

U R B A N E S T U D I O

Sunset Stage 2 Planning Proposal

to amend land zoning and minimum lot size and associated controls
141 Googong Road Googong 2620 (Lot 39 DP 1257837)

Submitted to QUEANBEYAN-PALERANG REGIONAL COUNCIL

On behalf of Binowee Developments Pty Ltd

26 November 2024 | 2021-192

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VERSION NO.	DATE OF ISSUE	REVISION BY	APPROVED BY
DRAFT	29 October 2024	AN	
Rev 01	31 October 2024	AN	GR
Rev 02	26 November, 2024	AN	GR

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S T U D I O

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EXECUTIVE SUMMARY

This report has been prepared by Urbane Studio Pty Ltd on behalf of Bionowee Developments (**the Proponent**) and seeks to initiate a Planning Proposal (**PP**) to Queanbeyan-Palerang Regional Council (**Council**) to amend the Queanbeyan-Palerang Regional Local Environmental Plan 2022 (**QPRLEP**) for 141 Googong Road, Googong, NSW (**the Site**). The proposal involves rezoning and adjusting the minimum lot size for parts of the site, following Council's resolution in February 2023.

Key elements of the Planning Proposal include:

- Rezone land containing EPBC Box-Gum Woodland from R1 General Residential to C2 Environmental Conservation.
- Adjust zone boundaries between C2 and R1, including rezoning some C2 land to R1.
- Amend the minimum lot size as follows:
 - i. From 10 hectares to 1,000 m² for land rezoned from C2 to R1.
 - ii. From 1,000 m² to 10 hectares for land rezoned from R1 to C2.
 - iii. From 1,000 m² to 600 m² for a portion of the existing R1 zoned land within the subject area.
- Apply building height of 8.5 m to land rezoned to R1.
- Amend the curtilage of McCawley “Sunset” Homestead Complex in Schedule 5 of the LEP
- Amend associated controls including additional permitted uses, secondary dwelling and dual occupancy to align with the new zone boundaries.

The original Local Environmental Study (**LES**) supporting the 2009 rezoning of Googong township established the current boundaries between the Environmental Conservation (C2) and General Residential (R1) zones for the site. These boundaries were determined using broad-scale geological and ecological mapping at a 1:100,000 scale. While this level of mapping was suitable for the initial rezoning of a large area, it did not accurately capture the nuanced, site-specific characteristics of the land. This has resulted in zoning boundaries that do not align with actual land characteristics, limiting both sustainable development and ecological preservation.

This Planning Proposal aims to adjust these boundaries to better match the on-ground conditions. It proposes rezoning ecologically significant areas currently zoned R1 to C2, while rezoning some C2 areas suitable for residential use to R1. These proposed changes are supported by detailed biodiversity and geotechnical studies, which confirm that the land identified for residential use has low ecological and geotechnical risks. These changes will enable orderly, sustainable growth by leveraging existing infrastructure while protecting significant ecological areas, benefiting both the community and the environment.

It is requested that Council endorse the Planning Proposal and request the Department of Planning, Housing and Infrastructure (**DPHI**) to issue a Gateway determination to commence the process of amending the relevant planning controls and associated maps of the LEP, thereby permitting the logical use of the land for residential subdivision and protecting significant ecological areas.

ABBREVIATIONS

ACHA	Aboriginal Cultural Heritage Assessment
AEP	Annual Exceedance Probability
AHD	Australian Height Datum
AHIP	Aboriginal Heritage Impact Permit
APZ	Asset Protection Zone
BC Act	Biodiversity Conservation Act 2016 (NSW)
BDAR	Biodiversity Development Assessment Report
CC	Climate Change
CSP	Community Strategic Plan
DA	Development Application
DPHI	Department of Planning, Housing, and Infrastructure
DoS	Degree of Saturation (traffic modeling metric)
EP&A Act	Environmental Planning and Assessment Act 1979
EPBC Act	Environment Protection and Biodiversity Conservation Act 1999
LES	Local Environmental Study
LEP	Local Environmental Plan
LGA	Local Government Area
LSPS	Local Strategic Planning Statement
PAD	Potential Archaeological Deposits
PMF	Probable Maximum Flood
PP	Planning Proposal
QPRLEP	Queanbeyan-Palerang Regional Local Environmental Plan 2022
SEPP	State Environmental Planning Policy
URA	Urban Release Area
VPA	Voluntary Planning Agreement

1. INTRODUCTION

1.1 OVERVIEW

This report has been prepared by Urbane Studio Pty Ltd on behalf of Bionowee Developments (**the Proponent**) and aims to initiate a Planning Proposal to amend the Queanbeyan-Palerang Regional Local Environmental Plan 2022 (**QPRLEP**) concerning part of the land at 141 Googong Road, Googong (**the site**).

Following the consideration of a detailed scoping proposal by Council on 22 February 2023, Council resolved to proceed as follows:

Minute 043/23 Item 9.1 Scoping Proposal PP.2022.0001 - Residential Rezoning - 141 Googong Road, Googong (Sunset)

That Council:

1. Supports the progression of the Scoping Proposal for the rezoning of part of Lot 39 DP 1257837 No. 141 Googong Road, Googong, to a Planning Proposal, subject to the following:
 - a. the area of threatened ecological communities and in particular the EPBC BoxGum Woodland that is currently zoned R1 General Residential, being rezoned the C2 Environmental Conservation; and
 - b. the payment of the fees outlined in Council's Fees and Charges for the preparation of a Complex Planning Proposal.
2. Considers the merits of entering into a Local Planning Agreement with the landowner of Lot 39 DP 1257837 No. 141 Googong Road, Googong, for the C2 Environmental Conservation zoned land and riparian corridors, as part of the Planning Proposal preparation and consultation stage.

This report has been prepared in reference to above and in compliance with *Section 3.33* of the *Environmental Planning and Assessment Act 1979* (**EP&A Act**) and the relevant Department of Planning, Housing and Infrastructure (**DPHI**), *Local Environmental Plan Making Guideline, August 2023*, to support changes to the LEP.

1.2 REPORT STRUCTURE

This report is structured to provide the following information and addresses the key requirements of a Planning Proposal set out in *Section 3.33* of the *EP&A Act*:

- Overview of the site history, description of the site and its context.
- Outline of the statutory and strategic planning context.
- Description of the proposed amendment to the existing LEP and intended effects of the amendments.

- Statement of the objectives and intended outcomes of the proposal.
- Summary of the justification of the proposal, including an environmental assessment.
- Description of the community consultation process that would be expected to be undertaken before consideration is given to making of the planning instrument.
- Indicative project timeline.
- Conclusion and justification.

1.3 ACCOMPANYING DOCUMENTATION

The Planning Proposal is accompanied by the following consultant documentation.

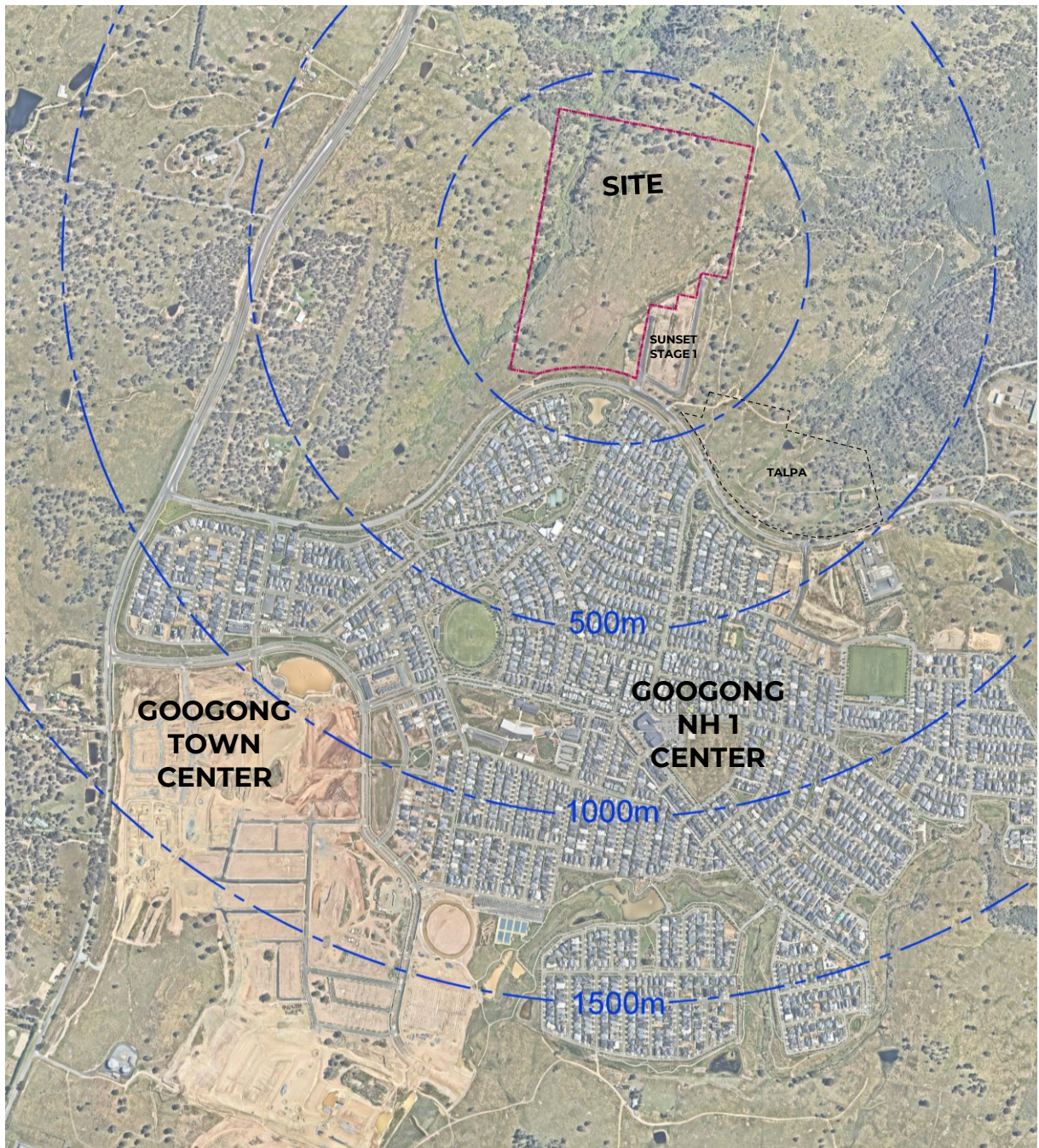
Table 1 | Planning Proposal Documentation

Role/Discipline	Consultant	Reference
Biodiversity Development Assessment Report	Capital Ecology	Attachment A
Flood Impact Assessment	Spiire	Attachment B
Geotechnical Assessment - Urban Capability	Douglas partner	Attachment C
Aboriginal Cultural Heritage Assessment	Past Traces	Attachment D
Bushfire Strategic Study	Ember bushfire consulting	Attachment E
Traffic Impact Statement	SCT consulting	Attachment F
Visual Impact Assessment	Urbaine design group	Attachment G
Infrastructure Capacity Statement	Spiire	Attachment H
QPRC Heritage Adviser's Report - Sunset Homestead	QPRC	Attachment I
Concept Master Plan	Urbane Studio	Attachment J

2. SITE CONTEXT

2.1 SUBJECT SITE

This planning proposal relates to Sunset Estate's Stage 2 which is located at 141 Googong Road, Googong (**the site**) within the Queanbeyan *Palerang Local Government Area (LGA)*. The site is legally described as Lot 39 DP 1257837 and is owned by Binowee Developments Pty Ltd who are also the proponent. The site and its surrounding context are shown in Figure 1.



URBANE
STUDIO

141 GOOGONG ROAD, GOOGONG | LOT 39 DP 1257837
SITE LOCATION

Figure 1 | Site Location and Context

2.2 IMMEDIATE SITE INTERFACES

The site is located on the northern side of Googong Road, directly across Googong Township, providing excellent accessibility and proximity to local amenities. It is bordered by:

- Residential development and Googong Township to the south.
- Stage 1 of Sunset Estate to the southeast, comprising 38 residential lots, with the proposed Talpa Estate subdivision further east. Additionally, a 20-meter-wide right-of-way runs along the eastern boundary of the site.
- Large-lot rural residential and agricultural properties to the north and west, characterized by a mix of native and exotic pastures, remnants of vegetation, and scattered trees.
- Largely intact remnant woodland and forest to the northeast, which extends towards the Queanbeyan River corridor.

The site has excellent proximity to local transport and a range of amenities and services:

- 2 minutes from the Googong Town Centre
- 2 minutes from Rockley Oval
- 3 minutes from Googong Anglican School
- 4 minutes from Googong Public School
- 4 minutes from Googong Common
- 5 minutes from Googong Foreshore
- 9 minutes from the Jerrabomberra Town Centre
- 12 minutes from Queanbeyan City
- 25 minutes from Canberra Airport
- 30 minutes from Canberra City

This location offers convenient access to community facilities and natural landscapes, making it an appealing choice for potential residents looking for both accessibility and quality of life.

2.3 SITE CHARACTERISTICS

The site covers an area of approximately 30.7 hectares and features a predominantly rectangular shape, characterized by a 345-meter curved frontage along the southern boundary, adjacent to Googong Road. Positioned along a ridgeline that trends from southwest to northeast, the topography is primarily flat, with elevations averaging around 730 meters Australian Height Datum (AHD) in the central and eastern areas. The land gently slopes from the ridgeline toward the northwest and southeast, with gradients varying from a mild 1V:60H along the crest to a steeper 1V:3H descending into the gully on the western side.

Two second-order ephemeral streams traverse the site, flowing northeast toward the Queanbeyan River, located approximately 2 km away. These streams are heavily infested with weeds and lack native riparian vegetation, offering habitat primarily to common local species of water birds, reptiles,

and amphibians. Overall, the vegetation on the site is sparse, featuring scattered mature trees in the central and north eastern area, while denser clusters are found along the northern and western boundaries.



 SITE BOUNDARY | STAGE 2



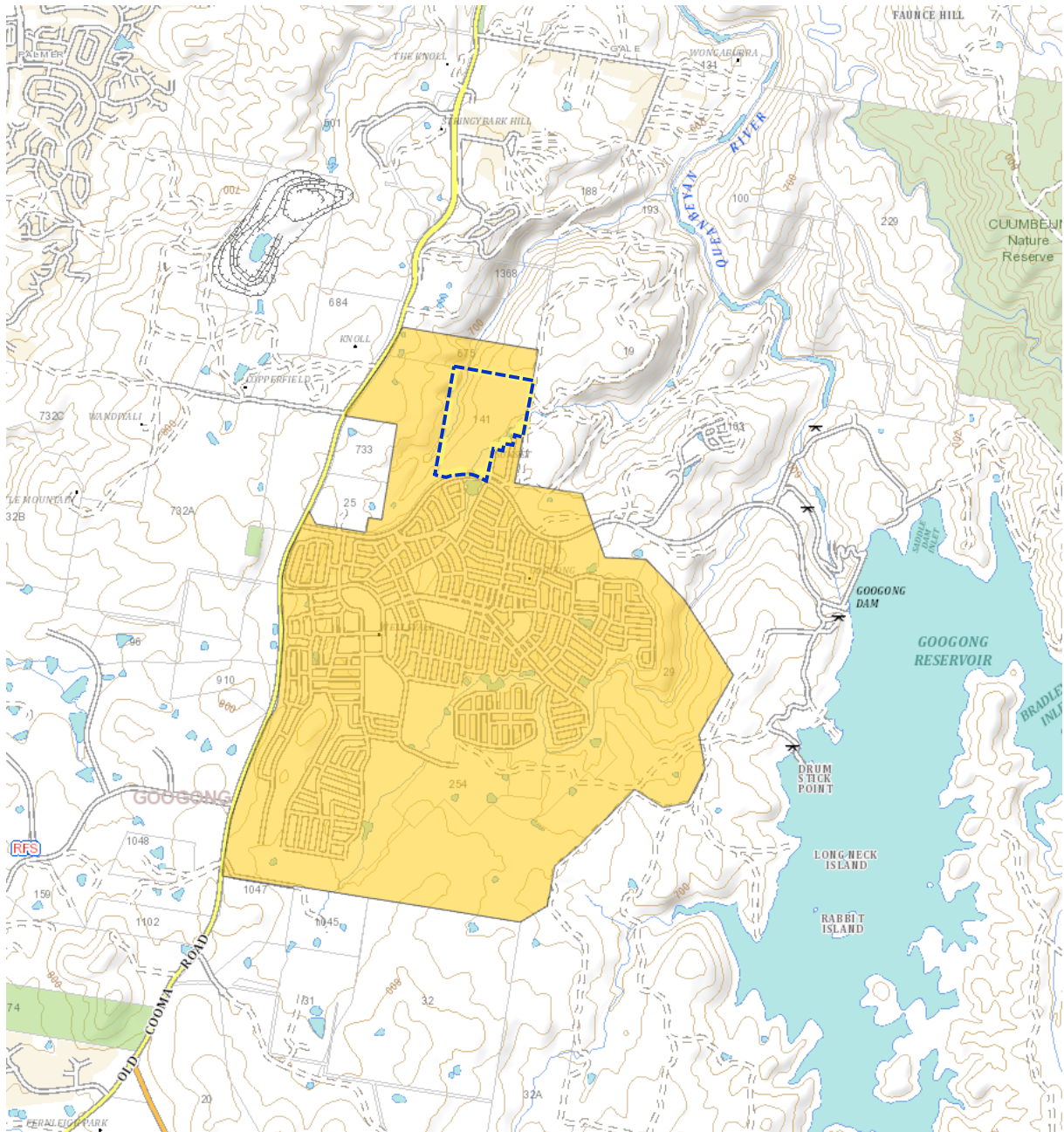
URBANE 141 GOOGONG ROAD, GOOGONG | LOT 39 DP 1257837
STUDIO STRAHLER STREAM ORDER


Figure 2 | Stream Order
 Source: Esri

3. EXISTING PLANNING CONTROLS

3.1 BACKGROUND

In 2002, council identified 1,390 hectares of land at Googong for potential residential development. To facilitate this, a Local Environmental Study (LES) was undertaken by Willana Associates, which



 SITE BOUNDARY | STAGE 2



URBANE STUDIO | 141 GOOGONG ROAD, GOOGONG | LOT 39 DP 1257837
URBAN RELEASE AREA

Figure 3 | Urban Release Area (URA)

Source: NSW Planning Portal

ultimately supported the rezoning of the Googong Urban Release Area (**URA**) in 2009. The extent of URA is depicted in Figure below, with the site subject to this planning proposal outlined in dashed blue.

The LES was based on broad-scale geological and ecological mapping at a 1:100,000 scale. While this approach was appropriate for initiating the rezoning of such a large area, it lacked the granularity needed to fully capture the site-specific constraints and opportunities inherent to the land effectively. This lack of detail has potentially limited the optimal utilization of certain portions of the land.

The current zoning of R1 General Residential and C2 Environmental Conservation for the site were established during the 2009 rezoning of Googong Township, as recommended by the LES. Specifically, the C2 Environmental Conservation zoning was applied to part of the 86 hectares located on the northern side of Googong Road (highlighted in red in Figure 4, an area identified for its environmental sensitivity at the time. This land was recognized as potentially suitable for rezoning to Environmental Protection or for further investigation into private ownership and management strategies.

In its recommendations for areas suitable for low-density or eco-living development, the LES also noted that " *The potential for these parcels to sustain urban development is constrained by their proximity to environmentally sensitive areas; ... and visual prominence (in the case of the two pockets to the north of Googong Road).* [the site] ... Residential densities and housing forms within these pockets would need to demonstrate appropriate responses to the adjoining rural residential

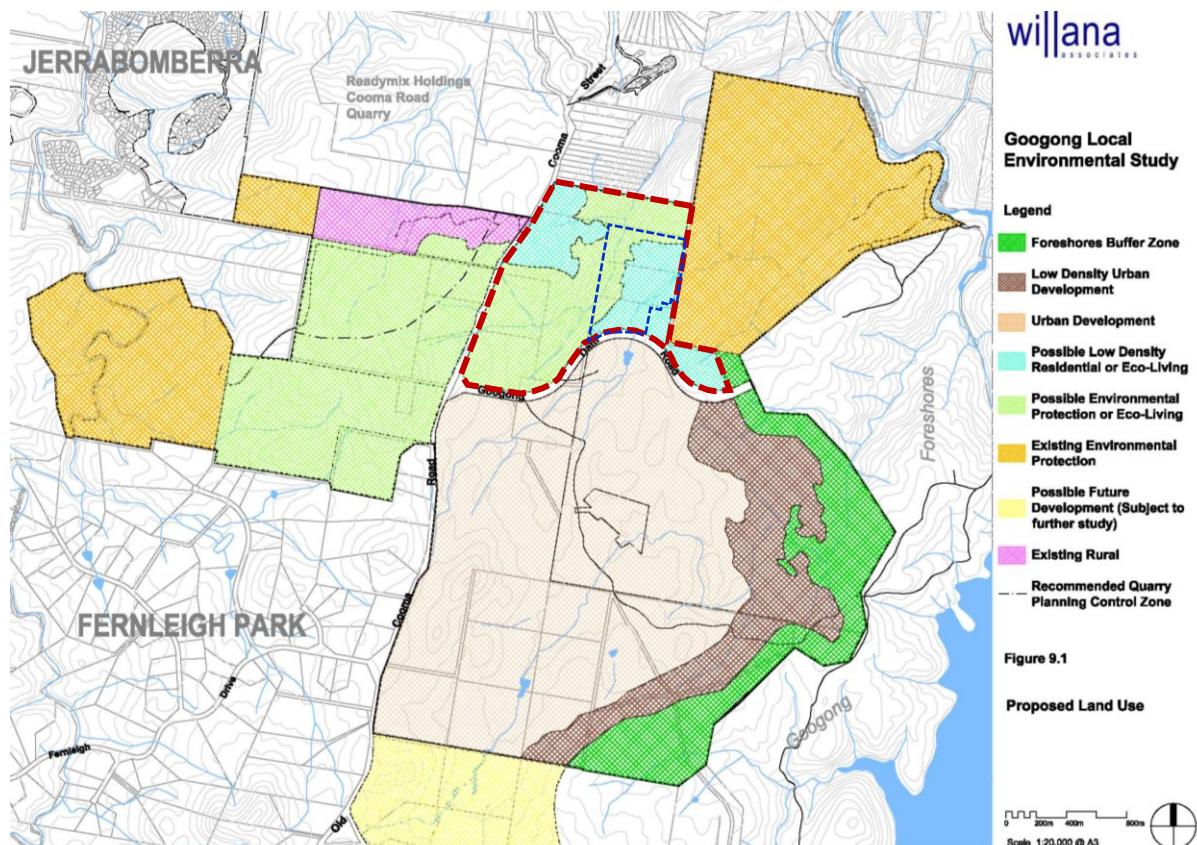


Figure 4 | LES Proposed Land Use

Source: LES 2007

and “lifestyle properties, adequately protect the environmental and heritage qualities of adjoining sensitive land and avoid significant scenic impacts.”

The LES also established several key principles that informed its recommendations for the rezoning of land related to the site:

1. **Slope Consideration:** Areas with slopes greater than 20% were deemed unsuitable for development due to risks of instability and erosion. In locations where slopes exceed 15%, any development must be thoughtfully designed to enhance slope stability and mitigate long-term erosion risks.
2. **Exclusion Zones:** Specific areas, identified in the Johnston Centre Ecological Assessment, were excluded from development to preserve their ecological significance. This principle continues to guide appropriate land use planning and environmental conservation.
3. **Adjacent Land Considerations:** Although this site was not classified as an "excluded area" by the Johnston Centre Ecological Assessment, the neighboring property, Talpa, was designated as such. The LES emphasized the necessity of establishing buffer zones between urban development and these excluded areas to protect their ecological value and to facilitate essential bushfire management measures, such as the creation of Asset Protection Zones (APZs).

3.2 Existing Statutory Planning Context

This section summarizes the relevant clauses of the *QPRLEP* concerning the land and proposed amendments. Maps in table 2 are extracted from the NSW Planning Portal website.

3.2.1 Land Use Zoning

As outlined in Table 2, the site is currently zoned C2 - Environmental Conservation, R1 - General Residential, and part R5 - Large Lot Residential.

3.2.2 Height of Buildings

As shown in Table 2, the height of buildings map permits structures up to 8.5 meters on the portions of the site zoned R1 and R5.

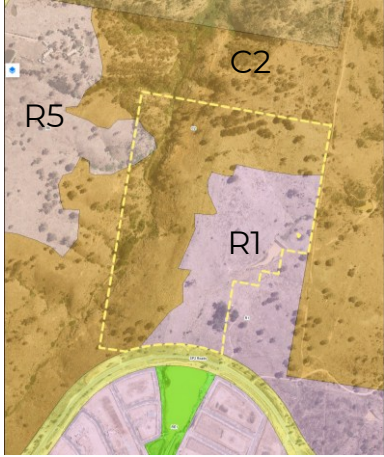
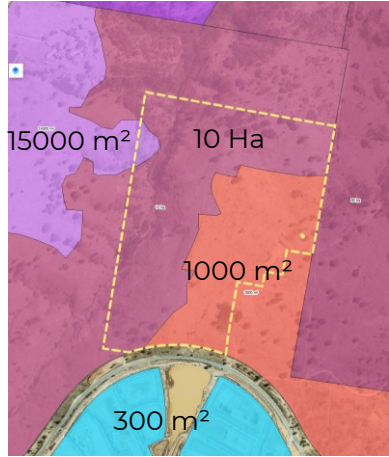
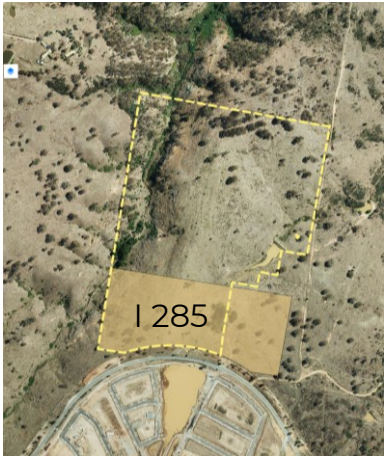
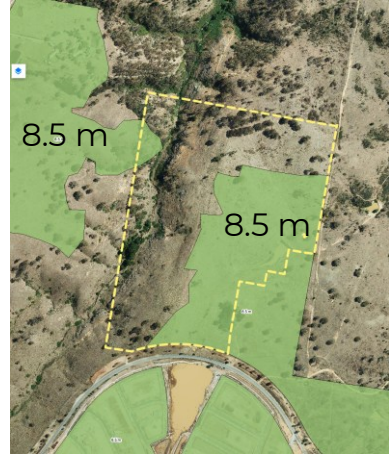
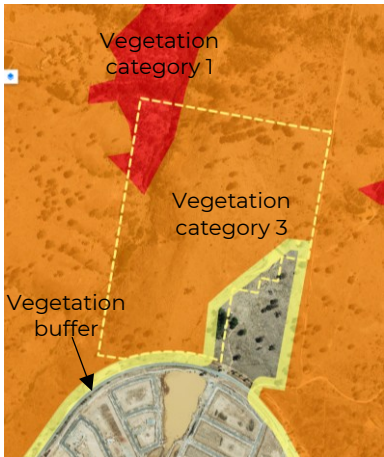

3.2.3 Heritage Conservation

As shown in Table 2, the southern part of the site is identified as a local heritage item, known as the McCawley “Sunset” homestead complex and is identified as item I 285 within the *QPRLEP*.

3.2.4 Minimum Lot size

As detailed in Table 2, the site has three minimum lot sizes: 10 hectares for land zoned C2, 1,000 m² for R1-zoned land, and 15,000 m² for R5-zoned land.

Table 2 | Existing Planning Controls Overview

QUEANBEYAN-PALERANG REGIONAL LOCAL ENVIRONMENTAL PLAN 2022	
Land Zoning C2 - Environmental Conservation R1 - General Residential R5 - Large Lot Residential 	Minimum Lot Size 10 Ha 1000 m ² 15000 m ² 
Heritage McCawley "Sunset" homestead complex Significance: Local 	Height Of Building 8.5 m 
Bushfire Prone Land (Non-EPI) Vegetation Buffer 	Terrestrial Biodiversity Biodiversity 
Floor Space Ratio	N/A
Local Provisions	Secondary Dwelling or Dual Occupancy, 15 ha for R5 Secondary Dwelling or Dual Occupancy, 600 m ² for R1
Riparian Lands and Watercourses	2 nd order stream

4. SITE SPECIFIC ENVIROMENTAL CONSIDERATIONS

The Scoping Proposal included the required supporting documentation as requested by QPRC to initiate the process. These documents have been summarized here for completeness.

Engagement with key stakeholders during the pre-lodgment phase, along with a review of background studies, allowed the identification of key considerations that influenced the proposed rezoning and corresponding technical assessments. These considerations include:

Key site-specific considerations that informed the extent of proposed rezoning included:

- Ecological characteristics and values
- Geotechnical characteristics
- Visual Impact
- Bushfire
- Aboriginal and European Heritage
- Flood
- Traffic Impact Assessment

4.1 PRELIMINARY LAYOUT

A preliminary concept master plan (Attachment J) was developed to identify suitable areas for proposed rezoning and to establish reduced lot sizes. This layout was informed by several factors, including slope considerations, land suitability identified through a detailed geotechnical investigation, and a preliminary flora and fauna study. As discussed in section 3.1, these elements were also key in defining the residential boundaries established in the original LES.

This concept master plan served as the foundation for more detailed technical assessments requested by the Council, evolving through an iterative design process based on their recommendations and findings. The plans illustrate that the land can accommodate the proposed housing yield while providing a suitable interface between Stage 1 and the surrounding environment, ensuring alignment with both environmental and infrastructural considerations.

4.2 ENVIRONMENTALLY SENSITIVE LANDS – SLOPE AND STABILITY

As noted in Section 3.1, slope consideration was one of the principles that informed LES recommendations for the rezoning of land in the URA.

To address this, a detailed slope analysis was conducted to assess the extent of the proposed rezoning. As shown in Figure 5, the land proposed for the R1 General Residential zone generally flat and features slopes of less than 10%. This aligns with the LES recommendation that areas with slopes greater than 20% are unsuitable for development.

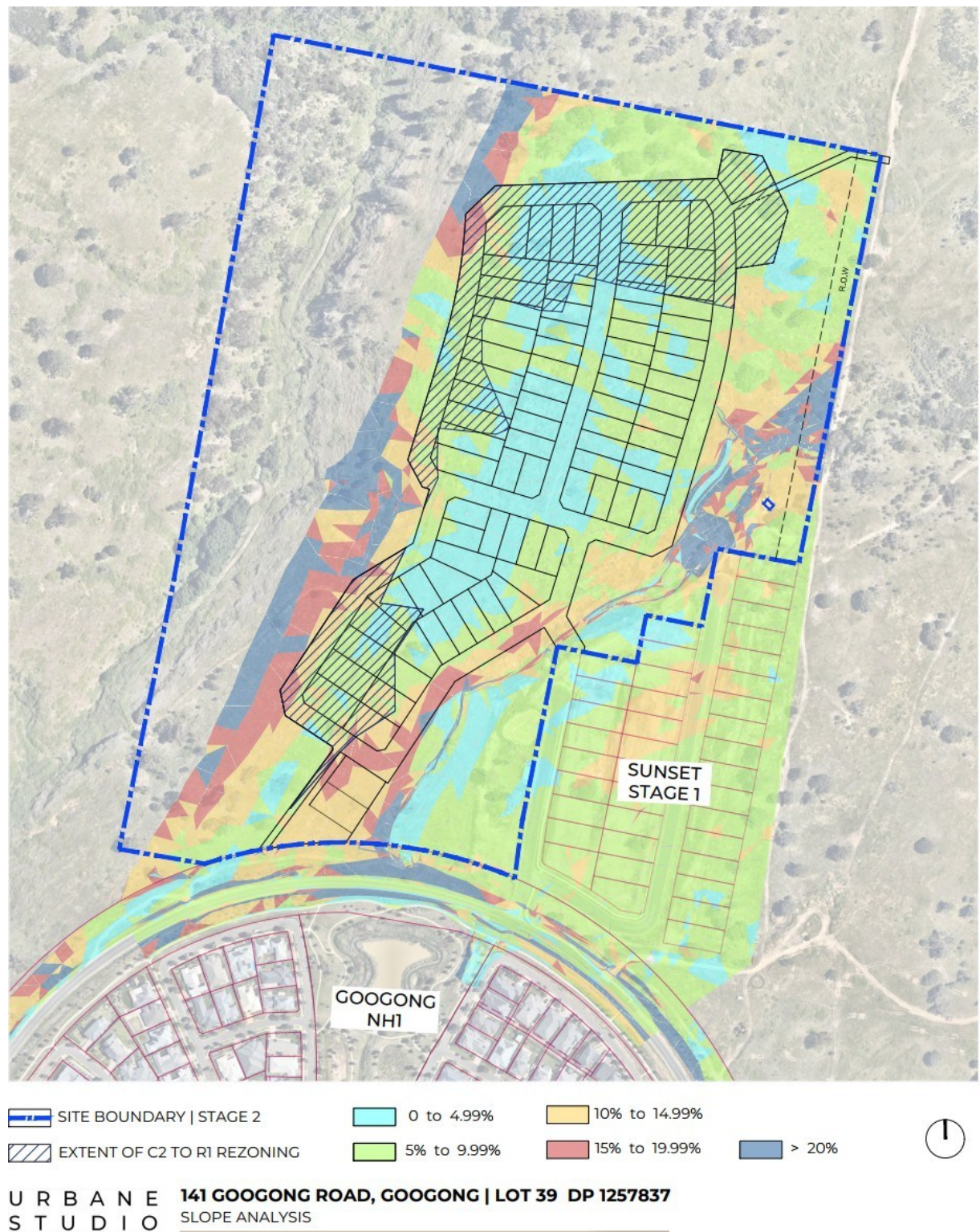


Figure 5 | Slope Analysis

In addition to slope, soil stability and erosion potential were also determining factors in defining the boundaries of the residential zones during the original LES for the Googong URA. The assessments at the time utilized the 1:100,000 Soil Landscapes Map to identify erosion risks, particularly along the western edge of the site.

To further investigate these issues, a detailed geotechnical assessment was conducted by Douglass Partners (See Attachment C), evaluating the urban capability of the proposed rezoning areas. The assessment concluded that these areas exhibit a very low to low risk of slope instability, making them suitable for residential development, provided that effective erosion control measures and appropriate dwelling designs are implemented. In areas with moderate slopes, standard hillside development practices should be employed to mitigate associated risks.

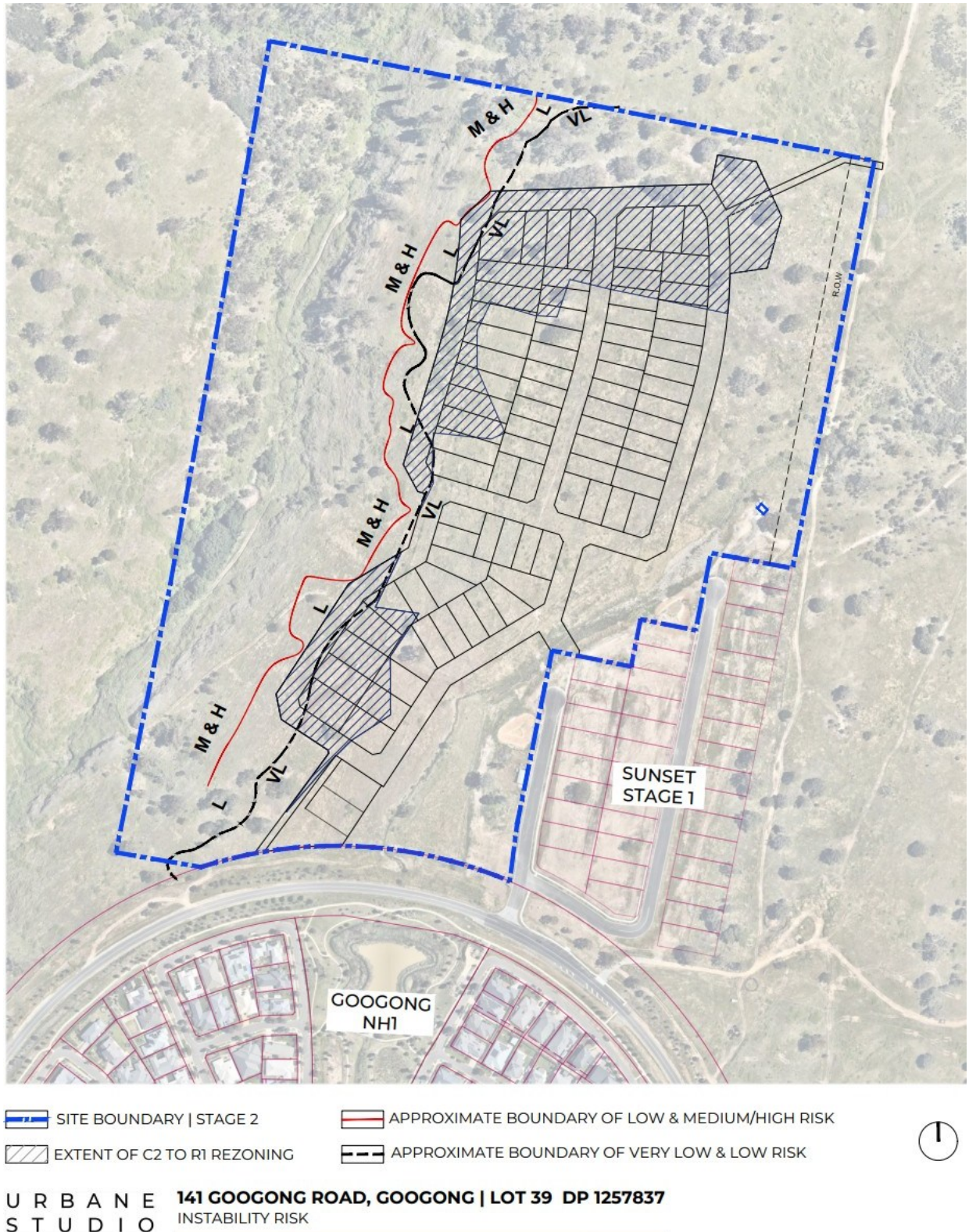


Figure 6 | Soil Instability Risk

Figure 6 illustrates the instability risks, showing that the proposed development footprint is situated outside the medium and high-risk areas, which is the western side of the red dashed line.

4.3 BIODIVERSITY

Biodiversity conservation has been the primary focus of this Planning Proposal. To assess the biodiversity values of the site, a Stage 1 Biodiversity Assessment Method (**BAM**) report was commissioned. This assessment guided the preliminary concept layout and helped determine the extent of the proposed rezoning.

Subsequently, vegetation and targeted species surveys were carried out as part of a Biodiversity Development Assessment Report (**BDAR**) prepared by Capital Ecology (see Attachment A). The report concluded that most of the subject land has undergone significant alteration due to historical and ongoing land use, particularly livestock grazing. This has resulted in extensive loss of native vegetation, especially in the central and southeastern areas, where only scattered paddock trees remain. Consequently, the groundstorey in these areas is highly disturbed and features a very low diversity of native grasses and forbs due to past pasture improvements and grazing practices.

Despite these alterations, certain sections of the land retain important biodiversity features, including Box-Gum Woodland identified for protection under the *Environment Protection and Biodiversity Conservation Act 1999* (**EPBC Act**) and the *Biodiversity Conservation Act 2016* (**BC Act**), relatively intact dry sclerophyll forest, and habitats for several threatened species. The proposed lot layout has been refined through multiple design iterations, guided by the BDAR findings and consultations with DPHI to avoid impact on these areas.

The BDAR also highlights that the proposed development footprint is strategically located in areas largely devoid of significant biodiversity values, with 94% of the anticipated impact occurring in disturbed areas. Importantly, the development footprint has been designed to avoid any impacts on valuable areas, ensuring no harm to EPBC Act Box-Gum Woodland or critical habitats for identified threatened flora and fauna. This careful planning has led to significant reductions in the clearance footprint, allowing the proposed development to avoid:

- 95% (13.23 ha) of the BC Act native vegetation that occurs in the subject land;
- 90% (29) of the mature hollow-bearing remnant trees that occur in the subject land;
- 100% of the identified threatened flora / fauna species credit species habitat (i.e. Pink-tailed Legless Lizard and Hoary Sunray);
- 87% (3.47 ha) of the BC Act Box-Gum Woodland that occurs in the subject land; and
- 100% (1.99 ha) of the EPBC Act Box-Gum Woodland that occurs in the subject land.

As a result, the overall impacts to native vegetation, including EPBC Act and BC Act-listed Box-Gum Woodland and remnant hollow-bearing trees, have been significantly minimized. Future development, including land subdivision, will necessitate a final BDAR and may trigger an offset liability; however, no significant impacts on threatened species or ecological communities are anticipated from the proposed development.

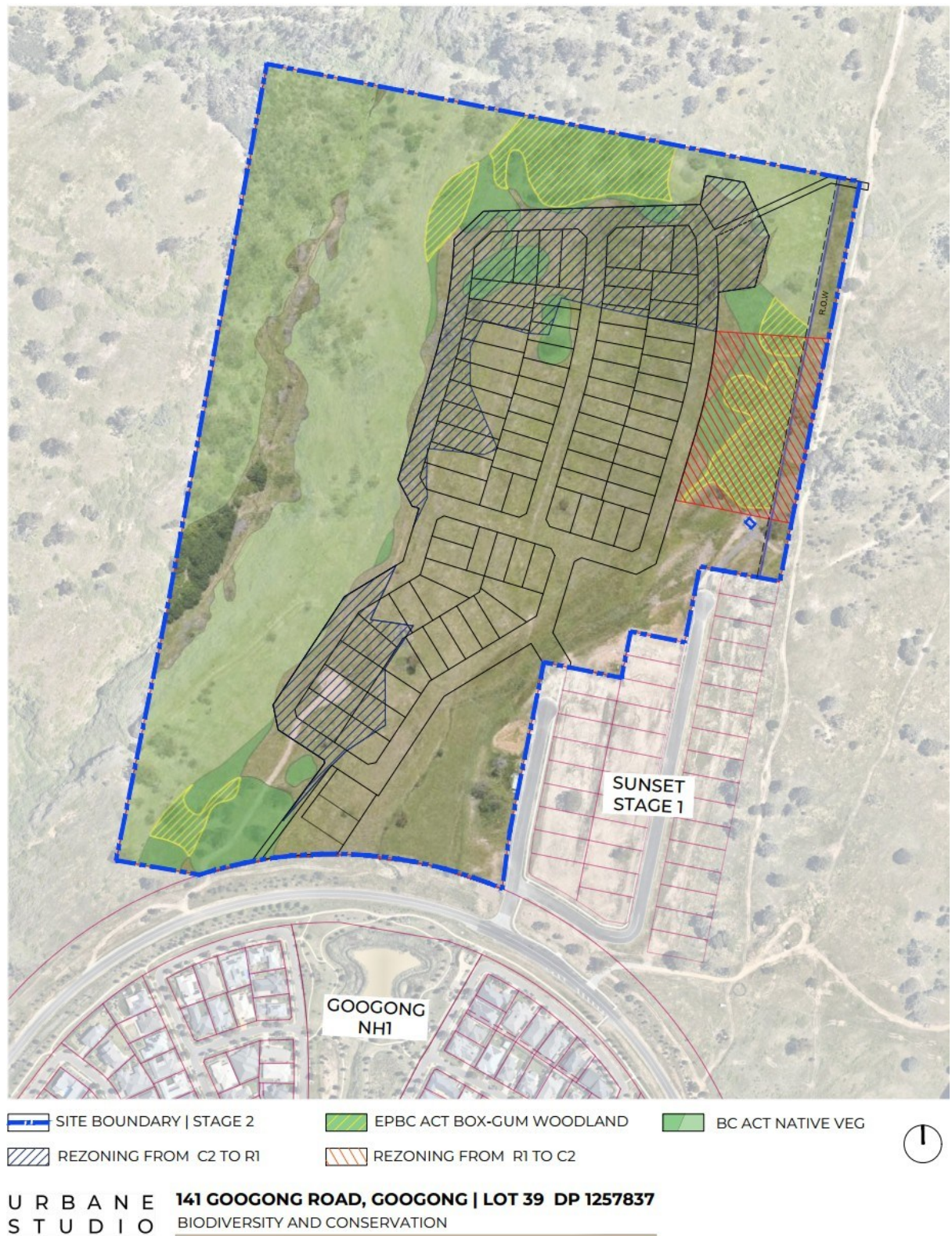


Figure 7 | Biodiversity and Conservation

Vegetation Mapping Source: Capital Ecology

4.4 VISUAL IMPACT

In accordance with the considerations outlined in the original LES, a comprehensive Visual Impact Assessment has been conducted by Urbaine Design Group and is included in Attachment G. The assessment involved modeling views from various vantage points along roads and pedestrian pathways, as well as from critical observation points throughout the area.

The findings of the visual impact assessment indicate that the existing extent of R1 zoning integrates well with the broader context of the locality and that the proposed additional lots are not expected to significantly disrupt this integration. The visual modeling demonstrates that the new housing lots will primarily be visible in the gaps between the existing R1 zoned lots. Furthermore, longer-distance views are largely obscured by the natural topography of the land and existing mature trees and landscaping, which collectively minimize the visual impact of the proposed development.

4.5 BUSHFIRE

A comprehensive Bushfire Report has been prepared by Ember Bushfire Consultants for the Preliminary Concept Master Plan (see Attachment E). This assessment follows the methodology specified in *Section 100B* of the *Rural Fires Act 1997* and the *Rural Fire Regulations 2013*, ensuring adherence to the standards set forth in Planning for Bushfire Protection 2019 (**PBP 2019**).

The report evaluates the bushfire threat level specific to the subject site and examines various protective measures that align with PBP 2019 objectives. These measures encompass considerations for asset protection zones, landscaping, access routes, water supply, utilities, and construction standards.

The report outlines that the site's topography and existing and anticipated vegetation indicate a moderate to high bushfire threat in the surrounding environment. However, this risk can be effectively mitigated through the implementation of standard protective measures outlined in PBP 2019. The design includes proposed edge roads and Asset Protection Zones (APZs) that will ensure adequate separation from hazardous vegetation, thereby reducing exposure to radiant heat.

Furthermore, the site has been planned to ensure well-coordinated access, which largely complies with the acceptable solutions outlined in PBP 2019. Based on the findings of the bushfire assessment and the recommended measures, the Planning Proposal is deemed capable of fulfilling strategic planning principles and is recommended for support. The details of the APZs will be confirmed during the future subdivision and associated Development Application (DA).

4.6 ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT

An Aboriginal Cultural Heritage Assessment (**ACHA**) was conducted by Past Traces Consultants in 2022 to support the scoping proposal for Stage 2 of the Sunset Development (See Attachment D). This assessment builds on a previous Aboriginal Cultural Heritage Assessment Report (**ACHAR**) completed for the entire Sunset estate in 2018. The current ACHA evaluates the potential impacts

on Aboriginal heritage due to the Stage 2 development and provides management recommendations to mitigate any identified impacts.

The assessment identified five heritage sites within Stage 2, including two areas of Potential Archaeological Deposits (**PAD**). Subsurface testing conducted in 2022 revealed a total of 37 artefacts: 18 from GPAD10/SD6 and 19 from GPAD11/SD4, indicating a low density across these areas. As a result of this low density and the scale of impact, the report concluded that conservation is deemed unnecessary, and no further action is required for GPAD10 and GPAD11 following the granting of an Aboriginal Heritage Impact Permit (AHIP), which permits their destruction during development.

The Aboriginal heritage field survey, subsurface testing, and consultations with the local Aboriginal community found no significant items that would prevent development in the project area, provided that the recommended heritage management practices are implemented.

4.7 EUROPEAN HERITAGE

Located on the southern side of the site along George Creek are the historic Sunset Ruins. In 2010, these ruins were listed in the *QPRLEP* as the McCawley “Sunset” Homestead Complex, Heritage Item I285. This listing encompasses the entirety of the southern portion of the site and extends to Stage 1, which, at the time of the listing, comprised the entirety of Lot 2 DP255492.

During the subdivision application for Stage 1 of Sunset, the ruins were thoroughly assessed and deemed to have local significance under several NSW significance criteria. The assessment recommended a curtilage of 30m x 30m around the ruins. While the development application for Stage 1 was granted, allowing for avoidance of the curtilage, the LEP listing was never updated to reflect this assessment. Consequently, the majority of dwelling approvals in Stage 1 require heritage consideration due to the continued heritage overlay on the larger pre-subdivision site. This requirement limits the use of the complying development pathway and necessitates Council's review of heritage impacts during Development Application assessment.

This concern was addressed with Council, leading to a site visit in 2022, where the Council's heritage adviser recommended:

- Finalizing and mapping the heritage curtilage in Council's planning documents.
- Including the site in an appropriate recreational area.
- Making planning approval for the western side of George Creek Drive contingent upon satisfactory conservation and on-site interpretation of the ruins.

See Attachment I for Council correspondence.

This proposed amendment primarily serves an administrative function, aimed at aligning the statutory planning framework with the existing land use. The impact on the heritage ruins has been thoroughly assessed as part of the development application process for sunset stage 1. This proposal is consistent with the recommendations outlined in the original heritage study and further advice from Council's Heritage Adviser. Consequently, this aspect of the proposal does not necessitate any additional technical supporting documentation.

4.8 PROPOSED CONSERVATION MEASURES

The primary objective of this PP is to achieve a site-specific planning outcome grounded in detailed studies while balancing development with environmental conservation. As noted in Section 4.3 a small area in the eastern part of the site contains remnant Box-Gum Woodland, currently zoned R1. Following extensive consultations with DPHI, it was determined to rezone this area to C2 Environmental Conservation. This change aims to avoid impacts on areas recognized for their high biodiversity value while providing a tailored planning solution.

This approach involves rezoning approximately 1.6 hectares of land from R1 General Residential to C2 Environmental Conservation. This area, along with the remaining C2-zoned land, will form part of a residual lot associated with one of the residential lots in the northeastern corner. By integrating one of the proposed residential lots into this residual lot, the impacts associated with the building entitlement will be confined within the R1-zoned area. It is proposed for the residual lot to remain in private ownership.

It is anticipated that a Biodiversity Management Plan will be required for the C2-zoned portion of the residual lot during the Development Application process. This plan will ensure the ecological integrity of the site is maintained while enabling responsible development. This approach underscores a commitment to balancing residential needs with environmental conservation, promoting sustainable land use practices that benefit both the community and the local ecosystem.

The proposed extent of the residual lots is illustrated in Figure 8. It is important to note that the creation of these lots is subject to Development Application approval. The intent of showing them in this proposal is to demonstrate that the planning proposal is capable of incorporating and implementing measures, in addition to rezoning, to protect native vegetation effectively.

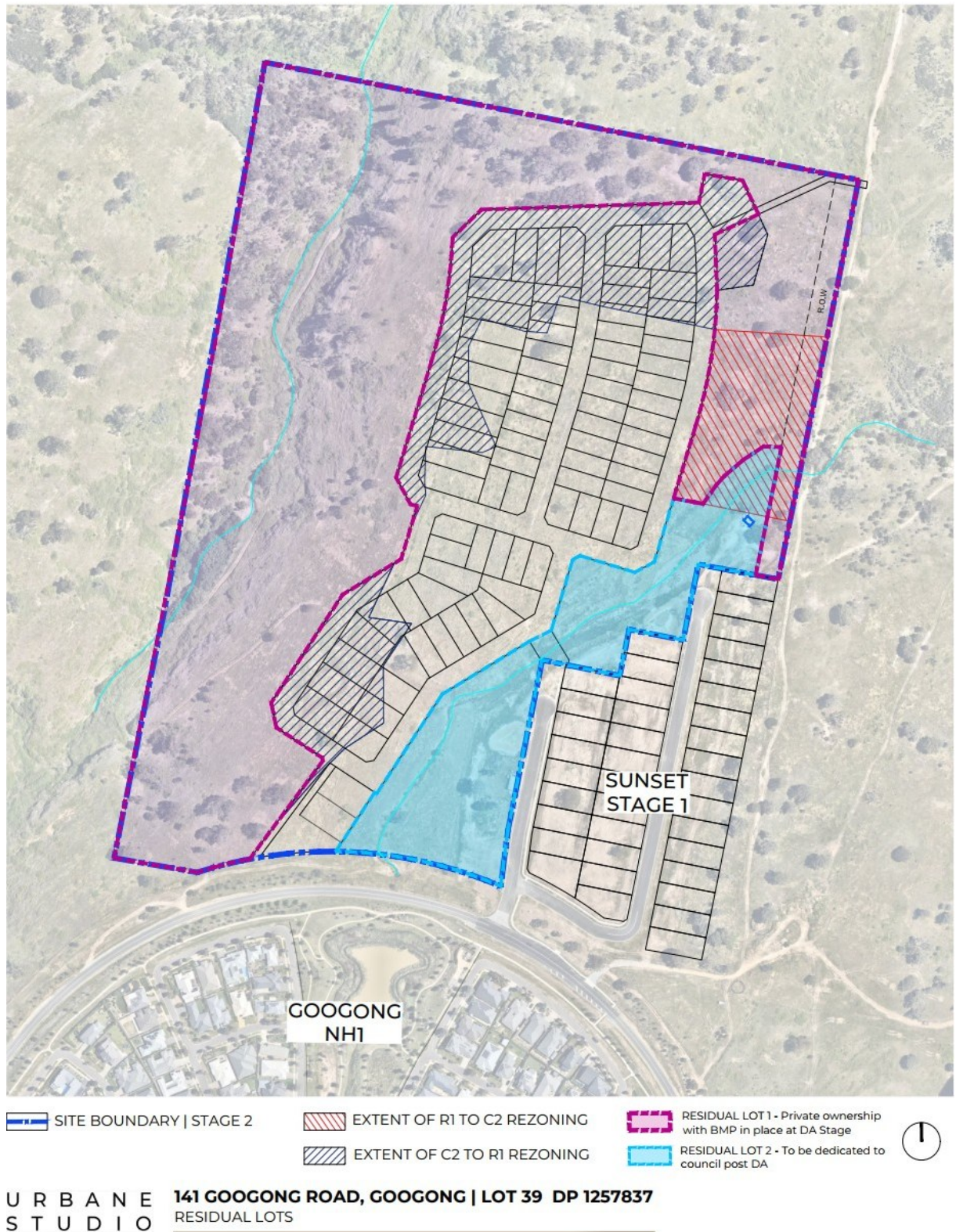
4.9 TRAFFIC IMPACT ASSESSMENT

A comprehensive Traffic Impact Assessment conducted by SCT Consulting confirms that the proposed additional yield from the PP will not have any significant adverse effects on the surrounding area or the broader transport network. The assessment validates that the proposed road network is suitable for the PP and that traffic volumes comply with the maximum loading criteria for each street type.

SIDRA intersection modeling was performed, confirming that the Level of Service (**LOS**) remains unchanged for the intersections of Old Cooma Road/Googong Road and Gorge Creek Road/Googong Road. The variations in delay recorded are less than one second, indicating that there is no need for infrastructure changes. The LOS of A and low Degree of Saturation (**DoS**) at the intersection of Gorge Creek Road/Googong Road demonstrates significant remaining capacity.

Furthermore, a turning warrant assessment was conducted for the intersection of Gorge Creek Road/Googong Road, confirming that no additional turn bays are required on Googong Road.

The Transport Study concluded that the proposed subdivision can be adequately accommodated by the existing and planned transport infrastructure. From a transportation perspective, the site is deemed suitable for further residential development (See Attachment F).



4.10 FLOOD IMPACT ASSESSMENT

The PP is supported by a comprehensive flood impact assessment study prepared by Spiire (see Attachment B) which analyzes the flood risks associated with the site. The key findings are as follows:

- The **1% Annual Exceedance Probability (AEP)** flood extent is confined to **Googong Creek**, with no impact on the Stage 2 development area. The assessment indicates a freeboard of **0.65 meters** between the 1% AEP flood water surface elevation and the proposed culvert crossing at Googong Creek.
- Flood extents for the **1% AEP + Climate Change (CC)**, **0.5% AEP**, and **0.2% AEP** scenarios are also contained within Googong Creek, confirming that these flood events do not affect the Stage 2 development area.
- The **Probable Maximum Flood (PMF)** extent does encroach on the road adjacent to Googong Creek and overtops the proposed road crossing between Stages 1 and 2. However, evacuation via Googong Road remains feasible even under this scenario.

These findings highlight the site's resilience to flood risks and the effectiveness of the proposed infrastructure in managing potential flood events.

4.11 SUMMARY OF PROPOSED CHANGES

This PP involves mapping amendments only, with no modifications to existing clauses or the introduction of new provisions.

An overview of the proposed changes is detailed below. Final maps will be prepared by Council prior to the exhibition of the Planning Proposal.

Key elements of the Planning Proposal include:

- 1. Rezone Remnant Box-Gum Woodland:** The area containing EPBC Box-Gum Woodland in the eastern part of the site will be rezoned from R1 General Residential to C2 Environmental Conservation, ensuring the preservation of this significant ecological resource.
- 2. Adjust Zone Boundaries:** The boundaries between C2 and R1 zones will be adjusted to align with anticipated future development areas.
- 3. Minimum Lot Size (MLS) Amendments:**
 - i. For proposed R1 zoned land, the MLS will change from 10 hectares to 1,000 square meters.
 - ii. For proposed C2 zoned land, the MLS will be modified from 1,000 square meters to 10 hectares.
 - iii. For a portion of existing R1 zoned land, the MLS will be reduced from 1,000 square meters to 600 square meters to allow for a more diverse range of lot sizes.

- 4. Heritage Map Amendments:** The heritage ruins will be incorporated into the central open space, designated as Residual Lot 2, which will be developed and embellished by the developer following the approval of the Development Application (up to 30x30m curtilage as per heritage report recommendation). This embellishment will include interpretive design elements to integrate the heritage ruins into the open space, enhancing the area's historical significance. To formalize this commitment, the developer intends to enter into a planning agreement or provide a letter of offer during the Planning Proposal stage, ensuring that the heritage considerations are adequately addressed within the broader context of the development. It is noted that this amendment is largely administrative, designed to realign the statutory planning framework with the currently approved development application for Stage 1, as discussed in Section 4.7 above.

The proposed changes will alter the areas of residential and conservation land as follows. Notably, approximately **3.34 hectares** of land will be **dedicated to the council** (subject to future DA), of which **3.10 hectares** are zoned R1 (General Residential), and **0.24 hectares** are zoned C2 (Environmental Conservation). This area has been outlined in Figure 8 as Residual Lot 2.

Table 3 | Summary of Area Changes

	C2 (ha) Environmental Conservation	R1 (ha) General Residential	R5 (ha) Large Lot Residential	Total (ha)	Land to be Dedicated to Council (ha)
Current	18.39	11.79	0.53	30.71	Nil
Proposed	15.62	14.56	0.53	30.71	3.34

Additional Mapping Amendments

Alongside adjustments to the zone and lot size maps, a series of incidental amendments to other map sheets will be necessary to reflect the above changes, including:

- 1. Additional Permissible Uses:** Amend the map to reflect land proposed for inclusion in the C2 Environmental Conservation zone.
- 2. Height of Buildings:** Revise the map to align with the R1 zone, as current Height of Building restrictions do not apply to areas mapped as C2.
- 3. Secondary Dwelling and Dual Occupancy Map:** Modify the map to ensure alignment with the Residential zoned land.

A summary of the proposed land use zones and planning controls is illustrated below, with mapping amendments (map sheet references) provided in Section 9, Part 4.

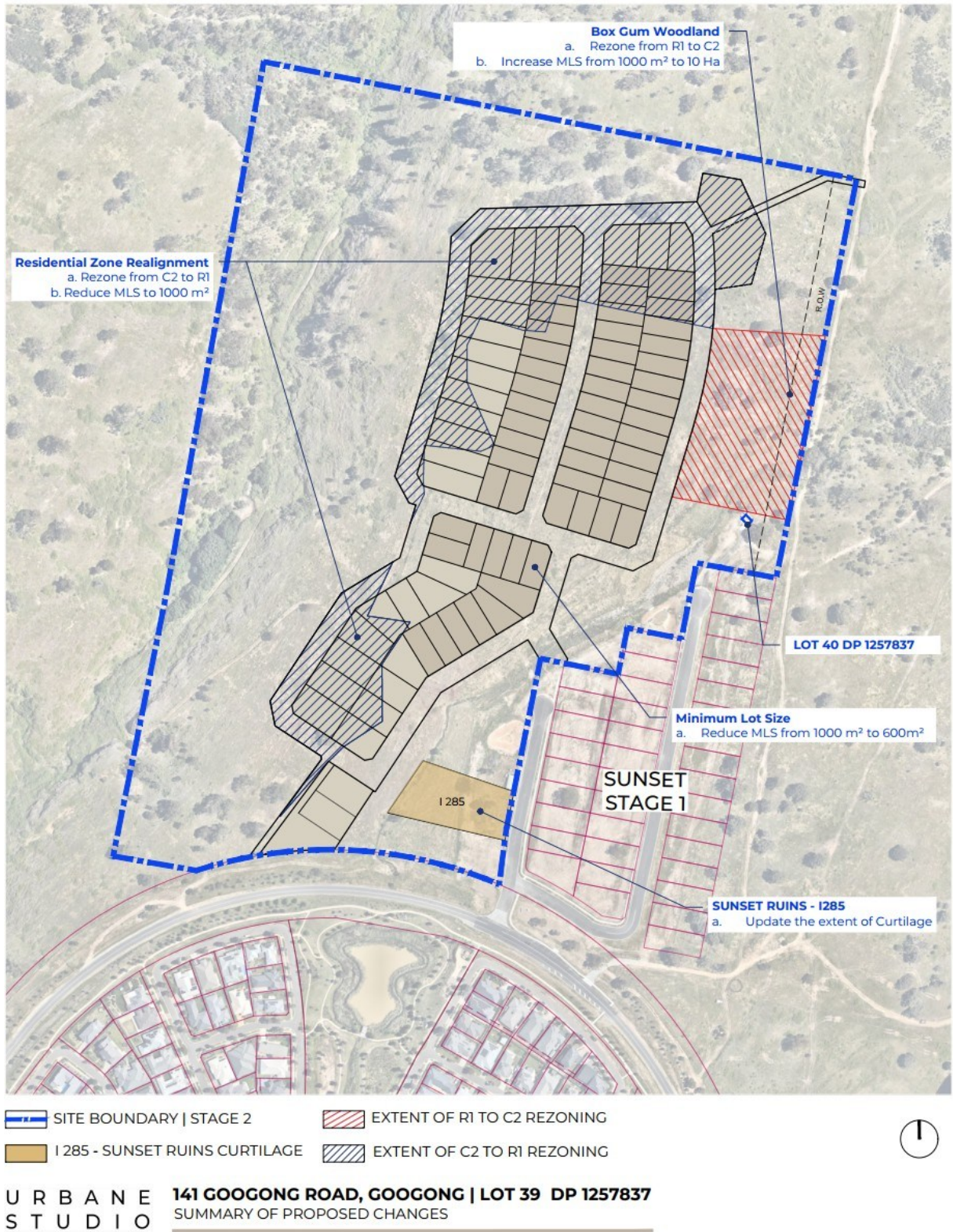


Figure 9 | Summary of Proposed Changes

5. PLANNING PROPOSAL ASSESSMENT

The PP has been prepared in accordance with *section 3.33* of the *EP&A Act* and the Local Environmental Plan Making Guideline (**LEP Making Guideline**) published by the DPHI in August 2023.

Accordingly, the PP is assessed in the following parts:

- **Part 1** | A statement of the objectives and intended outcomes.
- **Part 2** | An explanation of the provisions that are to be included in the proposed LEP.
- **Part 3** | The justification of strategic and site-specific merit.
- **Part 4** | Mapping.
- **Part 5** | Details of community consultation that is to be undertaken for the Planning Proposal.
- **Part 6** | Project timeline.

Discussion for each of the above parts is outlined in the following sections.

6. PART 1 | OBJECTIVES AND INTENDED OUTCOMES

6.1 OBJECTIVE

The primary objective of this Planning Proposal is to amend the *QPRLEP 2022* to make adjustments to the zone boundaries, minimum lot size and associated controls of part of the site at 141 Googong Road, Googong 2620. These changes aim to

- Deliver a suitable layout and structure that responds to the site's opportunities and constraints.
- Supporting the orderly and economic use of otherwise underutilized land and infrastructure.
- Increasing the potential lot yield and improving housing diversity to meet changing market needs and the emerging preference for more affordable lots, while ensuring an acceptable transition to the surrounding properties

6.2 INTENDED OUTCOME

The intended outcome is to concentrate urban development on the most appropriate land while protecting more sensitive areas. Key aspects include:

- Realigning the boundary between R1 General Residential and C2 Environmental Conservation zones, swapping the residentially zoned land containing EPBC Act Box Gum woodland with a less sensitive area more suitable for residential development. This ensures the zone boundaries efficiently align with future development areas.
- Amending the relevant development standard maps for the height of buildings and minimum lot size to reflect the new zone boundaries.
- Amending the Secondary Dwelling and Dual Occupancy Map and Additional Permitted Use Map to reflect the new zone boundaries for the purpose of consistency.
- Amending the heritage map to reflect the updated listing area of “Sunset” ruins as advised by Council's heritage advisor.

7. PART 2 | EXPLANATION OF PROVISIONS

The PP results in mapping amendments only. There are no changes to any existing clauses and the proposal does not introduce any new provisions. The proposal seeks to achieve the intended outcomes outlined in Part 1 above by proposing amendments to the **QPRLEP** as follows:

1. Land Zoning Map (Sheet LZN_001D & Sheet LZN _001E)
2. Lot Size Map (Sheet LSZ_001D & Sheet LSZ_001E)
3. Height of Buildings Map (Sheet HOB_001D & Sheet HOB_001E)
4. Secondary Dwelling and Dual Occupancy Map (Sheet SDO_001D & Sheet SDO_001D)
5. Additional Permitted Use Map (Digital map applicable to the site)
6. Heritage Map (Sheet HER_001D & Sheet HER_001E)

8. PART 3 | JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

8.1 SECTION A – NEED FOR THE PLANNING PROPOSAL

Q1. Is the Planning Proposal a result of an endorsed local strategic planning statement, strategic study, or report?

This Planning Proposal is not directly derived from any specific strategic study or report. None of the current strategic studies or reports designate the site as a priority or preliminary investigation area. However, these broader policy frameworks prioritize the protection of significant environmental land and recognize its value within the Queanbeyan-Palerang Regional Council region. In particular, this Planning Proposal aligns with the goals and priorities set forth in the following Council-endorsed strategic plans

- *Local Strategic Planning Statement – Towards 2040; and*
- *Queanbeyan-Palerang Community Strategic Plan – 2042*

These documents emphasize environmental protection, which is a key consideration in this proposal.

Towards 2040 QPRC Local Strategic Planning Statement

The *Towards 2040 QPRC Local Strategic Planning Statement* outlines how growth and change will be managed within the Queanbeyan-Palerang LGA. The following key priorities and actions demonstrate how this Planning Proposal aligns with the statement's objectives:

Planning Priority 2, Action 4.2.4:

- **Objective:** Investigate the potential for higher density development in areas adjacent to open spaces, where increased amenity and recreational opportunities are available.
- **Proposal Impact:** This proposal supports this priority by reducing the minimum lot size of a portion of the R1 zoned land to 600m² in proximity to open space and recreation areas. The larger 1,000 m² lot sizes are maintained at the interface of the C2 and R1 zones, ensuring a smooth transition between residential and conservation areas.

Planning Priority 4, Action 4.4.9:

- **Objective:** Provide diverse housing options at varying costs to meet the evolving needs of the community and explore partnerships with community housing providers to offer affordable housing. Additionally, enhance residential accessibility and availability compared to the ACT.

- **Proposal Impact:** This proposal supports this priority by introducing 600 m² min lot size, which diversify housing options and help address the anticipated population growth. The range of lot sizes contributes to meeting the demand for affordable and accessible housing, ensuring the region can accommodate a variety of community needs

Planning Priority 5, Action 4.5.1:

- **Objective:** Protect important environmental land from inappropriate development under respective Local Environmental Plans (LEPs).
- **Proposal Impact:** This proposal reinforces this priority by rezoning a portion of the site currently classified as R1 General Residential to C2 Environmental Conservation. This extension will safeguard land containing EPBC Act-listed Box Gum woodland, ensuring its protection from development.

Planning Priority 6, Action 4.6.3

- **Objective:** Review opportunities for high quality environmental vegetation in QPRC to be proactively conserved as part of recent biodiversity reforms, including potential for income generation.
- **Proposal Impact:** The proposal supports this objective by contributing to the proactive conservation of ecologically significant vegetation, aligning with broader biodiversity conservation goals.

Planning Priority 8, Action 4.8.1

- **Objective:** Focus settlement in planned locations with access to higher-level services such as employment, education, and health.
- **Proposal Impact:** The proposal aligns with this priority by providing increased housing supply and choice in a location that is well-served by existing infrastructure, ensuring access to essential services for future residents.

Community Strategic Plan

The *Queanbeyan-Palerang Community Strategic Plan (CSP)* outlines the Council's long-term vision and priorities for the region, addressing social, environmental, and economic goals. While the CSP has a broader focus compared to the Local Strategic Planning Statement (**LSPS**), the proposal aligns with the objectives of both, promoting balanced development that supports the community's long-term aspirations.

Q2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes, the Planning Proposal to amend the LEP is the most effective way to achieve the objectives and outcomes outlined in Part 1 of this Planning Proposal. It provides certainty for the Council, local community, and landowner by formalizing zoning and associated changes that align with strategic objectives.

8.2 SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

Yes, the Planning Proposal aligns with and supports the objectives of the following regional plans:

- *South-East and Tablelands Regional Plan 2036*
- *Draft South-East and Tablelands Regional Plan 2041*

South-East and Tablelands Regional Plan 2036:

This plan provides a 20-year framework for the region's growth, with four key goals:

1. A connected and prosperous economy.
2. A diverse environment interconnected by biodiversity corridors.
3. Healthy and connected communities.
4. Environmentally sustainable housing choices.

Relevant directions include:

Direction 22: Build socially inclusive, safe, and healthy communities:

The proposal promotes inclusive housing by offering diverse, affordable housing choices and balancing development with environmental conservation. It protects farmland from unnecessary rezoning and safeguards the ecological value of key lands.

Direction 25: Focus housing growth in locations that maximize infrastructure and services:

The proposal supports efficient housing growth by increasing supply and providing varied housing options in areas with established infrastructure and services, ensuring sustainable community expansion.

Draft Southeast and Tablelands Regional Plan 2041

This plan provides a regional framework for strategic land use planning, including for the Queanbeyan-Palerang LGA.

Theme 2, Objective 5: Protect important environmental assets.

emphasizes the need to safeguard key environmental features. This Planning Proposal directly supports this objective by conserving additional *Box Gum Woodland* within the proposed C2 Environmental Conservation zone, thereby protecting one of the region's significant environmental assets.

Theme 4, Objective 17: Plan for a supply of housing in appropriate locations

recognizes the projected population growth in the Queanbeyan-Palerang area, alongside a decline in average household sizes, necessitating a mix of smaller, low-maintenance dwellings. This proposal aligns with these goals by enabling a range of housing sizes in an area close to services and infrastructure. It ensures sustainable development, balancing increased housing supply with

environmental protection, and contributes to expanding the housing pipeline to meet future demand.

Q4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan?

Yes, the Planning Proposal is consistent with the endorsed *Local Strategic Planning Statement (LSPS) Towards 2040* and the *Queanbeyan-Palerang Community Strategic Plan – Towards 2042*. As mentioned previously, this proposal will give effect to the objectives and priorities outlined in these strategic documents, ensuring alignment with long-term planning goals for sustainable development and community growth.

Q5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?

Other relevant State and regional studies or strategies applicable to the proposal include:

NSW Housing Strategy 2041

This strategy emphasizes creating more housing supply, diversity, and affordability across the state while ensuring it aligns with infrastructure capabilities. By rezoning land to accommodate additional residential development, the proposal directly supports this strategy's goals of meeting housing demand and providing more housing choices.

Future Transport Strategy 2056

The Planning Proposal aligns well with the objectives of the Future Transport Strategy 2056, which focuses on creating sustainable, connected, and resilient transport networks across NSW.

1. **Efficient Land Use:** The proposal to increase housing density near existing infrastructure supports the strategy's goal of focusing development in areas with established transport networks, ensuring that new developments are easily accessible by public transport and other modes of transit. This aligns with the strategy's direction to concentrate housing growth in areas that maximize infrastructure and service access.
2. **Sustainability:** By balancing environmental conservation with residential development, the proposal contributes to the strategy's overarching goal of integrating sustainable transport solutions with land use planning. The strategy emphasizes reducing emissions and encouraging developments that reduce dependency on cars, which could be achieved by placing housing near accessible transport services.

Net Zero Plan (NSW):

The proposal aligns with the NSW Net Zero Plan (2020-2030) in several key areas:

1. **Environmental Protection and Land Use:** The proposal to rezone land to C2 Environmental Conservation aligns with the *Net Zero Plan's* goals to preserve critical biodiversity and natural assets, such as the Box-Gum Woodland. This is consistent with the plan's focus on enhancing green infrastructure and protecting vital ecosystems to support emissions reduction and biodiversity conservation.

2. **Sustainable Development:** The proposal supports sustainable land use by facilitating residential development in areas that have limited ecological value. This promotes efficient land use, in line with the *Net Zero Plan's* objectives of managing urban growth while reducing environmental impact. It ensures a balance between housing needs and environmental sustainability, a key principle of the *Net Zero Plan*.
3. **Infrastructure and Energy Efficiency:** The plan also highlights the importance of using existing infrastructure efficiently, aligning with the *Net Zero Plan's* drive to reduce emissions from sectors like construction and infrastructure. By focusing on intensification without requiring substantial infrastructure upgrades, the proposal helps reduce the carbon footprint associated with new developments, contributing to the state's emission reduction targets.

Overall, the Sunset Planning Proposal supports the broader goals of the *NSW Net Zero Plan* by balancing development with environmental conservation, reducing emissions through sustainable land use, and efficiently utilizing existing infrastructure.

NSW State Infrastructure Strategy 2022-2042

The Planning Proposal aligns well with the objectives of the *NSW State Infrastructure Strategy 2022-2042*, which emphasizes strategic infrastructure development to support population growth and sustainable land use. The proposal is consistent with the strategic goals of maintaining efficient infrastructure, protecting environmental assets, and supporting sustainable growth in the region.

A 20-Year Economic Vision for Regional NSW

The Planning Proposal is consistent with the objectives outlined in *A 20-Year Economic Vision for Regional NSW* in several key areas:

1. **Housing Growth and Diversification:** The proposal contributes to the plan's goal of driving sustainable, long-term economic growth by providing diversified housing options. This aligns with the vision's objective to support regional areas like Queanbeyan, where population growth is significant, and to ensure that infrastructure is used efficiently to meet housing demands. By focusing on areas with established infrastructure and services, the proposal supports sustainable development, which is a key focus of the economic vision.
2. **Environmental and Economic Balance:** The plan emphasizes economic growth while maintaining environmental sustainability, and the proposal's rezoning of certain areas for environmental conservation aligns well with this. It balances the development of housing with the protection of ecological assets, reinforcing the strategic importance of leveraging natural resources responsibly for regional development.
3. **Local Economic Strengthening:** The proposal's emphasis on intensifying residential use without significant infrastructure upgrades fosters local economic activity and meets the vision's aim to bolster regional economies by optimizing land use.

Overall, the proposal supports the key objectives of the *20-Year Economic Vision* by promoting sustainable growth, conserving environmental assets, and utilizing existing infrastructure to enhance regional economic development.

Q6. Is the planning proposal consistent with applicable SEPPs?

Yes. The planning proposal is generally consistent with all relevant SEPPs. Applicable SEPPs are discussed as follows:

Table 4 | Relevant State Environmental Planning Policies

SEPP	Assessment
SEPP (Biodiversity and Conservation) 2021	
<p>Chapter 2 Vegetation in non-rural areas</p> <p>This chapter aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.</p>	<p>Consistent – The proposal involves rezoning a portion of R1 General Residential land to C2 Environmental Conservation to protect the EPBC-listed Box-Gum Woodland.</p> <p>In return, a section of land currently zoned C2, assessed by Capital Ecology to have limited conservation value, is proposed to be rezoned to R1 General Residential. Any future DA will require to address the objectives of the SEPP and obtain council approval.</p>
<p>Chapter 4 Koala habitat protection 2021</p> <p>This Chapter aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline</p>	<p>Consistent – An ecological assessment was undertaken for the site and confirms that the site does not support Kola habitat.</p>
SEPP (Exempt & Complying Development Codes) 2008	
<p>This Policy aims to provide streamlined assessment processes for development that complies with specified development standards by</p> <ol style="list-style-type: none"> providing exempt and complying development codes that have State-wide application, and identifying, in the exempt development codes, types of development that are of minimal environmental impact that may be carried out without the need for development consent, and identifying, in the complying development codes, types of complying development that may be carried out in accordance with a complying development certificate as defined in the Act, and enabling the progressive extension of the types of development in this Policy, and providing transitional arrangements for the introduction of the State-wide codes, including the amendment of other environmental planning instruments 	<p>Consistent – The intention to update the Sunset Homestead heritage curtilage aligns with the objectives of this policy. By ensuring that the heritage curtilage is properly defined, the PP will facilitate the application of exempt and complying development codes for lots that are of minimal environmental impact, thus supporting the efficient progression of development while maintaining heritage protections.</p>
SEPP (Housing) 2021	
<p>The principles of this Policy are as follows:</p> <ol style="list-style-type: none"> enabling the development of diverse housing types, including purpose-built rental housing, encouraging the development of housing that will meet the needs of more vulnerable members of the 	<p>Consistent – The PP enables diverse housing in well-served areas with existing infrastructure, ensuring resident amenity, and protecting the site's biodiversity values. It aligns with the goal of sustainable development, minimizing environmental impacts</p>

community, including very low to moderate income households, seniors and people with a disability,	while meeting community housing needs.
c. ensuring new housing development provides residents with a reasonable level of amenity,	
d. promoting the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services,	
e. minimising adverse climate and environmental impacts of new housing development,	
f. reinforcing the importance of designing housing in a way that reflects and enhances its locality,	
g. supporting short-term rental accommodation as a home-sharing activity and contributor to local economies, while managing the social and environmental impacts from this use,	
h. mitigating the loss of existing affordable rental housing.	
SEPP Resilience and Hazards 2021	
(1) The object of this Policy is to provide for a Statewide planning approach to the remediation of contaminated land.(2) In particular, this Policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment—(a) by specifying when consent is required, and when it is not required, for a remediation work, and(b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and(c) by requiring that a remediation work meet certain standards and notification requirements.	Consistent - The proposed rezoning does not interfere with or alter the previous site suitability assessments conducted as part of the Sunset Stage 1 development, which encompassed the entire site. Therefore, no further assessment is required under Chapter 4 for land remediation.

Other applicable SEPPs have been reviewed and were found not to be relevant to this Planning Proposal.

Q7. Is the Planning Proposal consistent with applicable Ministerial Directions?

The Ministerial Directions under section 9.1 of the *EP&A Act* requires planning proposals to be consistent with the terms of the relevant direction. The relevant directions are considered below.

Table 5 | Section 9.1 Directions

Direction	Consistency and Implications
Focus Area 1 - Planning Systems	
1.1 Implementation of Regional Plans The objective of this direction is to give legal effect to the vision, land use strategy, goals, direction and actions contained in regional plans	Consistent
1.3 Approval and Referral Requirements The objective of this direction is to ensure that the LEP provisions encourage efficient and appropriate assessment of development.	Consistent
Focus Area 3 – Biodiversity and Conservation	
3.1 Conservation zones The objective of this direction is to protect and conserve environmentally sensitive areas. A	Inconsistency has been addressed, as detailed in Section 4.3 and within the provided BDAR report.

<p>Planning Proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas. That a Planning Proposal does not reduce the conservation standards that apply to the land.</p> <p>Consistency</p> <p>A Planning Proposal may be inconsistent with the terms of this direction in circumstances where the proposal is justified by a study prepared in support of the proposal that gives consideration to the objective of the direction.</p>	<p>The proposal involves rezoning a portion of R1 General Residential land to C2 Environmental Conservation to protect the EPBC-listed Box-Gum Woodland.</p> <p>In return, a section of land currently zoned C2, assessed by Capital Ecology to have limited conservation value, is proposed to be rezoned to R1 General Residential. This balanced approach offsets the loss of developable land being set aside for conservation and promotes sustainable land use by aligning environmental protection with development objectives.</p>
<p>3.2 Heritage Conservation</p> <p>The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and Indigenous heritage significance.</p>	<p>Consistent</p> <p>An Aboriginal Cultural Heritage Assessment (ACHA) was conducted by Past Traces Consultants in 2022 (Attachment D) to support the scoping proposal for Stage 2 of the Sunset Development. This assessment builds on a previous Aboriginal Cultural Heritage Assessment Report (ACHAR) completed for the entire sunset estate in 2018. The report evaluates the potential impacts on both Aboriginal and historical heritage resulting from the Stage 2 development and provides management recommendations to mitigate any identified impacts.</p> <p>The report concludes that “As a result of the Aboriginal heritage field survey, subsurface testing and consultation with the local Aboriginal community, there are no items of significance that would preclude development of the project.</p> <p>The PP also aligns with the direction by incorporating the Sunset Homestead into the open space design and entering into a planning agreement with the Council to ensure its ongoing protection.</p>
<p>Focus Area 4 — Resilience and Hazards</p>	
<p>4.1 Flooding</p> <p>The objectives of this direction are to:</p> <p>(a) ensure that development of flood prone land is consistent with the NSW Government’s Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and</p> <p>(b) ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour and includes consideration of the potential flood impacts both on and off the subject land.</p> <p>Consistency</p> <p>A planning proposal may be inconsistent with this direction only if the planning proposal authority can satisfy the Planning Secretary (or their nominee) that: (a) the planning proposal is in accordance with a floodplain risk management study or plan adopted by the relevant council in accordance with the principles and guidelines of the Floodplain Development Manual 2005, or (b) where there is no council adopted floodplain risk management study or plan, the planning proposal is consistent with the flood study adopted by the council prepared in accordance with the principles of the Floodplain Development Manual 2005 or (c)</p>	<p>Consistent.</p> <p>The proposal has been supported by a flood impact assessment study prepared by Spiire for stage 2 of the sunset that provides a comprehensive analysis of the flood risks associated with the site, with the following key findings:</p> <ul style="list-style-type: none"> – The 1% Annual Exceedance Probability (AEP) flood extent is confined to Googong Creek and does not affect the Stage 2 development area. There is a sufficient freeboard of 0.65m between the 1% AEP flood water surface elevation and the proposed culvert crossing at Googong Creek. – The flood extents for the 1% AEP + Climate Change (CC), 0.5% AEP, and 0.2% AEP are also contained within Googong Creek and do not impact the Stage 2 development area. – The Probable Maximum Flood (PMF) extent encroaches on the road adjacent to Googong Creek and overtops the proposed road crossing between Stages 1 and 2. However, evacuation via Googong Road remains feasible in this scenario. – The PMF hazard classification is rated high (H5 to H6) within Googong Creek and near the road crossing between Stages 1 and 2, as well

<p>the planning proposal is supported by a flood and risk impact assessment accepted by the relevant planning authority and is prepared in accordance with the principles of the Floodplain Development Manual 2005 and consistent with the relevant planning authorities' requirements, or (d) the provisions of the planning proposal that are inconsistent are of minor significance as determined by the relevant planning authority.</p>	<p>as in the surrounding road reserves. However, this classification does not apply to the lot areas within Stages 1 and 2.</p> <ul style="list-style-type: none"> PMF velocities exceeding 2m/s are largely confined to the Googong Creek corridor, except in the area surrounding the proposed road crossing between Stages 1 and 2. <p>The report confirms that the Planning Proposal adheres to floodplain management principles and does not present significant risks to the development area. It is noted that the part of the land proposed for rezoning from C2 to R1 is not within the flood prone land.</p>
<p>4.3 Planning for Bushfire Protection</p> <p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> (a) protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and (b) encourage sound management of bush fire prone areas. 	<p>Consistent:</p> <p>The proposal is supported by a preliminary bushfire strategic study prepared by Ember Bushfire Consulting. The study concludes that future development on the site can achieve adequate protection in accordance with the guidelines set out in Planning for Bushfire Protection. This ensures that the proposal complies with bushfire safety standards and mitigation strategies, supporting the development's alignment with necessary risk management protocols.</p>
<p>Focus Area 5 — Transport and Infrastructure</p>	
<p>5.1 Integrating Land Use and Transport</p> <p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <ul style="list-style-type: none"> a) improving access to housing, jobs, and services by walking, cycling and public transport, and b) increasing the choice of available transport and reducing dependence on cars, and c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and d) supporting the efficient and viable operation of public transport services, and e) providing for the efficient movement of freight. 	<p>Consistent:</p> <p>The traffic impact of the additional lots resulting from this Planning Proposal has been assessed in a Traffic Impact Assessment prepared by SCT (See attachment F). The report concludes that the surrounding road network is capable of accommodating the increased yield, ensuring that the proposed development will not negatively affect traffic flow or capacity in the area.</p>
<p>Focus Area 6 — Housing</p>	
<p>6.1 Residential zones</p> <p>The objectives of this direction area to:</p> <ul style="list-style-type: none"> a) encourage a variety of housing types to provides for existing and future housing needs, b) make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and c) minimise the impacts of residential development on the environment and resources land. 	<p>Consistent</p> <p>The proposal aligns with the Local Housing Strategy by providing diverse housing options, accommodating population growth, and leveraging existing infrastructure and services. Technical assessments, including flood, bushfire, and traffic studies, confirm the site's capacity for development, ensuring that all necessary protections and access to services are maintained.</p> <p>Overall, the proposal supports sustainable development, efficiently utilizing infrastructure while preserving key environmental areas</p>
<p>Focus area 9 — Primary Production</p>	

9.2 Rural Land

The main objective of this Direction is to protect the agricultural production value of rural land and facilitate the orderly and economic development of rural lands for rural and related purposes.

This Direction applies when a relevant planning authority prepares a Planning Proposal that will affect land within an existing or proposed rural or conservation zone or that changes the existing minimum lot size on land within a rural or conservation zone.

Consistent

The proposal is consistent with these directions in the following ways:

- **Consistency with Planning Frameworks:** It is consistent with all relevant regional and local planning frameworks, as detailed in questions 3-5 above.
- **Agricultural Significance:** The site holds minimal agricultural value and is no longer used for farming. The rezoning will not impact agricultural production, as the land is fragmented and isolated from active agricultural areas.
- **Environmental Protection:** The proposal avoids the clearing of protected native vegetation and ensures the protection of significant ecological resources. It rezones key areas, including Box-Gum Woodland, to C2 Environmental Conservation and integrates the Sunset Homestead Ruins into open space, addressing both environmental and heritage concerns.
- **Natural and Physical Constraints:** The natural and physical characteristics of the land have been considered, with no significant constraints that would prevent the proposed development.
- **Fostering Investment:** Although no longer used for agriculture, the rezoning promotes investment in residential development, supporting sustainable urban growth in a region with existing infrastructure, which contributes to long-term community development.
- **Impact on Rural Land Uses:** The rezoning will not adversely affect the operation or viability of nearby rural land uses or enterprises. The site has been removed from agricultural activity, and the proposed change will not affect farming on adjacent lands.
- **Minimising Rural Land Fragmentation:** The rezoning of this isolated site avoids further fragmentation of rural land and is in line with existing growth plans, minimizing conflicts between rural and urban uses.
- **State Significant Agricultural Land:** The land is not classified as State Significant Agricultural Land, and its rezoning will not impact agricultural viability or nearby farming operations.
- **Balancing Community Interests:** The proposal strikes a balance between social, economic, and environmental interests by providing housing in a well-planned area, protecting biodiversity, and enhancing the community with open space and heritage preservation, contributing to both cultural and recreational amenities.

8.3 SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACTS

Q8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities or their habitats will be adversely affected as a result of the proposal?

No. Biodiversity Assessment has been the fundamental initial study conducted prior to the proposed rezoning, forming the foundation of this proposal. The areas of the site suggested for rezoning from C2 to R1 are not identified as having significant biodiversity value. Conversely, in instances where high-value biodiversity areas have been recognized within the R1 zoned land, it is proposed that these areas be upzoned to C2 and integrated into a residual lot. This strategy ensures the protection of critical habitats and threatened species, thereby maintaining the ecological integrity of the site (See attachment A).

Q9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

No. Section 4 provides an overview of the technical and supporting documentation referenced in the Scoping Proposal addressing biodiversity, geotechnical considerations, bushfire and flood risk management. This documentation demonstrates the suitability of the land identified for R1 General Residential zoning and the rationale for rezoning a portion of R1 land to C2 Environmental Conservation. The Planning Proposal primarily rationalizes boundaries and involves only minor amendments at the periphery of the existing zones. Any potential impacts from future development can be mitigated and will be addressed in detail through the Development Application (DA) process.

Q10. Has the planning proposal adequately addressed any social and economic effects?

Yes. While the proposal is minor in nature and does not trigger significant social or economic impacts, it is expected to make a positive contribution to the immediate area by increasing the number of dwellings and diversifying housing types. This will enhance housing choice and support local housing needs, contributing to the social and economic development of the locality.

8.4 SECTION D – INFRASTRUCTURE

Q11. Is there adequate public infrastructure for the Planning Proposal?

Yes. The proposal does not impact the delivery of or demand for infrastructure.

8.5 SECTION E – STATE AND COMMONWEALTH INTERESTS

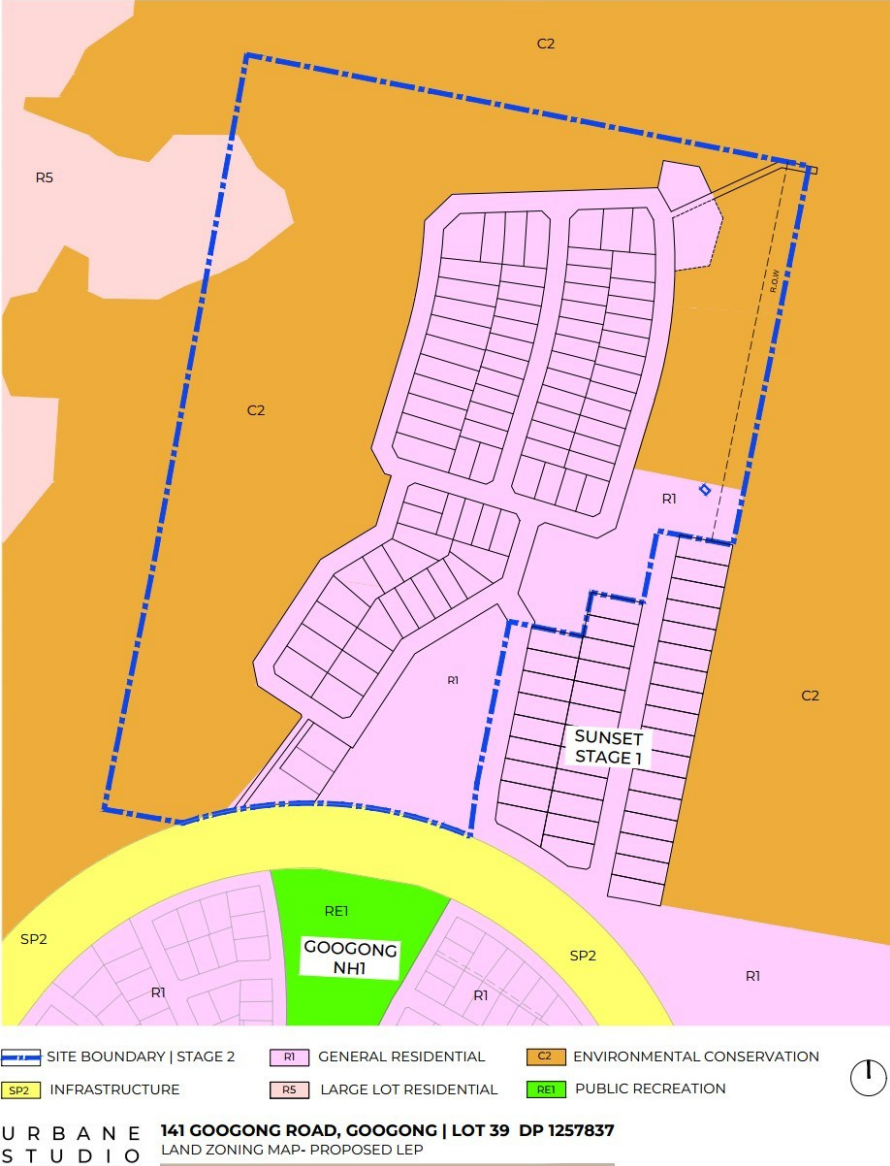
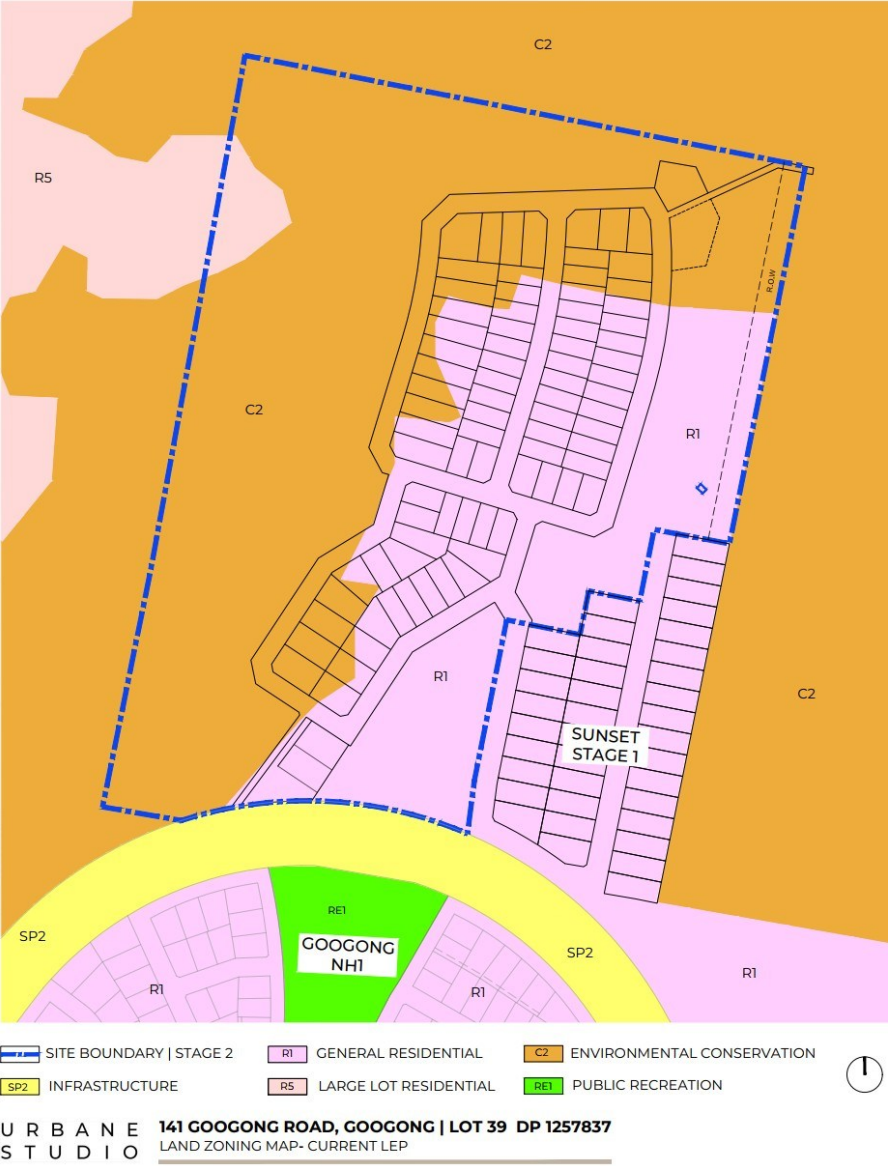
Q12. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

Appropriate consultation with relevant government agencies will be undertaken by Council following a Gateway Determination. Extensive consultation has been conducted with relevant State Government agencies, and all issues raised have been satisfactorily addressed in the initial Scoping Proposal and the Planning Proposal documentation.

9. PART 4 | MAPS

The proposal will amend various zone and lot size maps, and incidental adjustments to other maps will be required to align with these changes. The following Map Sheets will need to be amended:

1. Land Zoning Map - Sheet LZN_001D and Sheet LZN_001E:
 - **Proposed change:** Amend the relevant zones; R1 and C2 as they relate to the alignment of the new boundaries.
2. Lot Size Map: Sheet LSZ_001D and Sheet LSZ_001E
 - **Proposed change:** Apply the Minimum Lot Size (MLS) that corresponds with the revised zoning boundaries.
3. Height of Buildings Map: Sheet HOB_001D and Sheet HOB_001D
 - **Proposed change:** Update the Height of Buildings (HOB) Map to align with revised R1 General Residential zone.
4. Secondary Dwelling and Dual Occupancy Map: Sheet SDO_001D and Sheet SDO_001E
 - **Proposed change:** Amend to align with the Land Zoning Map
5. Additional Permitted Uses Map: Digital map applicable to the site.
 - **Proposed change:** Amend to align with the Land Zoning Map
6. Heritage map Sheet HER_001D and sheet HER_001E
 - **Proposed change:** Amend to align with the council recommendation and the approved subdivision for Sunset stage 1.



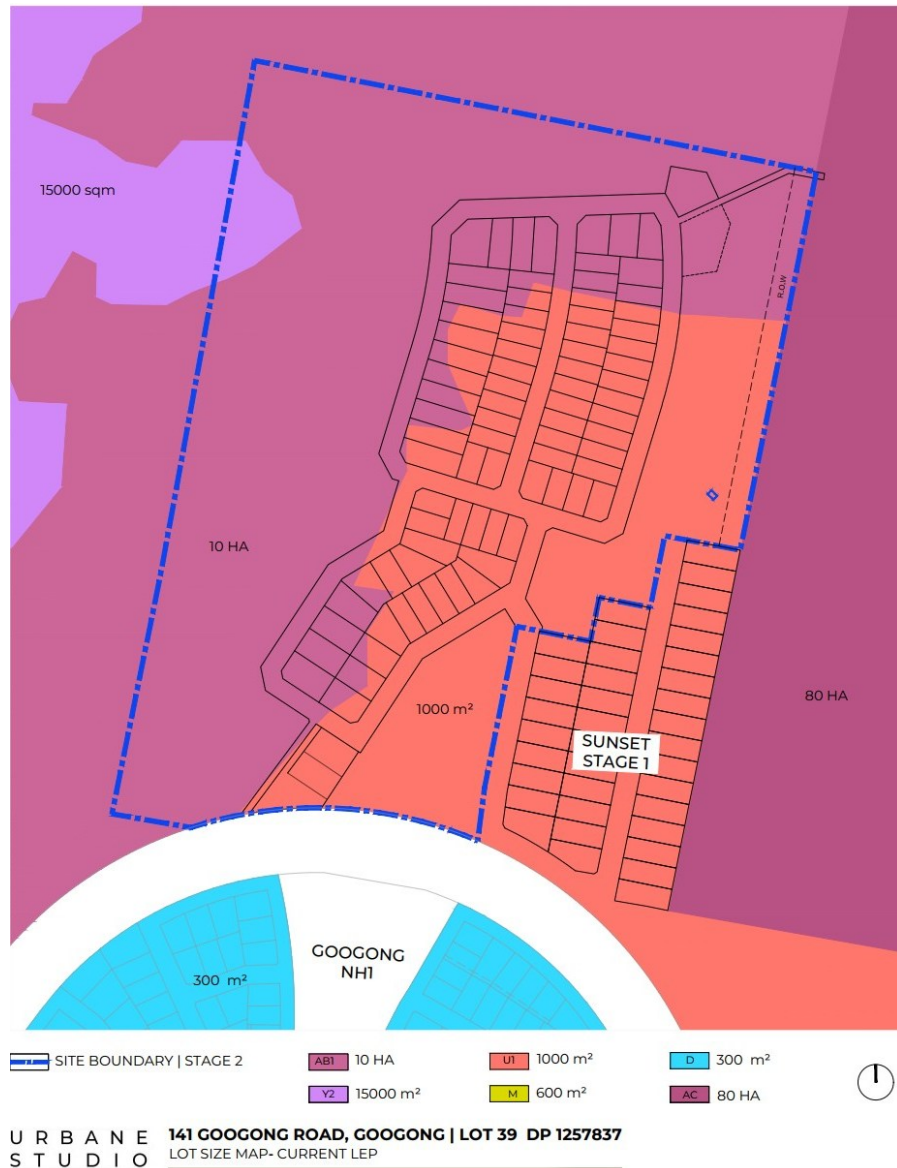


Figure 12 | Lot Size Map - Existing

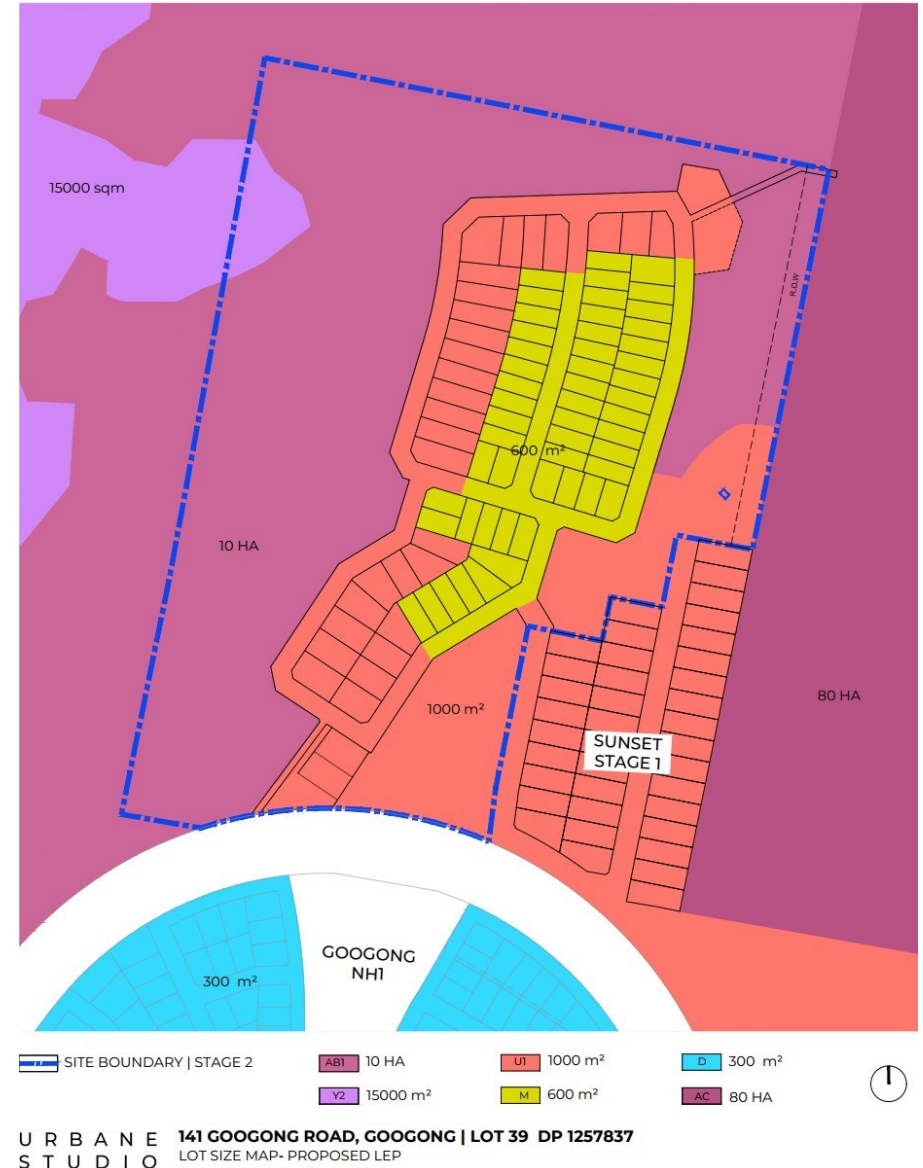


Figure 13 | Lot Size Map - Proposed



Figure 14 | Height of Buildings Map - Existing



Figure 15 | Height of Buildings Map - Proposed



Figure 16 | Secondary Dwelling and Dual Occupancy - Existing

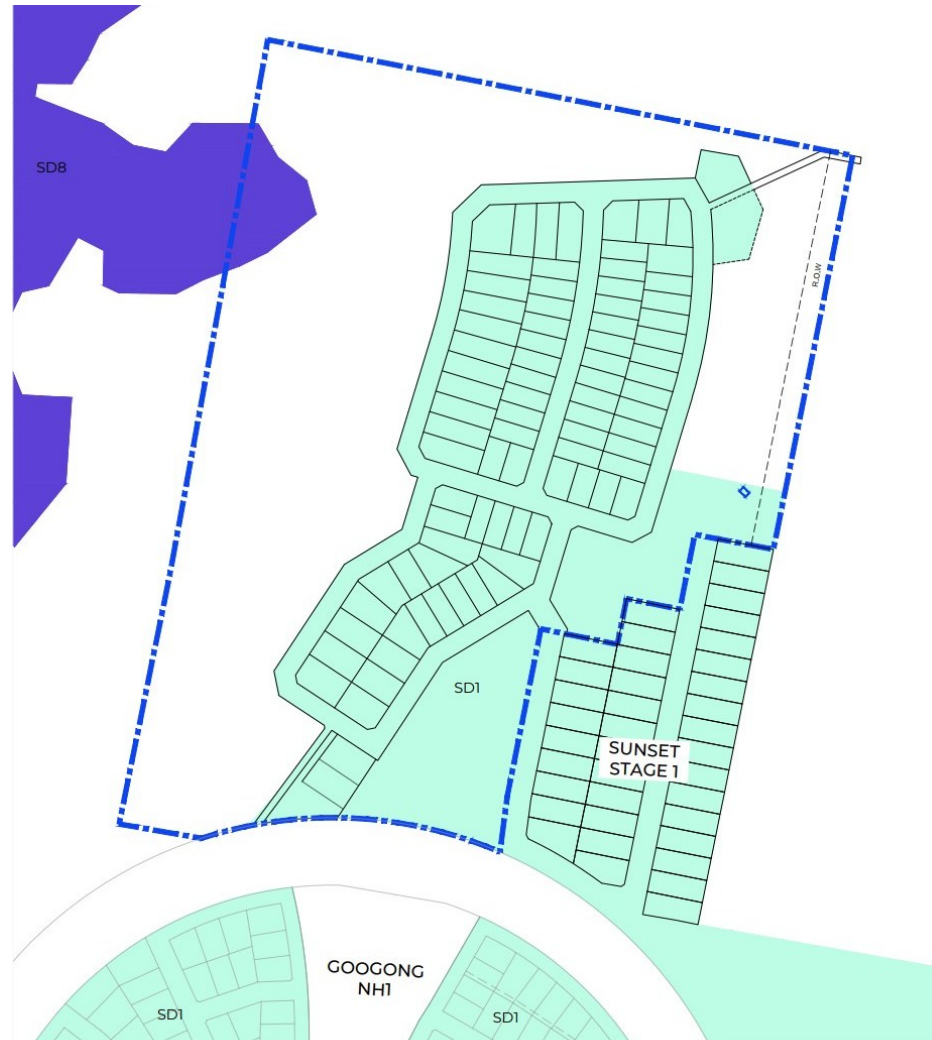
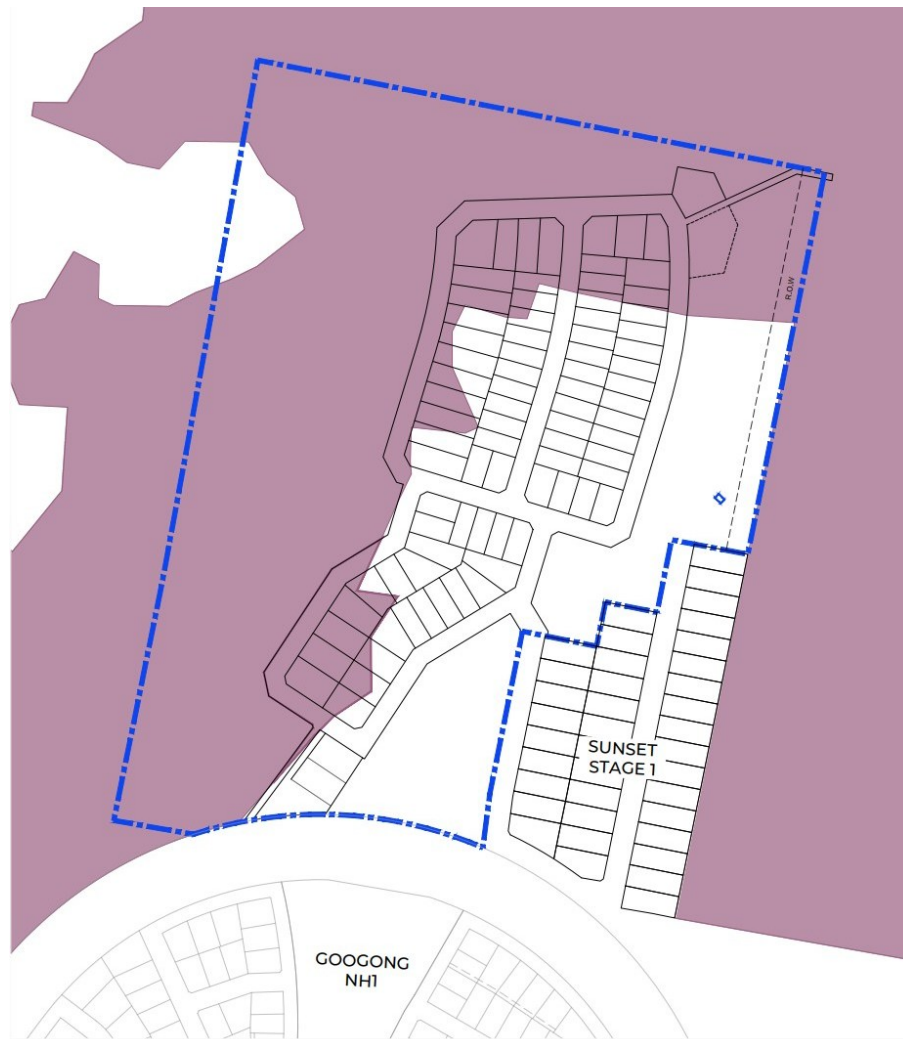


Figure 17 | Secondary Dwelling and Dual Occupancy Map - Proposed



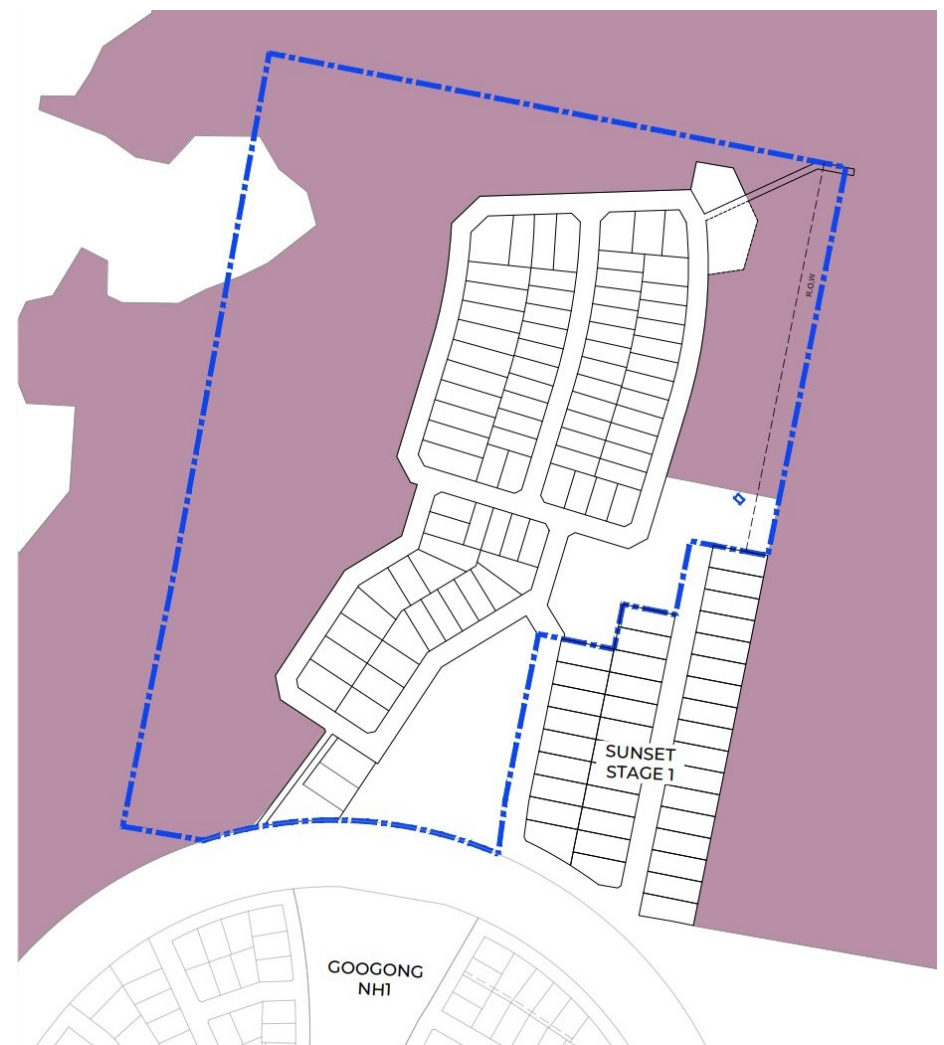
SITE BOUNDARY | STAGE 2
 REFFER SCHEDULE 1



URBANE
STUDIO

141 GOOGONG ROAD, GOOGONG | LOT 39 DP 1257837
 ADDITIONAL PERMITTED USE MAP - CURRENT LEP

Figure 18 | Additional Permitted Use Map - Existing



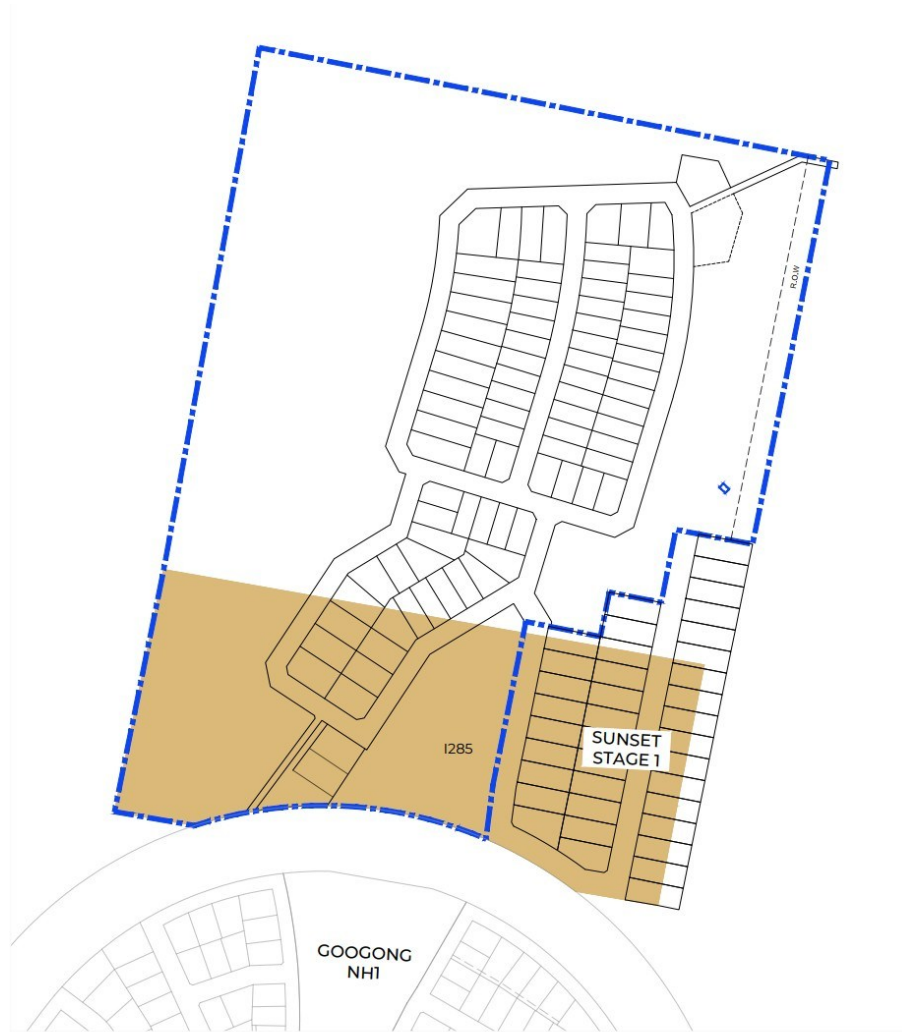
SITE BOUNDARY | STAGE 2
 REFFER SCHEDULE 1



URBANE
STUDIO

141 GOOGONG ROAD, GOOGONG | LOT 39 DP 1257837
 ADDITIONAL PERMITTED USE MAP - PROPOSED LEP

Figure 19 | Additional Permitted Use Map - Proposed



— SITE BOUNDARY | STAGE 2 ■ ITEM - GENERAL

URBANE STUDIO 141 GOOGONG ROAD, GOOGONG | LOT 39 DP 1257837
HERITAGE MAP- CURRENT LEP

Figure 20 | Heritage Map - Existing



— SITE BOUNDARY | STAGE 2 ■ ITEM - GENERAL

URBANE STUDIO 141 GOOGONG ROAD, GOOGONG | LOT 39 DP 1257837
HERITAGE MAP- PROPOSED LEP

Figure 21 | Heritage Map - Proposed

10. PART 5 | COMMUNITY CONSULTATION

Public consultation will be conducted in accordance with the requirements of the *Environmental Planning and Assessment (EP&A) Act* and Council's community consultation policies.

The Planning Proposal will be publicly exhibited for 20 working days, following the timeframes outlined in the *LEP Making Guidelines* for standard Planning Proposals. All exhibition materials will be made available on Council's website and at its administration centre for public access and review.

11. PART 6 | PROJECT TIMELINE

It is anticipated that the LEP amendment will be completed within 9 months which is consistent with timeframes recommended by the *LEP Plan Making Guidelines (August 2023)* for Standard Planning proposals.

Table 6 | Project Timeline

Stage	Anticipated time frame
Stage 1 – Pre-lodgment	Finalized
Stage 2 – Planning Proposal	Oct 2024
Stage 3 - Gateway Determination	Feb-March 2025
Stage 4 – Post-Gateway	March-April 2025
Stage 5 – Public Exhibition & Assessment	May-Aug 2025
Stage 6 - Finalisation	Sep-Oct 2025

12. CONCLUSION

The Planning Proposal demonstrates both strategic and site-specific merit, aligning with key state and regional strategies that address housing demand, environmental conservation, and infrastructure efficiency. It directly supports the *NSW Housing Strategy 2041* by offering a diverse range of housing options, particularly smaller, more affordable lots, which are critical for meeting the growing population needs in Queanbeyan-Palerang.

By focusing development near existing infrastructure and transport networks, the proposal aligns with the *Future Transport Strategy 2056*, reducing reliance on private vehicles and ensuring connectivity to essential services. The rezoning of R1 General Residential land to C2 Environmental Conservation is consistent with the *Net Zero Plan (NSW)*, protecting biodiversity assets such as the Box-Gum Woodland and contributing to carbon reduction.

The proposal also supports the *State Infrastructure Strategy 2022-2042* by utilizing existing infrastructure efficiently without the need for major upgrades. Additionally, it aligns with the *South-East and Tablelands Regional Plan 2036* and the *Draft Southeast and Tablelands Regional Plan 2041*, ensuring housing development occurs in areas with sufficient infrastructure and minimal environmental impact.

Table 7 | Assessment Summary

Criteria	Assessment
Strategic merit test criteria	
Consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or	Consistent The PP is consistent with the South-East and Tablelands Regional Plan.
Consistent with a relevant local strategy that has been endorsed by the Department; or	Consistent The PP is consistent with the Community Strategic Plan (CSP) and the recent Local Strategic Planning Statement (LSPS)
Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognized by existing planning controls.	Consistent The PP is consistent with current market and demographic changes, which require smaller lots at various price ranges
Site-specific merit test criteria	
The natural environment (including known significant environmental values, resources or hazards)	Consistent The PP is a result of detailed site-specific studies that will protect the site's ecological values by back zoning from R1 to C2.
The existing uses, approved uses and likely future uses of land in the vicinity of the land subject to a proposal	Consistent An appropriate level of buffer and transition from R1 to C2 has been provided to ensure minimal land use conflict.
The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision	Consistent

Specific public benefits will be outlined within an offer to enter into a Voluntary Planning Agreement with the Council upon gazettal of the proposed amendments to the QPRLEP, including the protection and management of the residual lot containing all native vegetation within one parcel over C2 zoned land.

It is requested that Council endorse the Planning Proposal and request the DPHI to issue a Gateway determination to commence the process of amending the relevant planning maps of the QPRLEP, thereby permitting the logical use of the land for residential subdivision.

13. ATTACHMENTS

U R B A N E
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