

JOINT REGIONAL PLANNING PANEL SOUTHERN REGION

JRPP Number	2011STH004
DA Number	DA 41-2011
Local Government Area	Queanbeyan City Council
Proposed Development	Re-subdivision of existing Eight (8) Lots into Proposed Lots 1-5, Subdivision of Proposed Lot 2 into 337 Residential Lots and Related Construction and Landscape Works
Street Address	64 Googong Road, Googong NSW 2620
Applicant/Owner	Googong Development Corporation Pty Limited Canberra ACT
Number of Submissions	One (1) Public Submission and Eight (8) Government Agency Submissions
Recommendation	Approval with Conditions
Report by	Phil Gibbons, Queanbeyan City Council

Assessment Report and Recommendation

Executive Summary

The subdivision was originally proposed to be subdivided into a Community Scheme. The applicant on 2 November 2011 submitted amendments to the application changing the titling from a Community Scheme to a Torrens Title Scheme. No other changes are proposed to the development.

The amended development application seeks approval for subdivision and associated works.

In summary the land is proposed to be subdivided as follows:

- A number of existing lots will be first re-subdivided into five (5) lots (**refer to Figure 3 – Plan Showing Proposed Lots 1 - 5**).
- Proposed Lot 2 comprising an area of 111.7ha will be further subdivided into 337 lots in five stages.
- Lot 176 will be subdivided with a future development application (**refer to Figure 4 – Plan of Stage 1 Subdivision**).

The subject site for development is zoned R1 – General Residential under Queanbeyan Local Environmental Plan (Googong) 2009. The proposed development is permissible with consent within this zone.

The capital investment value (CIV) of the proposed development is \$34m. As the development comprises more than 250 lots the Joint Regional Planning Panel is the consent authority in accordance with the provision of the State Environmental Planning Policy (Major Development) 2005. The development is Integrated Development pursuant to Section 91 of the *Water Management Act 2000* and Section 90 of the *National Parks and Wildlife Act 1974*. General Terms of Approval have been obtained from the NSW Government Office of Water and the Office of Environment and Heritage. The NSW Roads and Traffic Authority, pursuant to State Environmental Planning Policy (Infrastructure) 2001 raise no objection to the proposal through their Regional Development Committee.

A Part 3A application for the Googong Township Integrated Water Cycle (IWC) Project was approved by the NSW Planning Assessment Commission on 24 November 2011. The Part 3A approval for the IWC project includes:

- Water Recycling Plant to treat sewage to a standard suitable for non potable urban re-use and discharge to the environment.
- Provide reservoirs for recycled and potable water.
- Provide pumping stations.
- Rising and distribution mains for sewage, recycled water and potable water.

Council resolved on 27 July 2011 the Googong Urban Development Land Planning Agreement (LPA) be executed as a Deed. The LPA relates to community facilities; open space provision and embellishment; roads, water and sewer infrastructure; affordable housing; water and energy savings initiatives; monetary contributions; ecological offsets and administration.

A State Developer Agreement (SDA) has been prepared. The Hon Brad Hazzard MP, Minister of Planning and Infrastructure advised Council on 15 September of the execution of the Planning Agreement. The Planning Agreement provides that the developer will make monetary contributions of 75% of \$4,296.71 per developable hectare (subject to indexation) towards the costs of acquisition of land for the purposes of:

- a fire station (being a 2,000m² site);
- two (2) primary schools (one site being 2.81ha and the other 3ha in size); and
- a high school (being a 6ha site).

Alternatively the developer may elect to dedicate all 12.01ha of land for the sites.

To service urban development at Googong, Council has commenced road construction works on Edwin Land Parkway to be completed in 2012. This section of road will be approximately 2.3kms in length. The road will link Old Cooma Road to Lanyon Drive which gives access to the Monaro Highway in the Australian Capital Territory.

Stage 1 of the Old Cooma Road upgrade is expected to commence in early 2012. Stage 1 of the upgrade will see the section of road near the Cooma Road Quarry replaced with a straighter and wider section of road making for much safer travel and improved traffic flow between Queanbeyan and Googong. The completion of these works is timed to coincide with the release of urban lots related to this application (Stages 1 - 5).

Stage 2 of the duplication of Old Cooma Road from Edwin Land Parkway to Googong will involve a distance of 4.5kms. This will deliver a four lane dual carriageway for the full length of the duplication. Completion is not scheduled until the Googong township is substantially underway.

The Australian Government, Department of Finance and Deregulation transferred Googong Road to Queanbeyan City Council on 12 August 2011. Arrangements have taken place for gazettal of the land as a public road under the *Roads Act 1993*.

The development was advertised and notified to adjoining and surrounding property owners as Integrated Development for thirty (30) days from 22 February 2011 to 25 March 2011. During this period nine (9) submissions were received including Government agency submissions. The issues raised in the submissions form part of the assessment of this development application.

An assessment under Section 79C of the *Environmental Planning and Assessment Act 1979* has been undertaken and the application is recommended for approval subject to the imposition of conditions.

Background

Googong will be a new township comprising approximately 790ha of land currently zoned for urban development. Planning for the urban development of the site was identified for future residential development in the Queanbeyan Land Release Enquiry (2006) and Queanbeyan Residential and Economic Strategy 2031 and the Googong Urban Investigation Area – Local Environmental Study 2004 prepared by Willana Associates. The Queanbeyan Local Environmental Plan (Googong) 2009 was gazetted on 24 December 2009 to enable the township to develop.

The development of the site is required to meet future demand for new housing for Queanbeyan. Googong Master Plan broadly sets out the ultimate development outcomes for Googong which will eventually include some 5,550 homes, accommodating a population of approximately 15,700 people as well as provide for businesses opportunities, significant open space and community facilities over the next 25 years. An area of 166ha representing 21% of the total area is to be set aside for open space.

The development site is located in the north portion of the site adjoining Googong Road. It proposes to be a compact mixed use neighbourhood integrating a range of housing types, opportunities for local business and a mixed use neighbourhood centre, passive and active open space including the sports field and local parks, community facilities and school sites.

Site and Surrounds

Figure 1 - Locality Plan shows the site of the Googong Township 8km south of the Queanbeyan CBD and 16kms south east of Parliament House, Canberra. The surrounding area is characterised by a variety of land uses including, nature reserves, low intensity forestry, rural residential, cattle and sheep grazing and recreation. Googong Dam and the Googong Foreshores (owned by the Commonwealth Government and leased by the Australian Capital Territory Government) is immediately east of the site and an operating quarry is located north west of the site on the west side of Old Cooma Road.



Figure 1 – Locality Plan

The principal infrastructure and landscape features of Stages 1 - 5 are set out as follows:

- The site has extensive frontage to Googong Road.
- It is bound by Googong Road to the north and farmland to the west, east and south.
- Access to the site is from Googong Road which connects to Old Cooma Road.
- Most of the site comprises heavily degraded pasture used for mixed sheep and cattle grazing. Occasional eucalypt trees and tree clumps are scattered throughout the site and there are also a small number of farm dams and dry drainage lines.
- The landform consists of gently undulating terrain with two drainage lines, Googong Creek in the west part of the site that converge into one toward Googong Road. The drainage line runs under Googong Road northwards towards the Queanbeyan River.
- The remains of a small 19th century hut structure identified as having heritage value is located in the west portion of the site.
- A dwelling and outbuildings are located in the east portion of the site.
- A cottage is located in the north west portion of the site.

(Refer to *Figure 2 – Aerial Photograph of Site*).

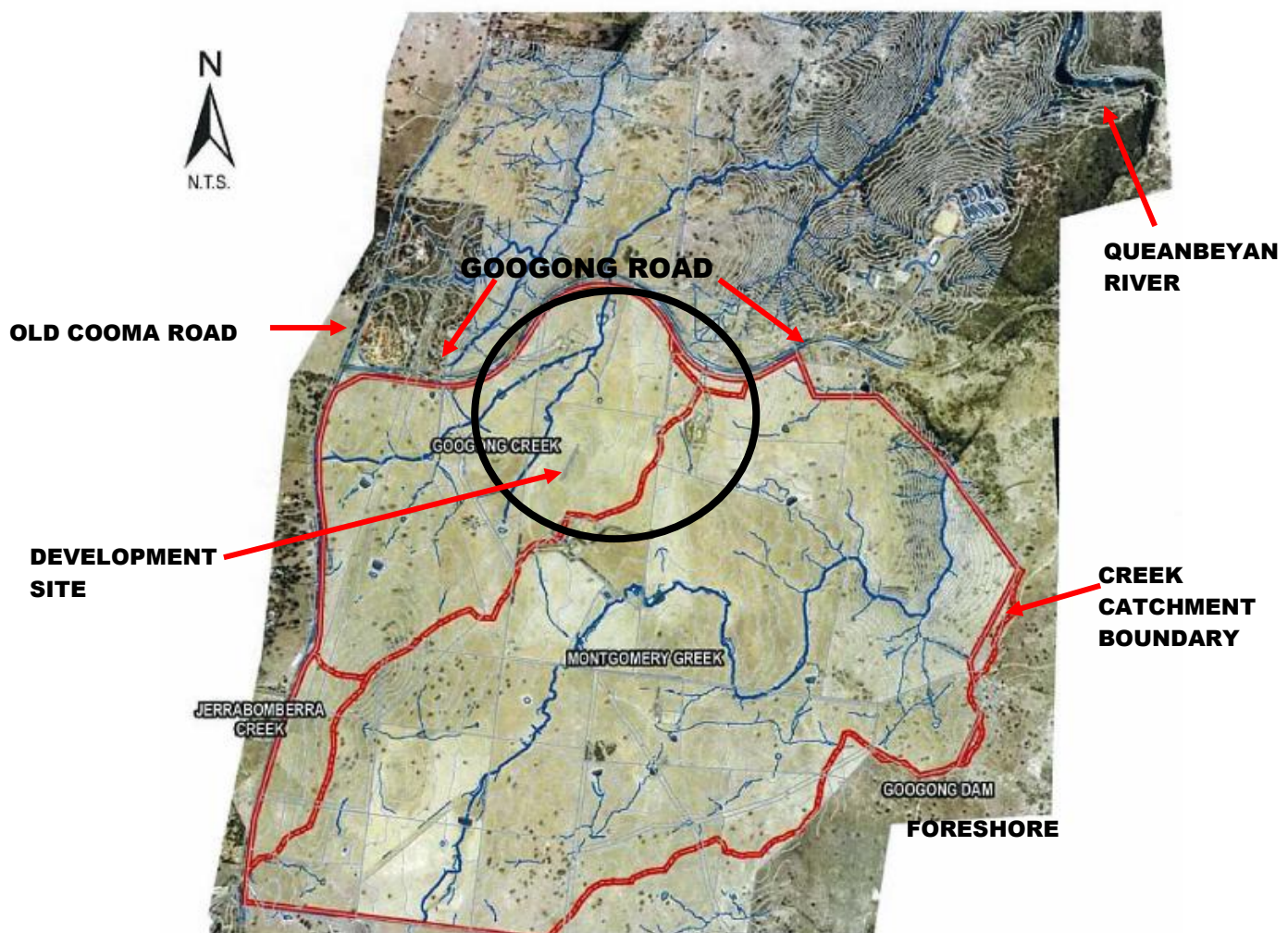


Figure 2 –Aerial Photograph of Site

Proposed Development

The proposal involves the following development:

(i) Initial Re-subdivision

- Lots 12 and 14 DP 1164687, Lot 6 DP 255492, Lot 1 DP 11493299 and Lots 12-15 DP 754881 will be re-subdivided to create the following proposed lots:
 - Lot 1 being the consolidation of the remainder of the Googong Development Corporation land south of Googong Road.
 - Lot 2 being the Googong Stage 1 development lot.
 - Lot 3 being the future public school site.
 - Lot 4 being the water treatment parcel.
 - Lot 5 being the Residue parcel.
- Five (5) lots will be created from the existing eight (8) parcels.
(Refer to *Figure 3 – Plan Showing Proposed Lots 1 – 5*).

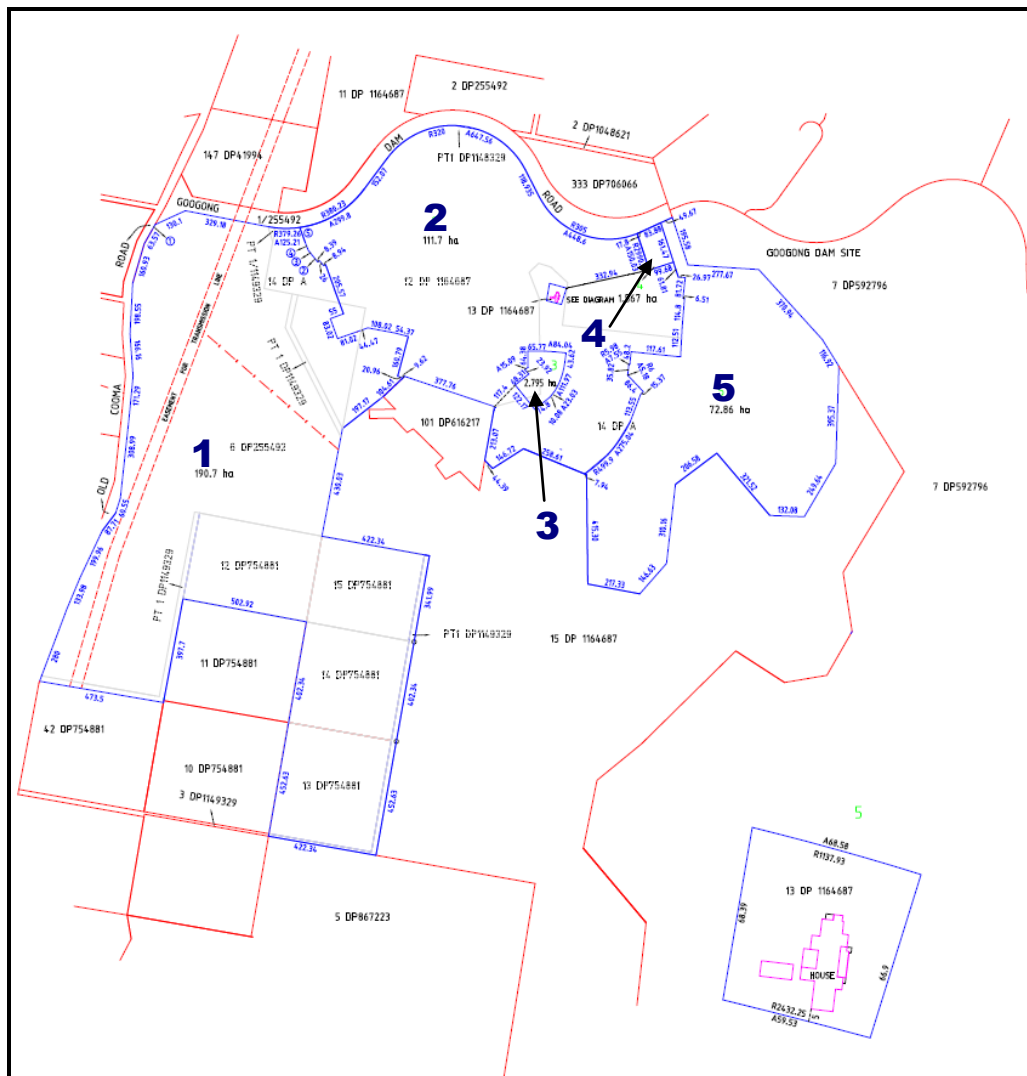


Figure 3 – Plan Showing Proposed Lots 1 – 5

(ii) Stages 1 – 5 Creating 337 Residential Lots

Stage 1 Subdivision

- Proposed Lot 2 is to be further subdivided creating the following:
 - Stage parcels - Lots 175, 177, 178 and 180.
 - Public open space - Lots 173, 174 and 179 to be dedicated.
 - The proposed clubhouse parcel – Lot 181.
 - Residential housing – Lots 101 – 172.
 - A future stage parcel being residue Lot 176.
 - New roads to be dedicated.

(Refer to *Figure 4 – Plan of Stage 1 Subdivision*).

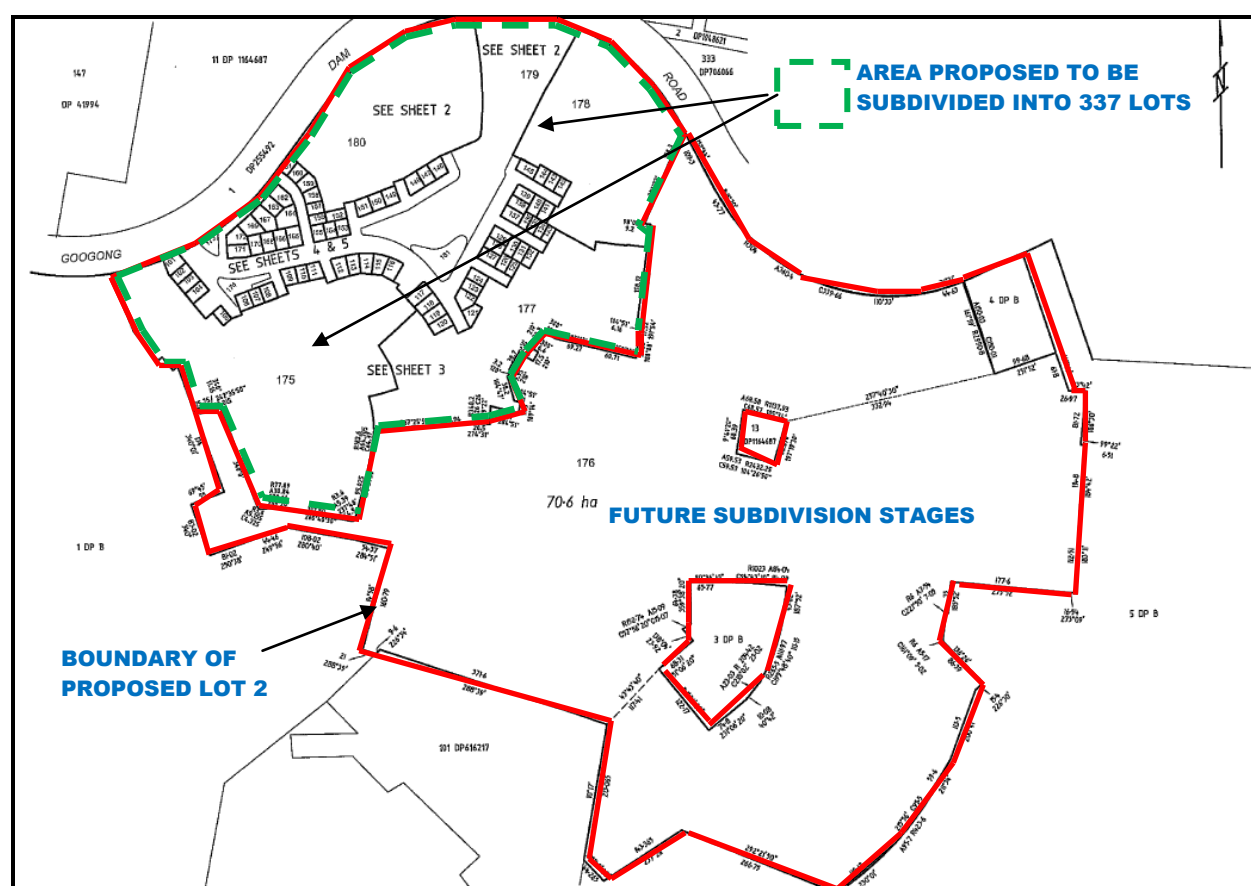


Figure 4 – Stage 1 Plan of Subdivision

Stage 2 Subdivision

- Subdivides proposed Lot 180 into 56 new parcels - Lots 201 – 256 and new roads to be dedicated.

Stage 3 Subdivision

- Subdivides proposed Lot 178 into 62 new parcels – Lots 301 – 362 and new roads to be dedicated.

Stage 4 Subdivision

- Subdivides proposed Lot 177 into 78 new parcels – Lots 401 – 478 and new roads to be dedicated.

Stage 5 Subdivision

- Subdivides proposed Lot 175 into 69 parcels – Lots 501 – 569, a public open space (oval) – Lot 570 and new roads to be dedicated.
(Refer to *Figure 5 – Proposed Staging*).

A total of 337 residential lots are proposed to be created with all stages. The following is a breakdown of lot sizes proposed:

- Creation of 280 lots which are equal to or greater than 468m².
- Creation of 57 lots which are less than 468m².
- The smallest lot is 344m².
- The largest lot is 1,068m².
- The average lot size is approximately 570m².

Construction stages are likely to vary from the stages shown. Lot 176 will be the subject of a further development application for subdivision.

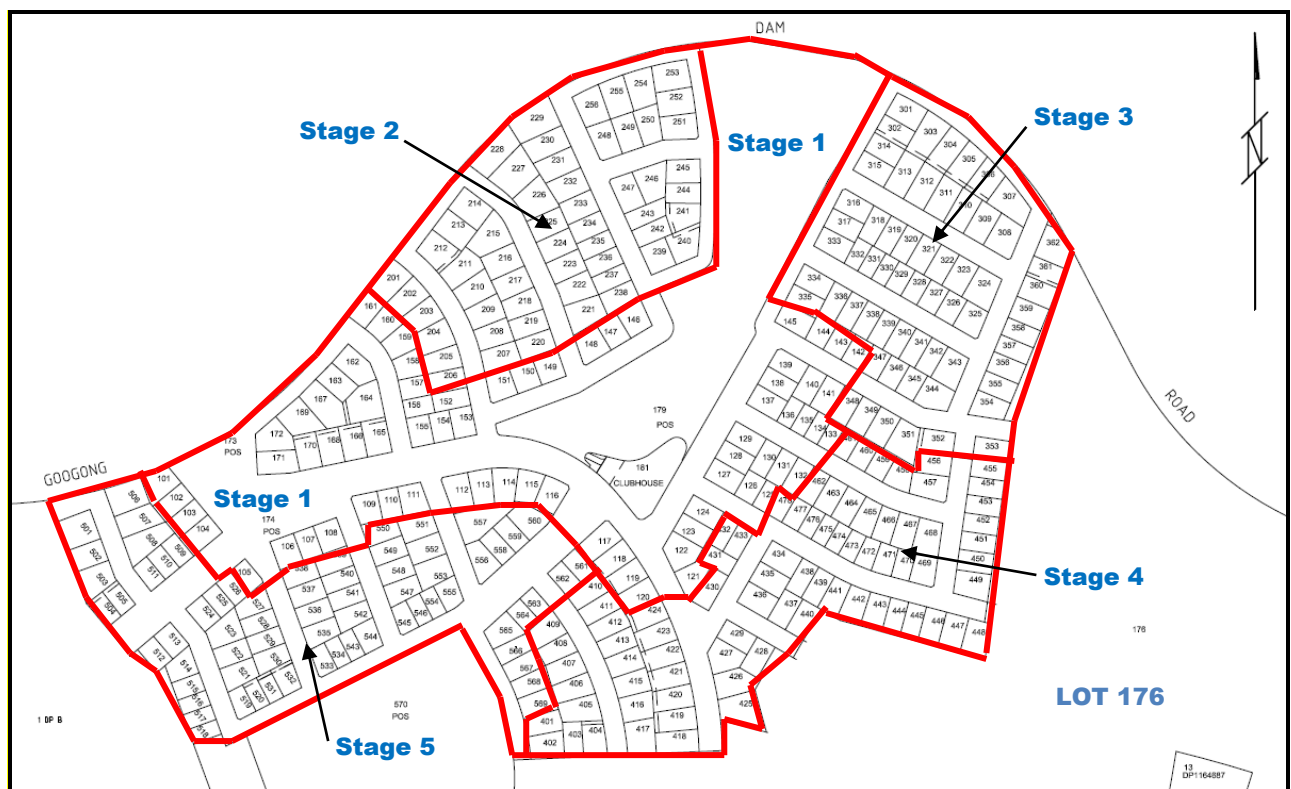


Figure 5 – Proposed Staging of Lots

(iii) **Construction Works**

- Undertake all subdivision works within Stages 1 and 5 (337 residential lots) comprising site preparation and grading, tree removal, utilities augmentation, drainage, road construction and landscaping including the tennis courts and interpretation of the GH14 settlers hut.
- Undertake planting and intersection works on Googong Road.
- Construct and use a temporary construction compound and site access roads.

(iv) **Integrated Water Cycle System**

The Googong township is designed with an Integrated Water Cycle system (IWC), with a dedicated water treatment and recycling plant. A Part 3A approval has been granted by the NSW Planning Assessment Commission relating to potable water, recycled water and sewage system required to serve the township. The Part 3A approval includes approval for Stage 1 of the Googong water cycle project, which is the water cycle infrastructure required for the lots created by this development application.

(v) **Open Space Facilities**

The proposed subdivision will also deliver and dedicate to Council open space:

- Sports field 1 (AFL/International Cricket) and Local Park 1.
- Neighbourhood Park 1.
- Two tennis courts (1 and 2).
- Drainage Reserves.



Figure 6 – Stages 1 - 5 Open Space Facilities

The following reports have accompanied the development application and used throughout the planning assessment:

- Volume 01 - Statement of Environmental Effects prepared by Elton Consulting February 2011.
- Volume 02 – Plans for approval prepared by Elton Consulting February 2011.
- Volume 03 – Supporting documents prepared by Elton Consulting February 2011.
- Applicant's Revision of Plans dated 23 February 2011.
- Applicant's written response to matters raised by the Roads and Traffic Authority and Office of Environment and Heritage dated 4 April 2011.
- Applicant's further amendments to the application dated 15 April 2011.
- Applicant's further amendments to the application dated 16 August 2011.
- Applicant's minor revision to the subdivision staging arrangements dated 15 September 2011.
- Applicant's further amendments to the application dated 2 November 2011 changing the title from a Community Scheme to a Torrens Title Scheme.

Planning Assessment

The following planning instruments have been considered in the planning assessment of the subject Development Application:

- State Environmental Planning Policy No 55 – Remediation of Land.
- State Environmental Planning Policy (Infrastructure) 2007.
- State Environmental Planning Policy (Major Development) 2005.
- Queanbeyan Local Environmental Plan (Googong) 2009.
- Googong Development Control Plan 2010.
- Queanbeyan Development Control Plans Nos 41, 42 and 52.

The development has been assessed in accordance with the matters for consideration under Sections 5A, 5B, 90 and 79C of the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000* as follows:

1. Sections 5A and 5B - Significant effect on threatened species populations or ecological communities or their habitats AND Planning Authorities to have regard to Register of Critical Habitat

Council is required under this section to decide whether there is likely to be a significant effect on threatened species, populations or ecological communities or their habitats. Section 78A(8) specifies a development application must be accompanied by a Species Impact Statement if the development site is part of critical habitat or is likely to significantly affect threatened species, populations or ecological communities or their habitats.

The development application is accompanied by reports "Ecological Assessment – Terrestrial Flora and Fauna" prepared by BIOSIS Research dated July 2009, NHIA Report dated October 2009 and Targeted Surveys for the Golden Sun Moth dated May 2010.

The Executive Summary of the July 2009 reports concluded:

“Flora Surveys

Flora field surveys were conducted during late October 2008 to mid January 2009 using both transects at specific locations, complimented by random meanders, adequately covering the broad study area.

Database searches and review of previous studies indicated the presence of the following Endangered Ecological community (EEC) or its habitat, and threatened species or their habitat in the study area. These are:

- *‘Natural Temperate Grasslands of the Southern Tablelands of NSW and the ACT’ (EEC);*
- *Button Wrinklewort – *Rutidosis leptorrhynchoides*;*
- *Mountain Swainson Pea – *Swainsona recta*;*
- *Silky Swainson Pea – *Swainsona Sericea*;*
- *Hoary Sunray – *Leucochrysum albicans* var. *tricolor*, and*
- *Mauve Burr-daisy – *Calotis glandulosa*.*

No threatened flora species listed for the region, were found in the surveys in the areas likely to be impacted by the subdivision. However, potential habitat does exist for all of the previously listed species (above dot points). The existence of potential habitat for some of the constituent species of the grassland EEC is also recognised in these areas.

Based on the existence of potential habitat, assessments of significance were conducted for the EEC and the threatened species, following the guidelines of the TSC Act and the EPBC Act. The assessment concluded that there would be some loss of potential habitat for the threatened species and some of the constituent species that characterise the EEC.

However, no large clearing of native vegetation is expected in the proposal. The areas to be developed by the subdivision proposal are heavily degraded pasture, largely devoid of native species and are also not extensive.

Therefore, the proposal is not likely to reduce the availability of habitat for any of the species within the degraded pasturelands, roadsides or in the adjacent Commonwealth land. Nor is it likely that the proposal would cause fragmentation or isolation of habitat that might put at risk the occurrence of the threatened species or the EEC, in the local area or in the region.

As a result, a significant impact on these EECs and threatened flora species is unlikely and no further impact assessment is required.

Fauna Surveys

Field surveys were conducted from late October 2008 to January 2009. Surveys focussed on targeted surveys for threatened grassland fauna, including the Golden Sun Moth, Pink-tailed Legless Lizard, Striped Legless Lizard and Grassland Earless Dragon. Targeted surveys were also conducted for threatened birds, mammals (including bats), frogs and Rosenberg’s Goanna.

Fauna recorded in the study area during current surveys include 30 bird species (four introduced), fourteen mammals (three introduced), three amphibians and four reptiles.

One threatened species, the Eastern Bentwing Bat, was recorded in the subject site. The Pink-tailed Legless Lizard was recorded in the study area. A range of threatened species has previously been recorded in the locality and potential habitat is present within the study area for a number of threatened species.

It is unlikely that the proposal would result in a significant impact to any threatened fauna. A further impact assessment is not required on the basis of fauna issues. A range of mitigation measures is proposed to reduce impact of the proposal on biodiversity.

Recommendations

This report recommends several management and mitigating measures that should be implemented to reduce the potential impact of the proposal on native terrestrial flora and fauna.

These can be detailed in a Flora and Fauna Management Plan (FFMP) that should be prepared prior to construction work and implemented to reduce potential impacts upon native species and communities, prior to and during construction, as well as during post-construction rehabilitation.

The FFMP should include weed control measures, guidelines for the removal of hollow-bearing trees, as well as other relevant environmental precautions, such as sediment and erosion control measures.

It is also recommended that further investigations be undertaken to determine the extent of habitat and the presence of Golden Sun Moth within the study area and what action should be undertaken to reduce or prevent any adverse impacts on the species, if it is found to occur.”

BIOSIS was commissioned by the applicant to undertake additional targeted surveys for Golden Sun Moth (GSM) – *Synemon plana*. The report dated May 2010 advises:

“The fauna assessment (2008) identified that the Project would impact upon potential habitat for the Golden Sun Moth and any populations of the species (should it exist on site). As a result, further surveys were undertaken during the 2009 flying season (October to December) to provide detailed mapping of the potential habitat for the Golden Sun Moth and to determine presence/absence of the species

Combined with the 2008 survey, the 2009 surveys provide sufficient evidence as to whether the Golden Sun Moth is present on site. This is based on specialist ecological advice, including from Tess Ward, DEWHA (pers comm., 2009), who confirmed that two consecutive survey seasons would sufficiently determine the presence or absence of the species.

The species (nor its pupae casings) was not found during the 2008 or 2009 survey seasons. It was therefore concluded that the species does not occur within the study area and, due to the existing habitat fragmentation and the biology of the golden sun Moth, the potential habitat within the study area is unlikely to be recolonised naturally by other local populations. Hence, the potential habitat found in the 2008 surveys is not of conservation value for this species.”

Given the findings, conclusions and recommendations of the Ecological Assessments undertaken, the proposal is unlikely to significantly impact on any threatened flora and fauna species and therefore a Species Impact Statement is not required.

The impact amelioration recommendations from the ecological study will need to be implemented as conditions of approval in particular the preparation of a Flora and Fauna Management Plan to be implemented during pre-construction, construction and post construction phases.

The Australian Government Department of Sustainability, Environment, Water, Population and Communities have advised a referral was made by Googong Development Corporation for the development of Googong township, urban development works and the Googong Township Water Cycle Project.

The Department advised the proposal is a controlled action and that the overall Googong township project requires assessment and approval under the *Environment Protection and Biodiversity Conservation Act 1999* before it can proceed.

The proposal area contains known habitat for the Pink-tailed Worm-lizard (*Aprasia parapulchella*) and is immediately adjacent to a population of Hoary Sunray (*Leucochrysum albicans* var. *tricolor*). The proposal area is immediately adjacent to Commonwealth land which also contains listed threatened species and communities, including the Pink-tailed Worm-lizard, Hoary Sunray, Pale Pomaderris (*Pomaderris pallida*), Button Wrinklewort (*Rutidosia leptorhynchoides*), Natural Temperate Grassland of the Southern Tablelands of New South Wales and the Australian Capital Territory, and White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland. The proposal was determined a controlled action due to likely impacts on listed threatened species and ecological communities and actions impacting on Commonwealth land.

The Department approved the controlled action on 19 May 2011 to allow development of the Googong township subdivision, urban development works and Water Cycle Project.

The Department's approval required the development of a Pink-tailed Worm-lizard Protection and Management Plan to be approved by the Federal Minister. A final draft Management Plan was completed and placed on exhibition during October 2011. This plan incorporates details of protection and management requirements of the Commonwealth Department of Sustainability, Environment, Water, Population and Communities. It provides details of the establishment of the Pink-tailed Worm-lizard Conservation Area and provide for its ongoing management before and after the conservation area's dedication to Queanbeyan City Council or other appropriate authority. This plan also provides details of legal mechanisms to protect the conservation area in perpetuity.

The Department's approval further required the development of a Googong Foreshores Interface Management Strategy be approved by the Federal Minister and incorporate details of Googong Development Corporation's proposed mitigation measures for the protection of the Hoary Sunray. That strategy will provide for the ongoing protection of Hoary Sunray populations during and after construction.

Googong Foreshores is Commonwealth land, leased to the Australian Capital Territory and New South Wales Governments by the Commonwealth Department of Finance and Deregulation as part of the Queanbeyan Water Supply Agreement. Googong Foreshores is managed by the Australian Capital Territory Department of Territory and Municipal Services.

The subdivision of Googong township is entirely outside of Googong Foreshores, however components of the Water Cycle Project will be constructed on Commonwealth land immediately adjacent to the existing ACTEW Googong Water Treatment Plant site.

The Department has recommended that the development of a Googong Foreshores Interface Management Strategy, incorporating details of the Googong Development Corporation's proposed mitigation measures and financial commitments for the protection of Commonwealth land, be approved by the Federal Minister.

The Department has advised Council in writing the above conditions of their controlled action approval will not affect the development site Stages 1 – 5, the subject of this development application.

2. Section 79C(1)(a)(i) – Any Environmental Planning Instrument

(a) State Environmental Planning Policy No 55 – Remediation of Land

The objectives of SEPP 55 are:

- To provide for a state wide planning approach to the remediation of contaminated land.
- 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.

Pursuant to the above SEPP, Council must consider:

- Whether the land is contaminated.
- If the land is contaminated, whether it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the proposed use.

A Contamination Survey prepared by Agsol Pty Ltd, August 2009 carried out for Stages 1-5 concluded that the general grazing land within this neighbourhood is not contaminated and development can proceed without any remediation. Areas of concern have been identified over adjoining lands. These areas will need to be further examined with the next development application for urban release over proposed Lot 176.

(b) State Environmental Planning Policy (Infrastructure) 2001

State Environmental Planning Policy (Infrastructure) 2007 provides for consultation with relevant public authorities about certain development during the assessment process.

Clause 104 of the SEPP provides for traffic generating development and provides in part as:

“104 – Traffic-generating development

(1) This clause applies to development specified in Column 1 of the Table to Schedule 3 that involves:

- (a) New premises of the relevant size or capacity, or*
- (b) An enlargement or extension of existing premises, being an alteration or addition of the relevant size or capacity.*

Subdivision of 200 or more allotments where the subdivision includes the opening of a public road and involves access to any road requires referral to the RTA.

Council received advice on the proposed development from the RTA. The issues raised by the Regional Development Committee have been satisfied. (Refer to Pages 41 and 42).

(c) State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy (Major Development) 2005 identifies development for which Joint Regional Planning Panels are to exercise specified consent authority functions.

The capital investment value (CIV) of the proposed development is \$34m. Given that the proposed development comprises more than 250 lots it is to be determined by the Joint Regional Planning Panel – Southern Region pursuant to Part 3 – Regional Development of the State Environmental Planning Policy (Major Development) 2005.

(d) Queanbeyan Local Environmental Plan (Googong) 2009

Part 1 Preliminary

Aims of the Plan

The aims of the plan relevant to the proposal are:

- (a) to facilitate the orderly growth of the urban release area in Googong in a staged manner that promotes a high level of residential amenity and the timely provision of physical and social infrastructure through appropriate phasing of the development of land.
- (b) to identify, protect and manage environmentally and culturally sensitive areas within Googong including but not limited to waterways and riparian corridors, habitat corridors, native vegetation and associated buffers, and heritage items.
- (c) To provide appropriate residential densities and a range of housing opportunities consistent with the environmental capacity of the land.

It is considered the proposal is consistent with the above aims. It enables orderly land release in a staged manner, promoting good residential amenity and timely provision of physical and social infrastructure. The proposal identifies, protects and manages environmentally and culturally sensitive areas and provides appropriate residential densities and potential for a range of housing opportunities.

Part 2 – Permitted or Prohibited Development

Zone Objectives and the Landuse Table

Clause 2.3 requires the consent authority to have regard to the objectives for the development in a zone when determining a development application.

Objectives of the Zone

The land is zoned R1 – General Residential. The relevant objectives of the zone are:

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provides facilities or services to meet the day to day needs of residents.
- To ensure development conforms to the principles of sustainable development.

The development provides for housing needs of the Queanbeyan community through provision of much needed lot releases, the varying lot sizes will provide for a variety of housing types and densities, community facilities will be provided by way of a community clubhouse including kiosk, sports field, local park and neighbourhood park. The development conforms to principles of sustainable development by incorporating recycled water infrastructure to reduce demands on potable water supply, satisfactory solar orientation and minimal environmental impacts.

Subdivision Consent Requirements

Clause 2.6 specifies land may only be subdivided with consent.

Part 4 – Principal Development Standards

Minimum Subdivision Lot Size

Clause 4.1 specifies a number of objectives to be satisfied and that the proposed lots comply with the Lot Size Map being 330m². The minimum lot size proposed in the development is 344m². The subdivision has been assessed against the objectives. The proposal has had due regard to the environmental constraints on the land, the safety and functions of main roads is not compromised, lot sizes and dimensions are appropriate for siting of structures, the lots can be adequately serviced and the proposal is compatible with the desired future character of the locality.

Part 5 – Miscellaneous Provisions

Preservation of Trees or Vegetation

Clause 5.9 specifies the objective of this clause is to preserve the amenity of the area through the preservation of trees and other vegetation. The clause provisions only apply where the kinds of trees or other vegetation are identified by a development control plan. The Googong Development Control Plan does not prescribe kinds of trees or other vegetation.

Most of the development site is grazing land. There are only occasional eucalypt trees and tree clumps scattered throughout the site. The tree quality of the site is poor.

High quality trees identified in the Tree Assessment Report will be preserved where appropriate. All other scattered vegetation is proposed to be removed.

Heritage Conservation

Clause 5.10 - objectives of this clause relevant to the proposal are:

- (a) to conserve the environmental heritage of Googong.
- (b) to conserve archaeological sites.
- (c) to conserve places of Aboriginal heritage significance.

Heritage items, heritage conservation areas and archaeological sites are shown on the Local Environmental Plan Heritage Map. None of these sites impact on the proposal.

Clause 5.10(7) requires the consent authority, before granting consent, to carry out development on an archaeological site to:

- (a) notify the Heritage Council of its intention to grant consent, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

The proposal seeks to relocate the 'Hut site and plough lands' being an archaeological site containing the remains of a small rubble fireplace part of a demolished dwelling probably built in the 1860s. The site has moderate heritage significance and fulfils criteria for local and State listing. An Archaeological Report prepared by Navin Officer Heritage Consultants, February 2009 concluded that this activity falls under Section 139(1) of the *Heritage Act 1977* and requires a permit under Section 140 of the *Heritage Act 1977*.

The NSW Government Heritage Council granted an Excavation Permit – 2008/5140/04 to the applicant on 13 May 2010 enabling an archaeological salvage excavation of this locally significant site. A complete excavation of this site will be carried out (including the fireplace and an area to determine the extent of the house) and relocate defined elements of the site GH14 Heritage Interpretation Site (for example a reconstructed and defined fireplace) to a new location within nearby open space. A curtilage will be established around it and permanent boundary fencing and the erection of site interpretation signage.



G14 Excavation Site



G14 Heritage Interpretation Location Site

The Office of Environment and Heritage further advised on 28 April 2011 that the Report by Navin Officer lacked specific detail regarding the proposed excavation treatments and maintenance regime. They advised that once the excavation has taken place the document should be rewritten to provide the necessary details.

They also advised the heritage display will not be protected from vandalism. They will address this matter further when the applicant submits their final conservation plan following completion of excavation. The submission of a conservation plan is a requirement of their excavation permit.

Clause 5.10(8) requires the consent authority, before granting consent, to carry out development in a place of Aboriginal heritage significance to:

- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place, and
- (b) notify the local Aboriginal communities (in such way as it thinks appropriate) about the application and take into consideration any response received within 28 days after the notice is sent.

A number of Aboriginal objects have been identified within the development site by an Aboriginal Archaeological Report prepared by Navin Officer Heritage consultants, February 2010. An Aboriginal Heritage Impact Permit (AHIP) No: 1116438 AHIMS No: 3299 has been issued to the applicants by NSW Government Office of Environment and Heritage (formerly Department of Environment, Climate Change and Water) dated 13 July 2010. A permit has been issued to disturb or move on the land Aboriginal objects identified in the AHIP. The permit has been issued pursuant to Section 87 of the *National Parks and Wildlife Act 1974*.

The Office of Environment and Heritage (OEH) further advise there are another 17 recorded Aboriginal sites elsewhere within the Googong New Town development area (outside Stages 1-5) for which no AHIP has been issued by OEH. An AHIP must be obtained by the proponent before any of these Aboriginal objects can be harmed. Further archaeological assessment of eight of the 17 sites is required before OEH can determine whether a AHIP should be issued.

The AHIP for the development of Stages 1-5 enables the development to proceed under the *National Parks and Wildlife Act 1974* subject to a number of conditions. The general terms of approval issued by OEH form part of Council's conditions of consent.

Part 6 – Urban Release Areas

Arrangements for Designated State and Territory Public Infrastructure

The Clause 6.1 objective requires satisfactory arrangements to be made for the provision of designated State and Territory public infrastructure before the subdivision of land in an urban release area. The Director General's Certificate – Satisfactory Arrangements for designated State and Territory Public Infrastructure was issued on 10 November 2011.

Public Utility Infrastructure

Clause 6.2 requires that development consent must not be granted for development on land in an urban release area unless Council is satisfied that any public utility infrastructure that is essential for the development is available or that adequate arrangements have been made to make that infrastructure available when it is required.

Council's Senior Engineer Development advises:

The subject application is the first subdivision release area of the Googong development and is a greenfield site. The development will require the provision of service infrastructure and roads as discussed below -

Water

The development is remote from the existing Queanbeyan water supply network. The developer has submitted a Part 3A application to DOP for the construction of lead-in water supply and sewerage infrastructure. For this release area potable water supply this will comprise –

- *an off take on the Googong – Stromlo water supply trunk main near the Googong water treatment plant;*
- *the provision of a trunk rising main from the offtake to a temporary potable water reservoir site (Hill 765) adjacent Old Cooma Road south of Googong Road,*
- *a temporary potable water reservoir at Hill 765; and*
- *a trunk gravity fed water main from the reservoir site to the Stage 1 supply point near the Day 1 entry.*

The Part 3A Googong Water Cycle Project was approved on 24 November 2011. Servicing of this DA is dependent on this lead in infrastructure.

The temporary reservoir site is proposed to service an equivalent population of 3,600 and therefore is capable of supplying the entire Stage 1 area.

The reticulation within the subdivision itself forms part of this DA. The draft engineering plans submitted as part of the DA information provide a network and accompanying analysis for a typical standard looped system comprising 150 mm / 100 mm diameter mains with service connections to all lots. The layout is based on design demand assumptions previously discussed with Council staff, Water Services Association of Australia (WSAA) codes and Council's adopted engineering standards for Googong. The design is considered satisfactory, subject to full design detail being provided as part of the Construction Certificate – Subdivision. Temporary end caps with associated hydrants and stop valves will be provided where mains will be extended in future subdivisions. Stub mains will also be provided to service future subdivisions on the north side of Googong Road.

Sewer

Similar to water supply, the development site is remote from the Queanbeyan sewerage network and the developer's Part 3A Water Cycle Project provides for the following –

- *installation of a standalone sewer treatment plant (STP),*
- *installation of sewer pump stations (SPSs), and*
- *installation of sewer rising mains.*

The subdivision release will be dependent on the provision of the STP, SPS1 and a rising main. In the initial stages of the development there will not be sufficient effluent produced to operate the STP, such that the effluent will need to be collected at SPS1 and transferred to tanker trucks for discharge at an approved disposal location.

The reticulation within the subdivision itself forms part of this DA and will comprise a gravity sewer system to provide individual service connections (junctions) to each proposed lot. The system proposed is a Reduced Infiltration Sewerage System (RISS) utilising either polypropylene (PP) or polyethylene (PE) pipe and fittings that will be compliant WSAA codes and with Council's adopted engineering standards for Googong.

Non-Drinking Water Supply

The applicant's water cycle management strategy is in part dependent on the installation of a non-potable (recycled) water supply, where treated sewer effluent is provided to each lot via a separate water supply network to the potable drinking water. To achieve this aim the developer's Part 3A Water Cycle Project provides for the following –

- *the STP to be capable of supplying effluent to a standard suitable for reuse,*
- *the provision of a trunk rising main from the STP to a temporary non-drinking water reservoir site (also to be located at Hill 765),*
- *the temporary non-drinking water reservoir; and*
- *a trunk gravity fed non-drinking water main from the above reservoir to the Stage 1 supply point near the Day 1 entry.*

Servicing of the proposed non-drinking water network in this DA is similarly dependent on this lead in infrastructure forming part of the Part 3A approval.

The non-drinking water reticulation within the subdivision itself forms part of this DA. The draft engineering plans submitted as part of the DA information provide a network and accompanying analysis for a typical standard looped system comprising 200 mm /150 mm / 100 mm diameter mains with service connections to all lots. The layout is based on design demand assumptions previously discussed with Council staff, Water Services Association of Australia (WSAA) codes and Council's adopted engineering standards for Googong. The design is considered satisfactory, subject to full design detail being provided as part of the Construction Certificate – Subdivision. Temporary end caps with associated hydrants and stop valves will be provided where mains will be extended in future subdivisions. Stub mains will also be provided to service future subdivisions on the north side of Googong Road. The mains and the service connections will be labelled in accordance with WSAA standards to delineate them from the potable supply. Fire fighting requirements will be met utilising the non-drinking water reticulation.

In the initial Stage 1 (up to 150 EP) the STP will not be operational, hence potable water will need to be supplied to the non-drinking water reservoir. An air gap will be provided at the supply point to ensure there is no cross-connection to the drinking water supply.

Once the STP commences operation there will still be insufficient non-drinking water produced to supply the non-drinking water network until 1,000 EP is reached (this will occur in Stage 2). Therefore, for Stage 1 the STP effluent will initially be transported by tanker to an approved effluent disposal facility but once the STP discharge quality is analysed and meets non-drinking water requirements, then it will be pumped to Stormwater Basin 1 for use as irrigation supply. Once erection of dwellings on Stage 2 has been completed the non-drinking water supply to dwellings will become operational.

Stormwater

The stormwater system will be a major/minor system, in accordance with the submitted Stormwater Management and Drainage Analysis design report and the Googong Creek Catchment Stormwater Strategy report prepared for the development site. Pipework will accept the minor flows and overland flow will take place in road and reserve areas. Stormwater detention and peak flow attenuation will be achieved by the establishment of stormwater detention basins along Googong Creek within the

development site. Together with on-site detention facilities (rain water tanks etc) discharge north of Googong Road will be reduced. An outlet structure will be provided adjacent the existing twin 1650 mm culverts that pass under Googong Road. The existing culverts will need to be inspected and analysed to confirm their remaining asset life is acceptable.

The basins will also form part of the water quality treatment train that also includes other Water Sensitive Urban Design (WSUD) devices such as GPTs, bioretention basins, ponds and swales. In keeping with discussions with the applicant, WSUD has been applied at suitable locations, such as adjacent reserves and in the central swale of avenues. In most streets traditional kerb and gutter and pipe drainage will be utilised, with rain gardens utilised at a small number of appropriate locations in conjunction with street tree planting.

The treatment train has been modelled using Model for Urban Stormwater Improvement Conceptualisation (MUSIC) model, which is a program recognised as being appropriate for this purpose. The MUSIC model results indicate that the proposed treatment train will provide reductions in pollutant loads in keeping with the requirements of Council's adopted Googong Engineering Specifications. A surface water quality modelling program is proposed during the construction period to ensure predicted levels of capture are achieved.

Irrigation Strategy

The irrigation strategy report accompanying the DA indicates that future irrigation needs of parks and reserves will generally be satisfied by the non-drinking water supply. However, this supply will need to be supplemented by raw water supplied from dams on the site and/or potable water supply. This will particularly be the case in Stage 1, where initially the non-drinking water supply will not be operational. For Stage 1 the basin in the mini-common adjacent Googong Road will be the primary irrigation source, with supply being able to be drawn down to the permanent pond level. A permanent supply line is proposed from the basin to Sportsfield 1 and a temporary supply line is proposed adjacent Googong Road to a future park in NH1B.

A temporary supply line is also proposed from an existing dam on Montgomery Creek (near the NH1B/NH5 boundary) to discharge into the creek line above Sportsfield 1. The irrigation strategy is supported in principle but will require detail in regard to pipe sizes, pumps, alignment, management and operation period as part of the CC application

Road Network

The development is situated on the south side of Googong Dam Road and it is proposed that the access point to this road will be Street 4 at a location depicted as the Day 1 Entry, on the south side of the road approximately 700m east of the Old Cooma Road intersection. Googong Road was recently transferred from the Commonwealth to Council and has been opened as a public road.

The intersection will be located at a site that has Safe Intersection Sight Distance (SISD) for an 80 kph design speed on Googong Road. The applicant proposes the construction of an auxiliary right turn (AUR) for traffic travelling east. This is requested on the basis that the main traffic flow will be towards Old Cooma Road in the a.m. peak, with little traffic turning into Street 4 or right out of Street 4. Similarly, in the p.m. peak the right turn into Street 4 will be the predominant movement in Stage 1 and in the future the other main movement will be straight on to the Eastern Access.

The applicant proposes no change to the intersection arrangements at the Googong Road / Old Cooma Road intersection on the basis that the intersection has adequate capacity and SISD for the Stage 1 development.

The proposed access arrangements were considered by the Regional Development Committee at its meeting of 9/03/11 and it was recommended that the developer provide a traffic analysis of the intersections. Such analysis has been undertaken using SIDRA and the modelling results confirm that the intersections will perform satisfactorily for the Stage 1 development.

Street 4 will act as the collector road for the Stage 1 subdivision and will continue in this capacity for future subdivision stages until other road links are provided, initially the Eastern Access and then access via roads leading toward the town centre. All other streets in the Release 1 development will be local streets with low to moderate traffic volumes.

The Googong DCP adopts various street types for the development area, with pavement widths and verge widths dependent on traffic volumes, pedestrian use and services. The applicant has requested street widths as discussed in the following assessment –

Street 4 from Googong Dam Road to ST20 the road is proposed to have the street form of an avenue. The avenue is consistent with the adopted Local Street Boulevard. Streets ST2 / ST3, part of ST20 / ST21 will form similar avenues. These avenues will need to be signposted to enforce the one-way movement of traffic.

Street 4 south of Street 20 will revert to a two way street. Googong DCP provides for a travel lane width of 7.0m for such a road when used as a bus route. The applicant has requested a 6.5m lane width at this location, which is supported.

All other streets with lot frontages each side will be Local Streets that Googong DCP specifies an 8.0m wide carriageway. The applicant has submitted preliminary plans with 7.5m wide carriageway and has further requested reduction to 7.2m. The reduction in width to 7.5m is considered acceptable.

Streets with lot frontage on one side only are termed Open Space Drives in Googong DCP. DR1 is requested to be reduced in carriageway width from 8.0m to 7.5m while DR2 streets are proposed as 6.0m width in accordance with the DCP.

Discussions with the applicant have been held on the variation requests and are supported in this low density area comprising Development Types 1 and 2 with moderate traffic volumes. The lesser widths will reduce construction cost for the developer but will also reduce maintenance costs for Council while still maintaining appropriate road safety standards.

Access to Lots 101-103 will be via a shared driveway to Street 12. Similarly, access to Lots 107-108 will be via a shared driveway off Street 13. These shared driveways have been commonly used in subdivisions in Queanbeyan in recent years but a number of maintenance issues have led to their curtailment on a broad scale. The two locations proposed are considered suitable and will require construction in concrete and/or vehicular class pavers. Since garbage trucks will not enter these driveways due to their limited turn facility, garbage bin pad will be required adjacent the driveways' intersection with the street.

Street 4, Street 20 & Street 21 will provide a bus route in the Stage 1 subdivision.

Pathways / Cycleways

Googong DCP adopted an indicative bicycle path / major path network. For Stages 1 & 2 a 2.0m wide key path should be provided in Street 4, Street 20 and Street 21. A 2.5m wide shared path is required around the perimeter of the neighbourhood park (mini-common) and Sportsfield 1. A 1.5m wide path will be provided on one side of all other streets. There are no dedicated on-road cycle lanes within Stage 1.

Access

All residential lots will have non-trafficable slope face kerb along their frontage except at the driveway locations where vehicle kerb crossings (VKCs) will be provided as part of the subdivision works. The applicant will need to prepare a plan for submission with the CC to ensure that the VKCs are located in their correct location. This will avoid requests for their subsequent relocation to suit an alternative house design.

Emergency Access

The bushfire assessment report accompanying the DA recommends the provision of an emergency access to Old Cooma Road. RTA has advised no objection to the establishment of a rural property access on Old Cooma Road that will be ultimately closed once other road links are provided in the future development. The emergency access road would generally follow the alignment of future Street 2 and can exit to Old Cooma Road at the same location as the proposed access to the temporary water reservoir sites.

Utilities

The applicant has indicated that arrangements are in place for the supply of natural gas, electricity and telecommunication services. Natural gas supply will be an extension of the current Queanbeyan network, utilising a shared services trench to be established in conjunction with the upgrade of Old Cooma Road, to provide a supply line capable of servicing the entire Googong development. Similarly, telecommunications supply will be extended from Queanbeyan utilising the same service trench.

Existing electricity overhead supply lines will be diverted, with all electricity supply in the development to be underground. Street lighting shall be provided in accordance with AS/NZS 1158 and shall utilise best practice energy efficient globes approved by Integral Energy.

Development Control Plan

The Clause 6.3 objective is to ensure the development on land in an urban release area occurs in a logical and cost effective manner, in accordance with a staging plan and only after a development control plan that includes specific controls has been prepared for the land.

Development consent must not be granted for development on land in an urban release area unless a development control plan that provides for matters specified in the clause has been prepared. Googong Development Control Plan 2010 came into effect on 10 November 2010. Refer to the Development Control section of this Report for further commentary.

Part 7 – Additional Local Provisions

Earthworks

Clause 7 relevant objective is:

- (a) to ensure that any earthworks will not have a detrimental impact on environmental functions and processes, neighbouring uses or heritage items and features of the surrounding land.

Earthworks will be associated with site preparation and grading, infrastructure and community facility construction works. Proposed site preparation and earthworks are detailed in a Geotechnical Assessment prepared by Brown Consulting (ACT) Pty Ltd, August 2009.

Before granting development consent for earthworks the consent authority must consider the following matters:

- (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality.
- (b) the effect of the proposed development on the likely future use or redevelopment of the land.
- (c) the quality of the fill or of the soil to be excavated, or both.
- (d) the effect of the proposed development on the existing and likely amenity of adjoining properties.
- (e) the source of any fill material or the destination of any excavated material.
- (f) the likelihood of disturbing Aboriginal objects or other relics.
- (g) proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.

Having regard to the above:

- (a) slopes are between 5-10% and the proposed site preparation and earthworks will not have an adverse impact on soil stability.
A Stormwater Management and Drainage Analysis prepared by Brown Consulting, March 2010 advises hydrological and hydraulic modelling shows the proposed subdivision and supporting roads can be constructed meeting Council and Government Agency requirements for stormwater quantity and quality management. Conditions of consent will ensure protection of drainage patterns.
- (b) the proposal is in keeping with the identified future urban use of the land.
- (c) the quality of the fill or the soil to be excavated has been identified by the Geotechnical Consultant as satisfactory. The recommendations of the Report will need to be adhered to and will form a condition of consent.
- (d) the site works are unlikely to impact on the existing and likely amenity of adjoining rural properties.
- (e) the source or destination of any fill material will need to be considered at the final engineering design stage.
- (f) the site works will disturb existing Aboriginal objects. Refer to previous commentary on this matter (pages 18 and 19).

- (g) groundwater was not encountered during the field investigations by Brown Consulting. As stated above the Brown consulting Stormwater Management and Drainage Analysis Report advises the development can meet standard stormwater quantity and quality management guidelines to ensure no adverse impacts will occur on any watercourse, drinking water catchment or environmentally sensitive area.

Having regard to the above requirement, the earthworks will not have any detrimental impact on environmental functions and processes, neighbouring uses or heritage items and features of the surrounding land.

3. Section 79C(1)(a)(ii) – Any Draft Environmental Planning Instruments

No draft environmental planning instruments apply to the site.

4. Section 79C(1)(a)(iii) – Any Development Control Plan

Googong Development Control Plan 2010 (DCP) applies to the development. The purpose of this DCP is to provide background objectives and controls, and design criteria to achieve desirable development outcomes in line with Council's vision for the new town of Googong. The following specific controls have been considered in detail in the assessment:

RELEVANT STANDARDS	COMMENTS
<i>Clause 3.0 – The Master Plan</i>	
<p>Controls</p> <p>Development is to be generally in accordance with the Master Plan and other controls in this DCP.</p> <p>A variation to the Master Plan must demonstrate that it is consistent with the vision and the applicable objectives of this DCP and can only be amended as part of a neighbourhood structure plan.</p> <p>Staged Release of Land</p> <p>It is recommended that the land be generally developed in accordance with the sequence recommended in the Googong Urban Release Staging Plan. That is:</p> <ul style="list-style-type: none"> • Stages 1-5 being the first five stages 	<p>The development is consistent with the neighbourhood structure plan in the DCP</p> <p>The development satisfies the sequence of the Googong Urban Release staging plan.</p>
<i>Clause 4.0 - Subdivision Controls</i>	
<p>4.1 – General Objectives</p> <p>(a) Create a legible subdivision pattern that maximises the 'sense of neighbourhood' and promotes walking and cycling over private car uses.</p> <p>(b) To set up a neighbourhood pattern that utilises the residential development areas efficiently, optimises the natural attributes of the site and clearly defines and reinforces the public domain.</p>	<ul style="list-style-type: none"> ▪ The subdivision pattern creates a 'sense of neighbourhood' and promotes walking and cycling. ▪ The neighbourhood pattern utilises the residential development areas efficiently, promotes natural attributes and clearly defines public domain. ▪ Lots are oriented to achieve views.

<p>(c) Optimise views and the amenity of residential allotments in regards to views, solar access and proximity to community facilities, open space and public transport</p> <p>(d) Ensure each neighbourhood within the township has a range of densities and housing choices to cater for the various needs of the community</p> <p>(e) Provide good solar access opportunities for future dwellings and residents and ensure that the lot layout responds to and optimizes solar access.</p>	<ul style="list-style-type: none"> ▪ Orientation of lots achieves good solar access. ▪ Residential precincts are in good proximity to services and community facilities. ▪ A variety of lot sizes are proposed to provide choice of densities and housing choice. ▪ A 70% target is achieved for lots with preferred orientation.
<p>General Controls</p> <p>I. Subdivision design shall be generally in accordance with the Neighbourhood Structure Plan.</p> <p>II. Subdivision lot sizes shall comply with the minimum lot sizes as specified in the GLEP (refer to GLEP Lot Size Map).</p> <p>III. Neighbourhoods are to be centred on a focal point of a town or neighbourhood centre with retail, commercial or community facilities that are generally within a 5 – 10 minute walk from all dwellings..</p> <p>IV. Neighbourhood pattern is to create a legible and permeable street hierarchy that responds to the natural site topography, the location of existing significant trees and solar design principles.</p> <p>V. Pedestrian and bicycle connectivity within each residential neighbourhood is to be provided between the residential areas and public open space areas, public transport nodes, education and community / recreation facilities.</p> <p>VI. Street blocks are to be generally a maximum of 250m long by 70m wide. Block lengths and widths in excess of 250m may be considered by council where connectivity objectives are achieved.</p> <p>VII. Each new allotment has sufficient building area on it, being land with a slope of less than 20%.</p>	<ul style="list-style-type: none"> ▪ Design is in accordance with neighbourhood structure plan. ▪ The GLEP minimum lot size is 330m². Proposed minimum is 337m². ▪ A Neighbourhood Centre is proposed at a future stage to service daily needs of residents within easy walking distance. ▪ A satisfactory street hierarchy is proposed responding to topography and maximising solar access to lots. ▪ All streets are designed for cyclists and pedestrians that link to bus stops, school community facilities and public reserves. ▪ Street block dimensions are generally satisfied. ▪ All lots are designed with slopes less 20%.
<p>4.2 - Lot Orientation</p> <p>I. A minimum of 70% of lots in each neighbourhood are to achieve solar efficiency.</p> <p>II. Consideration should be given to different lot dimensions depending on the lot orientation.</p> <p>III. Lot orientation, size and dimensions should enable dwellings to be generally sited either on an N-S or E-W orientation.</p> <p>IV. Allowances are to be made for different lot depths and widths, depending on orientation, which may also result in increased variety to the streetscape</p>	<ul style="list-style-type: none"> ▪ Orientation of lots achieves target. ▪ Varying lot dimensions are provided. ▪ Lot orientation, size and dimensions generally in N-S or E-W orientation. ▪ Different lot depths and widths are provided to increase streetscape variety. ▪ Wider lots generally provided for E-W oriented lots. ▪ Shorter depth lots generally sited N-S on north side of streets and deeper allotments sited N-S south side street generally provided. ▪ Shorter depth N-S oriented lots are generally

<p>frontage pattern.</p> <p>V. Where E-W oriented lots are proposed lots should be wider to support solar access.</p> <p>VI. Design for deeper N-S lots on the southern side of roads, particularly if two storey dwellings are envisaged, to allow for solar access to private open space at the rear.</p> <p>VII. N-S oriented lots on the northern side of an E-W road can be less deep than N-S lots on the southern side of the same road. A wider southern lot allows for a central courtyard, which may gain greater solar penetration.</p>	<p>provided on the north side of E-W roads.</p>
<p>Lot Size and Layout Objectives</p> <p>(a) Encourage a variety of lot sizes across the site to promote housing choice and create varied streetscapes.</p> <p>(b) Smaller lot sizes are to be located within easy walking distance of a neighbourhood centre or the town centre.</p> <p>(c) Promote generally rectangular street blocks and lots to maximise efficiency.</p>	<ul style="list-style-type: none"> ▪ Variety of lot sizes provided (344m² – 1068m²) ▪ Smaller lots will be located closer to the Neighbourhood Centre for future stages. ▪ The street pattern is generally of rectangular street blocks.
<p>Lot Size and Layout Controls</p> <p>I. Minimum lot size is to be in accordance with the GLEP Lot Size Map and the lot dimensions are to be in accordance with the Table below.</p> <p>II. Residential lot size must be capable of accommodating a dwelling, private open space and at least one under cover car parking space.</p> <p>III. Lot size and layout are to take into account the slope of the land, any environmental constraints and any significant natural features to create a legible and permeable neighbourhood pattern.</p> <p>IV. Lots should be generally rectangular in shape and orientated to allow future dwellings to gain access off streets and where possible, public open spaces.</p>	<ul style="list-style-type: none"> ▪ Lot sizes and layout controls are satisfied. ▪ Environmental constraints and natural features have been taken into account in the subdivision design. ▪ Lots generally rectangular with satisfactory access and frontages.
<p>Clause 5.0 – Design Guidelines and Controls for Public Domain</p>	
<p>5.2 – Urban Water Management</p> <p>Objectives</p> <p>(a) To minimise the discharge of water from the site.</p> <p>(b) To protect downstream properties from stormwater inundation due to upstream development.</p> <p>(c) To manage runoff from impermeable surfaces.</p> <p>(d) To maximise the conservation of drinking water.</p> <p>(e) To re-use non-drinking on the site for non-potable purposes.</p> <p>(f) To prevent pollution of a public water</p>	<p>A detailed Stormwater Management Strategy has been prepared by the applicant's consulting engineers to:</p> <ul style="list-style-type: none"> ▪ Alleviate storm flows to pre-development flow levels. ▪ Protect assets from flooding. ▪ Meet requirements for stormwater quantity and quality by Water Sensitive Urban Design (WSUD) into elements of the subdivision. ▪ Gross pollutant traps will be used prior to discharge into a bioretention basin.

<p>supply or any surface or underground water resources.</p>	<ul style="list-style-type: none"> ▪ A separate Part 3A approval has been obtained for a potable water, recycled water and sewerage system. ▪ Proposed to reduce potable water use by 60%.
<p>Controls</p> <ol style="list-style-type: none"> I. It is anticipated that the entire town will be serviced by a recycled water plant therefore all measures shall be undertaken to support this endeavour. II. Investigation, treatment and re-use options of 'recycled' for non-drinking purposes shall be part of every development. III. Waste water treatment on site is encouraged but is to be constructed and operated so as to promote efficient water use, taking into account site constraints and hazards present on the site to prevent adverse impacts on water table levels and soil salinity, satisfy public health requirements. IV. Water collection and direction is to be integrated into the public domain so that it provides both an aesthetic and functional response to the management of stormwater water. V. Include water sensitive urban design elements such as vegetated swales, minor creek lines, passive irrigation and detention ponds or treatment basins. VI. Water efficient landscaping of the public domain through design, choice of plants and watering systems is required. 	<ul style="list-style-type: none"> ▪ A water recycling plant will operate to service the subdivision and Googong. ▪ Non potable water is to be used for toilet flushing, garden watering and washing machines. ▪ Waste water on site treatment will be a consideration for development of individual lots. ▪ Water Sensitive Urban Design (WSUD) measures are integrated into the public domain. A detention system is to be integrated within open space areas. ▪ WSUD are integrated into both urban and the landscape form within the streets and public reserves. ▪ Water efficient landscaping is proposed.
<p>Street Network</p> <p>Controls</p> <ol style="list-style-type: none"> I. Streets are to be designed in accordance with the Master Plan, Council's adopted Engineering Design Specification – Googong, Control Diagrams and numeric controls in the Tables, as identified herein. II. A development application must demonstrate that the proposed streets are appropriate for their role in the street network. III. All new streets are to comply with the design and engineering requirements applicable to roads and streets, crossings, footpaths, cycle ways, bus shelters and the like in QCC Engineering Design Specification – Googong. IV. Streets are to include a stormwater drainage facilities as required. WSUD controls should be provided where possible in central medians. V. Subdivisions are to be designed to provide adequate safety for pedestrians using the street verge. VI. Applications for subdivision shall be accompanied by a traffic engineering assessment. 	<ul style="list-style-type: none"> ▪ Streets are designed to satisfy street network controls. ▪ Streets have been designed to ensure they are appropriate for their intended role. ▪ Streets meet Council's design and engineering requirements as specified. Some minor variation to carriageway widths are proposed. ▪ Stormwater drainage facilities and WSUD controls are proposed. ▪ Adequate safety of pedestrians is provided. ▪ A satisfactory Traffic Engineering Assessment has been submitted and meets the Roads and Traffic Authority and Council requirements.

Clause 5.4 – Public Open Spaces and Landscaping

Design Objectives

- (a) Provide a mix of passive, active, formal and informal public open spaces and play opportunities.
- (b) Provide open space areas which are distinctive in character and provide safe and secure access for all users.
- (c) Establish attractive walking and cycling links through out.
- (d) Create attractive landscapes that are durable and generally low maintenance.
- (e) Integrate the principles of Water Sensitive Urban Design (WSUD) into the street and landscape design.
- (f) Landscaping of public open space shall be generally in accordance with the Landscape and Open Space Strategy and Schedule 1 in the local Voluntary Planning Agreement.

- A mix of passive, active, formal and informal public open spaces and play opportunities are proposed with the development application. A neighbourhood park, sports field and local park are proposed.
- Effective walking and cycling links are proposed.
- The landscaping is proposed to suit all conditions experienced at the site and comply with the VPA. WSUD principles are included into street and landscape design.
- Attractive landscapes are proposed of generally low maintenance.

Neighbourhood Parks

- I. Be located so that a park is generally within 800m from dwellings.
- II. Have a minimum area of 3000m².
- III. Be located with drainage lines or ridgelines to accommodate stormwater management and views respectively.
- IV. Provide areas and facilities for both active and passive recreation.
- V. Provide one large play area with adequate shade facility and fencing/planting to define the play zone.
- VI. Provide a large shelter facility with BBQ facility with seating and tables
- VII. Provide entry and signage (park name) elements.

- Neighbourhood Park 1 is proposed for the subdivision.
- The requirements outlined for neighbourhood parks are generally satisfied.
- Development of the parks is to be in accordance with the Council approved VPA.

Local Parks

Local Parks shall:

- I. Have a minimum area of 1000m² and be linked to a larger open space network.
- II. Be generally within 200m of most residents (unless that resident is within 400m of a neighbourhood park).
- III. Allow for passive and / or active recreation.
- IV. Provide seating and pathways for circulation.
- V. Incorporate small children's play facilities as set out in Schedule 1 of the voluntary planning agreement.
- VI. Provide entry and signage elements.
- VII. Integrate open space with stormwater management and environmental strategies
- VIII. Optimise ecological functionality through planting of endemic species.

- Local Park 1 is proposed for the subdivision.
- The location and size of the park will meet the required standards.
- The park will be embellished with seating, pathways etc and comply with the requirements outlined in the VPA.
- The landscaping will incorporate some endemic species.
- Entry and signage elements are to be provided.

<p>Linear Parks and Drainage Reserves</p> <ol style="list-style-type: none"> I. Maximise ecological function through the planting of endemic species. II. Link neighbourhood and local parks and other key community focal points into the continuous open space network. III. Facilitate overland flow requirements. IV. Integrate non-vehicular circulation within footpaths and cycleways to increase safety and connectivity. V. Include water sensitive urban design elements such as weir structures to control water flow around drainage lines. 	<ul style="list-style-type: none"> ▪ Appropriate landscape plantings are proposed. ▪ A continuous open space network is proposed with integrated footpaths and cycle system. ▪ WSUD elements are proposed. ▪ Overland flow requirements will be met. ▪ Footpaths/cycle ways will be provided having regard to safety and connectivity.
<p>Clause 5.5 – Landscaping in the Public Domain</p>	
<p>Main access roads and boulevards are to incorporate WSUD bio retention elements where appropriate</p> <p>Gateways to the site along Old Cooma Road and Googong Road are to include feature planting to establish a visual identity and include exotic species.</p>	<ul style="list-style-type: none"> ▪ WSUD elements are to be provided. ▪ Refer to Street Tree Master Plan and Landscape Management Plan for gateway treatments. To be conditioned with consent.
<p>Construction</p> <p>Construction of landscaping is to be in accordance with the site analysis plan and landscape plan.</p>	<ul style="list-style-type: none"> ▪ A condition of consent will ensure landscaping is carried out in accordance with the Landscape Management Plan.
<p>Clause 8.0 – Environmental Management</p>	
<p>8.2 – Soils and Salinity</p> <p>Objectives</p> <ol style="list-style-type: none"> (a) To minimise erosion and sediment loss during and after construction. (b) To minimise water pollution due to erosion, siltation and sedimentation. (c) To ensure development will not significantly increase the salt load in existing watercourses within the site. (d) To ensure measures are implemented as part of the development to prevent any degradation of the existing soil and groundwater environment. (e) To minimise the damage caused to property and vegetation by existing saline soils, or processes that may create saline soils. 	<ul style="list-style-type: none"> ▪ A Soil, Water and Vegetation Management Plan has been submitted with the application. Temporary sediment basins will be constructed. Conditions will be imposed on consent to minimise impacts. ▪ Treated recycled water will be of relatively high salinity levels. There will be risks of salt accumulation in waterways. The urbanised form of Googong will generate stormwater runoff to effectively flush the stormwater drainage system. ▪ Recycled water is not expected to have any significant salt load impacts on the environment.
<p>Controls</p> <ol style="list-style-type: none"> I. All development must incorporate soil conservation measures to minimise soil erosion and siltation during construction and following completion of development. II. All sediment and erosion controls are to be installed prior to the commencement of any construction works and 	<ul style="list-style-type: none"> ▪ Conditions of consent to be imposed to ensure erosion and sediment controls are in place and maintained in accordance with the approved Soil, Water and Vegetation Management Plan. ▪ Salinity investigations were undertaken as part of the Part 3A approval for the Integrated Water Cycle System.

<p>maintained throughout the course of construction.</p> <p>III. Unless provided at the neighbourhood structure plan stage each subdivision application is to be accompanied by a salinity report prepared by a suitably qualified consultant.</p>	
<p>8.3 – Cut and Fill</p> <p>Objectives</p> <p>(a) Minimise the extent of excavation and fill.</p> <p>(b) Ensure that the built form responds to the topographical constraints of the Googong site.</p>	<ul style="list-style-type: none"> ▪ The applicant's consultant's report satisfactorily addresses the extent of cut and fill site grading.
<p>Controls</p> <p>I. To ensure that that batters can be maintained to limit failure and soil erosion.</p>	<ul style="list-style-type: none"> ▪ The applicant's geotechnical engineer's report satisfactorily addresses this issue.
<p>8.4 – Stormwater Management and Flooding</p> <p>Objectives</p> <p>(a) Ensure that all development within Googong incorporates stormwater reuse, retention and detention strategies to limit the changes to the hydrological regime of the receiving waterways.</p> <p>(b) To minimise the impacts of development and associated infrastructure on the health and amenity of natural waterways.</p> <p>(c) Treat run-off from development such that it does not adversely impact on downstream flora and fauna during construction and post development phases.</p> <p>(d) Incorporate Water Sensitive Urban Design (WSUD) in the planning of the site layout and design of all development to promote sustainable and integrated management of land and water resources incorporating best practice stormwater management, water conservation and environmental protection.</p> <p>(e) Integrate Water Sensitive Urban Design (WSUD) into all development to collect and treat runoff from waterborne pollutants prior to discharge to receiving areas and waters.</p> <p>(f) The design of the stormwater management systems shall be integrated with the planning of the site layout and design.</p>	<ul style="list-style-type: none"> ▪ Stormwater reuse measures are incorporated within the development. ▪ Hydrological and hydraulic modelling has been carried out to demonstrate the development can be constructed without impacting on stormwater quality and quantity and flora and fauna. ▪ WSUD measures are incorporated into the site layout and design. ▪ The WSUD measures will be integrated into the development to collect and treat runoff. ▪ The stormwater management system is integrated into the site layout and design.
<p>Controls</p> <p>I. All Development Applications shall include a Stormwater Drainage Analysis, addressing the management of water quality and quantity.</p> <p>II. Existing natural drainage lines shall form part of a stormwater and runoff drainage management system utilising soil conservation measures (including detention basins and or wetlands) to</p>	<ul style="list-style-type: none"> ▪ A satisfactory stormwater drainage analysis prepared by Brown Consulting is included with the application. ▪ Natural drainage lines are incorporated in the stormwater and runoff drainage management system. ▪ Satisfactory stormwater management strategies form part of the application as referred to in the Brown Consulting report.

<p>alleviate stormwater peaks and retain sediments and pollutants.</p> <p>III. Stormwater management strategies shall be adopted to maximize the efficient use of land and facilitate adequate allocation of land for these purposes.</p> <p>IV. Stormwater management strategies shall be developed and implemented in a manner which addresses potential salinity hazards.</p> <p>V. Stormwater treatments are to be designed to meet the minimum level of performance which is a reduction in the stormwater peak run off flows to predevelopment levels for the range of storms from the 1 year ARI to the 100 year ARI event.</p> <p>VI. Stormwater management design is to maintain the existing hydrological regime for stream forming flows, with respect to peak flows and duration of flow.</p> <p>VII. WSUD elements shall be incorporated into the design of all development.</p> <p>VIII. A Development Application shall include a WSUD assessment that addresses:</p> <ul style="list-style-type: none"> • the relevant site characteristics and constraints, • stormwater management strategies, including treatment measures, reuse and maintenance requirements, • a rationale for the proposed strategies, and • evidence of stormwater modelling is to accompany all development applications for all proposed development except those for less than 10 dwellings. 	<ul style="list-style-type: none"> ▪ The Brown Consulting report addresses potential salinity hazards. Adequate flushing of the stormwater system is identified to minimise hazard. A flushing frequency may need to be investigated at a future stage. ▪ Stormwater treatments include extended detention requirements identified in the Brown Consulting report. ▪ The subdivision design will maintain the existing hydrological regime for stream forming flows, with respect to peak flows and duration of flow. ▪ WSUD elements are incorporated in the design. ▪ WSUD assessment addressed by the stormwater management and drainage analysis by Brown Consulting.
<p>8.5 – Bushfire Management</p> <p>Objectives</p> <p>(a) Consider bushfire protection and management issues in land use planning and development decisions, to provide a safer environment for the community.</p>	<ul style="list-style-type: none"> ▪ The land is not identified on the Queanbeyan Bushfire Prone Land Map. A small part of land north of Googong Road is the only area identified. This area is outside the development site.
<p>Controls</p> <p>I. A Bushfire Threat Assessment report must form part of all development applications for lands identified as ‘bush fire prone’ on the Bush Fire Prone Lands Maps.</p> <p>II. Assessment of bushfire threat must examine impacts on the proposed development from fire both on and approaching the site.</p> <p>III. The recommendations of the Assessment report must be incorporated into the design of the proposed development.</p>	<ul style="list-style-type: none"> ▪ A bushfire assessment report has been undertaken for the development site. ▪ The bushfire assessment report identifies measures for fire mitigation. It is noted that all future dwellings will be required to comply with relevant Australian Standards and recommendations made in the bushfire assessment. Future buildings located within 100 metres of vegetation which will support a future bush/grass fire shall be required to be constructed to Level 1 specifications as defined by Australian Standard A.S. 3959-1999- “<i>Construction of Buildings in Bushfire Prone Areas.</i>”

<p>8.6 – Aboriginal Heritage</p> <p>Objectives</p> <p>(a) To ensure that any Aboriginal heritage significance is appropriately incorporated into the redevelopment of the precinct.</p>	<ul style="list-style-type: none"> ▪ The development has satisfactorily taken into account aboriginal heritage.
<p>Controls</p> <p>I. Areas containing potential indigenous sites are identified at the Archaeological (indigenous and European) Map contained within Appendix 2. Development shall not proceed within these areas without appropriate investigation and consultation with the relevant local Aboriginal groups.</p> <p>II. Where development impacts upon an identified Aboriginal site, Consent to Destroy Permits will need to be sought under Section 90 of the NSW Parks and Wildlife Act 1974.</p>	<ul style="list-style-type: none"> ▪ The development application is accompanied by an Aboriginal Cultural Heritage Assessment that has been prepared with the appropriate investigations and in consultation with local Aboriginal groups consistent with Clause 5.10(8) of the Googong Local Environmental Plan. ▪ A Section 90 permit has recently been granted by DECCW to undertake works to the identified aboriginal heritage site. ▪ The DECCW Interim Guidelines for Aboriginal community consultation were implemented for this project and five Aboriginal organisations participated in the fieldwork component of the program which was conducted over a seven week period from 30 March 2009 to 13 May 2009. The program was conducted in accordance with DECCW AHIP. ▪ Areas containing indigenous sites identified on the Archaeological (Indigenous and European) Map have been considered as part of the above mentioned investigations.
<p>8.7 – European Archaeological Heritage</p> <p>Objectives</p> <p>(a) To protect the recognised European archaeological significance of the precinct.</p> <p>(b) To ensure that information regarding the archaeological heritage significance of the precinct is incorporated into the development of the precinct.</p>	<ul style="list-style-type: none"> ▪ One European Historical site is recorded in the development site. The site is identified as “GH14 Hut Site and ploughlands”. The application seeks to relocate the ‘settlers hut’.
<p>Controls</p> <p>I. Elements of European archaeological heritage significance are shown on Archaeological (Indigenous & European) map in Appendix 2. Prior to any development that affects these elements a detailed assessment of heritage significance (Heritage Impact Statement) is to be undertaken which addresses the significance assessment criteria contained in the NSW Heritage Manual.</p>	<ul style="list-style-type: none"> ▪ The report recommendations included the option to allow development in area of site GH14 following the conduct of a complete excavation of the site (including the fireplace and an area sufficient enough to endeavour to determine the extent of the house) and relocate defined elements of the site (for example, a reconstructed and conserved fireplace) to a new location within nearby planned open space and establish a cartilage around it with permanent boundary fencing to protect it and erect site interpretation signage. This is proposed as part of this development application. ▪ An application was lodged to the Department pursuant to Section 140 of the <i>Heritage Act 1977</i> for permission to undertake

	archaeological salvage at the site (heritage item GH14). The Department granted the Section 140 permit on 18 May 2010.
8.8 – Tree Retention and Biodiversity Objectives (a) Development should minimise the loss of trees to protect scenic values, habitat and biodiversity. (b) Development should retain existing site trees that enhance natural or scenic values, control sunlight, or provide shade, shelter, habitat or screening.	<ul style="list-style-type: none"> ▪ The development site is predominantly grazing land with few remnant tree species. The remaining trees are of poor quality. ▪ High quality trees identified in the Tree Assessment report will be preserved where appropriate.
Controls I. Development must provide filter and protection strips to natural drainage lines, watercourses, streams, foreshores of constructed drainage corridors. II. All high recovery potential vegetation is to be retained within open space. III. Existing significant trees, in particular large hollow bearing trees, are to be retained wherever possible.	<ul style="list-style-type: none"> ▪ Riparian zones will be planted out to protect drainage systems. ▪ Vegetation will be protected and enhanced where appropriate. ▪ Tree quality at the site is poor. There are no hollow bearing trees identified.
8.9 – Land Contamination Management Objectives (a) To minimise the risks to human health and the environment from the development of potentially contaminated land. (b) To ensure that potential site contamination issues are adequately addressed at the subdivision stages.	<ul style="list-style-type: none"> ▪ Potential contamination areas have been considered as part of the development application preparation.
Controls I. Development applications for development in Areas of Environmental Concern (AEC) as identified within Appendix 2 shall be accompanied by a Stage 2 Detailed Site Investigation prepared in accordance with Council's Policy – Management of Contaminated Lands. A Remediation Action Plan (RAP) will be required for areas identified as contaminated land in the Stage 2 Site Investigation. II. Prior to granting development consent, Council must be satisfied that the site is suitable, or can be made suitable for the proposed use. Remediation works identified in any RAP will require Council consent prior to the works commencing.	<ul style="list-style-type: none"> ▪ No areas of potential contamination have been identified in the Contamination Report submitted with the application. ▪ Stages 1-5 are suitable for residential development. Future stages of NH1A will require further investigation.
8.10 - Odour Objectives (a) To ensure appropriate levels of odour amenity for future residents near the sewerage treatment plant.	<ul style="list-style-type: none"> ▪ Odour levels do not need to be addressed for this development.

<p>Controls</p> <p>I. If an odour impact assessment was not prepared as part of the Neighbourhood Structure Plan stage any residential development within 400 metres of the proposed or operating sewerage treatment plant is to be accompanied by a Level 3 Odour Impact Assessment (using the dispersion-modelling program CALPUFF) to verify the actual nuisance levels of odour generated by the sewerage treatment plant. The assessment is to be undertaken in accordance with the DECCW “Approved Methods for modelling and assessment of air pollutants in NSW” 1985.</p>	<ul style="list-style-type: none"> ▪ Stages 1-5 are more than 400 metres from the proposed sewerage treatment plant. A level 3 odour impact assessment is not required. ▪ An odour assessment has been undertaken with the Part 3A application the conditions of which will need to be complied with.
<p>8.11 – Construction Waste</p> <p>Controls</p> <p>I. A Waste Management Plan must be provided for all development requiring construction works on site. The level of detail in the plan will reflect the scale of development being undertaken.</p>	<ul style="list-style-type: none"> ▪ A Waste management Plan will be required as a condition of consent.

Other Development Control Plans applicable to the development include:

<p><i>DCP No 41 – Soil, Water and Vegetation Management Plan (SWVMP)</i></p>	
<p>DCP 41 requires implementation of erosion and sediment control measures in accordance with the relevant provisions of DCP 41.</p>	<ul style="list-style-type: none"> ▪ To be conditioned with consent.
<p><i>DCP No 42 – Landscape Policy</i></p>	
<p>DCP 42 requires the proposed development to be supported by a ‘Category 2’ landscape plans satisfy Council’s DCP</p>	<ul style="list-style-type: none"> ▪ The development is supported by a satisfactory Category 2 Landscape Plan prepared by appropriately qualified consultants.
<p><i>DCP No 52 – Safe Design Guidelines for the City of Queanbeyan</i></p>	
<p>Council’s DCP requires:</p> <ul style="list-style-type: none"> ▪ Subdivision lots to be designed to allow the entrances of houses to face the street. ▪ Encourage variety of lot sizes to encourage a mix of family types and income groups. ▪ Illuminate access points to open spaces and pathways. ▪ Ensure lighting is vandal resistant. ▪ Clearly define and locate pedestrian routes. ▪ Ensure safe design of pedestrian routes. ▪ Ensure effective lighting of pedestrian routes. ▪ Ensure safe cycle routes. 	<ul style="list-style-type: none"> ▪ The proposed development is considered generally satisfactory with respect to the relevant provisions of DCP 52. Conditions will apply where appropriate.

5. Section 79C(1)(a)(iiia) – Any Planning Agreement

Council at its meeting on 23 March 2011 resolved the draft Googong Urban Development Voluntary Planning Agreement be executed. As a result of further negotiations between Council and the developer some further changes were made to the VPA. Council further resolved on 27 July 2011 that the Googong Urban Deed of Guarantee be executed as a Deed. On 23 November 2011 Council further considered and adopted minor amendments to the VPA. The VPA requires the following deliveries for the development:

- Sports field No 1 (877th equivalent persons).
- Two tennis courts (1 and 2) (510th equivalent persons).
- Neighbourhood Park No 1 (510th equivalent persons). Includes shared path network, lighting, access paths, signage, playground, barbecue facilities and landscaping.
- Embellishment of local open space drainage reserves and bushland revegetation. Provided progressively.
- Maintenance of open space.
- Employment of a part time Community Development worker (555th equivalent persons). Developer to seed fund employment of Community Development Worker – paid on a per dwelling basis.
- Monetary contributions towards future cultural centre.
- Dedicate local roads to the public. Progressive dedication.
- Design and construction of on site local roads. Provided prior to issue of the Subdivision Certificate.
- Supply and installation of bus shelter and signage.
- Monetary contributions per dwelling (lot) towards off site local roads.
- Dedication of land for drainage and stormwater.
- To complete works to meet stormwater management needs of the development.
- Completion and dedication of works to meet water supply and sewage treatment needs of subdivision.
- Sewer, potable water and recycled water infrastructure. Provided in phases prior to issue of the Subdivision Certificate.
- Monetary contributions towards VPA administration. Paid on a per dwelling basis.
- Monetary contributions on per dwelling (lot) basis towards ecological offsets for works on Old Cooma Road and Ellerton Drive.

Appropriate conditions will apply to the consent in accordance with the VPA.

6. Section 79C(1)(a)(iv) – The Regulations

No matters prescribed in the Regulation are relevant in the consideration of this application.

7. Section 79C(1)(b) – The Likely Impacts of the Development

Context and Setting

The Googong township rezoning took place in 2009. Stages 1-5 are the first subdivision to be undertaken for the township.

The development is designed to complement the scenic qualities and landscape features of the locality.

There will be minimal impacts on adjoining land use activities. The proposal is not considered to be out of context with surrounding rural land which will also eventually form part of the township.

Access, Transport and Traffic

The proposed development's impact in relation to access, transport and traffic has been adequately addressed by the applicant. The Roads and Traffic Authority and Council's Senior Development Engineer are satisfied with access and traffic arrangements for the development. Appropriate conditions are recommended to ensure satisfactory provision is made for access, transport and traffic.

Public Domain

The development will provide for adequate recreational opportunities for future residents of the proposal.

The proposal and subsequent development stages will have impact on the Googong Foreshores recreational areas. Whilst the Googong primary function is for urban water supply, it is open to the public for recreational use (i.e. picnicking, boating and fishing). The development is likely to result in increased human use of the foreshores.

The Googong Development Corporation is committed to making a financial contribution towards the capital and recurrent costs associated with the implementation of the Googong Foreshores Plan of Management. The Corporation is also committed to undertaking a sustainability education program to educate residents on the biodiversity values of the Googong Foreshores. This will apply to future development stages.

The Australian Government Department of Sustainability, Environment, Water, Population and Communities in their EPBC Approval 2011/5829 requires the development of a Googong Foreshores Interface Management Strategy to implement proposed mitigation measures and financial commitments of Commonwealth land. The completion of the strategy will be implemented at a future date.

Utilities

Council's Senior Engineer Development is satisfied with arrangements to service the land. The integrated water cycle system, with a dedicated water treatment and recycling plant has been approved by the NSW Planning Assessment Commission (PAC). During the initial stages of housing sewage will be transferred to SPS1 and sewage would be transported off site by tankers to an approved treatment facility until the EP reaches 150 persons. The Water Recycling Plant (WRP) will then become operational.

Heritage

The Office of Environment and Heritage (OEH) have issued an Aboriginal Heritage Impact Permit (AHIP) to disturb or move on the land Aboriginal objects identified in the AHIP.

The OEH have also granted an excavation permit enabling an archaeological salvage excavation (Historic hut/home site GH14) and relocate defined elements of the site to a new location in nearby open space.

Other Land Resources

The proposal will not adversely impact on valuable land resources for productive agriculture land and mineral and extractive resources.

Soils

A geotechnical engineer's report submitted by the applicant confirms soils are appropriate for the development.

Water

The proposed development is sited within the Googong Creek catchment. A stormwater strategy has been prepared by Brown Consulting. Detention areas and stormwater harvesting have been designed to limit post development changes in flow rate and flow duration for the protection of receiving environments.

Modelling of water quality measures as part of the integrated water management for Googong within Googong Creek catchment indicates the design achieves the pollutant removal targets with the inclusion of recycled water from the Googong Water Recycling Plant.

The integrated water cycle project will include a reduction in potable water use of 60% compared to the BASIX 40% requirement. The water cycle infrastructure is integrated with the stormwater and irrigation management proposed for the township.

Air and Microclimate

The construction stage of development will likely cause the emission of dust from earthworks. Management of this issue is to be addressed by the submission of a Construction Management Plan prior to issue of a Construction Certificate (Subdivision).

Flora and Fauna

A Flora and Fauna Assessment submitted by the applicant concludes the proposal will not result in a significant impact to any threatened flora and fauna species. A Flora and Fauna Management Plan is to be prepared and submitted to Council prior to commencement of works.

A controlled action approval under the *Environment Protection and Biodiversity Conservation Act 1999* has been granted for the Googong township subdivision and urban works.

Waste

A Waste Management Plan will need to be submitted and approved prior to the issue of a Construction Certificate (Subdivision).

Hazards

Potential bushfire risk to the development will be generated by vegetation on land to the north west, north and north east of Googong Road.

The mitigation of this risk will be provided by an Asset Protection Zone (AP2) which includes the width of Googong Road and building line setbacks along Googong Road.

Future buildings within 100 metres of vegetation which will support a future bush/grass fire shall be constructed to Level 1 specifications as defined by Australian Standard AS 3959-1999 – “*Construction of Buildings in Bushfire Prone Areas*”.

A temporary ‘egress’ road link 5 metres wide is also required through a fuel management corridor from NH1A to Old Cooma Road.

A 100 metre wide temporary APZ is also required along the eastern, western and southern sides of the subdivision.

There are no other hazards including potential contamination affecting the development site.

Social and Economic Impact in the Locality

The proposal is not expected to pose any negative social or economic impacts to the locality. There will be local economic benefits through employment opportunities during construction and provision of added housing stock opportunities and choice for the City to meet local demands.

Site Design

The development is well designed in an environmentally sensitive manner. The size, shape and design of allotments and roads take into account solar energy requirements and energy efficiency.

Construction

The construction stage of the proposed development will have the potential to impact on adjoining properties and the environment for a short period of time. Any approval will be conditioned to ensure construction activities do not unreasonably impact on the adjoining properties and the environment by way of noise, erosion, dust and the like. These conditions are standard Council conditions of development consent. In addition it is recommended that a Construction Management Plan which specifically addresses the generation of dust and noise during both stages of the development be required to be submitted to Council for approval prior to the issuing of a Construction Certificate (Subdivision).

Cumulative Impacts

Cumulative impacts relate to the small impacts of developments in an area that when considered in unison can result in detrimental impact on the natural or built environment. It is considered that with adherence to recommended conditions of consent that the proposal will not give rise to any adverse cumulative impacts.

8. Section 79C(1)(c) – The Suitability of the Site for the Development

There are no physical constraints, heritage, threatened species, agricultural or mineral and extractive resource constraints impacting on the development.

The development will not give rise to unmanageable transport demands, adequate recreational opportunities will be provided, all services will be available and there will be acceptable impacts on adjoining land owners.

9. Section 79C(1)(d) – Any Submissions made in relation to the Development

(a) External Referrals

Written responses were received from:

- The Australian Government Department of Sustainability, Environment, Water, Population and Communities.

Comment: The Department raises no concerns under the *EPBC Act* for Stages 1-5.

- NSW Land and Property Management Authority.

Comment: The Authority raises no objection as there is no Crown interest in the proposal.

- The Australian Government Department of Finance and Deregulation.

Comment: The Department advised they had no comment.

- The Office of Environment and Heritage (OEH):

Comment: The OEH has considered the applicant's additional information dated 4 April 2011. The OEH is not satisfied with the level of detail required for conservation treatments, maintenance and protection of vandalism for Historic Site GH14. They will address these matters further with the final conservation plan being requirements of their permit conditions.

- NSW Roads and Traffic Authority.

Comment: The Roads and Traffic Authority submitted the following comments for Council's consideration:

- *The RTA does not agree with the gap acceptance/follow up headway values used in the SIDRA analysis for the right turn out of Googong Dam Road. Table 6.2 of the AUSTRROADS Guide to Traffic Management Part 3 identifies base values for gap acceptance and follow up headways for right turns from minor roads as being 7.1 and 3.5 seconds respectively. Applying these values to the SIDRA analysis shows the right turn out of Googong Dam Road operates at a Level of Service (LOS) F with significant queues upon full development of Neighbourhood 1A in the AM peak.*
- *Notwithstanding the above, the RTA has done an assessment based on the traffic volumes generated by the subject development only which makes up a proportion of Neighbourhood 1A. This assessment has shown that the right turn out of Googong Dam Road would operate at LOS B with a queue of 25m.*
- *In this regard the RTA considers the existing intersection layout to be adequate to cater for the traffic generation of the subject development however further modelling will have to be provided with subsequent subdivision development applications to determine when the upgrade of this intersection is required and what type of intersection treatment would be required.*
- *The RTA has not reviewed the intersection analysis for local road junctions. Council should therefore undertake their own assessment*

and be satisfied that the intersection layouts proposed are capable of catering for the volume of vehicles generated by the development.

The Roads and Traffic Authority is satisfied that the concerns raised through the Regional Development Committee meeting relating to classified roads are satisfied.

Council's Senior Engineer Development is satisfied that local road junctions are adequate to cater for the volume of traffic likely to be generated by the development.

Refer to Council's Senior Engineer Development previous comments under Part 6 – Urban Release Areas – Public Utility Infrastructure, pages 19 - 20).

▪ **NSW Transport**

Comment: The Department advised it supports the provision for walkable neighbourhoods. The Department has requested a number of matters be addressed as follows:

- *All houses within the development should be located within 400 metres walking distance of a bus stop.*
- *Prior to occupation of residences, the road network must be sufficiently developed to allow direct and efficient routes for bus services.*
- *Shared path network is to be provided in accordance with Council's DCP.*
- *A Travel Access Guide (TAG) should be prepared and provided to all new residents to inform them of their transport options and to promote the use of non car transport.*
- *Bicycle storage facilities should be provided at key locations to encourage active transport.*

The Department has also requested the applicants consult with them regarding the provision of public transport services.

The requirements of the Department will be imposed as conditions where appropriate.

The amended development application was submitted to relevant approval authorities pursuant to Clause 55(3) of the *Environmental Planning and Assessment Regulation 2000*. The Office of Environment, Heritage, Transport Roads and Maritime Services (previously RTA) and Office of Water raised no further matters with the amended application.

(b) Internal Referrals

Building Surveyor

Council's Building Surveyor raises no objections.

Senior Engineer Development

In addition to previous comments, Council's Senior Development Engineer advises:

Design and construction will need to comply with the recently adopted Googong engineering specifications and the Googong DCP.

Section 64 Headworks Contributions

The draft *Googong Urban Development Local Planning Agreement* provides for the developer to construct all water and sewer infrastructure to service the development, which is remote from Council's existing infrastructure. The resultant works in kind for the lead in infrastructure for water and sewer mean that S64 contributions should not be sought for the development.

Section 94 Contributions

The draft *Googong Urban Development Local Planning Agreement* provides for the developer to make contributions toward the upgrading of the road network that will service the development, to provide community facilities within the development and to provide contributions towards off site facilities. Therefore, S94 contributions should not be sought for the development.

(c) Community Consultation

The application was publicly notified and exhibited as Integrated Development for thirty (30) days from 22 February 2011 to 25 March 2011. One (1) written public submission was received during this period.

The submitter supports the proposal however has raised the following issues:

- The development application notes on our property there is a “*Catchment Discharge Point*” adjacent to Googong Road. Please confirm there will be no additional runoff from the proposed development than currently exists as farmland.

Comment: The stormwater system will be a major/minor system, in accordance with the submitted *Stormwater Management and Drainage Analysis* design report and the *Googong Creek Catchment Stormwater Strategy* report prepared for the development site. Pipework will accept the minor flows and overland flow will take place in road and reserve areas. Stormwater detention and peak flow attenuation will be achieved by the establishment of stormwater detention basins along Googong Creek within the development site. Together with on-site detention facilities (rain water tanks etc) discharge north of Googong Road will be reduced.

- If there is a greater impact on our property from water discharge, any works needed to cater for this impact will be the responsibility and expense of the applicant.

Comment: Increased stormwater discharge is not expected. Refer to previous comment.

- Please confirm that the R1 zoning of our property will not be reduced in number or lot size to accommodate the development i.e. any future development of our property will not be comprised.

Comment: The proposal is not expected to give rise to any impacts on the potential future development of the submitter's land.

- Will Council take photos of the dry creek existing on our property at “*Catchment Discharge Point*” as evidence of the before situation for future comparison purposes? The submitter also advises they will take photographs and submit to Council.

Comment: No objection is raised to the submitter submitting photographs for Council’s record.

10. Section 79C(1)(e) – The Public Interest

All relevant federal, state and local and community interests have been taken into consideration. Approval of the development is considered to be in the public interest.

11. Section 90 – Integrated Development

The subject development application is identified as an “Integrated Development” under Section 91 of the *Environmental Planning and Assessment Act 1979* as it requires approval from the following authorities:

- Office of Environment and Heritage (OEH).
- NSW Government Office of Water.

General terms of approval (GTA) have been issued by the OEH. An Aboriginal Heritage Impact Permit (AHIP number 1116438) has been issued to the proponent. The conditions attaching to the GTAs form part of Council’s consent conditions.

The NSW Government Office of Water has issued GTAs for works requiring a Controlled Activity Approval under the *Water Management Act 2000*. The GTAs form part of Council’s consent conditions.

The OEH advise that the proposed relocation and interpretation of the remains of the GH14 settlers hut (as endorsed under the *Heritage Act* approval 2010/S140/04) to within the GH14 Heritage Interpretation site located adjacent to Street 4 is appropriate.

Conclusion

The proposed development satisfies all relevant statutory and local planning controls. It will have an acceptable impact on the site, local environment and neighbouring properties. There are no significant public interest concerns resulting from the development.

The reduction in road carriageway width to 7.5m for local streets required under the Googong DCP is supported within the low density areas where moderate traffic volumes will occur.

The development is recommended for conditional approval.

Recommendation

1. The information contained in the report on Development Application 41-2011 which proposes Subdivision of Lots 12-14 DP 1164687, Lot 6 DP 255492, Lot 1 DP 11493299 and Lots 12-15 DP 754881 into proposed Lots 1-5 and subdivision of proposed Lot 2 into 337 lots and related construction works at 64 Googong Road, Googong be granted consent subject to the attached conditions.

Standard Conditions

GENERAL

1. Development in Accordance with Plans

The development shall be in accordance with development application No 41-2011 submitted by the applicant on 16 February 2011 and amended plans submitted on 23 February 2011, 19 April 2011 and 2 November 2011 in accordance with the following plans and documentation:

- Documentation:**
- Volume 01 – Statement of Environmental Effects prepared by Elton Consulting February 2011
 - Volume 02 – Plans for approval prepared by Elton Consulting February 2011 (except for plans relating to Community Scheme Plans)
 - Volume 03 – Supporting documents prepared by Elton Consulting February 2011

- Plans:**
- DP_B3 (Amended Plan dated 22 October 2011)
 - Googong Stage 1 – Sheets 1-5 (Amended Plan dated 1 November 2011)
 - Googong Stage 2 – Sheet 1 (Amended Plan dated 1 November 2011)
 - Googong Stage 3 – Sheet 1 (Amended Plan dated 1 November 2011)
 - Googong Stage 4 – Sheet 1 (Amended Plan dated 1 November 2011)
 - Googong Stage 5 – Sheets 1-3 (Amended Plan dated 1 November 2011)

All plans prepared by LANDdata Surveys.

Landscaping

Plans:

NH1A

- Cover Sheet dated 14 January 2011
- Stage 1 Street Tree Masterplan dated 14 January 2011
- Stage 2 Street Tree Masterplan dated 14 January 2011

- Concept Plant Species Plans dated 14 January 2011
- Street Sections Sheet 1 Drawing No L004 dated 11 April 2011
- Street Sections Sheet 2 Drawing No L005 dated 11 April 2011
- Street Sections Sheet 3 Drawing No L006 dated 11 April 2011
- Streetscape WSUD Strategy dated 14 January 2011
- Day One Entry Sheet 1 Drawing No L008 dated 15 April 2011
- Day One Entry Sheet 2 Drawing No L009 dated 15 April 2011
- NP1 Landscape Masterplan Drawing No L010 dated 11 April 2011
- NP1 Landscape Sections Drawing No L011 dated 11 April 2011
- NP1 Southern Section Drawing No L012 dated 11 April 2011
- NP1 Plant List and Imagery dated 14 January 2011
- SF1 and Local Park Landscape Masterplan dated 14 January 2011
- SF1 and Local park 1 Landscape Sections dated 14 January 2011
- Local Park 1 Detail Masterplan dated 14 January 2011
- Site Wide Plant List dated 14 January 2011

Googong Road

- Cover Sheet Drawing No L000 dated 11 April 2011
- Landscape Masterplan Sheet 1 Drawing No L002 dated 11 April 2011
- Landscape Masterplan Sheet 2 Drawing No L003 dated 11 April 2011
- Landscape Masterplan Sheet 3 Drawing No L004 dated 11 April 2011
- Landscape Sections Sheet 1 Drawing No L005 dated 11 April 2011
- Landscape Sections Sheet 2 Drawing No L006 dated 11 April 2011
- Landscape Sections Sheet 3 Drawing No L007 dated 11 April 2011
- Plant Schedule and Imagery Drawing No L008 dated 11 April 2011

GH14 Heritage Interpretation Site

- Landscape Masterplan Drawing No L001 dated 15 April 2011

All plans prepared by AECOM Australia Pty Ltd.

REASON: To ensure the development is completed in accordance with the approved plans.

2. Inconsistency Between Documents

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.

REASON: To ensure conditions of consent are adhered to.

3. The applicant is advised that prior to commencement of future development of those parts of Googong that are outside the boundary of Stages 1-5 an application is to be submitted to the Office of Environment and Heritage (OEH) for an Aboriginal Heritage Impact Permit (AHIP) to harm any Aboriginal objects.

REASON: To comply with the requirements of the Office of Environment and Heritage.

4. Voluntary Planning Agreement

Pursuant to Section 93I(3) of the Act, the applicant is required to enter into a voluntary planning agreement with Queanbeyan City Council in accordance with the applicant's irrevocable offer contained within the draft Voluntary Planning Agreement between Council and the applicant executed by Googong on 24 November 2011.

REASON: To ensure satisfactory provision of services, amenities, works and monetary contributions for the development.

5. Separate development consent of Council is required for the erection of any signage relating to land sales.

REASON: To satisfy the requirements of Council's Local Environmental Plan.

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

6. Fees and Charges

Long Service Levy

In accordance with Section 109 F of the *Environmental Planning and Assessment Act 1979* a Construction Certificate (Subdivision) will not be issued for any Stage of the development with respect to the plans and specifications for construction works until any Long Service Levy payable under Section 34 of the *Building and Construction Industry Long Service Payments Act 1986* has been paid. Currently this rate is 0.35% of the cost of the construction works costing \$25,000 or more.

REASON: To satisfy relevant provisions of the *Environmental Planning and Assessment Act 1979*.

7. Construction Management Plan

Prior to release of the Construction Certificate (Subdivision) a Construction Management Plan (CMP) must be submitted to Council and approved by Principal Certifying Authority for the proposed construction works or, if the proposed works are staged, for each stage of the proposed construction works. The plan must:

- (a) describe the proposed construction works;
- (b) outline the proposed construction program;
- (c) set standards and performance criteria for each of the relevant environmental issues [see (f) below];
- (d) describe what actions and measures would be implemented to ensure that these works comply with the specified standards and performance measures;
- (e) describe how the effectiveness of these actions and measures would be monitored during the proposed works;
- (f) include a detailed:
 - Soil and Water Management Plan, prepared in accordance with Development Control Plan No. 41 – Soil, Water and Vegetation Management Plans;
 - Waste Management Plan;
 - A Waste Management Plan (WMP) must be completed to identify the type of waste that will be generated by the development and method of disposal to be utilised. Applicants should consider whether it is possible to re-use materials either on-site or off-site;
 - Noise Management Plan;
 - Dust Management Plan;
 - Traffic Management Plan prepared in accordance with the requirements of Council's Engineering and Recreational Services Division;
 - Construction Staging Plan;
- (g) describe what procedures would be implemented to receive, register, report and respond to any complaints during the construction works; and
- (h) identify the key personnel who would be involved in the construction works, and provide contact numbers for this personnel.

The approved CMP is to be adhered to at all times during construction works of each stage.

REASON: To ensure satisfactory environmental management of the site.
(46.07)

8. General Terms of Approval – Office of Water

Controlled Activity Approval

General terms of approval for works requiring a Controlled Activity Approval under the provisions of the *Water Management Act 2000* are attached in Schedule 1.

A Construction Certificate (Subdivision) will not be issued over any part of the site requiring a Controlled Activity Approval until a copy of the Approval has been provided to Council.

REASON: To ensure relevant statutory requirements are satisfied. (46.08)

9. Construction Certificate (Subdivision)

A Construction Certificate (Subdivision) and accompanying engineering design plans and Certification Report shall be submitted to Council prior to the commencement of any works for a subdivision stage. Works associated with the subdivision stage shall subsequently be carried out in accordance with the detailed design drawings and specifications the subject of the Construction Certificate (Subdivision).

The engineering plans must comply with the requirements of Council's *Development Design Specification – Googong* (Version 1, dated June 2011) and include the following where applicable to a subdivision stage –

- A Certification Report in accordance with Clause DQS.04;
- This general note – *All work must be constructed in accordance with the requirements of Queanbeyan City Council's Development Construction Specification* (Version 3.1, dated June 2011).;
- Design of a stormwater network, including a major/minor street stormwater system, any required interallotment drainage lines, any required detention basins, water quality ponds and/or gross pollutant traps and Water Sensitive Urban Design devices;
- Design of a dual water supply network (drinking water and non-drinking water) linking to infrastructure to be constructed in accordance with Major Project Application 08_0236;
- Design of a sewerage network linking to infrastructure to be constructed in accordance with Major Project Application 08_0236;
- Design of the roads in the subdivision to the following standards (as defined in Schedule 4) –
 - Street Pt1 as a Local Sub-Arterial Road,
 - Streets 2-3, Pt4, Pt20-21 as a Local Street Boulevarde (ST4),
 - Street Pt4 as a Collector Street (ST1),
 - Street 5 as a Local Street 2 (ST2),
 - Streets 6, Pt7, Pt9, Pt10, 12, 13, 14, 17, 18, Pt22, 32, Pt 33, 34, 36, Pt37, 38, 40, 41, 58 & 88 as a Local Street 3 (ST3),
 - Streets Pt7, Pt20, Pt22, Pt33, 35 & Pt37 as an Open Space Drive 1 (DR1),
 - Streets Pt7, Pt9, Pt10, 11 & 39 as an Open Space Drive 2 (DR2).

- Road pavements designed as flexible pavements with a primer seal plus Asphaltic Concrete (AC10) nominated as the wearing surface;
- Driveways and shared access driveways designed as rigid concrete pavements;
- Where barrier kerb is used the location of vehicle kerb crossings must be indicated;
- Googong Road to be provided with an auxiliary right turn (AUR) for eastbound traffic at its intersection with Street 4;
- A bitumen sealed RTA Type Rural Property Access off Old Cooma Road to provide joint access to the proposed temporary reservoir site and the emergency access road;
- An emergency access road from Old Cooma Road to Streets 2/3 to the standard of a Rural Type 2 road (Yarrowlumla Table 2 Road Standards);
- Provision of a temporary bus route, bus stops in Streets 4, 20 and 21;
- Provision of 2.0 m wide key paths in Streets 4, 20 & 21 and a 1.5 m wide path on one side of all other streets ;
- Provision of a 2.5 m wide shared path around the perimeter of Sportsfield 1 and the neighbourhood park (mini-common);
- Design of retaining walls greater than 1.0 metres in height;
- Landscape plan for reserves and street tree planting;
- Irrigation supply (permanent and temporary);
- Site works including bulk earthworks, dams water quality ponds and retarding basin construction;
- Vegetation management plan;
- Soil and water management plans including erosion control measures;
- Construction compound and site amenities; and
- Street and public open space lighting to current best practice energy efficiency standards.

REASON: To provide design certification of the subdivision works.
(46.11)

PRIOR TO COMMENCEMENT OF WORKS

10. A Notice to Commence Subdivision Works must be submitted to Council two (2) days prior to commencing work on each subdivision stage and must nominate Council as the Principal Certifying Authority.

REASON: To ensure the provisions of the *Environmental Planning and Assessment Act 1979* are satisfied. (47.03)

11. Council must be appointed as the Principal Certifying Authority for the subdivision works, with such appointment to be made prior to the commencement of the subdivision application works. Please contact Council for a Notice to Commence Subdivision works form to complete to comply with this requirements. Alternatively the form is available from Council or downloadable from www.qcc.nsw.gov.au.

NOTE: A quotation for Council to perform the duties of Principal Certifying Authority for the subdivision works will be provided upon submission of the Construction Certificate (subdivision) to Council.

REASON: To provide for supervision of the subdivision works. (47.09)

12. A sign must be erected in a prominent position on the work site prior to the commencement of works:
- (a) stating that unauthorised entry to the work site is prohibited,
 - (b) showing the name of the person in charge of the work site, and
 - (c) advising telephone numbers at which that person may be contacted during work hours and outside work hours
 - (d) showing the name of the principal certifying authority and contact details.

The sign is to be removed when the work has been completed.

REASON: To provide notification of the work site and site supervisor to the general public in emergency situations. (47.10)

13. Toilet facilities must be provided at or in the vicinity of the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the work site.

Each toilet provided:

- (a) must be a standard flushing toilet, and
- (b) must be connected:
 - (i) to a public sewer, or
 - (ii) if connection to a public sewer is not practicable, to an accredited sewage treatment facility approved by Council, or
 - (iii) if connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by Council.

The provision of toilet facilities in accordance with this clause must be completed prior to commencement of any work on the site.

REASON: To provide adequate and hygienic amenities for people working on the site. (47.11)

14. Flora and Fauna Management Plan

A Flora and Fauna Management Plan (FFMP) is to be prepared at the applicant's cost and submitted to Council prior to commencement of works. The recommendations of the FFMP are to be implemented during the pre-construction, construction and post construction phases.

This Plan should detail the impact avoidance and mitigation measures that would be implemented to reduce adverse impacts on flora and fauna during tree removal and clearing, excavation of trenches, rehabilitation of disturbed areas after disturbances and activities such as weed management and re-establishment of native vegetation by revegetation.

The Plan should also include a monitoring and review program.

Key elements of the FFMP are to include the following as outlined in the Googong NH1A Subdivision Ecological Assessments – Terrestrial Flora and Fauna Report, July 2009 prepared by Ecowise Environmental and BIOSIS Research:

- **Removal of significant trees.**
- **Habitat protection and flora management.**
- **Managing invasive species.**
- **Managing roadside vegetation.**
- **Managing impacts during construction.**
- **Fauna management.**
- **Managing impacts on Commonwealth land.**

REASON: To minimise any impacts on flora and fauna.

DURING CONSTRUCTION

15. General Terms of Approval – Office of Environment and Heritage

Compliance with the conditions of the Aboriginal Heritage Impact Permit (AHIP) # 1116638 issued by the Office of Environment and Heritage formerly the NSW Government Environment, Climate Change and Water dated 13 July 2010 (attached in Schedule 2).

REASON: To satisfy NSW Government Agency requirements.

16. Aboriginal Heritage

All earthmoving contractors and operators must be instructed that, in the event of any bone or stone artefacts, or discrete distributions of shell being unearthed during earthmoving, work should cease immediately in the affected area and the Ngambri Local Aboriginal Land Council and officers of the Office of Environment and Heritage (Queanbeyan Office), informed of the discovery. Work must not recommence until the material has been inspected by those officials and permission has been given to proceed. Those failing to report a discovery and those responsible for the damage or destruction occasioned by unauthorised removal or alteration to a site or to archaeological material may be prosecuted under the National Parks and Wildlife Act 1974, as amended.

REASON: To ensure adequate procedures are in place should significant items of Aboriginal Heritage be discovered. **(22.06)**

17. In the event that object(s) which are suspected of being Aboriginal object(s) or relic(s) are encountered during development works, then the following protocol will be followed:

- (a) Cease any further excavation or ground disturbance, in the area of the find(s).**
 - (i) The discoverer of the find(s) will notify machinery operators in the immediate vicinity of the find(s) so that work can be temporarily halted, and**
 - (ii) The site supervisor and the Principal will be informed of the find(s).**
- (b) Do not remove any find(s) or unnecessarily disturb the area of the find(s).**
- (c) Ensure that the area of the find(s) is adequately marked as a no-go area for machinery or further disturbance, and that the potential for accidental impact is avoided.**
- (d) Note the location and nature of the find(s) and report the find(s) to:**
 - (i) Relevant project personnel responsible for project and construction direction and management;**
 - (ii) With regard to suspected Aboriginal objects, report the find to the Office of Environment and Heritage, and**
 - (iii) With regard to suspected (non-Aboriginal) relics the Office of Environment and Heritage.**
- (e) Where feasible, ensure that any excavation remains open so that the finds can be recorded and verified. An excavation may be backfilled if this is necessary to comply with work safety requirements and where this action has been approved by The Office of Environment and Heritage. An excavation that remains open should only be left unattended if it is safe and adequate protective fencing is installed around it.**
- (f) Following consultation with the relevant statutory authority (Office of Environment and Heritage) and where advised, any other relevant stakeholder groups, the significance of the finds should be assessed and an appropriate management strategy followed. Depending on project resources and the nature of the find(s), this process may require input from a consulting heritage specialist.**
- (g) Development works in the area of the find(s) may recommence with approval of the relevant statutory authority.**

REASON: To ensure adequate procedures are in place should significant items of Aboriginal Heritage be discovered. (22.07)

18. Construction Management

Any works associated with the construction and/or establishment of this development must ONLY be carried out between the following hours:

Weekdays:	7.00am to 6.00pm
Saturdays:	8.00am to 4.00pm
Sundays/Public Holidays	NO WORK

The applicant is responsible to instruct and control subcontractors regarding hours of work.

Note: To undertake works involving the use of equipment which creates an offensive noise is a breach of the provisions of the Protection of the Environment Operations Act 1997 and Regulations thereunder.

REASON: To ensure a noise problem does not result from the development and the impact on the local amenity is minimised. **(26.07)**

- 19. The applicant must ensure that noise generated by the development does not exceed the criteria set by the Office of Environment and Heritage. This is generally a level of 5dB above background noise level.**

This is measured by monitoring the level of noise from any activity within the development represent by the L_{aeq} descriptor, measured over a 15 minute period. This measurement must not exceed the background level at that time of day by more than 5dB.

REASON: To minimise the impact of noise generated by the development on surrounding residential areas. **(30.05)**

20. Salvage Excavation

Compliance with the conditions of the Excavation Permit 2008/5140/04 – Salvage Excavation at GH14, Googong issued on 13 May 2010 by the Office of Environment and Heritage (attached in Schedule 3).

REASON: To satisfy NSW Government Agency requirements.

21. Environmental Management

Waste Disposal

All construction or the like waste shall not be stored or stockpiled on the site and must be disposed of to an approved waste facility.

Land Contamination

Clean up equipment including suitable absorbent material shall be available on site to effectively deal with liquid contaminates such as oils and chemical spills.

Revegetation of disturbed areas

All disturbed and exposed areas shall be revegetated. Revegetation of such areas shall be implemented as soon as construction works end in each area of the development.

Dust Suppression

Adequate measures shall be taken to prevent dust from affecting the amenity of the surrounding rural neighbourhood.

A water tank designed to suppress dust from exposed surfaces and access roads shall be available on the site or in the immediate vicinity during construction works. Exposed surfaces and access pads shall be regularly wetted to suppress dust generation until such time that construction is completed and areas have been revegetated. All disturbed areas shall be revegetated immediately after completion of works.

Air Pollution

No burning of cleared vegetation or other waste material shall occur on this site prior to or during the construction phase of the development.

All vegetation material is to be chipped and used in landscaping unless it is not possible due to size, non suitability of the material or some other limitation, in which case the material will be disposed of at an approved landfill site.

Excavation

Materials resulting from excavation of the site must be stored wholly within the property boundaries unless written authority from adjoining property owner/s is first obtained for the storage of the excavation material on the adjoining site subject to erosion controls being put in place. All excess excavation material must be removed from the site and disposed of at an approved landfill site. The site is also to be rehabilitated to existing surface levels and regrassed.

Construction Access

Any construction access to the site shall have a shake down grid(s) or equivalent installed to minimise transportation of material onto the road network via vehicular movements from the site.

REASON: To prevent and/or minimise potential environmental harm to the environment that may result from the construction and rehabilitation works.

- 22. Trees nominated to be retained on the approved plans must be protected by temporary fencing that must be erected prior to commencement of work, extend to at least the drip line of the tree and must remain in place until practical completion of works is reached on the subdivision stage.**

REASON: To offer protection to trees to be retained in accordance with the approved plans. (28.08)

- 23. Run-off and erosion and sediment controls must be installed onsite to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land by:-**
- (a) diverting uncontaminated run-off around cleared or disturbed areas;**
 - (b) erecting silt fencing in accordance with the requirements of Council's DCP No 41 - Soil, Water and Vegetation Management Plans;**
 - (c) preventing tracking of sediment by vehicles onto roads;**
 - (d) stockpiling topsoil, excavated material, construction and landscaping supplies and debris within the site;**
 - (e) where any material is stockpiled onsite erosion control and siltation fencing must be installed adjacent to the toe of the mound;**
 - (f) removal or disturbance of vegetation and top soil is confined to within 3m of each area under construction; and**
 - (g) the erosion and sediment control measures must be maintained in a good order until the excess excavation materials have been removed from the site.**

REASON: To prevent soil erosion and water pollution. (26.03)

24. Civil Requirements

In the event of any damage being caused to any existing Council infrastructure (such as road pavement, kerb, guttering, stormwater pit, footpath trees and/or footpath) during construction, the applicant must repair or reimburse Council for the full cost of restoration.

REASON: To prevent damage to Council's public footway area and require payment to Council where damage occurs. (26.10)

- 25. The Subdivisor shall adhere to the following guidelines with respect to the provision of services within the development.**
- (a) Preliminary Design:- In planning the subdivision layout the Subdivisor shall examine all utility master plans to ascertain the impact of the proposed development on each Utility Authority's existing and future infrastructure.**
 - (b) Liaison with Utility Authorities:- The Subdivisor shall confirm with each Utility Authority for water, sewer, electricity, gas and telecommunications services, of their individual requirements for the provision of servicing of the subdivision layout. Each utility shall be provided underground.**
 - (i) Confirmation for the provision of installation of the following is required:**
 - street lighting;**
 - electricity reticulation;**
 - water reticulation;**
 - sewer reticulation;**
 - gas reticulation;**
 - telecommunications reticulation; and**
 - under road conduits.**

- (ii) The Subdivisor shall confirm design and construction phase requirements in order to enable an agreed development program to be established between each Utility Authority and the Subdivisor prior to construction.
- (c) **Construction Program:** - The Subdivisor shall liaise with each Utility Authority to confirm the following construction program:
 - (i) **Project scope;**
 - Construction sequences and timing;
 - Responsibilities of all parties involved;
 - Project contact officers and principal contractors;
 - Site servicing requirements (including construction documentation and commissioning requirements);
 - Standards, specification and procedures applicable to the project; and
 - Utility resource availability and response times.
- (d) **Access by Others:** - The Subdivisor shall permit access to the site by each Utility Authority for the purpose of carrying out works additional to that required to be undertaken by the Subdivisor.

REASON: To ensure services have been provided in accordance with Council and Utility Authority requirements. **(41.11)**

- 26. Inspections must be performed by the Water and Sewer Authority (Queanbeyan City Council) when works reach the following stages:**
- (a) immediately prior to connection of new sewer pipes to the sewerage infrastructure to be constructed in accordance with Major Project Application 08_0236;
 - (b) immediately prior to connection of new water pipes to the water reticulation infrastructure to be constructed in accordance with Major Project Application 08_0236; and
 - (c) immediately prior to the backfilling of sewer drainage trenches.

Council's City Infrastructure Group must be given 24 hours notice of the need for these inspections.

NOTE: Any inspections carried out by Council do not imply Council approval or acceptance of the works, and do not relieve the Developer from the requirements to provide a Project Quality Plan in accordance with Council's *Development Construction Specification* (Version 3.1, dated June 2011), Part CQS and a Work-as-Executed Certification Report in accordance with Council's *Development Construction Specification* (Version 3.1, dated June 2011), Part C101.

REASON: To ensure that hydraulic services are constructed in accordance with Council requirements. **(41.12)**

- 27. Certification of the completed water reticulation (drinking water and non-drinking water) and sewerage system works within each subdivision stage and works as executed documentation for the subdivision stage must be included in a Project Quality Plan and submitted to Council in accordance with Council's *Development Construction Specification* (Version 3.1, dated June 2011), Part C101.**

REASON: To ensure that hydraulic services are constructed in accordance with Council requirements. **(41.13)**

- 28. All construction and restoration work must be carried out strictly in accordance with the approved drawings and Council's *Development Construction Specification* (Version 3.1, dated June 2011).**

The construction works shall be carried out, monitored and inspected in accordance with Specification CQS - Quality System Requirements

REASON: To ensure construction and restoration work is in accordance with Council's requirements. **(41.15)**

- 29. The Subdivisor will be responsible for all public utilities and services in the area of work and as such must notify all relevant Authorities and bear all costs associated with any repairs and/or adjustments as those Authorities deem necessary.**

REASON: To ensure compliance with Utility Authorities' requirements. **(41.17)**

- 30. Lighting, fencing, traffic control advanced warning signs must be provided for the protection of works and for the safety and convenience of the public, in accordance with Council's *Development Construction Specification* (Version 3.1, dated June 2011). Traffic movement in both directions on public roads and vehicular access to private properties must be maintained at all times, during the currency of the works.**

REASON: To ensure an adequate level of public safety and convenience during construction. **(41.18)**

- 31. Land dedicated to Council for public recreation purposes is to meet the requirements of the draft *Googong Urban Development Local Planning Agreement*.**

REASON: To ensure areas to be handed over to Council for public recreation are functional and in a reasonable state. **(41.19)**

- 32. All fill imported on to the site must be validated to ensure the imported fill is suitable for the proposed land use from a contamination perspective. Fill imported on to the site must also be compatible with the existing soil characteristic for site drainage purposes.**

Council may require details of appropriate validation of imported fill material to be submitted with any application for future development of the site. Hence all fill imported onto the site should be validated by either one or both of the following methods during remediation works:

- **Imported fill should be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material or the known past history of the site where the material is obtained; and/or**
- **Sampling and analysis of the fill material should be conducted in accordance with the EPA Sampling Design Guidelines (1995) to ensure that the material is not contaminated.**

REASON: To ensure fill material is within acceptable standards. **(49.13)**

- 33. Filling must be undertaken in accordance with the approved plans and in such a manner that the new drainage pattern does not environmentally affect adjoining properties. Those filled and/or regraded allotments must be compacted to 95% maximum modified dry density. The applicant's Geotechnical Engineer must supervise the placement of fill material and certify with test results that the work has been carried out to level 1 responsibility in accordance with Appendix B of AS3798-1990.**

REASON: To ensure satisfactory compaction of fill to standards. **(49.18)**

- 34. Certification from a suitably qualified and practising Geotechnical Engineer must be submitted for each subdivision stage verifying that the works detailed and recommended in the geotechnical report have been undertaken under supervision, that satisfactory completion to standards has been achieved and that the assumptions relating to site conditions made in the report were validated during construction.**

REASON: To ensure works are undertaken in accordance with geotechnical recommendations. **(49.20)**

PRIOR TO RELEASE OF SUBDIVISION CERTIFICATE

35. Application for Subdivision Certificate

A completed Subdivision Certificate application form accompanied by final plans of subdivision for each stage and a Schedule of Compliance detailing how each condition of consent has been complied with, together with the requisite processing fee, payment of contribution charges, any Council bonds and authorities from other service agencies that their requirements have been satisfied shall be submitted to Council for approval at each Stage. This application shall not be lodged until all consent conditions pertaining to the Stage have been complied with.

REASON: To comply with the *Environmental Planning and Assessment Act 1979*.

36. An application to obtain a Subdivision Certificate from Council must be supported with the following documentation:

- **A final survey plan of subdivision and six copies including an electronic copy in the format of digital vector to the projection of MGA (GDA 94) with boundaries and other line work to be insitu to projection. This should be accompanied with an application for a subdivision certificate to be submitted to Council. Where approved drawings provide survey coordinates of structures, the final survey plan should include a schedule of the set out centreline coordinates of all listed structures as constructed in accordance with approved plans. The schedule should include type of structure, finished cover & invert levels of structures.**

Note: Marks are available from Crown lands Office and from Queanbeyan City Council.

REASON: To ensure works are completed in accordance with the requirements of the Council, statutory bodies and the true location of assets supplied are appropriately coordinated and documented and to comply with Section 109 Environmental Planning and Assessment Act 1979. **(41.01)**

37. Civil Requirements

Submission to the Principal Certifying Authority of a statement prepared by a registered surveyor, stating that all water, sewer and stormwater pipelines constructed within proposed lots or other privately owned land are completely located within proposed easements indicated on the plan of subdivision or existing easements.

The statement must be submitted upon completion of the subdivision works and prior to the issue of the Subdivision Certificate for each subdivision stage.

REASON: To ensure works are completed in accordance with Council's requirements. **(41.03)**

38. Submission of an application for a Final Compliance Certificate under Section 307 of the Water Management Act 2000 for each subdivision stage prior to the issue of a Subdivision Certificate for that subdivision stage.

REASON: To ensure compliance with the statutory requirements of the Environmental Planning and Assessment Act 1979. **(41.05)**

39. A geotechnical report must be submitted to Council detailing the classification of soil type generally found within each subdivision stage. A general classification for each lot within the subdivision stage must be provided and such classifications must be made by a Geotechnical Engineer in accordance with the provisions of AS 2870 "Residential Slabs and Footings". The classification reports must be submitted to Council prior to the release of the Subdivision Certificate for that subdivision stage.

REASON: To ensure works are undertaken in accordance with geotechnical recommendations. (41.07)

40. Written evidence from the relevant service authority or a suitably certified or accredited person that satisfactory arrangements have been made for the supply of reticulated electricity, telephone services and natural gas to each lot shall be submitted to Council. All services are to be provided underground.

REASON: To satisfy relevant utility authority requirements. (41.08)

41. Provision of a separate sewer connection, stormwater drainage connection, water services (drinking water and non-drinking water), electricity supply, gas and communication service to each allotment within the subdivision stage at the Subdivisor's expense.

REASON: To provide access to services for each allotment. (41.10)

42. Maintenance of the completed subdivision works within a subdivision stage by the Subdivisor at his own expense, for a period of six (6) months after the date of the issue of the Subdivision Certificate for that stage by Council.

The subdivisor must lodge a cash bond with regard to such maintenance in an amount as calculated from fees set by Council's Management Plan and current at the time of issue of each Subdivision Certificate.

In that period the applicant will be liable for any part of the work which fails to perform to the requirements specified in Council's *Development Design Specification – Googong* (Version 1, dated June 2011), and *Development Construction Specification* (Version 3.1, dated June 2011) (or as would reasonably be expected under the design conditions).

The subdivisor must provide Council with written authorisation, that in the event of any defect work not being rectified to the required standards specified and within the period specified, to enter upon the subject land and undertake such remedial work as necessary to comply with the required standards and to deduct the cost thereof from such Bond monies held by Council and to refund the balance, if any, to the subdivisor.

REASON: To ensure works are completed in accordance with Council's requirements. (41.20)

43. **Submission of an application for a Compliance Certificate under Section 307 of the Water Management Act 2000 for each subdivision stage to the Water and Sewer Authority (Queanbeyan City Council). The application must be accompanied by the relevant fee and four copies of the Civil Engineering plans for the design of the water reticulation and sewerage systems, drawn in accordance with Council's *Development Design Specification – Googong* (Version 1, dated June 2011), for assessment and approval by Council.**

Upon approval of the hydraulic design a Compliance Certificate in accordance with section 307 of the Water Management Act 2000, will be issued by Council. The Compliance Certificate must be obtained prior to the issue of a Construction Certificate (Subdivision).

REASON: To ensure that hydraulic design is in accordance with Council requirements. (46.13)

44. Traffic Control Devices Plan

Submission to Council of a Traffic Control Devices (TCD) Plan for each subdivision stage that includes line-marking, sign-posting and Local Area Traffic Management works for approval of traffic control facilities by the Local Traffic Committee prior to their installation.

NOTE: Angle parking indicated in Street 33 shall be included in the appropriate TCD.

REASON: To authorise traffic facilities. (41.24)

45. Landscape Works

Completion of all landscaping works in accordance with the Googong Township Landscape Management Plan (GTLMP) – Stages 1-5 prepared by AECOM Australia Pty Ltd, 2 June 2010 and as identified by relevant drawings as described in Condition 1. The works are to be implemented by a suitably experienced and qualified Landscape Management Contractor in accordance with the GTLMP.

REASON: To ensure satisfactory completion of landscape works.

46. **The landscape works are to be monitored and maintained by the applicant in accordance with the Voluntary Planning Agreement between Council and the applicant. Monitoring and reporting is to be carried out in accordance with the GTLMP.**

During the maintenance period all landscape elements are to be managed such that they are resistant to erosion, with management strategies including:

- **Planting areas are to be managed such that minimal exposed bare soil is visible.**
- **All surfaces are to be maintained such that they have a dense plant cover.**

- Drainage lines are to be inspected regularly for signs of erosion.
- Where erosion occurs to landscape drainage line elements e.g. scour after a storm event, the damaged area is to be quickly stabilised and reinstated to the specified treatment.
- The drainage line formation is to remain as specified in the engineering and landscape drawings.

All landscape drainage line elements are to be managed for the removal of sediment with strategies to include:

- Regular inspection of bio-retention, wetland and pond sediment forebays.
- Sediment to be removed from:
 - bio-retention system forebays (bio-retention ponds and street bio-pods) when visible.
 - sedimentation basins when at 50% of capacity.
- Regular inspection of swales with prompt removal of sediment when observed.
- Sediment that passes through forebays and is deposited within the:
 - bio-retention systems and constructed wetlands is to be removed when observed.
 - pond is to be removed when it reduces the pond depth by 20%.
- Manage weed cover at no greater than 5%, and
- Manage planting associations for ongoing seeding and self perpetuation thereby increasingly minimising opportunities for weed colonisation.

REASON: To ensure landscape works are monitored and maintained.

47. Road Naming

Submission to Council for approval of street names for the proposed subdivision roads, with the names as approved to be indicated on the subdivision survey plan and provided on road name plates to be installed at the road intersections.

NOTE: Council has a list of approved names for subdivision roads which can be obtained by contacting Council's Environmental Services. Any other names will require a written submission to be lodged with Council detailing the origin of the name and the reasons for selection. Proposed names must also comply with the document *Guidelines for Road Naming* prepared by the Geographical Names Board.

REASON: To provide street addressing. (41.25)

48. Bushfire Management

The following conditions for bushfire management are imposed:

- (a) A temporary 100m wide APZ shall be provided and maintained along the eastern, western and southern sides of the subdivision by the applicant, with accumulated combustible material to be removed and the maximum height of grass kept at 150 mm during any declared “Bushfire Prone Period”.**
- (b) The emergency access track from Streets 2 & 3 to Old Cooma Road shall be maintained in a trafficable condition at all times by the applicant until such time as a suitable alternative public road access is provided.**

REASON: To ensure compliance with the recommendations of the applicant’s Bushfire Management Report. **(50.01)**

49. Public Transport Planning

- (a) Prior to the issue of a Subdivision Certificate for Stages 2-5 or any part thereof, of the development, the applicant is to submit evidence of consultation with NSW Transport regarding the provision of public transport services to service the development.**
- (b) Preparation of a ‘Travel Access Guide’ (TAG) to be provided to all new residents to inform them of their transport options.**

REASON: To satisfy the requirements of NSW Transport.

50. Easements and Restrictions

Pursuant to Section 88B of the Conveyancing Act 1919 easements and restrictions as to use shall be created to achieve the following purposes:

- easements to drain water, including inter-allotment drainage;**
- easements to drain sewer;**
- easements for water supply;**
- easements for irrigation water supply**
- easements which Council may require to provide or maintain other services.**

All easements specified above and contained in the subdivision must benefit Council as well as particular lots.

REASON: To ensure public utility services, access and restrictions are legalised over the land. **(39.01)**

51. Dedication of Drainage Reserves/Roads

Dedication to Council, free of cost on the survey plans, all drainage reserves and sewerage pump station sites.

REASON: To permit Council to adequately manage drainage and utility services. (39.03)

52. The subdivision roads for each subdivision stage are to be dedicated as public roads on the subdivision linen plan. Each subdivision stage must provide dedicated public road access to all lots within the subdivision stage.

REASON: To provide legal access to all lots within the subdivision. (41.26)

ADVISORY MATTERS

1. Disability Discrimination Act

The applicant's attention is drawn to the provision of the *Disability Discrimination Act 1992* which creates an offence for discriminating against any person in relation to access facilities, employment and other matters. The applicant is advised to investigate any liability that may apply under the *Act*. (43.03)

2. Shared Trenching

Queanbeyan City Council promotes the provision of services via the use of shared trenching to enable rationalisation of trenching and construction practices. (43.05)

3. Definitions

***Principal Certifying Authority (PCA)* - is the person responsible for ensuring compliance with a construction certificate by carrying out inspections under the Environmental Planning and Assessment Act, 1979.**

***Construction Certificate (subdivision)* – a certificate to the effect that work completed to approved plans for civil engineering works will comply with Council's adopted specifications, standards & guidelines.**

***Subdivision Certificate* – a certificate that authorises registration of a plan of subdivision under Division 3 of Part 23 of the *Conveyancing Act 1919*. (44.01)**

4. Protection of the Environment

The development is to be operated in accordance with the provisions of the *Protection of the Environment Operations Act 1997* as it applies to issues of air quality, noise generation, water and wastewater quality.

5. Noise Control

Use of the premises/services/equipment/ancillary fittings shall not give rise to an “*offensive noise*” as defined under the provisions of the *Protection of the Environment Operations Act 1997*.

6. WorkCover Requirements

The premises shall be operated in accordance with the requirements of the WorkCover Authority.

7. Wastewater Management Advice

All work carried out in connection with this approval must comply with any applicable standard established by the *Local Government (Approvals) Regulation 1993*, the *Local Government (Water, Sewerage and Drainage) Regulation 1993*, or by or under the Act.

8. Further Bushfire Requirements

This approval is for the subdivision of the land only. Any further development applications submitted for the erection of buildings over Lots 102 – 104, 155 – 160, 164 – 171, 202 – 206, 209 – 211, 215 – 217, 224 – 227, 230 – 233, 245 – 252, 302, 308 – 314, 323 – 324, 356 – 361, 502 – 505, & 507 – 511 will be subject to the requirements as set out in *Planning for Bushfire Protection, 2006*. In this regard development applications for the erection of buildings on these lots must be accompanied by a Bush Fire Assessment Report.

SCHEDULE 1



**Office
of Water**

General Terms of Approval – for works requiring a Controlled Activity Approval under the Water Management Act 2000

Our Reference	40 ERM2011/0239	File No:	QUE00560-1
Site Address	64 Googong Road, Googong		
DA Number	41-2011		
LGA	Queanbeyan City Council		
Number	Condition		
Plans, standards and guidelines			
1	<p>These General Terms of Approval (GTA) only apply to the controlled activities described in the plans and associated documentation relating to 41-2011 and provided by Council:</p> <p>(i) Site plan, map and/or surveys.</p> <p>Any amendments or modifications to the proposed controlled activities may render these GTA invalid. If the proposed controlled activities are amended or modified the NSW Office of Water must be notified to determine if any variations to these GTA will be required.</p>		
2	<p>Prior to the commencement of any controlled activity (works) on waterfront land, the consent holder must obtain a Controlled Activity Approval (CAA) under the Water Management Act from the NSW Office of Water. Waterfront land for the purposes of this DA is land and material in or within 40 metres of the top of the bank or shore of the river identified.</p>		
3	<p>The consent holder must prepare or commission the preparation of:</p> <p>(i) Detailed Designs and locations for proposed creek crossings, outlet structures, and any other structure that will be constructed within the channel of Googong Creek or Montgomery Creek.</p>		
4	<p>All plans must be prepared by a suitably qualified person and submitted to the NSW Office of Water for approval prior to any controlled activity commencing. The following plans must be prepared in accordance with the NSW Office of Water's guidelines located at www.water.nsw.gov.au/Water-Licensing/Approvals/default.aspx</p> <p>(i) Outlet structures</p> <p>(ii) Watercourse crossings</p>		
5	<p>The consent holder must</p> <p>(i) carry out any controlled activity in accordance with approved plans and</p> <p>(ii) construct and/or implement any controlled activity by or under the direct supervision of a suitably qualified professional and</p> <p>(iii) when required, provide a certificate of completion to the NSW Office of Water.</p>		

www.water.nsw.gov.au | NSW Office of Water is a separate office within the **Department of Environment, Climate Change and Water**
Level 1, 11 Farrer Place, Queanbeyan NSW 2620 PO Box 189 Queanbeyan NSW 2620 Australia
Ph + 61 2 6229 7300 | e information@water.nsw.gov.au | ABN 47 661 556 763

Rehabilitation and maintenance	
6	The consent holder must carry out a maintenance period of two (2) years after practical completion of all controlled activities, rehabilitation and vegetation management in accordance with a plan approved by the NSW Office of Water.
7	The consent holder must reinstate waterfront land affected by the carrying out of any controlled activity in accordance with a plan or design approved by the NSW Office of Water.
Reporting requirements	
8	The consent holder must use a suitably qualified person to monitor the progress, completion, performance of works, rehabilitation and maintenance and report to the NSW Office of Water as required.
Bridge, causeway, culverts, and crossing	
12	The consent holder must ensure that the construction of any bridge, causeway, culvert or crossing does not result in erosion, obstruction of flow, destabilisation or damage to the bed or banks of the river or waterfront land, other than in accordance with a plan approved by the NSW Office of Water.
13	The consent holder must ensure that any bridge, causeway, culvert or crossing does not obstruct water flow and direction, is the same width as the river or sufficiently wide to maintain water circulation, with no significant water level difference between either side of the structure other than in accordance with a plan approved by the NSW Office of Water.
Drainage and Stormwater	
16	The consent holder must stabilise drain discharge points to prevent erosion in accordance with a plan approved by the NSW Office of Water.
END OF CONDITIONS	

SCHEDULE 2



**Environment,
Climate Change
& Water**

ATTACHMENT A

ADMINISTRATIVE CONDITIONS

INFORMATION SUPPLIED TO OEH

Except as expressly provided by these general terms of approval, works and activities must be carried out in accordance with the proposal contained in:

- the development application Integrated Development Application No. 41-2011 submitted to Queanbeyan City Council on 16 February 2011;
- any environmental impact statement relating to the development; and
- all additional documents supplied to DECCW in relation to the development, including:
 - a) 'Googong Local Environmental Study – Cultural Heritage Component' (dated December 2003);
 - b) 'Googong New Town Neighbourhood 1A, NSW Aboriginal Archaeological Subsurface Testing and Collection Program' (dated February 2010).

ABORIGINAL CULTURAL HERITAGE CONDITIONS

The proponent must comply with the conditions of Aboriginal Heritage Impact Permit (AHIP) # 1116638 that was issued by the Office of Environment and Heritage (OEH), formerly the Department of Environment, Climate Change and Water, on 13 July 2010.

SCHEDULE 3

Conditions of Approval for 2010/S140/04. Salvage excavation of GH14, Googong – Queanbeyan Local Government Area.

1. All works shall be in accordance with the approved research design and methodology outlined in *'Archaeological Assessment, Research Design and Methodology in support of an Archaeological Salvage Excavation at Googong New Town: Neighbourhood 1, NSW Historic Site GH14'* by Navin Officer Heritage Consultants Pty Ltd, dated March 2010.

Except as amended by the following conditions:

2. This permit covers the removal of Locally significant Relics, only.
3. This permit does not cover the removal of any State significant relics.
4. The Heritage Branch must be informed of the commencement and completion of the archaeological program at least 5 days prior to the commencement and within 5 days of the completion of work on site.
5. The Applicant must ensure that if substantial intact archaeological deposits and/or State significant relics not identified in the Archaeological Assessment *'Archaeological Assessment, Research Design and Methodology in support of an Archaeological Salvage Excavation at Googong New Town: Neighbourhood 1, NSW Historic Site GH14'* by Navin Officer Heritage Consultants Pty Ltd, dated March 2010 are discovered, work must cease in the affected area(s) and the Heritage Branch contacted for advice. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.
6. This permit is valid for five years from the date of approval. Requests for extensions after this time will only be considered in writing.
7. The Applicant must ensure that the nominated Excavation Director, Dr. Lindsay Smith and Secondary Director, Dr. Rebecca Parkes, carries out the excavation in accordance with the approved research design and methodology outlined in *'Archaeological Assessment, Research Design and Methodology in support of an Archaeological Salvage Excavation at Googong New Town: Neighbourhood 1, NSW Historic Site GH14'* by Navin Officer Heritage Consultants Pty Ltd, dated March 2010. The Director of the Heritage Branch must approve any substantial deviations from the approved research design (including extent and techniques of excavations) as an application for the variation or revocation of permit under section 144 of the *NSW Heritage Act, 1977*.
8. The Applicant must ensure that the nominated Excavation Director, Dr. Lindsay Smith, is present at the site supervising 75% of all archaeological fieldwork activity and the nominated secondary director, Dr. Rebecca Parkes is present at the site for the duration of archaeological fieldwork.
9. The Applicant must ensure that the nominated Excavation Director, Dr. Lindsay Smith and Secondary Director, Dr. Rebecca Parkes, take all adequate steps to record in detail relics, structures and features discovered on the site during the archaeological works in accordance with the approved research design and current best practice guidelines. This work must be undertaken in accordance with the Heritage Council guidelines, *'How to Prepare Archival Records of Heritage Items'* (1998) and *'Photographic Recording of Heritage Items Using Film or Digital Capture'* (2006).
10. The Applicant is responsible for the safe-keeping of all relics recovered from the site.
11. The Applicant must ensure that the nominated Excavation Director, Dr. Lindsay Smith and the Secondary Director, Dr. Rebecca Parkes cleans, stabilises, identifies, labels,

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catalogues and stores any artefacts uncovered from the site in a way that allows them to be retrieved according to both type and provenance.

12. The Applicant must ensure that a detailed outline of a long term Conservation Plan for the reconstructed selectors hut elements, associated displays and artefacts, including information on short and long term maintenance requirements & techniques, cleaning and if necessary repair, is submitted to the Heritage Council of NSW for approval within two (2) months of the completion of the excavation programme. Final details of the Conservation Plan must be submitted to the Heritage Council of NSW for approval within six (6) of the completion of the final excavation report for the site.
13. The Heritage Council and the Heritage Branch reserve the right to inspect the site and records at all times and access any relics recovered from the site.
14. In accordance with section 146(b) of the *NSW Heritage Act, 1977*, the Applicant must ensure that the final report is prepared by the nominated Excavation Director, to publication standard, within one (1) year of the completion of the field based archaeological activity unless an extension of time is approved by the Heritage Council of NSW. One electronic copy of the final report must be submitted as a '.pdf' document on CD to the Heritage Branch together with one printed copy of the final report. A further copy must be lodged with the local library or another appropriate local repository in the area in which the site is located.
15. The Heritage Council of NSW requires, as stated in section 146(b), that the final report shall include:
 - a) An executive summary
 - b) Due credit to the client paying for the excavation on the title page
 - c) An accurate site location and site plan
 - d) Historical research, references, and bibliography
 - e) Detailed information on the excavation including the aim, the context for the excavation, procedures, analysis, treatment of artefacts (cleaning, conserving, sorting, cataloguing, labelling, scale drawings, photographs, repository)
 - f) Nominated repository for the items
 - g) Detailed response to research questions
 - h) Details of how this information about this excavation has been publicly disseminated.
16. The Applicant must ensure that should any Aboriginal objects be uncovered, excavation or disturbance of the area is to stop immediately and the Environmental Protection and Regulation Group of the Department of Environment, Climate Change & Water is to be informed in accordance with Section 91 of the National Parks and Wildlife Act, 1974.

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SCHEDULE 4 – GOOGONG STAGE 1 ROAD STANDARDS

Road Type ⁽¹⁸⁾	Maximum Traffic Volume (vpd) ⁽¹⁾	Maximum Speed (km/h) ⁽²⁾	Minimum Carriageway Width (m) ⁽³⁾	Minimum Verge Width (m) ⁽⁶⁾	Kerbing ^{(4) (23)}	Parking Provisions Within Road Reserve ⁽²⁴⁾	Footpath Requirement ⁽¹⁷⁾	Bicycle Path Requirement ⁽¹⁷⁾
Local Sub-Arterial Road	6,000	50 ⁽¹¹⁾	2 x 7.1	5.0	Barrier	Parking only permitted on carriageway where indented bays are provided ⁽¹²⁾	1.5m wide footpath both sides	2 x 1.5m wide bicycle lanes marked on carriageway ⁽¹³⁾
Collector Street 1 (ST 1)	3,000	50 ⁽⁸⁾	10.5 ⁽¹⁰⁾	5.0 ⁽¹⁴⁾	Barrier with VKCs at driveway locations	As above	1.5m wide footpath both sides	No 1m gap in protuberances required for cyclists ⁽¹⁰⁾
Local Street 2 – (ST 2)	2,000	40	9.7	5.0	As above	Within carriageway	1.5m wide footpath on one verge only ⁽⁷⁾	Nil
Local Street 3 (ST 3)	2,000	40	7.5	1 x 5.0	Barrier with VKCs at driveway locations	As above	As above	Nil
Local Street Boulevard (ST 4)	3,000	40	2 x 5.5 (with central median)	5.0	Barrier with VKCs at driveway locations on property side. Flush kerb or roll form on median side	As above	1.5m wide footpath both sides	Nil
Open Space Drive 1 (DR 1)	1,000	40	7.5 ⁽⁵⁾	1 x 5.0 1 x 2.5 1 x 4.5	Barrier with VKCs at driveway locations on property side. Flush kerb or roll form on reserve side	As above	1.5m wide footpath on the verge on the lot side of the street	Nil
Open Space Drive 2 (DR 2)	500	25	6.0	1 x 2.5	As above	As above	1.5m wide footpath on the verge on the lot side of the street	Nil

Source: Amended from Queanbeyan City Council *Development Design Specification D1 – Geometric Road Design – Googong* (Version 1, June 2011)

NOTES:

- (1) For single dwelling allotments apply traffic generation rate of 10 vehicles per day (vpd)/allotment (equivalent to approximately one vehicle per hour (vph) in the peak hour) unless a lower rate can be demonstrated. Lower rates can be applied to multi-unit dwellings based on rates provided in the RTA *Guide to Traffic Generating Developments*.
- (2) See **Design Speed** and **Horizontal Curves and Tangent Lengths** on designing for specific operating speeds.
- (3) Widening required at bends to allow for wider vehicle paths (using AUSTROADS AP-G34 Design vehicles and turning path templates).
- (4) Where kerbing is not required a flush pavement edge treatment can be used. Maximum carriageway widths required if barrier kerbing used.
- (5) Carriageway width may be reduced where parking is provided by indented parallel bays in the verge
- (6) Additional width may be required to provide for pedestrians, services, drainage, landscape and preservation of existing trees. Add additional width on one side for future widening of carriageway to 5.0 m if required. For two lane carriageway design, no provision for widening required. Where the verge is adjacent to open space the width of the verge may be reduced to 2.5 m.
- (7) One footpath on one side of the street to be constructed initially with provision to construct a second footpath if required in the future.
- (8) Reduced speeds are required at designated pedestrian/bicycle crossing. A speed of 20 km/h is desirable, achieved by the road design principles outlined in the source document.
- (9) Not applicable
- (10) Where the road forms part of the on road bicycle network, a bicycle lane is required adjacent the kerb.
- (11) Speed on local sub-arterial road not to exceed legal limit.
- (12) If parking is allowed, it is to be provided by widening the verge and constructing parking spaces as an extension of the road pavement.
- (13) Required only if part of a pedestrian/bicycle network.
- (14) Provide adequate road reserve width for widening of carriageway for future bus route if required.
- (15) Not applicable.
- (16) Where services are to be provided in the verge, the verge must be widened to accommodate the service in the road reserve.
- (17) Notwithstanding the requirements specified for a road type, roads forming part of the major pedestrian network will require a 2.0 m wide footpath on one side of the street. The proposed path network for Googong is detailed in the Googong DCP.
- (18) A Level of Service C must be provided in all streets, which may require road types and/or lane widths to be adjusted to accommodate the traffic volumes derived during traffic modelling of a subdivision release.
- (19) Not applicable.
- (20) Not applicable.
- (21) Not applicable.
- (22) Not applicable.
- (23) Pram crossings must be provided in the kerb at path crossing locations in accordance with ACT TAMS standard drawing DS3-02.
- (24) Parallel parking is the preferred method of on-street parking in public roads. Angle parking is generally not supported by Council in public roads and is subject to approval by the Local Traffic Committee. Use should be limited to streets with traffic volumes <2,000 vpd. For traffic volumes >500 vpd an auxiliary lane should be provided between the travel lane and the angle parking spaces.

* Many elements are inter-related. Therefore variations from any particular recommended characteristic may require changes to others. (Derived from AMCORD)