

Cr Harrison foreshadowed a CONTRARY motion: ["That the matter lie on the table to allow further consideration of the application."]

In accordance with the *Local Government and Planning Legislation Amendment (Political Donations) Bill 2008*, the following votes on the motion were recorded.

The motion (of Crs Cockram and Marshall) was PUT and LOST.

For

Cr Cockram
Cr Hogarth-Boyd
Cr Marshall

Against

Cr France (did not vote)
Cr Graham
Cr Harrison
Cr Hicks
Cr Schweikert

The foreshadowed contrary motion (of Cr Harrison) was brought forward, PUT and CARRIED.

268/2014 RESOLVED that the matter lie on the table to allow further consideration of the application.

From the Chair

In accordance with the *Local Government and Planning Legislation Amendment (Political Donations) Bill 2008*, the following votes on the resolution were recorded.

For

Cr Cockram
Cr Graham
Cr Harrison
Cr Hicks
Cr Hogarth-Boyd
Cr Marshall
Cr Schweikert

Against

Cr France (did not vote)

Item 10.3. Planning Proposal, North Bungendore

SUBJECT	Planning proposal, rezoning of Lot 1 DP 798111 from RU1 Primary Production to R2 Low Density Residential, R5 Large Lot Residential and RE1 Public Recreation, north Bungendore		
FILE NO.	PROJ0035/11	DIVISION	Planning and Environmental Services

This is page 10 of the Minutes of an Ordinary Meeting no. 17 of the Palerang Council held at Bungendore, 4 December 2014.

Mayor

Mr Jeff Langford spoke about this item, followed by Mr John Preston, Mr Greg Roberts, Ms Vivien Laycock, Mr Des Page, Mr David McDonald, Ms Kristen Skinner and Ms Judith Turley.

Synopsis

Council has received a planning proposal to rezone Lot 1 DP 798111, on the northern edge of Bungendore from RU1 Primary Production to R2 Low Density Residential, R5 Large Lot Residential and RE1 Public Recreation. The rezoning would enable a subdivision application to be submitted for the creation of approximately 309 residential lots (exclusive of the 500 metre radius from the boundary of Lot 1 DP 798111 and Lot 44 DP 754876).

MOVED that Council defer consideration of this item until the February 2015 meeting.

Marshall/France

Cr Schweikert foreshadowed a CONTRARY motion ["That:

1. Council forward the planning proposal, council report and recommendations to the Minister for Planning and Environment for a gateway determination;
2. the area within Lot 1 DP 798111 500 metres from the boundary of Lots 8 and 44 DP 754876 and Lot 1 DP 1087861 remain zoned RU1 Primary Production in the consideration of the planning proposal in accordance with the Land Zoning Map attached to this report, and
3. any environmental assessments required to be carried out by the gateway determination consider all of Lot 1, DP 798111."]

The motion (of Crs Marshall and France) was PUT and with the vote four-all, the Mayor exercised his casting vote to declare the motion LOST.

In accordance with the *Local Government and Planning Legislation Amendment (Political Donations) Bill 2008*, the following votes on the motion were recorded.

<u>For</u>	<u>Against</u>
Cr France	Cr Cockram
Cr Graham	Cr Harrison
Cr Hogarth-Boyd	Cr Hicks
Cr Marshall	Cr Schweikert

The foreshadowed contrary motion (of Cr Schweikert) was brought forward, seconded by Cr Hicks.

The motion (of Crs Schweikert and Hicks) was PUT and with the vote four-all, the Mayor exercised his casting vote to declare the motion CARRIED.

This is page 11 of the Minutes of an Ordinary Meeting no. 17 of the Palerang Council held at Bungendore, 4 December 2014.

Mayor

269/2014 RESOLVED that:

1. Council forward the planning proposal, council report and recommendations to the Minister for Planning and Environment for a gateway determination;
2. the area within Lot 1 DP 798111 500 metres from the boundary of Lots 8 and 44 DP 754876 and Lot 1 DP 1087861 remain zoned RU1 Primary Production in the consideration of the planning proposal in accordance with the Land Zoning Map attached to this report, and
3. any environmental assessments required to be carried out by the gateway determination consider all of Lot 1, DP 798111.

Schweikert/Hicks

In accordance with the *Local Government and Planning Legislation Amendment (Political Donations) Bill 2008*, the following votes on the resolution were recorded.

<u>For</u>	<u>Against</u>
Cr Cockram	Cr France
Cr Harrison	Cr Graham (did not vote)
Cr Hicks	Cr Hogarth-Boyd
Cr Schweikert	Cr Marshall (did not vote)

270/2014 RESOLVED that Item 10.9 be dealt with following the adjournment.

From the Chair

The resolution was carried unanimously.

ADJOURNMENT The meeting adjourned at 7.53 pm and resumed at 8.20 pm.

Item 10.9. Bungendore Off-Street Carpark

SUBJECT	Bungendore Off-Street Carpark Planned Construction		
FILE NO.	TT0004	DIVISION	Infrastructure Planning

Cr Graham declared an interest in this item of business and left the meeting at 8.20 pm.

Mr Greg Roberts spoke about this item, followed by Ms Vivien Laycock.

Synopsis

This report proposes a layout, a timeframe and funding arrangements to allow the construction of Stage 1 of the carpark to proceed in the first half of 2015.

This is page 12 of the Minutes of an Ordinary Meeting no. 17 of the Palerang Council held at Bungendore, 4 December 2014.

Mayor

Item 10.3. Planning Proposal, North Bungendore

SUBJECT	Planning proposal, rezoning of Lot 1 DP 798111 from RU1 Primary Production to R2 Low Density Residential, R5 Large Lot Residential and RE1 Public Recreation, north Bungendore		
FILE NO.	PROJ0035/11	DIVISION	Planning and Environmental Services

Attachments

1. Planning Proposal prepared by DFP Planning Pty Ltd (dated 13 October 2014), rezoning of Lot 1 DP 798111 from RU1 Primary Production to R2 Low Density Residential, R5 Large Lot Residential and RE1 Public Recreation
2. Amended, *Palerang Local Environmental Plan 2014* Land Zoning Map 4A

Synopsis

Council has received a planning proposal to rezone Lot 1 DP 798111, on the northern edge of Bungendore from RU1 Primary Production to R2 Low Density Residential, R5 Large Lot Residential and RE1 Public Recreation. The rezoning would enable a subdivision application to be submitted for the creation of approximately 309 residential lots (exclusive of the 500 metre radius from the boundary of Lot 1 DP 798111 and Lot 44 DP 754876).

Recommendation

Recommended that:

1. Council forward the planning proposal, council report and recommendations to the Minister for Planning and Environment for a gateway determination;
2. the area within Lot 1 DP 798111 500 metres from the boundary of Lots 8 and 44 DP 754876 and Lot 1 DP 1087861 remain zoned RU1 Primary Production in the consideration of the planning proposal in accordance with the Land Zoning Map attached to this report, and
3. environmental assessments consider the area inside area instead the 500 metre radius in addition to the area outside of the radius.

Report

Background

Council has received a planning proposal for the rezoning of Lot 1 DP 7988111 from RU1 Primary Production to R2 Low Density Residential, R5 Large Lot Residential and RE1 Public Recreation. The rezoning would enable a subdivision application to be submitted for the creation of approximately 309 residential lots (exclusive of 500 metre radius from the boundary of Lot 1 DP 798111 and Lot 44 DP 754876). It is possible that if this proposal proceeds and the land is developed that land adjacent to the north of Lot 1 DP 7988111 may be the subject of another planning proposal (see p1 of the planning proposal for associated comment).

The planning proposal has been prepared by the applicant's planning consultant. Under Part 3 of the *NSW Environmental Planning and Assessment Act 1979*, Palerang Council is the relevant planning authority and is responsible for the preparation and carriage of the planning proposal. In this instance, Council has several options in regard to the management of the planning proposal:

- Forward the council report, recommendations and planning proposal prepared by the developer to the Minister for Planning for a gateway determination. Council's recommendations will be considered by the gateway panel. If the proposal is supported by the gateway panel, Council may prepare a revised planning proposal following consideration of the environmental assessments required by the panel and submit this to the gateway panel for further consideration.
- Council could prepare its own planning proposal and submits this to the Minister for Planning for a gateway determination. The planning proposal would reflect council's preferred approach.
- Council could determine that it does not support the planning proposal. In this event the planning proposal would not be submitted to the Minister for Planning for a gateway determination.

There has been no community or government agency consultation except for a request for comment from Council in regard to the landfill and residential development to the NSW Environmental Protection Authority and for the NSW Office of Environment and Heritage to inspect areas of native vegetation on the lot. The Environmental Protection Authority provided a response to Council's letter on 15 October 2013 and the Office of Environment and Heritage undertook a site inspection with Council staff on 19 November 2014. The gateway determination will specify the extent of public consultation required and the government authorities that need to be consulted.

The planning proposal process

A planning proposal is a document that explains the intended effect of the proposed local environmental plan or amendment provides the justification for making it and facilitates the process. The intention of the gateway process is to allow the proposal to be reviewed

at an early stage so that a decision whether to proceed can be made; before significant resources are committed. The process is outlined below:

- Council determines whether it supports the planning proposal
- If the planning proposal is supported, it is forwarded to the Minister for Planning for a gateway determination or a planning proposal written by council is submitted
- if the gateway determination permits the planning proposal to proceed, any required assessments will be undertaken, the planning proposal will be sent to relevant government agencies for comment and then exhibited for the period stated on the gateway determination
- submissions are considered by Council and the Council report, submissions and if required a revised planning proposal is sent to the Minister for Planning
- if the proposal is supported by the Minister, the local environmental plan is amended

Only the planning proposal and supporting documents are exhibited. The written legal instrument (draft amending local environmental plan) is prepared by the Parliamentary Counsel when the planning proposal is finalised, immediately before it is made by the Minister or his delegates. The local environmental plan takes effect when it is published on the NSW government legislation website.

Further information on the process can be found in the NSW Department of Planning and Infrastructure documents *A guide to preparing local environmental plans* and *A guide to preparing planning proposals*.

Outline of the planning proposal submitted by the developer (October 2014)

The planning proposal concerns Lot 1 DP 798111 which is 82.03 hectares (Palerang Council property data base). The land is zoned RU1 Primary Production under the *Palerang Local Environmental Plan 2014*. It is proposed that Lot 1 DP 798111 be rezoned part R5 Large Lot Residential, part R2 Low Density Residential and part RE1 Public Recreation.

Appendix E of the planning proposal illustrates the proposed land use zoning and the proposed lot layout and road hierarchy are shown in Appendix D. In Appendix E there is an area showing a radius of 250m and 500m from the boundary of Lots 8 and 44 DP 754876 and Lot 1 DP 1087861. This area relates to the Bungendore landfill, the details of this are discussed later in this report.

The proposal (p5) states that the indicative lot yield is approximately 309 lots (exclusive of the 500 metre radius from the land fill site). The lots are proposed to be between 800 and 1200 square metres (p6). It is proposed that area inside the 500 metre radius would be developed however, this is dependent on the outcome of the assessments being undertaken in relation to the landfill.

Included with the planning proposal is a flora and fauna assessment prepared in December 2010.

Note

The planning proposal and accompanying report are only discussing broad concepts, the layout of the lots and design of roads and associated infrastructure is undertaken as part of the subdivision application process once the land has been rezoned.

The following section comments on the matters contained in the planning proposal.

Natural environment

The planning proposal is accompanied by a flora and fauna assessment which was undertaken in December 2010. The report identifies several areas of native vegetation that may be classed as the endangered ecological community Natural Temperate Grassland of the Southern Tablelands of NSW and the Australian Capital Territory under the *Environmental Protection and Biodiversity Protection Act 1999* (a Commonwealth Act). The sites of interest are: NBUN04, NBUN05 and NBUN06 and possibly another site on the western side not identified in the flora and fauna assessment attached to the planning proposal.

On 19 November 2014, Council staff undertook a site inspection with staff from the NSW Office of Environment and Heritage to consider the above areas of native vegetation. It was noted that part of the lot has recently been sprayed for the control of noxious weeds but there were two areas (NBUN04 and NBUN05) that are consistent with Natural Temperate Grassland and the endangered ecological community definition. The Office of Environment and Heritage have advised that there is a high likelihood of *Suta flagellum* (Little Whip Snake) being found in the areas of native vegetation and that a survey for this species should be undertaken. The survey would involve the laying of tiles in transects in the areas of native vegetation across the lot and then checking the tiles for the reptiles in Autumn.

Coupled with the requirement for further assessment and survey work is the need to manage any identified grassland areas. The planning proposal shows the sites identified as having conservation value as being zoned RE1 Public Recreation. It is suggested that this is inappropriate for the following reasons:

- The areas zoned RE1 Public Recreation will be surrounded by dwellings and residents will expect that the areas of open space could be used for active recreation such as bike riding and the walking of dogs and free of restrictions that would be associated with areas of high conservation grassland. These activities will result in the destruction of the native vegetation and any reptiles that are present.
- Council is not an appropriate authority to manage areas of high conservation value native vegetation as there are few funds to undertake noxious weed control, implement any strategies to reduce biomass such as fire or crash grazing and to monitor the health of the native vegetation and any associated fauna.
- Residents are not likely to feel comfortable that a potential fire hazard is in close proximity to dwellings and will request that the grass be slashed. Not only is this costly

but the slashing of high conservation value native vegetation should only be undertaken at particular times of the year.

It is unlikely that a state government agency would be willing to manage the areas of native vegetation as they will be problematic for the above reasons and an agency may not be able to meet their organisation objectives such as the conservation of native vegetation of high conservation value. The zoning of the land E2 Environmental Conservation would not assist with the above situation.

It is suggested that one option to manage the areas of high conservation value may be to create a biodiversity offset. The creation of an offset would require the purchase of land within in the region with similar conservation values. A legal agreement would ensure the ongoing management of the offset area. The high conservation value areas in the proposed development would then not need to be retained. One of programs enabling this process is biobanking which is administered under the *NSW Threatened Species Conservation Act 1995*. Further details can be found on the NSW Office of Environment and Heritage website <http://www.environment.nsw.gov.au>. Options would be discussed with the NSW Office of Environment and Heritage and Council once further assessment had been completed.

Hazards

Bushfire

As all of Lot 1 DP 798111 is bushfire prone, a bushfire assessment will need to be undertaken and the planning proposal and assessment referred to the NSW Rural Fire Service and Fire and Rescue NSW.

Flood

Lot 1 DP 798111 is entirely outside of the flood planning area as shown on the Bungendore Flood Planning Map in the *Palerang Local Environmental Plan 2014*.

Heritage

The lot does not contain a heritage item included in the *Palerang Local Environmental Plan 2014* environmental heritage schedule or on the state heritage register.

Aboriginal cultural heritage

A cultural heritage assessment will need to be undertaken given the proximity to Lake George and the fact that some of the higher parts of Lot 1 DP 798111 have not been significantly disturbed.

European heritage

The planning proposal will need to be referred to Council's Heritage Advisor.

Potable Water Supply

Bungendore town water is sourced from groundwater which is then distributed via a reticulated system. The groundwater in the Bungendore area is managed through the *Water Sharing Plan for the Murrumbidgee Unregulated and Alluvial Water Sources 2012*, a plan made under section 50 of the *Water Management Act 2000*. From this plan, Bungendore has access to 472ML/year of groundwater, with 272ML/year available from the Turallo borefield, and 200ML/year from the Currandooley borefield. This amount is based on the consideration of the long term average annual extraction limits (LTAAEL), environmental flows, annual groundwater recharge and the needs of other users within the system.

Although Bungendore has access to 472ML/year, this is a maximum amount that is affected by extraction in the three years prior to the subject year. Under the water sharing plan, if water extraction exceeds LTAAEL, water extraction allowances will be reduced to return extractions to the LTAAEL (s32(3) and s35(2&3)) of the *Water Management Act 2000*. In essence, if Council's extraction levels are exceeded, the town's water allocation will be reduced until such time that the town's average extraction is equal to or less than the LTAAEL.

The water sharing plan does provide Council with the following benefits:

- The highest level of water security meaning that Council has first claim to available water, even in the event of drought
- The ability to access a 'spare' 50ML per annum of available water subject to meeting NSW Office of Water requirements

The planning proposal contains an estimate of the remaining available water within Council's licence, and whilst the method is generally satisfactory, the following observations are made:

- Available water has been set aside to allow for future in-fill development within Bungendore, and new greenfield developments should not jeopardise in-fill development.
- Water demand has been based on water usage for the town of Bungendore between the 2001/02 and 2013/14. This period of time includes a prolonged period of water shortage and Council imposed water restrictions and this does not represent typical demand.
- Total water consumption has been increasing since 2011/12
- Household water consumption has been increasing since 2011/12.
- Climate change has not been considered. Econtext (2012) found that the Bungendore locality (incorporating the alluvial water sources) would, by 2030, likely experience mean minimum temperatures of approximately 0.8°C higher than current averages, a decrease in annual rainfall of approximately 2.5% and an increase in evaporation of approximately 3.0%.

It is recommended that the following is undertaken:

- Assess available water under the licence using more appropriate water consumption data.
- Approach NSW Office of Water to investigate securing additional water under the water sharing plan.
- Approach large water users within the alluvial water source to ascertain their willingness to sell a portion of their water licence to Council.

In 2015, Council will be preparing an Integrated Water Management Strategy, the growth of Bungendore and water allocations will be considered as part of this work.

Water Supply

It is recommended that an initial network analysis and report outlining the methods proposed (and ability) to provide potable water flows and water pressure to comply with service levels for the whole site (and possibly for the northern property), be undertaken. The variation in pressures due to the topography should be considered, as there is approximately fifty metres elevation difference from the higher areas of the property to the lower levels near Tarago Road. The property to the north has sections at a higher elevation than this proposal for Lot 1. This may indicate that provision of a reservoir, together with the associated trunk mains, land and other services and controls.

Sewerage

Sewerage Treatment Plant Capacity

The recently upgraded Bungendore sewage treatment plant (STP) has a capacity of 5,000 equivalent persons (EP), although the STP is only operating at 3,000 EP at this time. The STP has been sized to accommodate the existing town boundaries, and has not provided excess capacity to service additional areas outside of these boundaries.

As the upgrade has been funded through the existing rates base and development within the town boundaries, it is not considered appropriate to commit existing spare capacity at the STP to a new development beyond these boundaries. Doing so would result in financial inequity as the community would be, in effect, subsidising any development outside the town boundaries. This would also remove the existing spare capacity in the STP, requiring further upgrades at the community's expense.

As such, the development may need to provide additional capacity at the Bungendore STP. The proposed development will add approximately 950EP to the network, excluding those areas within the landfill buffer area. If the Bungendore STP was to be upgraded, it would be necessary to increase the capacity to 8,000EP.

It is recommended that a network assessment and report outlining the methods proposed to connect to the sewerage reticulation system for this proposal be undertaken. Future growth needs to the north should be considered in this assessment.

Stormwater Management

Strategies for the management of urban stormwater runoff and its effects on flows and water quality on receiving waters or properties need to be considered. Water sensitive urban design principles should be considered. To reduce demands on the potable water supply, a recycled or raw water reticulation system could be considered and be integral to stormwater retention and detention facilities.

Traffic and Transport

Proposal

The proponent has supplied an indicative road layout for the development (Appendix C of the planning proposal) which has the following features:

- A collector road off Tarago Road running generally east-west (major access road)
- A major secondary access road running north-south along the approximate alignment of McCusker Drive
- Minor secondary access roads connecting to Simms Drive and Lithgow Place
- Pedestrian connections to Eyre Street and the eastern and western ends of Larmer Street
- Roads parallel to the east-west collector
- An approximate grid layout

It is not clear if the minor road connections or extensions to Ireland Place are to be physically connected to the existing roads, but it is noted that the existing road reserve for Ireland Place does not extend to the site boundary.

The proposal includes a number of roads that continue to the northern boundary of the subject site, which have been designated as "Possible Future Residential Subdivision". There is, however, no indication of potential lot yield from this area.

Traffic Generation Rates

The proposed development will yield approximately 309 lots, however, this is exclusive of the area within the 500 metre landfill buffer. The tables below indicate expected daily and peak hour volumes resulting from these lots.

Table 1: Presumptive increase in daily vehicle movements resulting from the development proposal

Source	Trips per lot (vehicles per day)	Total trips per day (vehicles per day)	Say
Palerang Council Section 94 Development Contributions Plan No. 9 For Street Upgrading at Bungendore	8	2472	2500
RTA Guide to Traffic Generating Development Issue 2.2	9	2781	2800

Table 2: Presumptive increase in peak hour vehicle movements resulting from the development proposal

Source	Peak hour trips	Total peak hour trips (veh/hr)	Say
Austrroads GRD Part 4A Section 4.8	8-10%	200-280 [^]	280
RTA Guide to Traffic Generating Development Issue 2.2	0.85 (vehicles per lot)	262.65	270

[^] using 8% x 2500 and 10% x 2800

In addition to this, the indicative road layout (Appendix C) implies that the land to north of the subject lot (hereafter referred to as Area A) and within the landscape buffer (hereafter referred to as Area B) will be developed in the future. As there is no indication of the lot yield in these areas at this stage, the following assumptions have been made:

- Area A will be developed, and 50% of traffic from this development will use the major access road proposed in this planning proposal or existing roads within Elmslea (with the remaining 50% to use an additional future connection to Tarago Road north of the existing landfill).
- Area B will be developed and 100% of traffic from this area will use the major access road proposed in this planning proposal or existing roads within Elmslea.
- Lots in both areas will be 1,000m² with a frontage of 40m.
- All road reserves are 20m wide.
- 10% of Area A and Area B will be set aside as open space.
- 10% of Area A and Area B will be set aside as a landfill buffer.

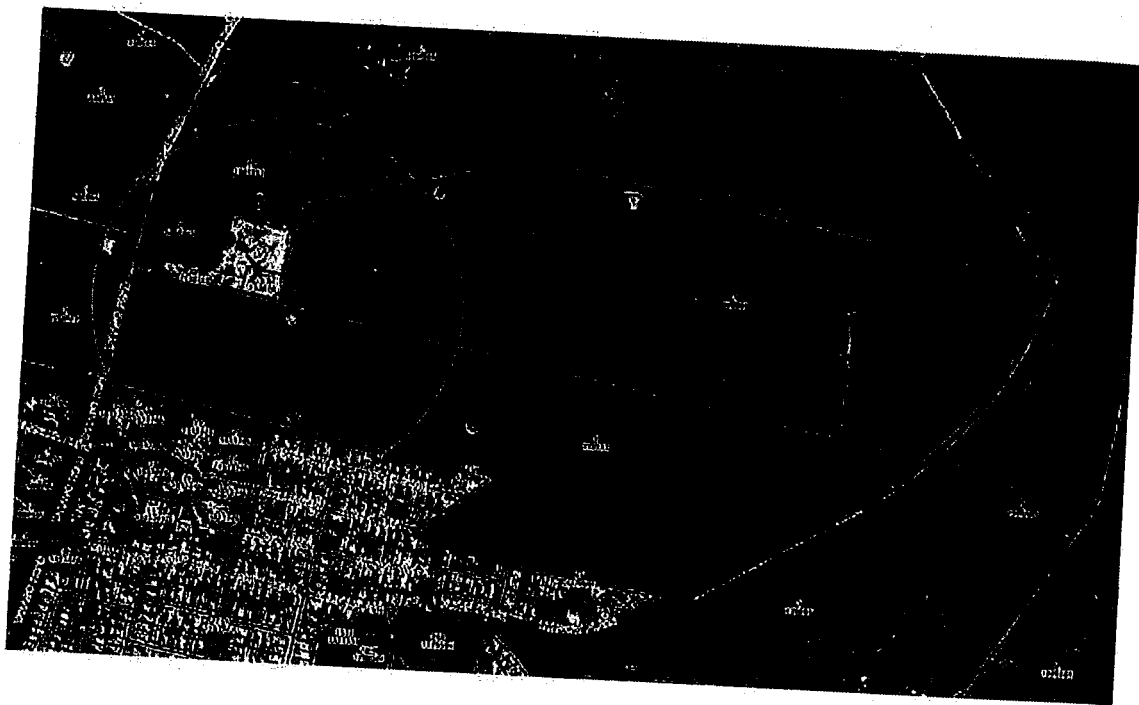


Figure 1: Area A and Area B with 500m landfill buffer

Table 3: Lot Yield from Area A and Area B

	Area A	Area B
Site area	98.4 hectares	27.5 hectares
Landfill buffer	9.84 hectares	2.75 hectares
Open space	9.84 hectares	2.75 hectares
Developable area	78.72 hectares	22.0 hectares
Lot yield (@ 1,400m ² /lot including road reserve)	562	157
Proportion using Planning Proposal Access Road	50%	100%
Additional lots using Planning Proposal Access Road	281	157
Say	280	160
Total	440	

Table 4: Presumptive increase in daily vehicle movements resulting from Area A and Area B

Source	Trips per lot (vehicles per day)	Total trips per day (vehicles per day)	Say
Palerang Council Section 94 Development Contributions Plan No. 9 For Street Upgrading at Bungendore	8	3,520	3,500
RTA Guide to Traffic Generating Development Issue 2.2	9	3,960	4,000

Table 5: Presumptive increase in peak hour vehicle movements resulting from Area A and Area B

Source	Peak hour trips	Total peak hour trips (veh/hr)	Say
Austrroads GRD Part 4A Section 4.8	8-10%	280-400 [^]	400
RTA Guide to Traffic Generating Development Issue 2.2	0.85 (vehicles per lot)	374	370

[^] using 8% x 3,500 and 10% x 4,000

It is likely that these assumptions will lead to an over-estimate of lot yield, however, in the absence of other information it is considered that this an appropriate starting point.

Table 6: Presumptive increase in daily vehicle movements resulting from Planning Proposal and Area A and Area B

Source	Trips per lot (vehicles per day)	Total trips per day (vehicles per day)
Palerang Council Section 94 Development Contributions Plan No. 9 For Street Upgrading at Bungendore	8	6,000
RTA Guide to Traffic Generating Development Issue 2.2	9	6,800

Table 7: Presumptive increase in peak hour vehicle movements resulting from Planning Proposal and Area A and Area B

Source	Peak hour trips	Total peak hour trips (veh/hr)
Austrroads GRD Part 4A Section 4.8	8-10%	480-680 [^]
RTA Guide to Traffic Generating Development Issue 2.2	0.85 (vehicles per lot)	640

[^] using 8% x 6,000 and 10% x 6,800

Regional traffic impacts

The regional road network serving Bungendore has experienced rapid growth in traffic volumes in the recent past. Growth occurred due to an increase in through-traffic from vehicles travelling to the south coast, population growth within Bungendore and the opening of the Commonwealth Department of Defence facility, HQJOC. While many of these growth factors are outside of the scope of this planning proposal, a regional transport study should be prepared to allow Council to pursue funding opportunities with the State and Federal Government for the following key local and regional roads:

- Bungendore Road to the Federal Highway
- Macs Reef Road
- Tarago Road
- The Kings Highway

Approximately 60% of the working population of Bungendore travels outside the Palerang local government area for work. In addition, Canberra is a primary destination for Bungendore residents accessing health, education, commercial, retail and medical facilities. Growth within Bungendore will result in an increased demand on the above key roads, many of which are already experiencing high traffic volumes (as shown in Table 8) and other traffic issues. It is suggested that a regional transport study will be required in the planning for the growth of Bungendore.

Table 8: Existing Traffic Volumes on Regional and State Roads

Road	Site Number	Site Description	ADT	Date
Tarago Road	74	South of Turallo Creek	2798	February 2006
Tarago Road	117	North of Turallo Terrace	1640	September 2009
Tarago Road	259	South of Tip Entrance	2053	September 2012
Bungendore Road	77	Near Tarago Road	4998	April 2014
Bungendore Road	104	North of Macs Reef Road	1098	February 2012
Bungendore Road	110	Near Federal Highway	1126	January 2012
Macs Reef Road	103	Near Bungendore Road	3071	February 2012
Macs Reef Road	115	Near Federal Highway	4009	April 2014
Kings Highway	RMS Site	5km east of Tarago Road intersection	4,581	August 2014
Molonglo Street	165	South of King Street	4211	May 2013
Molonglo Street	166	North of King Street	4850	December 2008
Molonglo Street	281	south of Gibraltar Street	4495	May 2013

Local traffic impacts

The addition of approximately 300 new residences to the north of Bungendore will have a significant effect on local traffic routes and the operation of the existing road network.

Traffic is likely to use Elmslea when travelling to the town centre and when travelling to the areas to the east and south-east of Bungendore (such as Captains Flat, Braidwood and the south coast). Employment growth within the town centre over time will also lead to a gradual increase in traffic using roads within Elmslea.

The carriageway widths and nominal road capacity for roads within Elmslea that could reasonably expect an increase in traffic are shown in Table 9.

Table 9: Existing Road Dimensions

Road	Carriageway Width (m)
McCusker Drive	9.0
Ashby Drive	9.0
Hyland Drive	7.5
Simms Drive	7.5
Lithgow Place	6.0
Tarago Road	7.0

Existing traffic volumes for roads within Elmslea that have been surveyed are shown in Table 10.

Table 10: Existing Traffic Volumes

Road	Site Number	Site Description	ADT	Date
Ashby Drive	112	West of John Dwyer Crescent	1378	September 2012
McCusker Drive	124	East of Majara Street	1214	June 2012

The roads within Elmslea have sufficient capacity to cater for the additional traffic demand, however, a traffic impact assessment (TIA) will need to be undertaken to assess the impact of the development. The assessment should be undertaken in accordance with *Austroads Guide to Traffic Management Part 12* (and relevant RMS supplements) and should specifically consider traffic impacts at the following intersections:

- New intersection with Tarago Road
- Tarago Road and Elmslea Drive
- Tarago Road and Ashby Drive
- Tarago Road and Turallo Terrace
- Tarago Road and Bungendore Road
- Molonglo Street and Malbon Street
- Molonglo Street and King Street
- Molonglo Street and Trucking Yard Lane
- Larmer Street and McCusker Drive
- Ashby Drive and McCusker Drive
- Majara Street and Malbon Street
- Hyland Drive and McCusker Drive
- Hyland Drive and Simms Drive
- Simms Drive and Lithgow Place

Although road capacity is not considered to be an issue at this time, a number of issues related to the use of roads within Elmslea are noted below:

- The extension of McCusker Street will require a new road to be constructed on a vacant lot between two existing houses on Larmer Street (Numbers 11 and 15). These houses are located relatively close to the boundaries of the vacant lot, particularly Number 15, which was approved with a 2.0m offset from its western boundary. Additionally, this building has bedrooms and bathrooms along the western side of the house. Privacy impacts on these dwellings will need to be considered in the TIA.
- The vacant lot has a 28.0m frontage, which is sufficient to accommodate the extended road, however this is offset from the road centreline. A deviation of McCusker Drive will be required, as well as consideration of the existing T-intersection to determine if a roundabout is required.

- The use of Hyland Drive, Lithgow Place and Simms Drive creates a potentially confusing traffic route. While this may be effective in deterring through traffic, narrow road widths may lead to concerns within the community about traffic volumes, traffic speeds and on-street parking.
- The use of Lithgow Place and Simms Drive as secondary accesses may lead to a loss of amenity for existing residents of these streets.

Pedestrian, cyclists and people with a disability

Council encourages increased cycling and walking rates within the community through the provision of suitable pedestrian and cyclist facilities. Planning for the development should consider pedestrians, cyclists and people with a disability through the provision of high quality shared, bike-only and pedestrian-only paths and suitable street furniture. The paths should tie into Council's adopted Pedestrian and Mobility Plan and internal transport routes.

Bungendore Landfill and Bungendore Resource Recovery Facility and Waste Transfer Station

Bungendore is currently served by a landfill located to the north of Bungendore. Over time, Bungendore has expanded to the north, and the nearest residential dwelling is located approximately 350 metres from the boundary of the landfill site.

The landfill site currently receives municipal, commercial and industrial, and construction and demolition waste from Bungendore, Captains Flat and surrounds. It does not currently accept hazardous materials, but may have in the past. The landfill is unlined, overlying silty-clay soils, with no leachate collection system or monitoring system in place to identify groundwater or surface water contamination or landfill gas issues.

Annual waste inputs are below Environmental Protection Authority (EPA) licencing thresholds, although inputs have increased significantly in the past decade as a result of a significant increase in residential development in Bungendore. The site has been operational since the 1950s as a Council facility, and the site may also have been used prior to this period for waste disposal. The landfill has been staffed since at least 2000. The landfill is scheduled to cease operation in December 2014.

Following the closure of the landfill, the Resource Recovery Facility and Waste Transfer Station (RRF) will commence operation on the site. The RRF will accept waste of a similar nature as the landfill site, but will have a greater focus on resource recovery through the diversion of materials such as recyclables, household chemicals, greenwaste and other problem materials (for example mattresses and gas bottles) to reuse or recycling facilities. Residual waste will be loaded on to waste transport vehicles for disposal at a licensed landfill outside the Palerang local government area.

Although landfilling will not occur on the RRF site, site operations such as the loading of waste, heavy vehicle movements and waste compaction will result in the generation of

dust, noise and vibration. Windblown litter and odour issues may also be experienced periodically. Although site controls will be in place to minimise the above, incidents may occur that may result in complaints from neighbours if new residences are constructed in close proximity to the RRF.

Council has recently engaged a consultant to undertake a landfill closure plan for the Bungendore landfill. The project objectives are to:

- Establish a monitoring regime to meet the requirements of the NSW EPA *Environmental Guidelines: Solid Waste Landfills (1996)* and comply with the requirements of the NSW *Protection of the Environment Operations Act 1995*.
- Assess the risk to existing residential dwellings located within 500m of the landfill.
- Determine an appropriate buffer distance around the landfill site to guide future development.
- Develop a groundwater monitoring program to assess existing and future groundwater contamination.
- Develop a gas monitoring program to assess existing and future landfill gas generation rates and extents.
- Recommend any remedial action to be undertaken to remove or reduce existing and future risk to groundwater and surrounding properties.

Although identified in the project objectives, risk to existing properties is expected to be low as the landfill has received relatively low annual waste volumes over its lifetime and waste capping was not carried out until recently, allowing landfill gas to escape as it was generated.

While an appropriate buffer distance to the RRF is not part of the landfill closure plan project, it is expected that the buffer to the landfill will be greater than that required for the RRF. It is anticipated that the closure plan will be complete by the end of 2015, although findings related to appropriate buffer distances may be available prior to this.

It is recommended that rezoning of the area potentially affected by the landfill (within the 500 metre radius) investigations be deferred until such time as suitable information to address the buffer and landfill gas issues is received.

The EPA is aware of the planning proposal and provided a response on 15 October 2013 to a request from and has been involved in the preparation of the landfill closure plan. It is also recommended that the planning proposal is referred to the EPA.

Social environment

At the time of the 2011 Population and Housing census, the town of Bungendore (UCL115035) had a population of 2,754 people. There was an average of 2.9 people per household. Based on this it is estimated that the proposed development would result in a population increase of approximately 900 people. Given this, it is suggested that the planning proposal and accompanying Council report is referred to the government agencies responsible for education, health, community infrastructure and services and emergency management.

Future land use and hard and soft infrastructure planning

It is proposed that Council undertake detailed planning in regard to land use and hard and soft infrastructure for Bungendore in 2015, this is outlined in another report to this meeting of Council.

Landuse planning

Bungendore Land Use Strategy and Structure Plan

The planning proposal comments on the *Bungendore Land Use Strategy and Structure Plan*, adopted by Council 5 August 2010 (pp 12-14). It is suggested that the planning proposal generally meets the document's vision, which are:

Vision

- Productive rural landscapes and a strong sense of rural living, and space, remain
 - Village/townscape setting retains a country/heritage feel appealing to residents and visitors
 - Rural entry roads retained (ie not dominated by housing)
 - Friendly, safe community with good level of services and infrastructure
 - Preservation and improvement/extension of Common and other green spaces to allow for walking, cycling, dog walking, horse riding etc
 - Improved local employment and vitality and range of services in village but no large shopping centre
 - Recognised for care of the natural environment and living sustainably
- (page i, *Bungendore Land Use Strategy and Structure Plan*)

In regard to amenity, the planning proposal on p14 states in relation to 'development of higher lands would impact on rural viewshed' that "Landscape treatment in the RE1 zone adjacent to the railway line and street tree planting could be investigated to mitigate impacts." It is suggested that due to the slope that this treatment would have a minor impact. It is likely that two story dwellings will be erected in the proposed development, that these will be seen from the Kings Highway and that the development will intrude on the rural character of the area. The highest point on the lot is approximately 750 metres with the majority of the land adjacent to the railway (viewed from the Kings Highway) being between 700 and 730 metres. The Elmslea areas adjacent to the railway line are approximately 700-710 metres. Approaching Bungendore, parts of the highway are at a height of approximately 760 metres. However, the existing development can be seen from the highway and as Bungendore grows views of residential development will be one of the associated negative externalities.

As stated above, it is proposed that Council undertake detailed planning in regard to land use and hard and soft infrastructure for Bungendore in 2015.

Further studies in relation to the planning proposal

The aim of the planning proposal is to consider whether a project has merit early in the development stage and to avoid proponents undertaking costly studies in situations where it is viewed by those assessing the planning proposal that it does not have merit. As outlined above, a flora and fauna report was been prepared in 2010 and it is suggested that further flora and fauna assessment work should be undertaken in consultation with the NSW Office of Environment and Heritage.

In addition to this, it is also suggested that the following studies are undertaken in relation to:

- Soil testing to determine the suitability of the lot for residential use,
- Aboriginal cultural heritage,
- An assessment of land for contamination as required under clause 6, *State Environmental Planning Policy No.55 (Remediation of Land)*,
- Bushfire,
- Assess available water under the licence using more appropriate water consumption data,
- A network analysis and report outlining the methods proposed (and ability) to provide potable water flows and water pressure to comply with service levels for the whole site (and possibly for the northern property),
- A network assessment and report outlining the methods proposed to connect to the sewerage reticulation system. Future growth needs to the north should be considered in this assessment,
- Options for the management of stormwater, and
- Traffic impact assessment.

Consultation on the planning proposal

Government agency consultation

It is suggested that prior to consultation with the community that the following government agencies are consulted with:

- NSW Office of Environment and Heritage
- Department of Environment (later in the process in regard to the areas of Natural Temperate Grassland)
- NSW Rural Fire Service
- NSW Roads and Maritime Services
- Transport for NSW
- NSW Office of Water
- NSW Environmental Protection Authority

- Fire and Rescue NSW
- NSW Department of Education and Communities
- NSW Police
- NSW Health
- Ambulance Service of NSW
- John Holland (railway infrastructure)
- NSW State Emergency Service

Community consultation

The planning proposal states that the consultation period will be 14 days (p19). It is suggested that the period should be 28 days as the proposal is likely to generate significant local interest and it is not a minor amendment to the *Palerang Local Environmental Plan 2014*.

In addition to advertisements being placed in the newspapers, the notification of adjoining property owners and advice being placed on Council's website, it is suggested that a community meeting be conducted during the community consultation period.

Anticipated timeframes for the proposed rezoning

The table below provides indicative completion dates for the tasks associated with the proposed rezoning of the land.

<i>task</i>	<i>anticipated completion date</i>
Date of gateway determination	February 2015
Completion of technical information (required studies)	December 2015
Government agency consultation	March 2016
Consideration of submissions by Council	April 2016
Community consultation	June 2016
Consideration of submissions by Council	July 2016
Report to Council	early August 2016
Submission to the NSW Department of Planning and Environment	late August 2016
Amendment of the <i>Palerang Local Environmental Plan 2014</i>	December 2016

List of References

Econtext, 2012. *West Palerang Water Futures Report Series 2012 – Climate Variability in Western Palerang*.

Conclusion

As the planning proposal generally conforms with the strategic planning documents that apply to Bungendore it is recommended that planning proposal, council report and recommendations are referred to the NSW Minister for Planning and Environment for a gateway determination.

A Landuse Zoning Map has been prepared illustrating a recommended approach to the planning proposal. It is suggested that only the area outside of the 500 metre radius be considered in this planning proposal. However, as the proponent would like to develop the area within the 500 metre radius, the development of which is influenced by the outcome of the land fill studies, any environmental assessments should consider this area as well as the area outside of the radius.

Financial considerations

If the proposal is supported by Council and it receives a gateway determination that considers the proposal has merit, staff will be required to manage the consultation with government authorities, public exhibition and legislative process associated with preparing the local environmental plan.

The developer will be required to pay for the costs associated with the public exhibition such as advertisements in newspapers and public hearing and council staff time associated with progressing the planning proposal

Policy implications

As discussed above.

Social implications

As discussed above.