in accordance with legislative requirements.

Hydrology

The proposed development has been designed to have no adverse impact on the hydrology within the local area.

Mitigation Measures

No mitigation measures are required.

8.13 Bushfire Prone Land

The Section 10.7(2) & (5) Planning Certificate indicates that the land is not bushfire prone.

Mitigation Measures

No mitigation measures are required.

8.14 Noise and Vibration

During Construction

During construction typical noise levels associated with building works will be generated within the hours consistent with the requirements for Complying Development throughout NSW, being 7am to 5pm Monday to Saturday with no work on Sundays or public holidays.

During Occupation

Noise generated when the proposed building is completed and occupied will be entirely in keeping with its residential surroundings. No major plant or equipment, which would generate unacceptable noise during occupation, will be installed in the proposed development.

Buildings will be constructed to comply with the deemed-to-comply provisions of the *Building Code of Australia* with respect to noise transmission.

Mitigation Measures

Construction noise will be controlled to within acceptable limits by sound attenuation measures and undertaking construction activities within EPA/ local council requirements.

Air conditioning units are proposed to be provided. Specific details of the air conditioning system are to be provided in the detailed construction documentation. Any air conditioning units must be designed and

operated in accordance with the acoustic requirements set by EPA Guidelines and the *Protection of the Environment Operations (Noise Control) Regulation 2017*. Acoustic certification is required at construction documentation stage and prior to occupation to ensure that the air conditioning units are appropriately designed and installed. Their operation is also subject to an ongoing use identified requirement.

Buildings will be constructed to comply with the deemed-to-comply provisions of the Building Code of Australia and EPA criteria with respect to noise transmission.

Appropriate standard Identified Requirements (2, 44,46 and 59) have been applied to ensure compliance with the above mitigation measures.

8.15 Air Quality

Temporary and localised air quality impacts including dust, smoke, grit, odours, and fumes might be generated during the clearing and excavation of the site and construction of the proposed development.

Mitigation Measures

Appropriate standard Identified requirements (47, 50 and 51) have been applied that will satisfactorily mitigate any potential or adverse iRpacts on air quality.

8.16 Waste Minimisation

The following waste minimisation and management measures have been identified and are to be considered in conjunction with the specific details, including the estimated quantities of waste, provided in the final waste management plan to be prepared by the building contractor.

During Construction

Construction materials must be stored wholly within the site prior to removal for recycling or disposal. Construction material waste must be removed from the site to an approved waste management facility or shall be recycled as follows:

- bricks shall be crushed and reused for filling, levelling or temporary road base;
- concrete shall be crushed and reused for filling, levelling or temporary road base;
- tiles shall be crushed and reused for filling, levelling or temporary road base;
- timber shall be re-used on site, where possible, or mulched or sent to second hand suppliers;
- plasterboard shall be returned to the supplier for recycling; and
- metal offcuts from gutter and downpipes, etc. shall be recycled wherever possible.

During Occupation

General and non-recyclable waste, and paper / metal / glass recyclable waste will be disposed of in Council's waste and recycling storage bins located in the POS of each dwelling, each with access to the street. These will be placed on the street kerb by residents for collection by Council's waste services.

Mitigation Measures

A standard Identified Requirement (33) is recommended to require the preparation of a final waste management plan for the construction and occupation phases of the development.

8.17 Community / Social / Economic Effects

The proposed development will generate a number of positive community and social effects, including:

- Assisting LAHC in meeting its long-standing and continually growing demand for social housing in the Queanbeyan-Palerang Regional local government and surrounding area;
- assisting LAHC in improving the amenity of accommodation for its tenants, by providing new, more appropriate housing aligning with demand for social housing;
- improving the environmental sustainability of housing on the site, particularly through improved energy and water efficiency; and
- providing more accessible housing on the site.

Mitigation Measures

No mitigation measures are required.

8.18 Resource Use and Availability

The proposed activity will not result in any discernable depletion or degradation of natural resources. The proposal has been designed to meet water and energy efficiency targets as demonstrated by the BASIX certificate for the proposal.

The development achieves an average NatHERS (Nationwide House Energy Rating Scheme) star rating of 7.1, with Dwelling A achieving a minimum star rating of 7.2. This exceeds the minimum 6 out of 10 star rating required for the site (**Appendix K**).

The proposed development is for the replacement of a previous dwelling that existed on the site and had reached the end of its economic lifespan. The proposed development will provide contemporary housing that will satisfy current State Government environmental sustainability requirements, particularly through improved energy and water efficiency. These factors will ensure reduced depletion and degradation of natural resources in the long term.

Mitigation Measures

No additional mitigation measures are required.

8.19 Economic Impact

The proposed development is likely to contribute to a range of economic benefits in the Queanbeyan-Palerang Regional local government and surrounding areas through:

- more efficient use of land resources, existing infrastructure and existing services;
- local sourcing of construction materials, where possible;
- the local sourcing of tradespeople and other construction-related professionals, where possible;
- on-going consumption from new/ additional households;
- the reduced maintenance costs of the newer housing; and
- savings associated with improved energy and water efficiency.

Mitigation Measures

No additional mitigation measures are required.

8.20 Cumulative Impact Assessment

The proposed activity is not likely to have any cumulative environmental impacts which are likely to combine with each other or with impacts of other activities to produce any unacceptable adverse effects for the following reasons:

- The proposed activity will not result in any adverse cumulative impact when considered in conjunction with any other proposals or developments in the area;
- there will be no synergistic effects of individual project impacts from the proposed activity when considered in combination; and
- there are no known environmental stresses in the area of the proposed activity that would be increased.

Mitigation Measures

No mitigation measures are required.

9 Conclusion

9.1 Summary of Key Issues Raised in Assessment

The proposed activity, given its scale, location and design, will be sympathetic with its residential environment. Following a review of the site constraints, it has been determined that the subject land does not contain any significant environmental hazards and that there are no key issues that have been identified that require further assessment.

The proposed activity has been considered in terms of the provisions of Section 5.5 of the EP&A Act and Section 171 of the EP&A Regulation. Following an analysis of the potential impacts associated with the proposed activity it was determined that an environmental impact statement is not required.

As demonstrated in this REF, the proposed activity is consistent with the relevant objectives and standards set out in the Housing SEPP, QPRLEP 2022, and the design principles and better practices set out in the relevant guidelines.

In addition, and as demonstrated by the environmental impact analysis and assessment undertaken in this REF, the proposed activity will have environmental impacts that can be mitigated to an acceptable level in accordance with current applicable standards, will have a number of positive environmental effects in terms of the built environment and will deliver a range of social and economic benefits.

The proposed development will enable LAHC to meet the increasing demand for 1- and 2-bedroom dwellings in the local area. Therefore, the proposed development is clearly in the public interest.

9.2 Recommendation

Given the above review of environmental factors, it is recommended that LAHC proceed with the proposed activity subject to the implementation of the Identified Requirements listed in the Activity Determination accompanying this REF.

10 Appendices

APPENDIX A – ARCHITECTURAL PLANS

APPENDIX B – LANDSCAPE PLAN

APPENDIX C – CIVIL PLANS

APPENDIX D – SURVEY PLAN

APPENDIX E – NOTIFICATION PLANS

APPENDIX F – SECTION 10.7 CERTIFICATES

APPENDIX G – ACCESS REPORT

APPENDIX H – AHIMS SEARCH

APPENDIX I – ARBORIST REPORT

APPENDIX J – BASIX CERTIFICATE

APPENDIX K - NatHERS CERTIFICATE

APPENDIX L – BCA REPORT

APPENDIX M – DESIGN COMPLIANCE CERTIFICATES

APPENDIX N – TITLE SEARCH AND DP

APPENDIX O – GEOTECHNICAL REPORT

APPENDIX P – WASTE MANAGEMENT PLAN

APPENDIX Q – TRAFFIC REPORT

APPENDIX R –STATEMENT OF COMPLIANCE WITH HOUSING SEPP

APPENDIX S – NOTIFICATION LETTERS