

**JOINT REGIONAL PLANNING PANEL
(Southern Region)**

JRPP No	2017STH011
DA Number	DA 123-2017
Local Government Area	Queanbeyan-Palerang Regional Council
Proposed Development	Integrated Development for Neighbourhood 2 Googong Township Subdivision including boundary adjustment, the creation of 932 residential lots, 12 superlots for future subdivision for small lot housing, 15 residual lots for future subdivision of medium and higher density housing and other uses including the Town Centre sites, an education establishment (State K-12 school), fire station, senior housing, sales office, information and education facilities, community facility, recreation area and ancillary infrastructure and local services
Street Address	Lot 10 & 11 DP 754881, Lot 21 DP 1203214 and Lot 5 DP 1217396, 36 Googong Road and Lot 463 DP 1226692 (formerly known as Lot 376 DP 1221669), Montgomery Avenue, Part Road Reserve – Old Cooma Road & Googong Road, GOOGONG NSW 2620
Applicant/Owner	Googong Township Pty Limited
Number of Submissions	No Public Submissions 11 Government Agency Submissions (NSW Planning and Environment, NSW Police, Office of Environment and Heritage, NSW Department of Primary Industries Fisheries, NSW Department of Primary Industries Water, NSW Rural Fire Service, Roads and Maritime Service, Essential Energy, Commonwealth Department of Infrastructure and Regional Development, Canberra Airport and Fire & Rescue NSW)
Regional Development Criteria (Schedule 4A of the Act)	Pursuant to Clause 3 of Schedule 4A of the <i>Environmental Planning and Assessment Act 1979</i> , the Capital Investment Value of the proposed development exceeds \$20 million and as such the determining authority is the Joint Regional Planning Panel (Southern Region)

List all documents submitted with this report for the panel's consideration	As well as all of the plans and documents submitted with this development application, amended plans lodged with Council in September 2017 have also been submitted for the Panel's consideration.
Recommendation	Approval with Conditions
Report by	Mary Kunang, Queanbeyan-Palerang Regional Council

- b) Torrens title subdivision of Neighbourhood 2 to create;
 - i) 932 residential lots including 14 lots within Stage 2 to be used as exhibition village,
 - ii) 12 superlots for future subdivision for small lot housing,
 - iii) 15 residual lots for future subdivision of medium and higher density housing and other uses including the Town Centre sites, an education establishment (State K-12 school), fire station, senior housing, sales office, information and education facilities and community facility,
 - iv) Public reserves including Nangi Pimble (Hill 800), local parks, recreation area within Googong Common including sports fields, playground and ancillary facilities,
 - v) Public roads and drainage reserves.
- c) All subdivision works to prepare the land for the future development comprising site preparation and grading, stormwater and drainage works, road construction, tree removal, and utilities provision.
- d) All landscaping works and associated works to create and embellish all open space and the public domain. This includes the erection of entry sign, park structures including outdoor table tennis and chess, playground equipment, bench seat, decks, shelter with seat, barbeque shelters, dog park equipment, terrace walls, feature walls, weir walls, gabion walls, timber jetty and pedestrian bridge.
- e) The works will also include the construction of two new intersections with external roads – one each on Old Cooma Road and Googong Road and the duplication of the carriage way of Old Cooma Road between the proposed intersection and Googong Road. Note that the actual length of duplication is compromised due to required taper lengths until the ultimate Googong Rd / Old Cooma Rd intersection is completed.

The subdivision of the super lots for higher density residential dwellings and the construction of all buildings (housing, recreational facilities and schools) as well as the Town Centre sites will be the subject of future applications.



Figure 2 – NH2 Boundary Adjustment

The Capital Investment Value (CIV) of the proposed development is approximately \$143 million. This value is over the \$20 million threshold which triggers the requirement for the determining authority to be the Joint Regional Planning Panel – Southern Region (JRPP). This is prescribed in State Environmental Planning Policy (State and Regional Development) 2011 and Schedule 4A of the Environmental Planning and Assessment Act 1979.

The application was nominated as an Integrated Development requiring approvals under *Fisheries Management Act 1994*, *National Parks and Wildlife Act 1974*, *Rural Fires Act 1997* and the *Water Management Act 2000*.

All the required General Terms of Approval have been issued as follows:

- a) NSW Department of Primary Industries Water for a controlled activity approval under the Water Management Act 2000.
- b) Office of Environment and Heritage for an Aboriginal Heritage Impact Permit under the National Parks and Wildlife Act 1974.

The proposed development was referred to the RSF as integrated development requesting the issue of a Bush Fire Safety Authority under section 100B of the Rural Fires Act 1997. As mentioned elsewhere in the Report, the General Terms of Approval (GTA) is required to be issued for the proposed development prior to the determination of the application. At the time of writing this report the RFS have not issue the GTA. In the unlikely event that the GTA has not been issued by the date of the Panel’s determination meeting consideration of this DA will need to be deferred.

The application was also referred to the NSW Department of Primary Industries and Fisheries as integrated, however, they advised that a Section 219 permit (obstruct fish passage) under the Fisheries Management Act for the instream works associated with the application was not required as Montgomery Creek at the site is ephemeral and already obstructed by numerous farm dams and banks.

Various other agency referrals were required for the application as a result of the requirement of the State Environmental Planning Policy (Infrastructure), the Queanbeyan Local Environmental Plan 2012 (QLEP 2012) and the Googong Development Control Plan. Responses were received from all the agencies supporting the application subject to conditions as follows:

- a) NSW Transport – Roads and Maritime Services (Traffic generating development, development with frontage to classified road and construction of new intersections with Old Cooma Road under the SEPP Infrastructure).
- b) Commonwealth Department of Infrastructure and Regional Development and Canberra Airport (Development penetrating Obstacle Limitation Surface of Canberra Airport).
- c) NSW Police Service (Crime Prevention Through Environmental Design referral under Clause 2.9 of Queanbeyan DCP adopted by the Googong DCP).
- d) NSW Planning and Environment (Satisfactory Arrangement Certificate as required under QLEP 2012).
- e) Essential Energy (Easements for transmission line and electrical installation under the SEPP Infrastructure).
- f) Fire and Rescue NSW (A site for a fire station under the State Planning Agreement).

The development application was notified to adjoining owners from 18 April 2017 to 22 May 2017 and advertised as Integrated Development in The Queanbeyan Age/Chronicle on 18 April 2017 for 30 days. During this period no submissions were received.

Key issues raised during the assessment relate to:

- Suitable subdivision design including maximum slopes for residential lots, driveway/access, solar access, earthworks and future land uses and permissibility within the zone.
- Biodiversity impacts including tree removal and tree retention.
- Bushfire issues including asset protection zone.
- Road type/width and street hierarchy, bus route and traffic impact.
- Infrastructure and local services.
- Contamination issues and noise impact from Nangi Pimble Reservoir.

The applicant has amended the design to resolve the above issues. Amendments were also made to increase the number of trees to be retained to address biodiversity concerns especially for fauna habitat.

The proposal involves a variation to specific street type controls which is recommended for approval as the roads are considered as low traffic roads (10 roads in total – proposed roads: 07, 12, 14, 40, 41, 43, 51, 56, 59, 66) and is supported by Council's Development Engineer subject to the imposition of relevant conditions.

The original development application proposes 941 residential lots as stated in the submitted SEE. Subsequent amendments to the plans will result in 945 residential lots being created within NH2. However, 25 of those 945 lots are located partially within the B2 zone. Dwelling houses are permissible in R1 General Residential Zone. However dwelling houses are prohibited within the B2 zone. Subsequent negotiations resulted in the applicant proposing to use Clause 5.3 - Development near zone boundaries to permit dwelling houses on lots zoned B2 and within 20m of the R1 General Residential Zone (refer to Figure 19 for the location of affected residential lots and justification under Clause 5.3 of the QLEP 2012).

As shown in Figure 19, approximately 12 lots are located within the B2 Local Centre zone and within 20m of the R1 General Residential zone boundary and these lots will be utilised for dwelling houses. The remaining 13 lots are located within the B2 zone and are located outside the 20m of the R1 zone. Therefore these lots will be utilised for permissible uses such as respite day care centre, business premises or office premises as per the applicant's advice. Further amendments resulted in the proposed residential lots for future dwelling houses reduced from 945 lots to 932 lots.

The proposal involves the removal of 133 trees on site. The applicant has reviewed the number of trees to be removed and will now retain an additional 24 trees (number of retained trees increasing from 61 in the initial layout to 85 in the DA design). As per submitted supporting document, there are 5 trees classified as "exceptional value" in the NH2 site, with 3 being retained and 2 to be removed for the following reasons stated by the applicant:

- a) *Tree identified as No. 48 located at the base of an existing farm dam embankment that cannot be retained – the removal of the dam necessitates earthworks that prevent the tree being retained.*
- b) *Tree identified as No. 118 located within the subdivision pattern but with areas of open space – and significant groups of trees already being retained – nearby that cannot be connected without significant re-lotting and/or creation of additional park assets and burden for Council.*

NSW Planning and Environment issued the satisfactory arrangements certificate for the subject application on 13 September 2017 in accordance with the provisions of Clause 6.1 of the Queanbeyan Local Environmental Plan 2012. Sites have been set aside for a public school and fire station under a State Voluntary Planning Agreement.

An assessment under Section 79C of the Environmental Planning and Assessment Act 1979 has been undertaken. The proposed subdivision of Neighbourhood 2 is recommended for approval subject to the imposition of conditions.

Background

Googong is a new township comprising approximately 790ha of land currently zoned for urban development. Planning as an urban release area was identified in the Queanbeyan Land Release Enquiry (2006) and Queanbeyan Residential and Economic Strategy 2031 (2007). The Googong Urban Investigation Area – Local Environmental Study 2004 was prepared by Willana Associates to support the rezoning of the land which was achieved when the Queanbeyan Local Environmental Plan (Googong) 2009 was gazetted on 24 December 2009. The Googong LEP was acceded into the Queanbeyan Local Environmental Plan 2012, as amended.

The development of the site at Googong is driven by future demand for housing in Queanbeyan. The Googong Master Plan (Refer to Figure 3 below) broadly sets out the ultimate development outcomes for Googong which envisages some 6,600 homes, accommodating a population of approximately 18,000 people. Business opportunities, recreation, significant open space, schools and community facilities are also provided for over the next 25 years. An area of 166ha representing 21% of the total area is to be set aside for open space not only delivering lifestyle amenity for residents but also protecting important habitats. All development seeks to protect landscape features, threatened species' habitats and the catchment of the adjacent Googong Dam.



Figure 3 – Googong Master Plan

Googong Township is being developed as a series of neighbourhoods, five in total, broken down into smaller development stages. Figure 4 below shows the overall Googong Neighbourhood Plan. Each is governed by a broader Neighbourhood Structure Plan embedded in the DCP that translated the Master Plan to a level of detail that shows the general location of developable areas, areas of open space and road layouts for each neighbourhood.

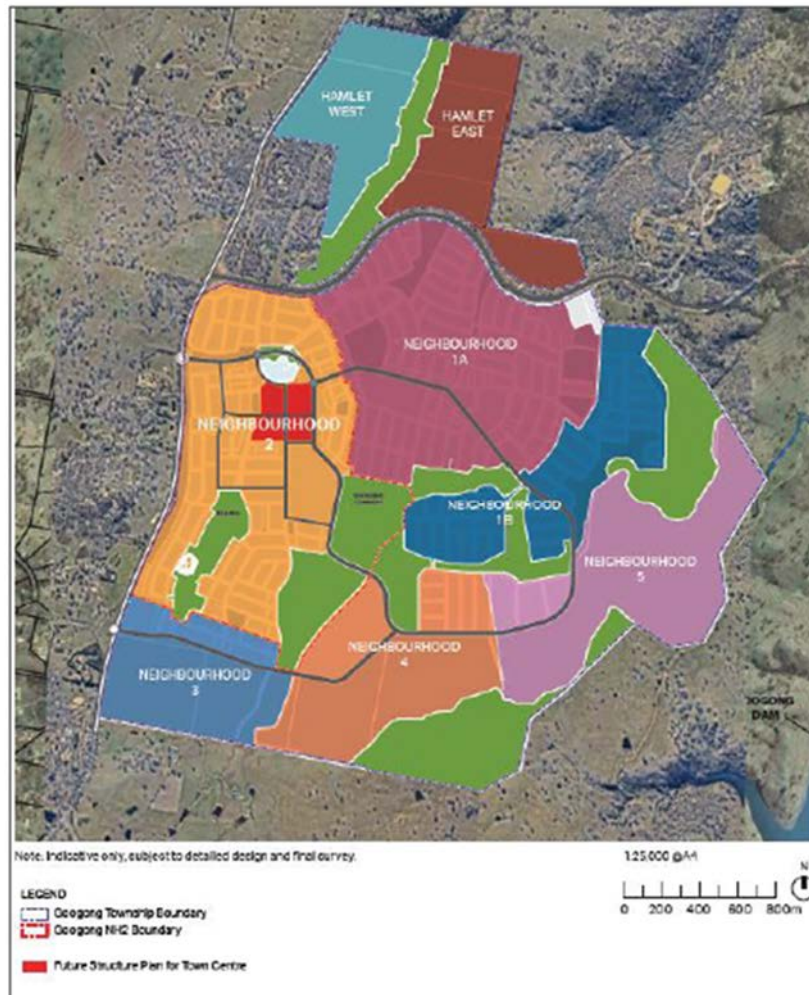


Figure 4 – Googong Neighbourhood Plan

The Googong DCP requires that a 'Neighbourhood Structure Plan' be prepared and approved prior to the subdivision and development of land. It also requires a separate Structure Plan to be developed for the Town Centre and Neighbourhood Centres. A Structure Plan for Neighbourhood 2 was prepared and submitted to Council in May 2016 and was adopted on 14 December 2016 as part of the amendment to Googong DCP. Refer to Figure 5 - Neighbourhood 2 Structure Plan below.



Figure 5 – Neighbourhood 2 Structure Plan

Approval for water infrastructure under the now repealed Part 3A of the EP&A Act, and associated infrastructure approvals under Part 5 of the EP&A Act, has been granted at Googong:

- a) Water infrastructure approval (Part 3A):** Googong Township has been designed to be one of the first purpose-built, large-scale water-efficient communities in Australia. It has been designed around an integrated water cycle system, which includes:
- i. A dedicated wastewater treatment and recycling plant (WRP) stages A and B approved in November 2011.
 - ii. Water (potable and recycling) network reticulation including reservoirs – stages A+B in Nov 2011.

b) Water infrastructure (Part 5)

- i. Network reticulation stage C in April 2016
- ii. WRP stage C in Dec 2016.

c) Associated infrastructure approvals (Part 5): Approvals under Part 5 of the EP&A Act have been granted for:

- i. Edward Land Parkway extension, which has since been opened.
- ii. Upgrade of Old Cooma Road - minor intersection left turn improvement.
- iii. Trunk gas and communication works located in a shared services trench association with the Old Cooma Road and Edward Land Parkway upgrades.
- iv. An easement and alignment for electrical installations as determined by Essential Energy.

Site and Surrounds

Figure 6 – Locality Plan shows the location of the Googong site in the context of the Canberra Region. The site of the Googong Township is 8km south of the Queanbeyan CBD. The surrounding area is characterised by a variety of land uses including, nature reserves, low intensity forestry, rural residential development, cattle and sheep grazing and recreation. Googong Dam and the Googong Foreshores (owned by the Commonwealth Government and leased to the Australian Capital Territory Government) is immediately east of the site and an operating quarry is located north west of the site on the western side of Old Cooma Road.

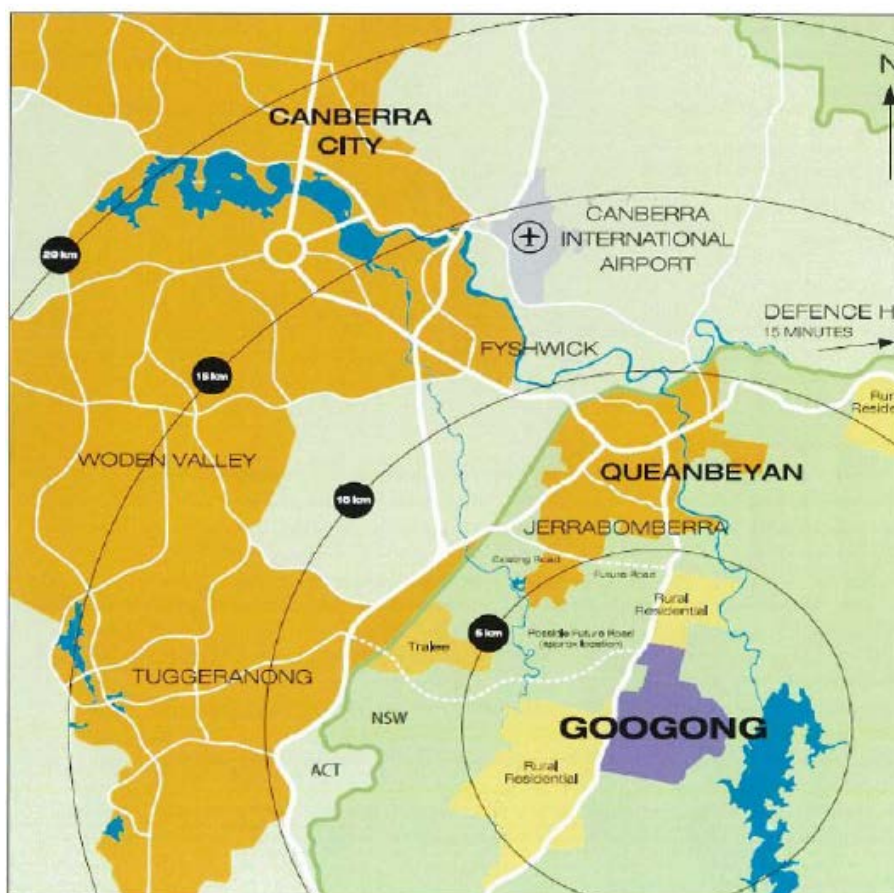


Figure 6 – Locality Plan

Neighbourhood 2 is in the western part of Googong and is bounded by Old Cooma Road to the west and Googong Road to the north (See Figure 7 below). Development within the vicinity includes:

- a) Neighbourhood 1A to the east and north east that is now largely completed and occupied.
- b) Neighbourhood 1B to the east currently under construction.
- c) Future Neighbourhood 3 (Googong Central) to the south.
- d) Future Neighbourhood 4 (Googong South) to the south-east.

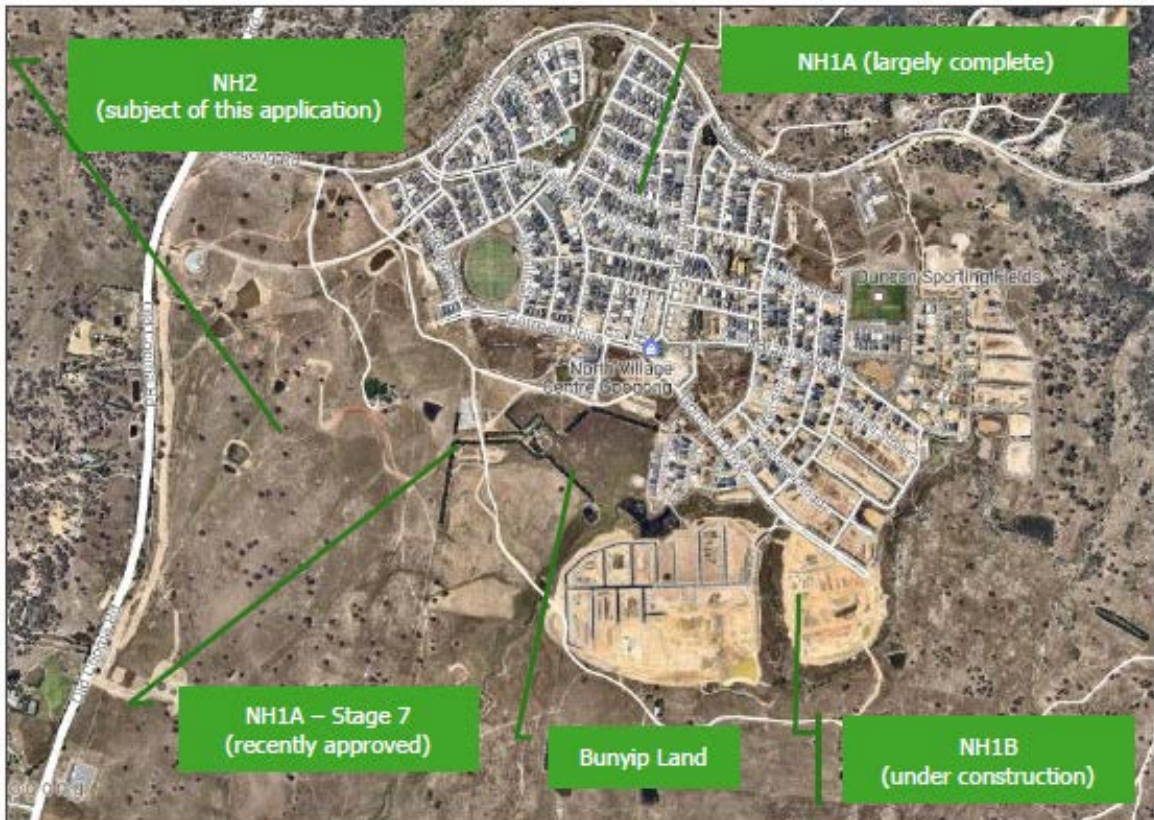


Figure 7 – Location of Neighbourhood 2 and development within the vicinity

The proposed NH2 incorporates in 15 construction stages including;

- a) 932 residential lots including 14 lots within Stage 2 to be used for an exhibition village,
- b) 12 superlots for future subdivision for small lot housing,
- c) 15 residual lots for future subdivision of medium and higher density housing and other uses including the Town Centre sites, an education establishment (State K-12 school), fire station, senior housing, sales office, information and education facilities and community facility,
- d) Public reserves including Nangi Pimble (Hill 800), local parks, recreation area within Googong Common including sports fields, playground and ancillary facilities,
- e) Public roads and drainage reserves.

The NH2 site has an irregular shaped landform, consistent with grazing. The site contains several farm dams and paddocks, currently grazed by livestock including sheep, goats, horses etc. There are no permanent buildings on site and the aboveground built infrastructure is currently limited to the stock fences, interim water supply reservoirs and water supply infrastructure under construction along Old Cooma Road. The site is primarily cleared with scattered mature trees and some areas retain a high cover and diversity of native groundcover species and lower cover of exotic weeds. Continuous grazing has removed the midstrata and entirely prevented regeneration of the canopy species. The site is traversed by unsealed vehicle tracks and 11kv and 132kv powerlines.

The existing slope of the land form varies with slopes of between 0% and 15% and slopes as high as 25 to 50%. The proposal involves site preparation and grading to reduce the slopes of the majority of residential lots to a maximum 20% as per Googong DCP requirements, except for 9 residential lots within Nangi Pimble (Hill 800) which have maximum slopes of 25% at the rear of those properties. This is considered as a variation to the Googong DCP and will be further discussed below under Clause 4.3 of Parts 4 and 5 – Subdivision & Design of the Googong DCP.

No Pink-tailed Worm-lizard (PTWL) Habitat was found on site and based on the submitted Flora and Fauna Assessment report, the species is considered unlikely to occur within the subject site. No threatened flora and fauna species were identified on site. Various studies have been carried out across the Googong Township to identify Areas of Environmental Concern (AECs). The following AECs are located within the Neighbourhood 2 site boundaries and have been considered as part of this application;

- a) AEC 10 – Drums and car batteries storage
- b) AEC 13 – Sheep and cattle yards
- c) Car body
- d) Hematite rich zone located around the 2 rubbish pits.

The site has been investigated and contains items of aboriginal significance. The submitted Archaeological Assessment and Aboriginal Cultural Heritage Assessment prepared by Navin Officer dated August 2017 stated that the current survey study has found that:

- 1) *Seven previously unrecorded Aboriginal sites were located during the survey of the study area (GRW29 – GRW35).*
- 2) *Seven previously recorded sites were re-found during the current investigation. These are sites GRW1, GRW4, GRW5, GRW8, GRW10, GRW14 and GRW15.*
- 3) *Of these sites;*
 - a) *GRW1, GRW4 and GRW8 were left in-situ as part of the farming areas collection program and have been re-recorded.*
 - b) *GRW5 and GRW10 were collected during the farming areas collection program; additional artefacts were recorded at these site.*
 - c) *Site GRW14 is located partially outside and GRW15 is located 26 metres outside of the Googong Neighbourhood 2 study area:*
 - i. *GRW14 was collected during the farming areas collection program, additional artefacts were recorded at this site.*
 - ii. *GRW15 could not be re-found during the collection program; artefacts were recorded at this site.*
 - d) *All other previously recorded sites (GA5, GA6, GA7, GRW6, GRW7, GRW9, GRW12, GRW13 and GRW28) were revisited and re-inspected during the current investigation but no additional artefacts were found.*

The report states that based on feedback received through the process of consultation with local Aboriginal groups, the archaeological sites identified within the study area (NH2) have cultural significance to present-day Aboriginal groups as manifestations of their ancestors' past occupation of the landscape. However, none of the sites have any additional social or cultural value through relating to myths and stories, events of oral history or any intangible cultural values. The report also stated that all sites and PADs are assessed as being of low scientific value and none of the sites have substantial aesthetic value or value as an educational resource.

The report recommended that certain management and mitigation strategies outlined the discussion under Clause 5.10 of the LEP below.

The site is identified as bushfire prone land (see Figure 8 below). Clause 8.5 of the Googong DCP requires bushfire management issues to be considered. In accordance with a report prepared by Eco Logical Australia (ELA) dated 23 March 2017, a Bushfire Protection Assessment (BPA) was undertaken by ELA in March 2016 as part of the NH2 Structure Plan, preparation to undertake Bushfire Attack Level (BAL) mapping and the issuing of BAL certificates for future residential construction at the Googong NH2 site.

The BPA identifies that bushfire can potentially impact the development from the woodland vegetation to the north and west and areas of unmanaged grassland to the south and south-east of the development area. The subdivision was assessed based on Planning for Bush Fire Protection (PBP 2006) and detailed slope assessments incorporated into Method 1 (of AS 3959-2009) calculations to determine suitable Asset Protection Zones (APZ). PBP requires a maximum BAL rating of BAL29 for residential subdivision development, which aligns with the approved APZ. A BAL map has been prepared for Googong NH2 based on a post-subdivision scenario accounting for bushfire vegetation that will remain once development is completed (refer to BAL map in Figure 9 below). The map assumes that all developable land will be managed throughout the staging of development. Lots adjacent to unmanaged grassland will be subject to a BAL rating, but as development proceeds and this area is developed, the BALs will either be reduced or removed.

Development that is located outside of mapped BAL-FZ to BAL12.5 as shown in Figure 9 below are exposed to BAL-Low and no specific construction requirements will apply under AS 3959-2009 due to the insignificant bushfire risk posed.

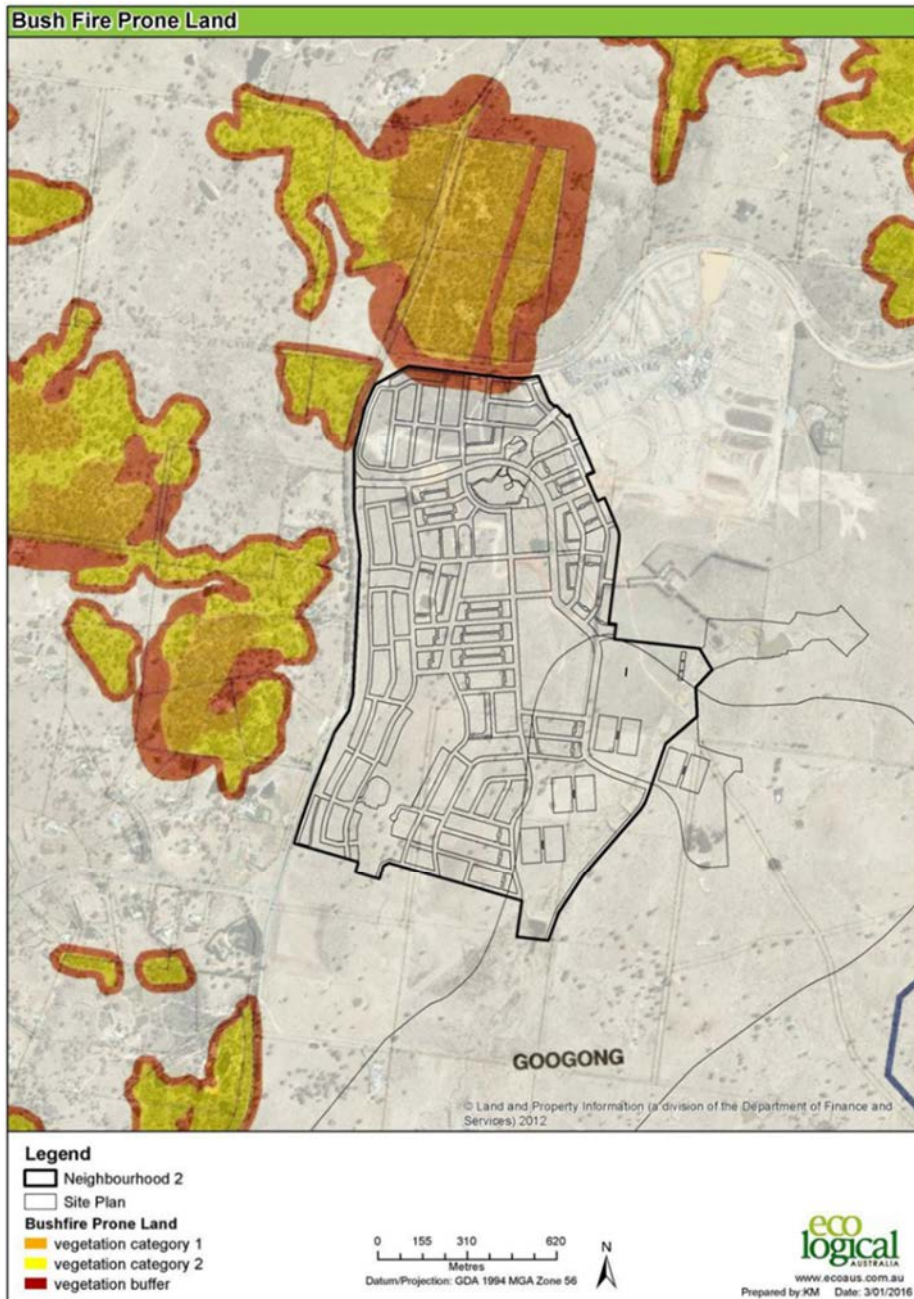


Figure 8 – Bushfire prone land

The analysis of bushfire protection measures included in the report for development adjoining Nangi Pimble Reserve comprises a detailed hazard assessment, asset protection zone requirements and access for firefighting. The advice also considers the adjacent Essential Energy substation site to the south of NH2, APZ arrangements for Old Comma Road buffer planting, and APZ arrangements for Staging for NH2.

In accordance with the report, revegetation plans for the reserve have now been developed with the proposed revegetation consisting of plant species and structure associated with Dry Sclerophyll Forest. The planting for the forest area will consist of *Allocasuarina verticillata* and eucalyptus spp with the intent of providing habitat for the Glossy Black Cockatoo. Figure 10 below shows the effective slope and predominant vegetation on four (4) transect lines representing the highest bushfire threat posed to the residential development adjoining the Reserve. The report recommended that the Bush Fire Safety Authority incorporate a condition or note that any lot adjoining Nangi Pimble Reserve will require a BPA incorporating a performance based solution to support the construction of a residential dwelling through the Development Application process.

The report stated that each lot adjoining the Reserve will be required to incorporate a 7m APZ and be separated from the Reserve by a 1.8 m high Colourbond fence. Beyond the fence, a proposed concrete dish drain and kerb of up to 1m width within the Reserve will provide further separation whilst the fence will act as a radiant heat shield therefore providing a level of redundancy to the proposed APZ. The inclusion of the concrete dish drain results in an effective APZ width of 8m made up of the 7m wide APZ within the residential lot and the 1m wide concrete dish drain within the open space. A cross section of the proposed APZ is shown in Figure 10 below.

In addition to the required 7m APZ the proposal details other methods that will assist in mitigating the bushfire threat to urban development in the vicinity of Nangi Pimble including:

1. 1m wide concrete dish drain to the open space side of rear boundaries backing onto the open space to break fuel continuity;
2. 0.75m wide bush track running parallel to the residential lots backing onto the open space to provide maintenance access and a break in fuel continuity;
3. 18-45m deep clear zone between the rear of residential lots and any proposed dry sclerophyll forest regeneration planting on Nangi Pimble where the existing grassland & spotted existing trees will be retained; and
4. the identification of anchor points within Nangi Pimble to allow access for firefighting appliances and personnel in the event of a fire within the reserve.

The report concluded that due to the slope of the site, maintenance of the path system and limited fire runs these arrangements are considered suitable. The existing management regime for the Essential Energy substation provides an effective APZ for that site, and this will complement arrangements to be put in place for NH2. The report recommended the following measures:

1. APZ as detailed in Table 1 for all lots adjoining Nangi Pimble Reserve;
2. The Bush Fire Safety Authority incorporate a condition or note that any lot adjoining Nangi Pimble Reserve will require a BPA incorporating a performance based solution to support the construction of a residential dwelling through the Development Application process;
3. APZ for Old Cooma Road to be provided within the electrical easement, and managed to APZ standards and in accord with Essential Energy management requirements; and
4. Temporary APZs for grassland hazards of 50 m for each Stage of development.

The proposed development was referred to the RSF as integrated development requesting the issue of a Bush Fire Safety Authority under section 100B of the Rural Fires Act 1997. As mentioned elsewhere in the Report, the General Terms of Approval (GTA) is required to be issued for the proposed development prior to the determination of the application. At the time of writing this report the RFS have not issue the GTA. In the unlikely event that the GTA has not been issued by the date of the Panel's determination meeting consideration of this DA will need to be deferred.

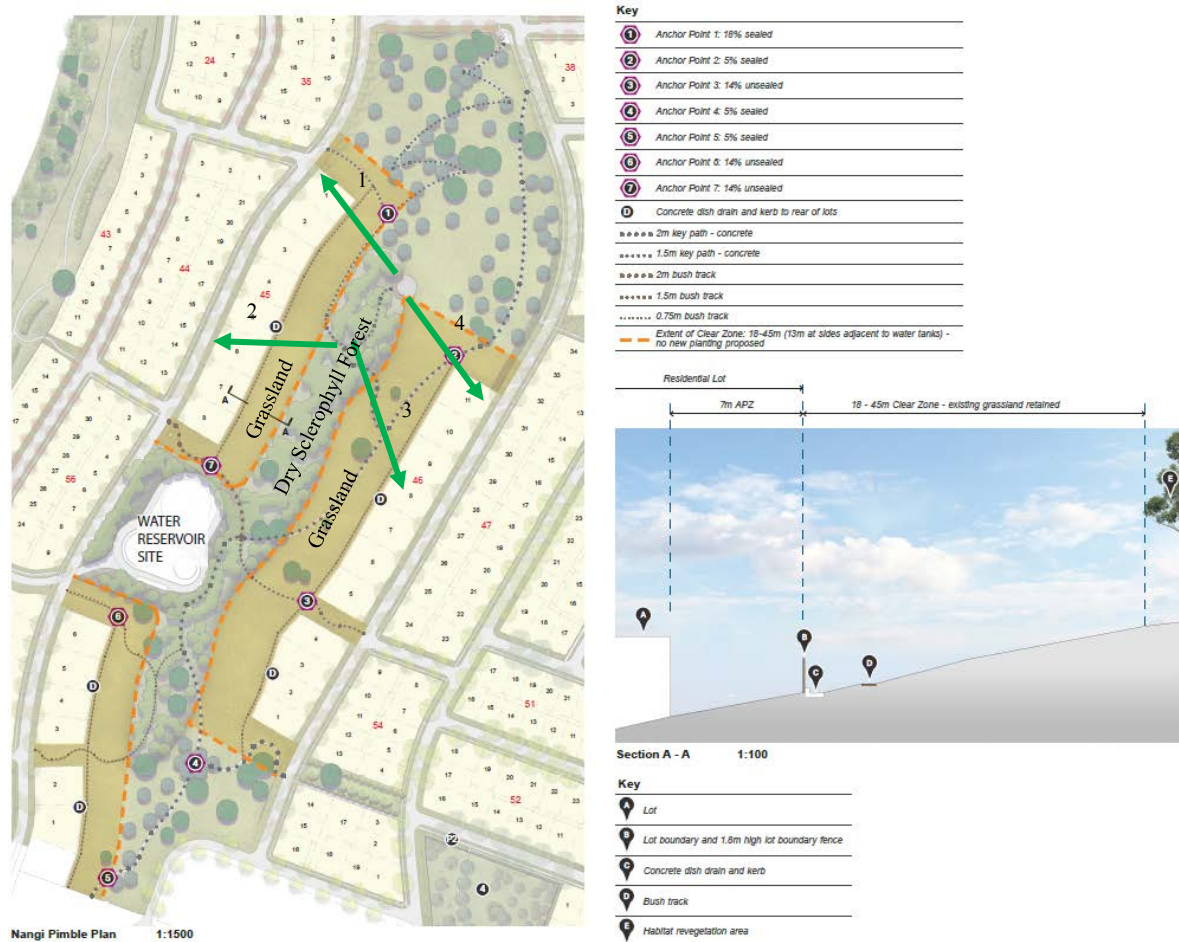


Figure 10: Effective slope and vegetation at Nangi Pimble and cross section of the proposed APZ

Access to the site will be provided from the existing Neighbourhood 1A to the east principally from Bambridge Parade and Gorman Drive as well as several smaller residential streets. New external accesses to Neighbourhood 2 will be provided by a new entry Road, Wellsvale Drive, off the existing Old Cooma Road and from proposed Road 2 off Googong Road.

The drainage paths consist of grassy swales, and undulating grass landscapes draining into several farm dams, Montgomery Creek and the Neighbourhood 1 stormwater infrastructure. This site is significantly cleared for farm land use. The major drainage line adjoining the site stormwater catchment is Montgomery Creek. Montgomery Creek has been classified as a Second Order stream by AECOM. No piped drainage systems are currently present within the site.

Proposed Development

The integrated development application seeks approval for subdivision and associated works as follows:

- a) Boundary adjustment to create 6 lots as shown in Figure 2 above. This includes a lot for the Nangi Pimble site (Hill 800). The remaining five lots will be further subdivided into 15 construction stages to create Neighbourhood 2 (refer to Figure 11 below).
- b) Torrens title subdivision of Neighbourhood 2 to create;
 - i) 932 residential lots including 14 lots within Stage 2 to be used as exhibition village,
 - ii) 12 superlots for future subdivision for small lot housing,
 - iii) 15 residual lots for future subdivision of medium and higher density housing and other uses including the Town Centre sites, an education establishment (State K-12 school), fire station, senior housing, sales office, information and education facilities and community facility,
 - iv) Public reserves including Nangi Pimble (Hill 800), local parks, recreation area within Googong Common including sports fields, playground and ancillary facilities,
 - v) Public roads and drainage reserves.
- c) All subdivision works to prepare the land for the future development comprising site preparation and grading, stormwater and drainage works, road construction, tree removal, and utilities provision.
- d) All landscaping works and associated works to create and embellish all open space and the public domain. This includes the erection of entry sign, park structures including outdoor table tennis and chess, playground equipment, bench seat, decks, shelter with seat, barbeque shelters, dog park equipment, terrace walls, feature walls, weir walls, gabion walls, timber jetty and pedestrian bridge.

The proposed subdivision is not a 'staged development application' for the purposes of the Environmental Planning and Assessment Act, 1979.

The works will also include the construction of two new intersections with external roads – one each on Old Cooma Road and Googong Road. The works also include the duplication of the carriage way of Old Cooma Road between the proposed new intersection and the existing Googong Road. Note that the actual length of duplication is compromised due to required taper lengths until the ultimate Googong Rd / Old Cooma Rd intersection is completed.

The subdivision of the super lots for higher density residential dwellings and the construction of all buildings (housing, recreational facilities and schools) as well as the Town Centre sites will be the subject of future applications.

As mentioned above, the proposed subdivision will result in a total of 15 construction stages which will form the basis of the completion of Neighbourhood 2 (Refer to Figure 11 below). The subdivision will create a variety of residential lot types and sizes. The subdivision of the residue lots for future multi units and superlots for small lot housing including the construction of all buildings on these lots are subject to future development applications. Please note the total numbers of multi units and small lot housing may change in the future. See Table below.

Stage	Multi Units (approx.)	Small lot housing		Standard dwelling
		Attached dwellings (Terraces) (approx.)	Studio dwelling (approx.)	
1	0	11	2	70
2	0	18	2	93
3	8	32	3	36
4	0	0	0	52
5	142	35	5	59
6	243	0	0	39
7	241	0	0	0
8	0	17	2	57
9	0	0	0	89
10	0	39	2	81
11	0	0	0	82
12	0	0	0	64
13	0	0	0	54
14	0	0	0	87
15	0	0	0	69
Total	634	152	16	932

Table 2 – Proposed Housing Mix

The urban frame to the Town Centre comprises small lots and terrace type dwellings to support activation of the urban streetscape in and around the Town Centre. Higher densities along Gorman Drive will also assist in creating a sense of arrival in the approach towards the Town Centre and Neighbourhood Park. The proposed residential lots have been designed to respond to the topography, view opportunities, solar access and open space connections. The submitted Solar Access Plan demonstrates that 93.95% of lots are within the optimal orientation to maximise passive solar access and the ability to achieve more energy efficient homes.

A mix of larger allotment sizes has been provided to the east and west of Nangi Pimble, with a short distance to the future school and Googong Common sporting facilities. Extensive landscaping zones have been provided with the Nangi Pimble.

To promote walkable neighbourhoods and a sense of community, a dedicated on-road bicycle lane has been provided on Wellsvale Drive, bounding the western side of the Town Centre and linking to the School, Googong Common and balance of the township. Also footpaths with various widths and safe pedestrian linkages have been provided throughout NH2. Green links connect open space to enable permeability and encourage walkability.

As defined in the Structure Plan and as required in the LPA, there are 13 open spaces that have been provided within the NH2 development area. These include the main entry (including Old Cooma Road duplication), linear entry park, Town Centre lake, neighbourhood

park, civic plaza, Nangi Pimble, Googong Common, Local Parks 7, 8 & 9, widened verges and green links, Old Cooma Road buffer and Googong Road buffer.

The Neighbourhood Park, including the lake, responds to local drainage conditions by providing for water management, flood control and water quality treatment for the catchment. It will provide a high level of amenity from within the park and as viewed from the Main Street of the Town Centre. The Googong Common will provide an extensive open space resource, functioning as the “lungs and playground” for Googong. The section of Googong Common within NH2 contains the majority of the sporting and recreational facilities such as an indoor sports and recreation centre, 6 netball courts, sports field 3 (AFL co-use with cricket oval), sports field 4 (double soccer co-use with rugby league/cricket pitch/oval), sports field 5 (double soccer co-use with rugby league/cricket pitch), sports field 6 (single soccer/rugby league), tennis centre (8 floodlight courts), 2 multi use games arenas (MUGAs), tennis clubhouse, amenity buildings and local playgrounds.

Neighbourhood 2 will provide the gateway or primary entry into Googong Town Centre and the connected neighbourhoods beyond, and will be accessed from a new entry Road, Wellsvale Drive, off the existing Old Cooma Road.

Landscape embellishments to Old Cooma Rd will create a sense of arrival to the new township. In addition to feature planting, public art and signage will also establish the entry into the Town Centre.

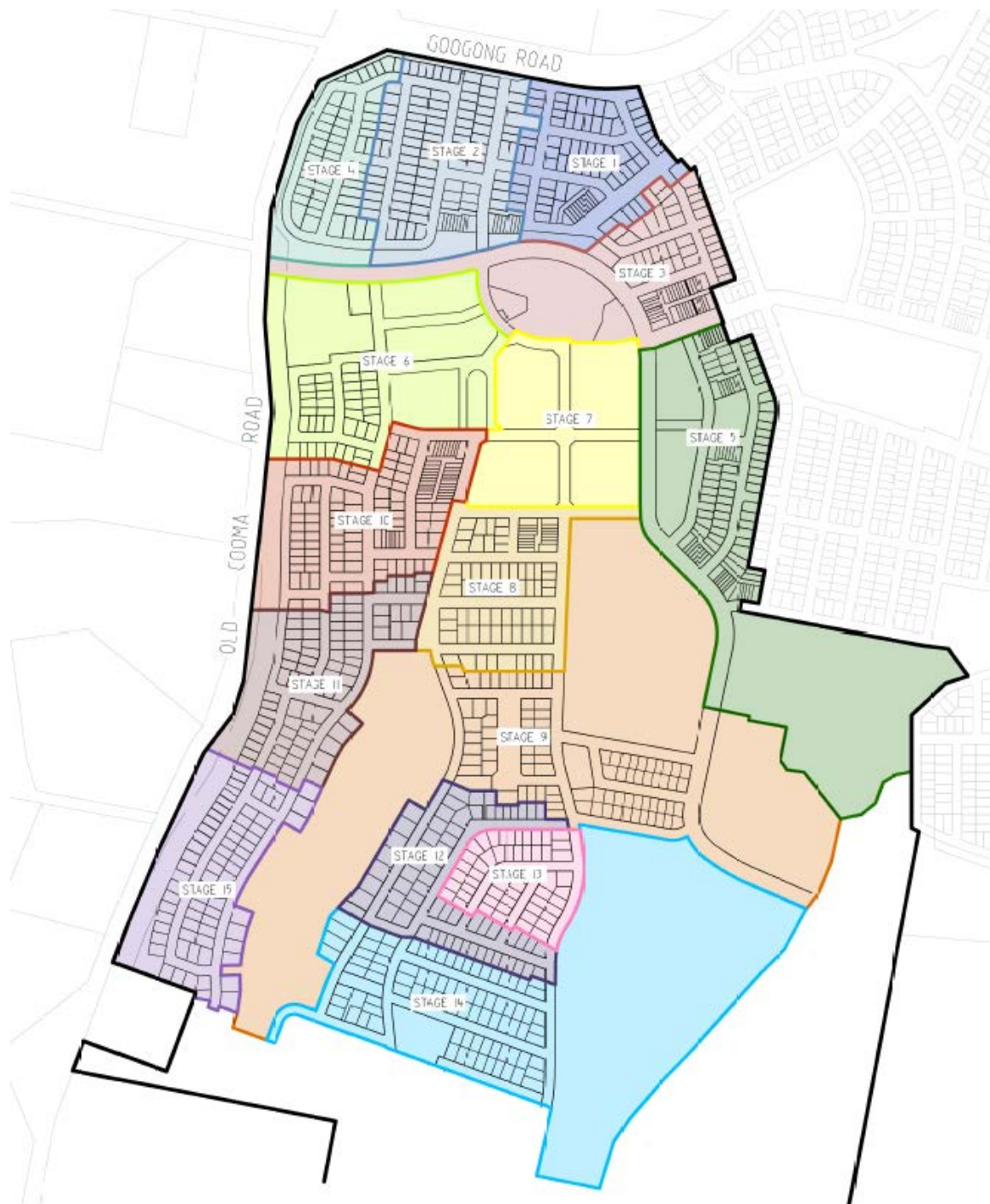
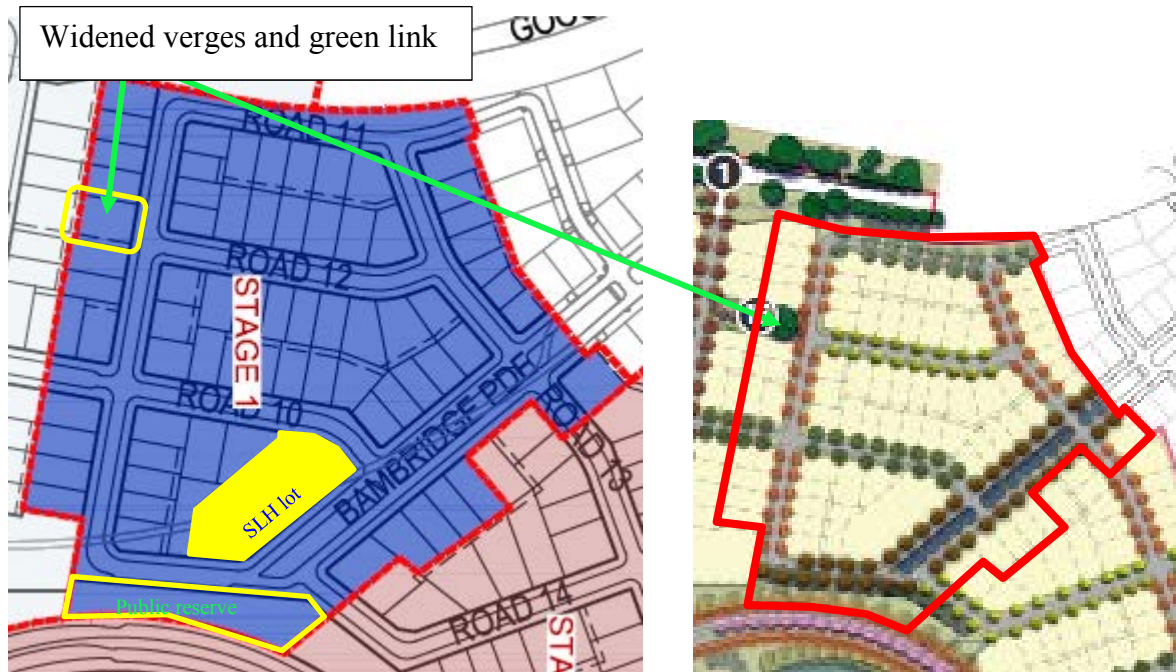


Figure 11 – Proposed 15 stages within Neighbourhood 2

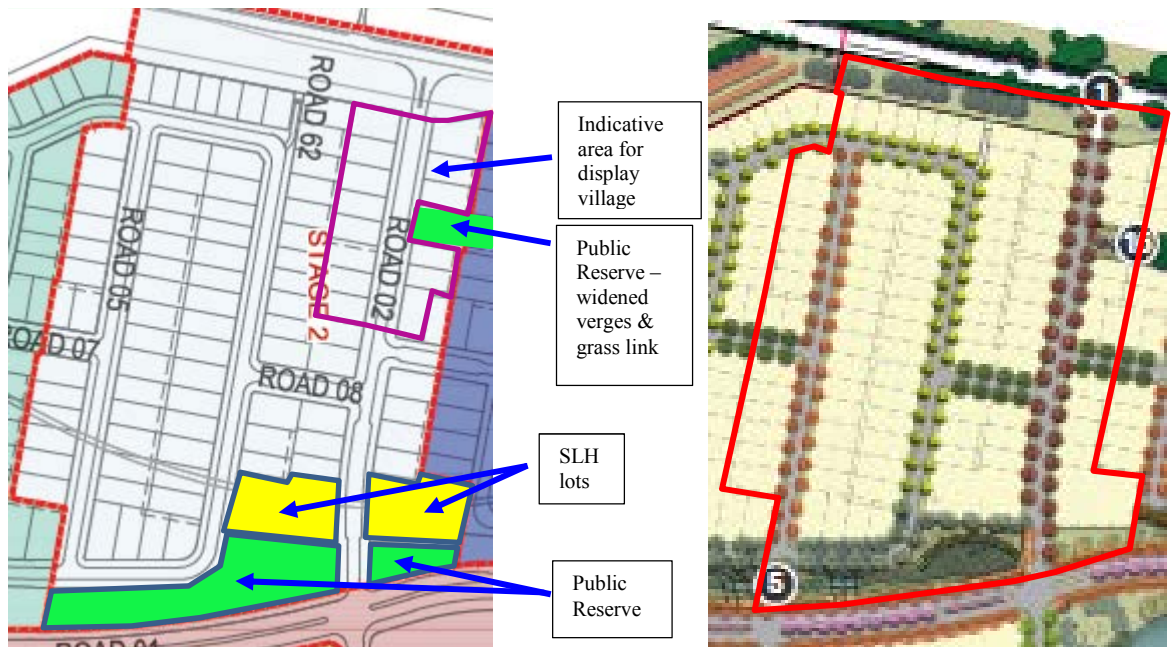
Stage 1

70 residential lots, a lot for future small lot housing, 2 public reserves including widened verges and green link and various public roads. See Figure below.



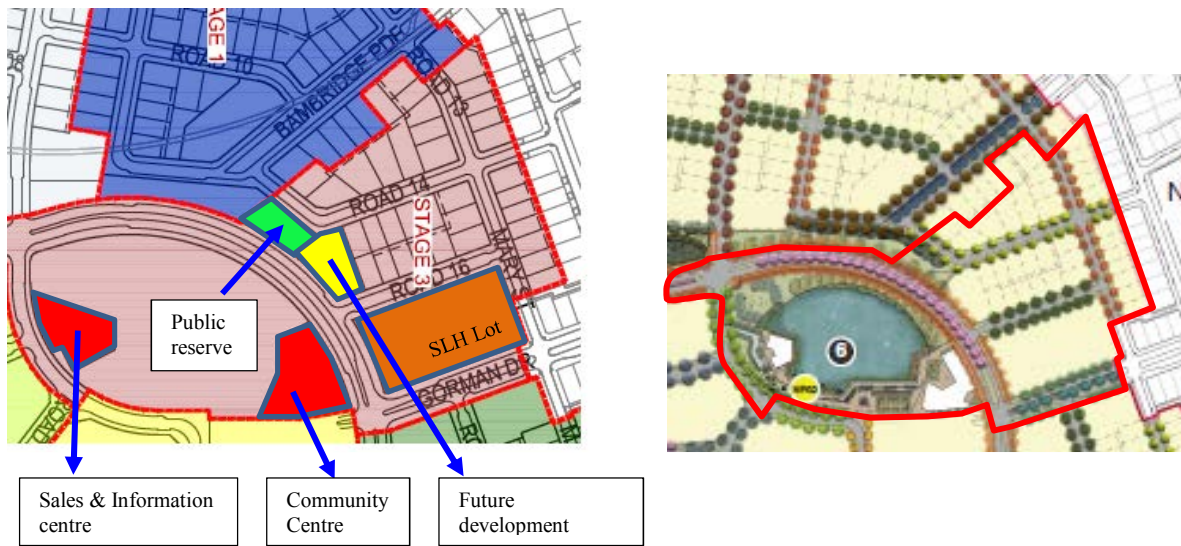
Stage 2

93 residential lots (14 of those lots may be used as a display village), 2 lots for future small lot housing, 3 public reserves including widened verges and green link and various public roads. See Figure below.



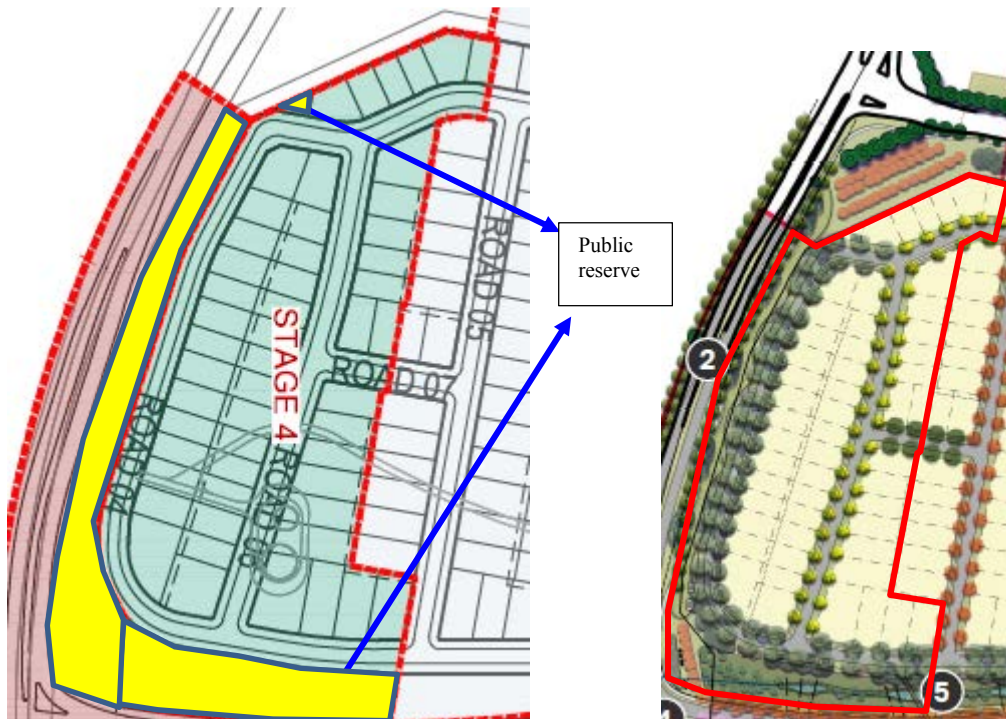
Stage 3

36 residential lots, a public reserve, a lot for sale & information centre and community centre, a lot for future small lot housing development, various public roads and a lot for future development. See Figure below.



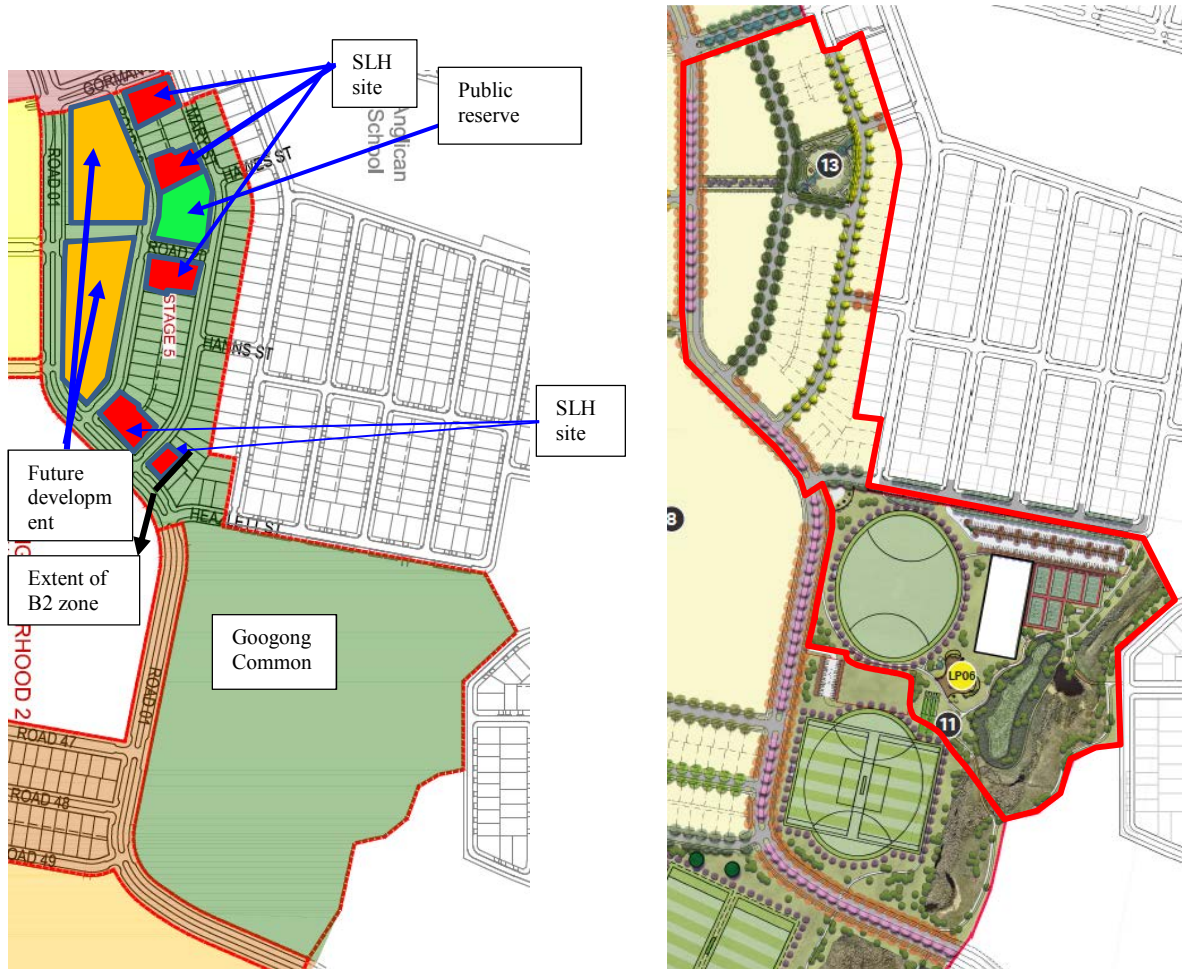
Stage 4

52 residential lots, 2 public reserves and various public roads. See Figure below.



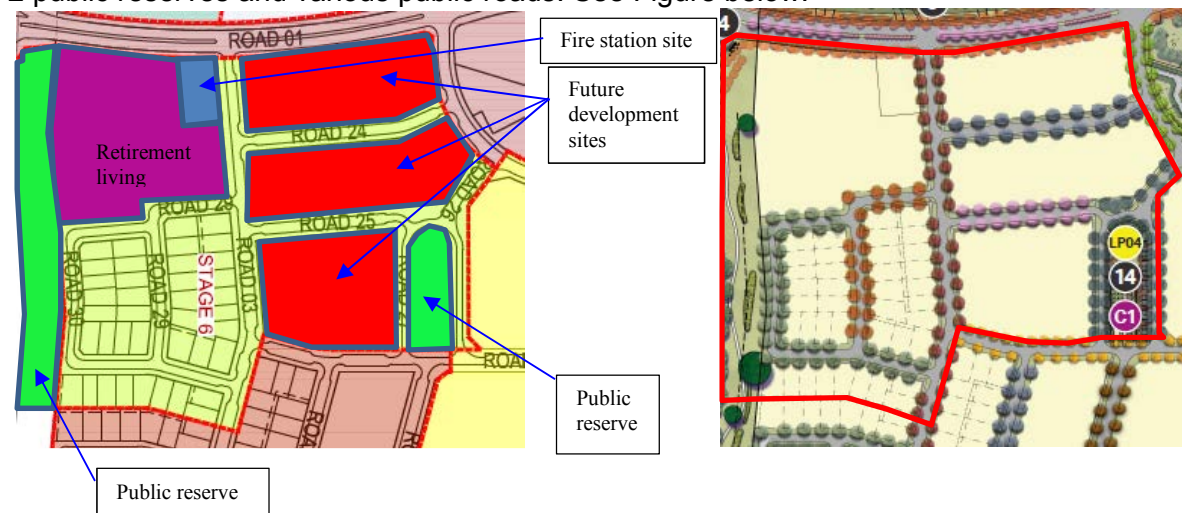
Stage 5

59 residential lots, 2 public reserves including Googong Common, 5 lots for future small lot housing, 2 lots for future development and various public roads. See Figure below.



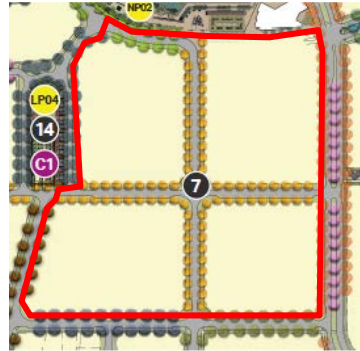
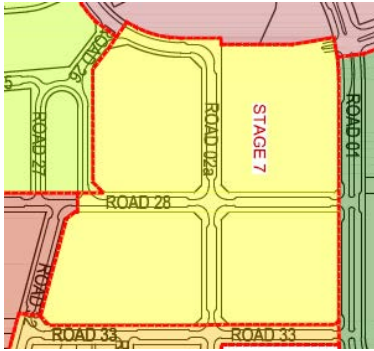
Stage 6

39 residential lots, 3 lots for future development, a lot for the fire station, retirement living and 2 public reserves and various public roads. See Figure below.



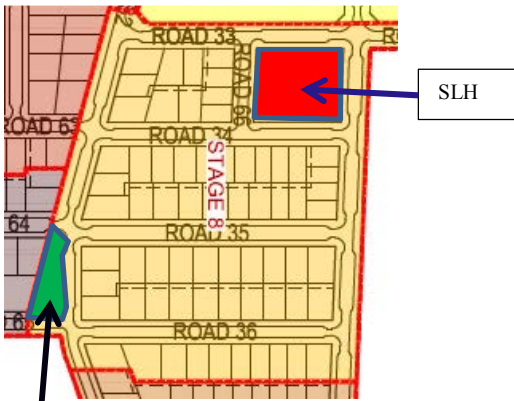
Stage 7

4 Town Centre lots for future development and various public roads.



Stage 8

57 residential lots, a lot for future small lot housing, public reserve (widened verges & green link) and various public roads. See Figure below.



SLH

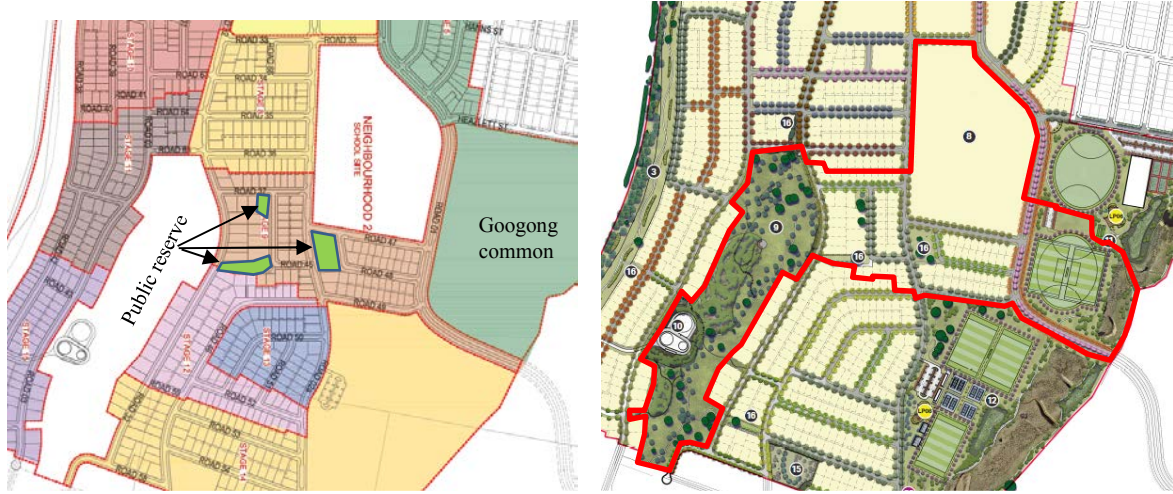
Public reserve - Widened verges & green link



Note: 9 Lots marked as "A" excluded from residential lots

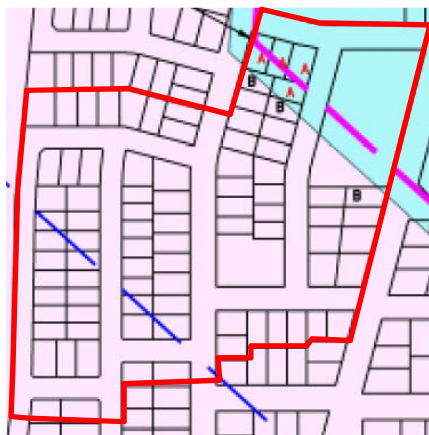
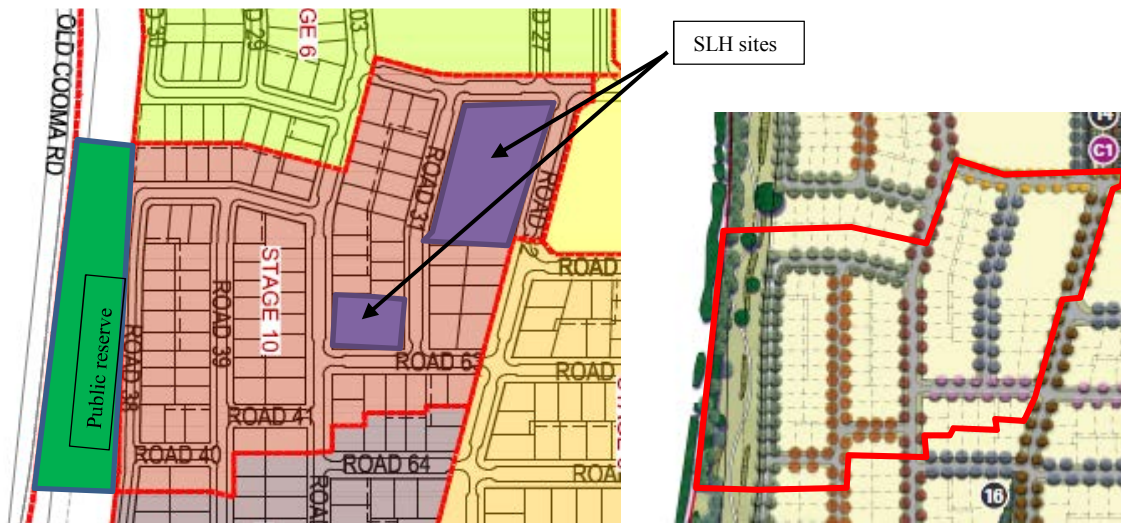
Stage 9

89 residential lots, a lot for future development within Googong Common, a large residue lot for the school, 5 public reserves including part of Googong Common and various public roads. See Figure below.



Stage 10

81 residential lots, two lots for future small lot housing, a public reserve and various public roads. See Figure below.



Note: 4 Lots marked as "A" excluded from residential lots

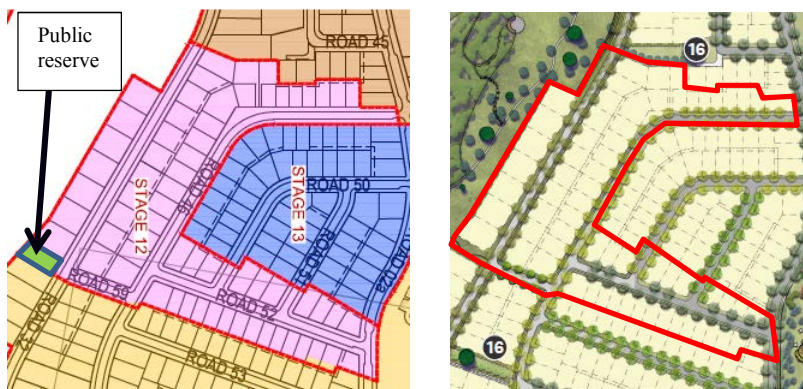
Stage 11

82 residential, a public reserve and various public roads . See Figure below.



Stage 12

64 residential lots, a public reserve and various public roads. See Figure below.



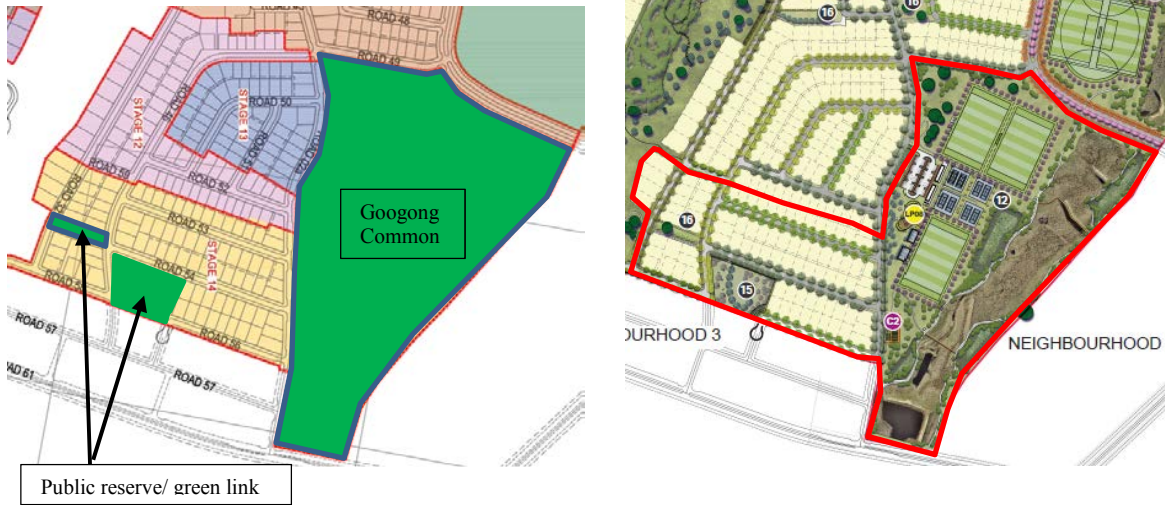
Stage 13

54 residential lots and various public roads. See Figure below.



Stage 14

87 residential lots, 3 public reserves including widened verges & green link and part of Googong Common and various public roads. See Figure below.



Stage 15

69 residential lots, 3 public reserves and various public roads. See Figure below.



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

- a) Statement of Environmental Effects prepared by Elton Consulting dated 28 March 2017.
- b) Original plans prepared by Calibre Consulting dated March 2017, landscape plans prepared by AECOM dated 22 March 2017 and subdivision plans prepared by Matthew Stevenson dated 14 & 16 March 2017.
- c) Archaeological Test Excavation NH2 report prepared by Navin Officer dated February 2017, draft Archaeological Assessment and Aboriginal Cultural Heritage Assessment prepared by Navin Officer dated February 2017, final Archaeological Assessment and Aboriginal Cultural Heritage Assessment prepared by Navin Officer dated August 2017, Letter of Advice and Bushfire Attack Level (BAL) Risk Assessment Certificates prepared by EcoLogical Australia dated 23 March 2017 and 6 March 2017, Civil Engineering and Utilities Design Report prepared by Calibre Consulting dated 23 March 2017, Flora and Fauna Assessment prepared by Capital Ecology dated March 2017, Geotechnical Advice Letter Salinity prepared by Douglas Partners dated 14 March 2017, Geotechnical Investigation report prepared Douglas Partners dated July 2016, Landscape Design Report prepared by AECOM dated 23 March 2017, Nangi Pimble Ultimate Reservoir Assessment of Noise Emissions prepared by SLR Global Environmental Solutions dated 23 March 2017, Road Traffic Noise Assessment prepared by SLR Global Environmental Solutions dated 6 March 2017, Stormwater Management and Drainage Report prepared by Calibre Consulting dated March 2017, Subdivision Process Explanation Statement prepared by Landdata Surveys dated 17 March 2017 and Traffic Report prepared by Calibre Consulting dated March 2017.
- d) Revised plans for approval prepared by Calibre Consulting dated 29 September 2017, landscape plans prepared by AECOM dated 28 September 2017 and subdivision plans prepared by Matthew Stevenson dated 14 & 16 March 2017.
- e) Applicant's written response to matters raised by the NSW Police, Office of Environment & Heritage (OEH) and JRPP Panels.

Statutory Assessment

Commonwealth Legislation

Environment Protection and Biodiversity Conservation Act 1999

The Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) requires the approval of the Commonwealth Government for actions (rezoning of the wider Googong Township) that may have a significant impact on Commonwealth Land such as Googong Foreshore or matters of national environmental significance, namely the Pink Tail Worm Lizard (PTWL) and its habitat. The project was considered by the Department of Sustainability, Water, Population and Communities and approved on 19 May 2011 (subject to amendments). The site is not located within the PTWL Conservation Area or Googong Foreshore.

In accordance with the submitted SEE and Flora and Fauna Assessment (Capital Ecology, March 2017), the project has been approved under the EPBC Act. Therefore a specific assessment of communities listed under this Act is not required. Nevertheless, it is important to provide context for the assessment of the development under NSW legislation.

Two threatened communities, both listed as critically endangered under the EPBC Act have the potential to occur in the area:

- 'Natural Temperate Grassland of the South-Eastern Highlands'
- 'White Box – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived Native Grassland'

The accompanying Flora and Fauna Assessment (F&FA) (Capital Ecology, March 2017) confirms that the study area does not currently support either community, although it does note that both communities would likely have occurred prior to clearance and modification from agriculture. The F&FA also stated that there are no threatened flora and fauna species were recorded at the study area during the surveys.

State Legislation

Threatened Species Conservation Management Act 1995

The objects of this Act are as follows:

- (a) to conserve biological diversity and promote ecologically sustainable development, and*
- (b) to prevent the extinction and promote the recovery of threatened species, populations and ecological communities, and*
- (c) to protect the critical habitat of those threatened species, populations and ecological communities that are endangered, and*
- (d) to eliminate or manage certain processes that threaten the survival or evolutionary development of threatened species, populations and ecological communities, and*
- (e) to ensure that the impact of any action affecting threatened species, populations and ecological communities is properly assessed, and*
- (f) to encourage the conservation of threatened species, populations and ecological communities by the adoption of measures involving co-operative management.*

There have been several ecological studies undertaken to inform the development and planning of Googong Township as well as Neighbourhood 2 dating back to 2004. More recently, an Ecological Values and Constraints Assessment was undertaken for Neighbourhoods 2-5 (Biosis, 2015) under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and NSW *Threatened Species Conservation Act 1995* (TSC Act). The Biosis assessment found that while the study area (Neighbourhoods 2-5) is predominantly highly modified and degraded, it supports a mix of vegetation communities, with large areas of native ground storey vegetation, scattered paddock trees and small pockets of regeneration. It is unlikely that any EPBC Act Threatened Ecological Communities occur within the study area. This was confirmed by the recent Flora and Fauna Assessment (Capital Ecology, March 2017).

A detailed a Flora and Fauna Assessment (Capital Ecology, 2017) has been prepared for the subject land. The assessment found that:

- *The portions of the study area mapped as PCT 1330 Zone 1 support the NSW listed TEC 'White Box – Yellow Box – Blakely's Red Gum grassy woodland', albeit in a marginal form. An Assessment of Significance (AoS) was prepared for this community, the results of which indicate that the proposed development is unlikely to significantly affect this TEC.*
- *Three TSC Act listed species (White-fronted Chat, Scarlet Robin and the Flame Robin) were considered to warrant the preparation of AoS. These have been completed, the results of which indicate that the proposed development is unlikely to have a significant impact upon any TSC Act listed species.*
- *The site does not contain declared critical habitat for a species, population or ecological community.*

Given the above, no Species Impact Statements (SISs) are required for the proposed development as per Flora and Fauna Assessment.

Previous investigations into flora and fauna and their habitats also identified areas within the Googong Township subject to ecological constraint, specifically areas of high quality habitat for the Pink-tailed Worm-lizard (*Aprasia parapulchella*), which is listed as a vulnerable species under the *TSC Act* and the *EPBC Act*. This area is outside of the subject site (Neighbourhood 2). There will be no significant effect on threatened species, populations or ecological communities, or their habitats from the proposed development.

Native Vegetation Act 2003

The subject application was lodged on 31 March 2017 and the Native Vegetation Act 2003 was repealed on 25 August 2017. The current legislation governing the clearing of native vegetation is the Local Land Services Act 2013 and the Biodiversity Conservation Act 2016. However, given the above, the Biodiversity Conservation Act is not applicable to the proposed development. This application has been assessed under the Native Vegetation Act 2003 (the provisions of the Act current at the time of the lodgement).

The Native Vegetation Act 2003 does not apply to land that is within the R1 General Residential zone, B2 Local Centre and SP 2 Infrastructure, however, does apply to land in the RE1 Public Recreation and E2 Environmental Conservation zone.

A portion of E2 and RE1 land is located within the Googong Common and no residential lots are proposed within these zones. Additionally there is a small area of RE1 land that will be developed into a road on the southern boundary of NH2 and will be the subject of a future DA for Neighbourhood 3.

The proposal involves the removal of 133 trees on site. The applicant has reviewed the number of trees to be removed and will now retain an additional 24 trees (number of retained trees increasing from 61 in the initial layout to 85 in the DA design). As per submitted supporting documents, there are 5 trees classified as “exceptional value” in the NH2 site, with 3 being retained and 2 to be removed. Refer to discussion under Clause 7.3 of the QLEP 2012.

Environmental Planning and Assessment Act 1979

This proposal is captured under Part 4 of the Act and the relevant sections for the assessment and determination of the application have been considered. This includes the Integrated Development provisions and 79C evaluation matters.

Section 91 - Integrated Development

This section sets out the procedures for integrated development. It states that integrated development requires consent under the applicable acts listed in the Clause.

This application is integrated under the following Acts:

Act	Provision	Approval	Consent Authority
Fisheries Management Act 1994	s219	Permit to: a)set a net, netting or other material, or b)construct or alter a dam floodgate, causeway, or weir, or c)otherwise create an obstruction, across or within a bay, inlet, river or creek, or across or around a flat	Department of Primary Industries - Fisheries
National Parks and Wildlife Act 1974	s90	Grant of Aboriginal Heritage Impact Permit (AHIP)	Office of Environment and Heritage
Rural Fires Act 1997	s100B	Authorisation under Section 100B in respect of bushfire safety of subdivision of land that could lawfully be used for residential purposes or development of land for special fire protection purposes	NSW Rural Fire Service
Water Management Act 2000	s89, 90, 91	Water use approval, water management work approval or activity approval under Part 3 of Chapter 3	Department of Primary Industries – Water

The DA was referred to each of these agencies seeking their advice on whether General Terms of Approval (GTAs) would be provided. General Terms of Approvals have been received from each of the above mentioned agencies except from the NSW Department of Primary Industries Fisheries. These are summarised below.

Fisheries Management Act 1994

The objects of this Act are to conserve, develop and share the fishery resources of the State for the benefit of present and future generations.

The referral to the NSW Department of Primary Industries Fisheries under *Clause 219 - Passage of Fish Not to Be Blocked* of the Act was triggered as a result of the proposed major vehicular creek crossing within Neighbourhood 2. This consists of an earth embankment across Montgomery Creek for the Neighbourhood 2 detention basin. In addition to this crossing four lightweight pedestrian crossings of the Creek are proposed.

The DPI Fisheries advised that Section 219 permit (obstruct fish passage) under the Fisheries Management Act for the instream works associated with the application was not required as the Montgomery Creek at the site is ephemeral and already obstructed by numerous farm dams and banks.

National Parks and Wildlife Act 1974

Section 90 of the National Parks and Wildlife Act 1974 requires that an Aboriginal Heritage Impact Permit (AHIP) be granted for certain works that may harm or potentially harm Aboriginal objects or places.

A draft Archaeological Assessment and Aboriginal Cultural Heritage Assessment (ACHAR) prepared by Navin Officer dated February 2017 has been prepared and submitted with the application. Subsequently a final ACHAR prepared by Navin Officer dated August 2017 was submitted to Council.

The aims of the study are to:

- 1) Locate and assess any Aboriginal sites/objects not previously recorded in the study area.
- 2) Continue the research program started by the Googong farming area assessment and approved AHIP No. C0001687.

The assessment found:

- 1) *Seven previously unrecorded Aboriginal sites were located during the survey of the study area (GRW29 – GRW35).*
- 2) *Seven previously recorded sites were re-found during the current investigation. These are sites GRW1, GRW4, GRW5, GRW8, GRW10, GRW14 and GRW15.*
- 3) *Of these sites;*
 - a) *GRW1, GRW4 and GRW8 were left in-situ as part of the farming areas collection program and have been re-recorded.*
 - b) *GRW5 and GRW10 were collected during the farming areas collection program; additional artefacts were recorded at these site.*
 - c) *Site GRW14 is located partially outside and GRW15 is located 26 metres outside of the Googong Neighbourhood 2 study area:*
 - i. *GRW14 was collected during the farming areas collection program, additional artefacts were recorded at this site.*
 - ii. *GRW15 could not be re-found during the collection program; artefacts were recorded at this site.*

- 4) *All other previously recorded sites (GA5, GA6, GA7, GRW6, GRW7, GRW9, GRW12, GRW13 and GRW28) were revisited and re-inspected during the current investigation but no additional artefacts were found.*

As per submitted ACHAR, all archaeological items and sites identified within the study area are determined as having low cultural significance as:

- 1) Based on feedback received through the process of consultation with local Aboriginal group, the archaeological sites identified within site have cultural significance to present-day Aboriginal groups as manifestations of their ancestors' past occupation of the landscape. However, none of the sites have any additional social or cultural value through relating to myths and stories, events of oral history or any intangible cultural values.
- 2) Individually all the sites and PADs within the study area are assessed as being of low scientific value due to the very low incidence of artefacts encountered at these locations. The sites and PADs have little potential to provide data that would substantially add to our understanding of Aboriginal society and land-use in this region of Australia, beyond the information they have already provided through being discovered and recorded during this study and all previous work within Googong.
- 3) None of the sites are judged to have substantial aesthetic value, or value as an educational resource.

It should be noted that some objects and places might have cultural value that was not communicated to NOHC. This could be the case for objects or places that are associated with information that is culturally restricted.

The ACHAR recommends the following management and mitigation strategies:

1. *Where possible all sites should be avoided.*
2. *Approval for an AHIP should be sought prior to the commencement of any proposed works that will cause harm to the identified objects.*
3. *No further actions required at GAPAD22.*
4. *Where an Aboriginal site is adjacent to the footprint of proposed works, and these works are judged to have the potential to inadvertently impact the site, the boundary of this site should be marked as a 'no-go zone' on all maps used by GTPL and their contractors during construction. Where the potential for inadvertent impacts is high, physical fences should be placed on the boundaries of the no-go zones.*
5. *Information in this report relating to the exact location of Aboriginal sites should not be published or promoted in the public domain.*
6. *A program of archaeological salvage (collection) should be conducted for surface Aboriginal sites listed in table below prior to the commencement of the construction of Googong Neighbourhood 2. The methodology for site collection provided should be implemented for this collection.*
7. *The research program into surface site impacts from farming activities detailed in Navin Officer Heritage Consultant's (NOHC) 2016a and implemented as part of AHIP No. C0001687 should be continued for the Googong project.*
8. *The protocols for the unanticipated discovery of archaeological material and suspected human remains be implemented as necessary during activities involving ground surface disturbance and excavation.*
9. *This report should be provided to the Office of Environment and Heritage (OEH) for its information and records.*

On the 15 September 2017, the General Terms of Approval were received from the OEH for an Aboriginal Heritage Impact Permit (AHIP) under the National Parks and Wildlife Act. The OEH advised that they had reviewed the information provided and have determined that it is able to issue an AHIP for the proposal subject to a number of conditions. OEH also advised that some revisions will be required to the NH2 ACHAR before any AHIP for NH2 works can be issued.

Excavation Permit under Section 140 of the Heritage Act 1977 for an archaeological salvage excavation at GH5 and GH7 has been issued by Heritage Council on 18 April 2017 subject to a number of conditions. Under this permit, the applicant is responsible for safe keeping of artefacts recovered from the site. A repository for archaeologically excavated material is required to be nominated, as well as referencing the final location in the excavation report as per section 146(b) of the Act to enable a record to be kept of the location of all archaeologically excavated material.

Rural Fires Act 1997

The referral was triggered by s100B of the Rural Fires Act 1997 which requires authorisation in respect of bush fire safety of subdivision of bush fire prone land that could lawfully be used for residential or rural residential purposes, or development of land for special fire protection purposes.

The proposed development was referred to the RSF as integrated development requesting the issue of a Bush Fire Safety Authority under section 100B of the Rural Fires Act 1997. As mentioned elsewhere in the Report, the General Terms of Approval (GTA) is required to be issued for the proposed development prior to the determination of the application. At the time of writing this report the RFS have not issue the GTA. In the unlikely event that the GTA has not been issued by the date of the Panel's determination meeting consideration of this DA will need to be deferred.

If the GTA is issued by the RFS before or after the meeting, a condition to comply with the GTA will be placed on the consent relating to the proposed development.

Water Management Act 2000

The referral to the DPI Water was triggered as the proposed subdivision works are defined as a controlled activity under Section 91 of the *Water Management Act 2000*, being works on waterfront land (Montgomery Creek). Works cannot commence until the applicant applies for and obtains a controlled activity approval.

The Department of Primary Industries Water is the approval body. They issued their General Terms of Approval for works requiring a controlled activity approval under the *Water Management Act 2000* on 11 May 2017. The DPI Water stated that the GTA are not the controlled activity approval. Also the applicant must apply for a controlled activity approval after consent has been issued by Council and before the commencement of any work or activity on waterfront land. Should development consent be granted these are to be included as an attachment to the consent and conditioned to be complied with.

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

The following planning instruments have been considered in the planning assessment of the subject development application:

- a) State Environmental Planning Policy (State and Regional Development) 2011
- b) State Environmental Planning Policy No 44 (Koala Habitat Protection)
- c) State Environmental Planning Policy No 55 – Remediation of Land
- d) State Environmental Planning Policy No 64 – Advertising and Signage
- e) State Environmental Planning Policy (Infrastructure) 2007
- f) Queanbeyan Local Environmental Plan 2012
- g) Queanbeyan Development Control Plan 2012
- h) Googong Development Control Plan

1) State Environmental Planning Policy (State and Regional Development) 2011

The aims of this Policy are as follows:

- (a) *to identify development that is State significant development,*
- (b) *to identify development that is State significant infrastructure and critical State significant infrastructure,*
- (c) *to confer functions on joint regional planning panels to determine development applications.*

Clause 20 of this Policy references Clause 3 of Schedule 4A of the Environmental Planning and Assessment Act 1979, which states that where the capital investment value of the development exceeds \$20 million and the proposed development must be determined by the Joint Regional Planning Panel – Southern Region.

The capital investment value (CIV) for the Development Application is \$143 million which exceeds the threshold identified in Schedule 4A of the Act. Therefore the application is to be determined by the Joint Regional Planning Panel – Southern Region.

CIV is defined as follows:

2) State Environmental Planning Policy No 55 – Remediation of Land

The objectives of this Policy are summarised as follows:

1. *To provide for a state wide planning approach to the remediation of contaminated land; and*
2. *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 Clause 7 of this Policy - *Contamination and remediation to be considered in determining development application*, the consent authority must consider:

- a) *Whether the land is contaminated; and*
- b) *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.*

The subject land has previously been used for agricultural and ancillary purposes which had the potential to cause contamination of the land and impact on the future potential use of the land for sensitive land uses. As such an assessment of potential contamination of the site was required.

A Detailed Contamination Assessment – Neighbourhood 1A, Stage 7 and Neighbourhood 2 Googong Road was submitted with the subdivision application. The draft report was prepared by Geotechnique Pty Ltd reference 12675/4-AB and is dated 16 May 2017. The report generally adheres to the *NSW EPA Guidelines for Consultants Reporting on Contaminated Sites* and is a Stage 2 assessment of the site in accordance with the *Guidelines*.

The report describes the site investigation conducted by Geotechnique which included detailed investigation across several areas of environmental concern that were identified in previous reports.

The developer has appointed Arcadis as the Site Auditor for this project and in addition to the contamination assessment mentioned above a progress report dated 28 July 2017 has been submitted by the Site Auditor. Both of these documents are relevant when assessing the DA against the provision of SEPP 55.

A review of the contamination assessment indicates that there are three areas of environmental concern. The first relates to elevated levels of hydrocarbon products in soil in isolated locations in the central portion of the site. However, further testing (page 29) indicated that hydrocarbons were below threshold limits and the consultant confirmed that, in their view, the hydrocarbons detected were of no concerns in the soil.

The second relates to minor contaminants scattered throughout the site such as car bodies and isolated areas of scattered debris and bonded asbestos but these are not considered to be significant and will be remediated during the subdivision construction.

Of more concern was an area of the site referred to as the “hematite zone”. The hematite zone is a naturally occurring, iron rich soil, which might have other naturally occurring heavy metals that could compromise the suitability of the area for future residential and sensitive land uses. The hematite zone was located primarily under the proposed area for the Town Centre but extended into the future school site to the south of the Town Centre and into proposed residential areas to the east (see Figure 12 below). Given these concerns Geotechnique undertook a detailed investigation of this area.

Based on the sampling results heavy metals such as arsenic, cadmium, copper, nickel, lead, manganese, and zinc were detected at levels which would present or potentially present a risk to human health and/or the environment.

As a result remediation of this area would need to be carried before it is suitable for the proposed land uses. Notwithstanding this the consultant considers that the site can be made suitable for the residential and commercial land uses subject to the following work being carried out:

1. A human health and ecological risk assessment to determine the source of metal impacts and to determine the requirements and to devise strategies for remediation and/or management, if required.
2. Checking the groundwater level when there is a substantial rainfall to recharge the groundwater table.

If the groundwater is available, it is recommended that the monitoring well should be developed and assessment of the groundwater be undertaken by appropriate sampling and laboratory testing of metals.

3. A remedial action plan/environmental management plan is to be developed to devise strategies for remediation/management of the metal impacted area if required based on the risk assessment.
4. Remediation/management of the area impacted by metals and/or asbestos, followed by site validation should be carried out.

The human health and ecological risk assessment has been completed and the Site Auditor notes that while the assessment indicates that risks are considered to be low and acceptable it is recommended that measures to prevent access to soil, such as placing land uses which minimise access to soil, should be considered along with community awareness information.

While additional remediation, validation and management will be required there is nothing in the Geotechnique report which indicates that the contamination issues cannot be remediated. In their conclusions they state “...it is considered that the site can be made suitable for the proposed redevelopment into combined residential (with garden accessible soil)/ open space and commercial land use subject to...” the implementation of the recommendations 1- 4 listed above.

Further the progress report from the Site Auditor concludes that “...the Auditor is satisfied that remediation and management solutions of the heavy metal concentrations recorded in the “hematite zone” can feasibly be instituted by Peet [the developer] and its consultants.” The Auditor also indicates that remediation and validation of the site will be required.

After reviewing the documentation and the results there is no reason for Council to doubt the veracity of the sampling results or the consultant’s and Auditor’s conclusions.

Given the above Council can be satisfied that the land can be remediated so that it is suitable for the proposed residential, commercial, school and open space land uses. A condition will be applied requiring the submission of a Remediation Action Plan and implementation of those other recommendations specified by Geotechnique to be submitted prior to the issue of a Construction Certificate (subdivision or building).

Should approval be granted, a condition of consent should also be included requiring that the Site Auditor’s Statement and Site Auditor’s Report be provided to Council prior to the issue of a subdivision certificate for each stage of work covered by this application.

Given the above Council can be satisfied that none of the issues raised present a significant constraint to development at this stage. Therefore, with the imposition of the conditions below on the development consent, Council has met its obligations under Clause 7 of SEPP 55 in relation to this application.

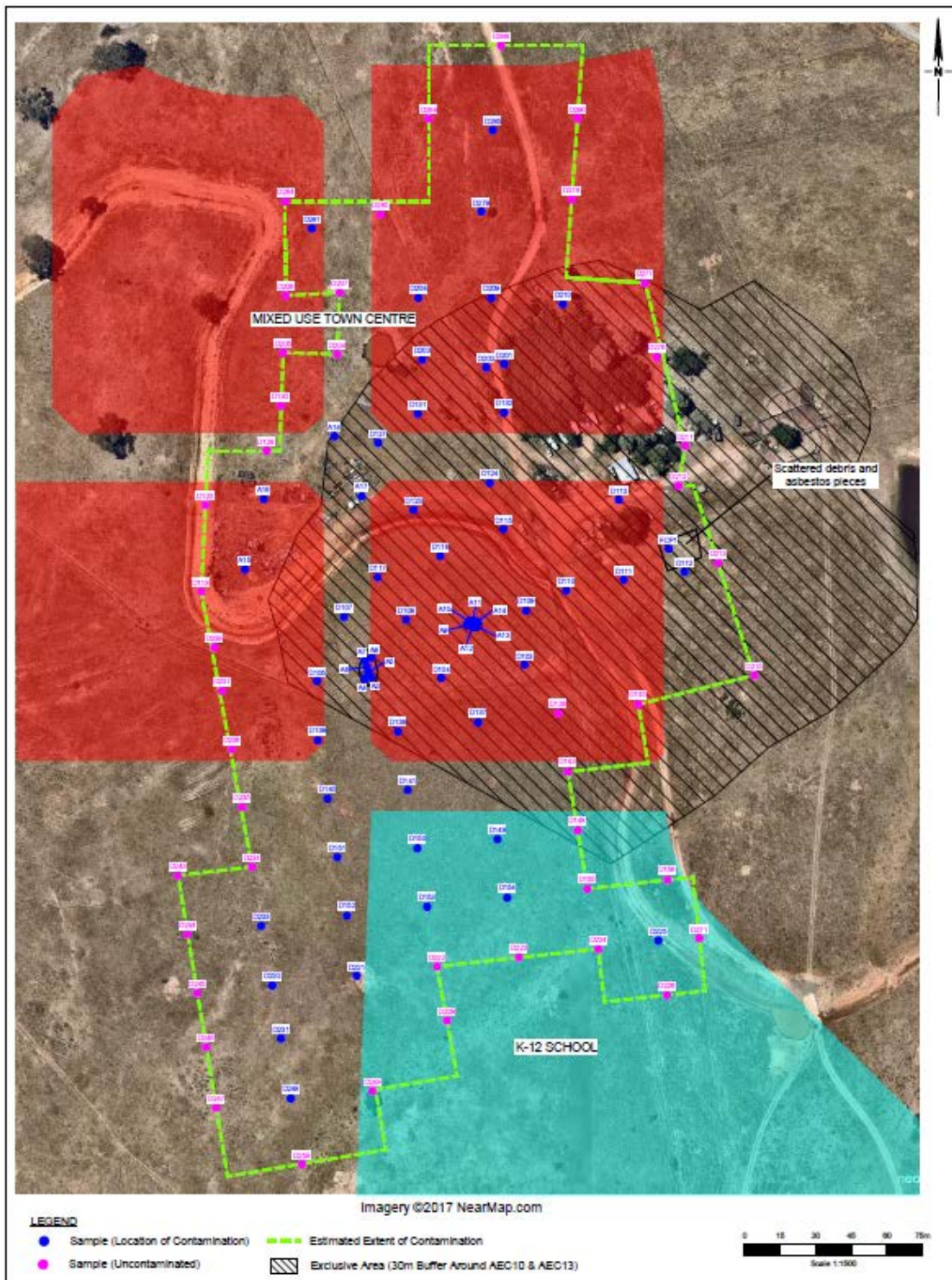


Figure 12– Hematite Zone (hatched) – Overlay With Future Proposed Land Use

3) State Environmental Planning Policy No 64 – Advertising and Signage

State Environmental Planning Policy No 64 - Advertising and Signage is relevant to the proposed development as it involves the construction of park signage, orientation signage, interpretive signage, wall signage and Googong Common Signage associated with the proposed recreation areas including Googong Common (refer to Figures 13 and 14 below). Building signage is subject to a future development application for the building approval. These new signs are similar to the existing approved signs in Neighbourhood 1, with the addition of a new signage type especially designed for Googong Common:

- a) *Park Signage* - Located at prominent park corners or entry points to identify Local and Neighbourhood parks.
- b) *Orientation Signage* - To aid in the legibility of the Googong network of paths and open spaces, located at key decision points or nodes.
- c) *Interpretive Signage* - To provide information to help explain points of environmental or historical significance.
- d) *Signage Wall* - To provide park naming at key arrival points, in addition to or as an alternative to park signage.
- e) *Googong Common Signage* - To combine identification, orientation information and safety signage within Googong Common (concept yet to be developed).
- f) *Building Signage* - Integrated into the building design of key buildings such as schools, sporting pavilions and community facilities. (Subject to future development applications for buildings)

Details of the proposed public domain signage are to be shown in applications for Construction Certificates and must be consistent with the guidelines for public domain signage outlined in the Googong Landscape and Open Space Strategy (LOSS).

The land is in Zone R1 General Residential, B2 – Local Centre, RE1 - Public Recreation and E2 – Environmental Conservation. The majority of the proposed signs are located within R1 and some in B2 and RE1 zones. Signage is permitted with consent in B2 zone. However, signage is not listed as development permitted with consent within the R1 and RE1 zone. The proposed signage is considered ancillary to the proposed recreation areas and therefore they are permissible in R1 and RE1 zones with consent.

The proposed signs are considered as building identification signs as they identified names and some includes the street number of the parks including logo or symbol that identifies the nature of the areas.

Clause 3 - Aims, Objectives etc

(1) *This Policy aims:*

- (a) *to ensure that signage (including advertising):*
 - (i) *is compatible with the desired amenity and visual character of an area, and*
 - (ii) *provides effective communication in suitable locations, and*
 - (iii) *is of high quality design and finish, and*
- (b) *to regulate signage (but not content) under Part 4 of the Act, and*
- (c) *to provide time-limited consents for the display of certain advertisements, and*
- (d) *to regulate the display of advertisements in transport corridors, and*
- (e) *to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.*

Provided appropriate recommended conditions of consent are complied with, the proposed development is considered generally satisfactory with respect to the prescribed aims and objectives of SEPP 64. The proposed signs are compatible with the amenity and visual

character of the area and provide effective communication in a suitable location. The graphic/content is designed to be in accordance with the corporate logo of the company.

Clause 4 - Definitions

In terms of the definition prescribed by SEPP 64, the signs are considered as building identification signs.

building identification sign means a sign that identifies or names a building, and that may include the name of a business or building, the street number of a building, the nature of the business and a logo or other symbol that identifies the business, but that does not include general advertising of products, goods or services.

Clause 8 – Granting of consent to signage

Under this clause a consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

- (a) *that the signage is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and*
- (b) *that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.*

Having regard to clause 8(a) and (b), provided appropriate recommended conditions of consent are complied with, the proposed development is considered generally satisfactory with respect to the objectives set out in clause 3(1)(a), and with respect to the assessment criteria specified in Schedule 1 to SEPP 64.

Schedule 1 Assessment Criteria

1. *Character of the area* – The locality contains undeveloped land and an established residential area. The signage is consistent with the particular theme for outdoor advertising in the area or locality as the signage is consistent with the previous signage approved within NH1. This theme for outdoor consists of small freestanding signs and directional signage. The proposed sign is not considered to be out of context with surrounding future residential properties and rural land which also eventually form part of the township.
2. *Special areas* – It is considered that the proposed signs do not detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas.
3. *Views and vistas* – The proposed signs do not obscure or compromise important views, nor do they dominate the skyline. They will be below the height of the streetlights within the vicinity.
4. *Streetscape, setting or landscape* – The proposed signs satisfy this criterion. The scale, proportion and form is considered appropriate for the current and future streetscape. The proposal contributes to the visual interest of the streetscape, setting and landscape on site. The proposal does not create or add to the visual clutter of the setting. The signs do not protrude above the building or tree canopies in the area or locality.
5. *Site and building* – The proposed signs are considered to be compatible with the scale, proportion and other characteristics of the site. The signs are informative, contemporary and well suited for the purpose and to the location in which they are proposed.

6. *Associated devices and logos with advertisements and advertising structures* – The signs will not contain any flashing devices. The signs also do not contain any variable message or moving parts. The graphic/content is designed to be in accordance with the corporate logo of the company.

7. *Illumination* – No illumination is proposed.

8. *Safety* – The proposed sign satisfies this criterion. The safety of road users and pedestrians will not be compromised by the sign. This is achieved through the separation between the signage and the footpath.

Provided appropriate recommended conditions of consent are complied with, the proposed development is considered generally satisfactory with respect to SEPP 64.

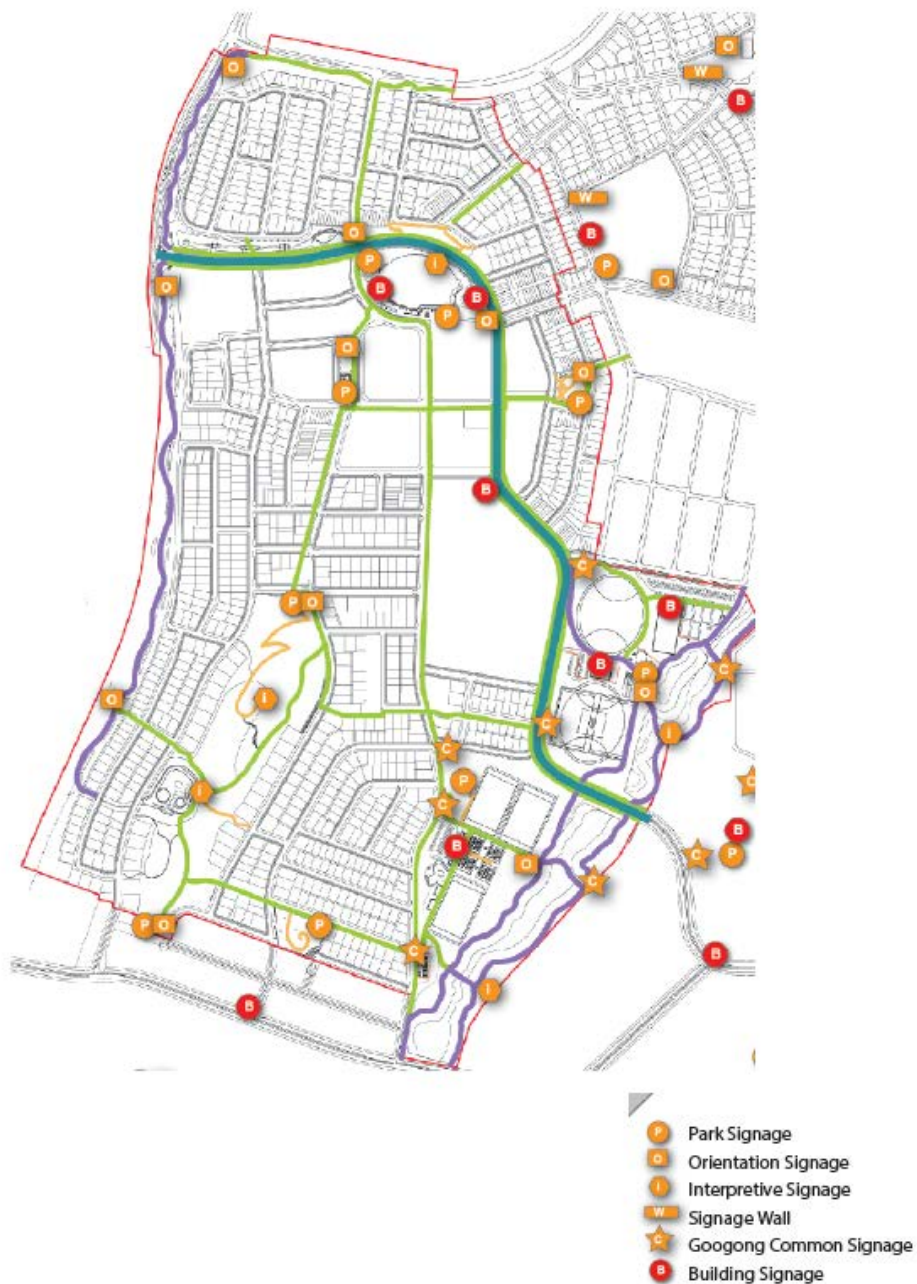
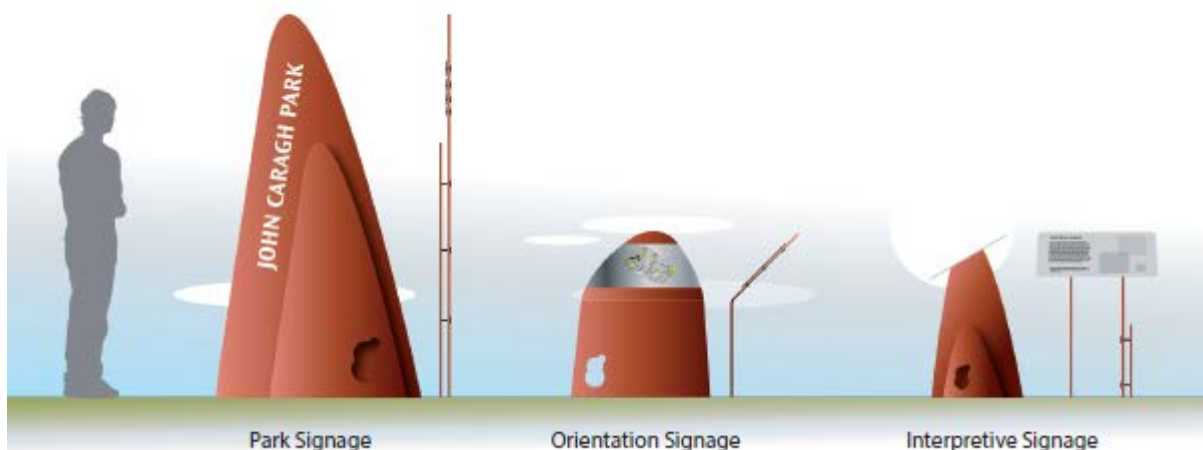


Figure 13: Proposed signage location in NH2



Preliminary concept design of entry signage, subject to future detail design. Dimensions approximately 3.5m high at tallest point, 18.3m long.

Figure 14: Type of signage in NH2

4) State Environmental Planning Policy (Infrastructure) 2007

This Policy provides a planning regime for the provision of services and infrastructure in NSW, outlines requirements for consent authorities to consult with relevant public authorities during the assessment of Development Applications, and outlines provisions for various types of exempt and complying development.

Clause 45 – Determination of development applications – other development

The clause states that before determining a development application for development comprising or involving any of the following, the consent authority must give a written notice to the electricity supply authority for the area in which the development is to be carried out, inviting comments about the potential risks and take into consideration any response to the notice that is received within 21 days after the notice is given.

- (a) the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,
- (b) development carried out:
 - (i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or
 - (ii) immediately adjacent to an electricity substation, or
 - (iii) within 5m of an exposed overhead electricity power line,

The development site is located within or immediately adjacent to an easement for electricity purposes and within 5m of an exposed overhead power line. Therefore, the application was referred to the electricity supply authority (Essential Energy) for comment.

Based on the comment received from Essential Energy on 5 May 2017, they have raised no objection to the development provided:

1. *If the proposal changes, Essential Energy would need to be informed for further comment.*
2. *Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property are complied with.*
3. *As part of the subdivision, as required by Essential Energy, easements are created for any existing electrical infrastructure. The easements are to be created using Essential Energy's standard easement terms current at the time of registration of the plan of subdivision (currently Memorandum AG189384). Refer to Essential Energy's Contestable Works Team for requirements.*
4. *As noted in the Services Relocation Plan, part of the existing electrical infrastructure is to be disconnected, removed and relocated (as per proposed plan of subdivision). Essential Energy's preference is for the location of its easements and/or infrastructure to be within public reserves or public roadways. Refer to Essential Energy's Contestable Works Team for requirements.*
5. *Council ensures that a Notification of Arrangement (confirming satisfactory arrangements have been made for the provision of power) is issued by Essential Energy with respect to all proposed lots which will form part of the subdivision, prior to Council releasing the Subdivision Certificate. It is the Applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the subdivision, which may include the payment of fees and contributions.*

In addition, Essential Energy's records indicate there is electricity infrastructure located within the property and within close proximity to the property. Any activities within these locations must be undertaken in accordance with the latest industry guideline currently known as *ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure*. Comments above will be placed on the development consent (if granted) as advisory notes.

Division 17 Roads and Traffic

Division 17 (Roads and Traffic) of this policy is relevant for this application. The proposed subdivision required referral to the NSW Roads and Maritime Services (RMS) being development with frontage to classified road (Old Cooma Road) under Clause 101 and is identified as "traffic generating development" under Clause 104 and Schedule 3 of the policy. Also the proposal involves the construction of a new intersection with Old Cooma Road and a number of new internal signalised intersections.

On 12 May 2017 Council received comments on the proposed development from the RMS as follows:

“RMS has recently reviewed its level of involvement on Classified Regional Roads and considers that it is more appropriate for Councils to determine if the road network arrangements are acceptable in terms of safety and efficiency.

Given the above, RMS entrusts Council to assess the traffic implications associated with the development.

RMS recognises that any works on Old Cooma Road will require Section 138 consent from Council and concurrence from RMS under Section 138 of the Roads Act, 1993. Should the developer be able to demonstrate to Council that the works are acceptable and comply with relevant standards, RMS would issue its concurrence under Section 138 of the Roads Act, 1993.

The only exception to the above position is for traffic signals, as RMS consent is required for all traffic signals under Section 87 of the Roads Act, 1993. RMS notes the DA proposes a number of signalised intersections, both along the Regional and local road networks. Should Council be satisfied that the developer has demonstrated an appropriate need for the proposed traffic signals, a separate referral needs to be made to RMS for assessment of the proposed design for each set of signals. The traffic signal design referrals need to take into consideration the staging of the development and any predetermined intersection operation reviews.

Additionally, RMS recognises that the introduction of any new intersection with Old Cooma Road (i.e. proposed Road 1), particularly if proposed to be signalised, may require review of the speed limit along Old Cooma Road. It is advised that RMS is the sole authority responsible for the review and installation of permanent speed zones across New South Wales. In this regard, the developer will be required to liaise with RMS to initiate the review and (if required) determine the timing of the installation of the speed zones along Old Cooma Road. This is particularly relevant to the proposed new intersection of Old Cooma Road and Road 1, given its proximity to the existing 100km/h speed zone on Old Cooma Road.

RMS highlights that in determining the application under Part 4 of the Environmental Planning and Assessment Act, 1979, it is the consent authority's responsibility to consider the environmental impacts of any road works which are ancillary to the development. This includes any works which form part of the proposal and/or any works which are deemed necessary to include as requirements in the conditions of development consent. Depending on the level of environmental assessment undertaken to date and nature of the works, the consent authority may require the developer to undertake further environmental assessment for any ancillary road works.”

Comments above will be placed on the development consent (if granted) as part of conditions.

5) State Environmental Planning Policy No 44 – Koala Habitat Protection

This Policy aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline:

- (a) by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat, and*
- (b) by encouraging the identification of areas of core koala habitat, and*
- (c) by encouraging the inclusion of areas of core koala habitat in environment protection zones.*

Pursuant to Clause 5 – Land to which this Policy applies, the Policy is applicable to the subject site as it is located within the former Yarrowlumla Shire, which is identified in Schedule 1 of the SEPP.

Part 2 – Development control of koala habitats of the SEPP is applicable as the site has an area of more than 1 hectare. Therefore, Council is required to be satisfied whether or not the land is potential koala habitat.

Is the land potential koala habitat?

- (1) Before a council may grant consent to an application for consent to carry out development on land to which this Part applies, it must satisfy itself whether or not the land is a potential koala habitat.*

Potential Koala habitat is defined in the SEPP as *areas of native vegetation where the trees of the types listed in Schedule 2 constitute at least 15% of the total number of trees in the upper or lower strata of the tree component.*

The area subject to the subdivision and common roads is largely devoid of native vegetation. The site contains Eucalyptus Melliodora, Eucalyptus Polyanthemos, Eucalyptus Rubida, Eucalyptus Nortonii and other species shown on Figure 16 below which require removal for the development. The trees mentioned above are not listed as feed tree species identified in Schedule 2 of the SEPP.

Therefore, Council can be satisfied that the land is not potential koala habitat and is not prevented because of this SEPP from granting consent to the proposed development.

A Flora and Fauna Assessment report prepared by Capital Ecology dated March 2017 has been submitted with the subject application. The report concluded that, with the implementation of the proposed measures to avoid, minimise and mitigate impacts upon biodiversity values, the proposed development is unlikely to significantly affect any threatened species, population or ecological community listed pursuant to the NSW TSC Act. The report also stated that there is no koala habitat within the study area (subject site). There are no existing buildings, structures or significant vegetation on the site. It is not considered that the proposed development will have significant negative impact on koala habitat in the locality.

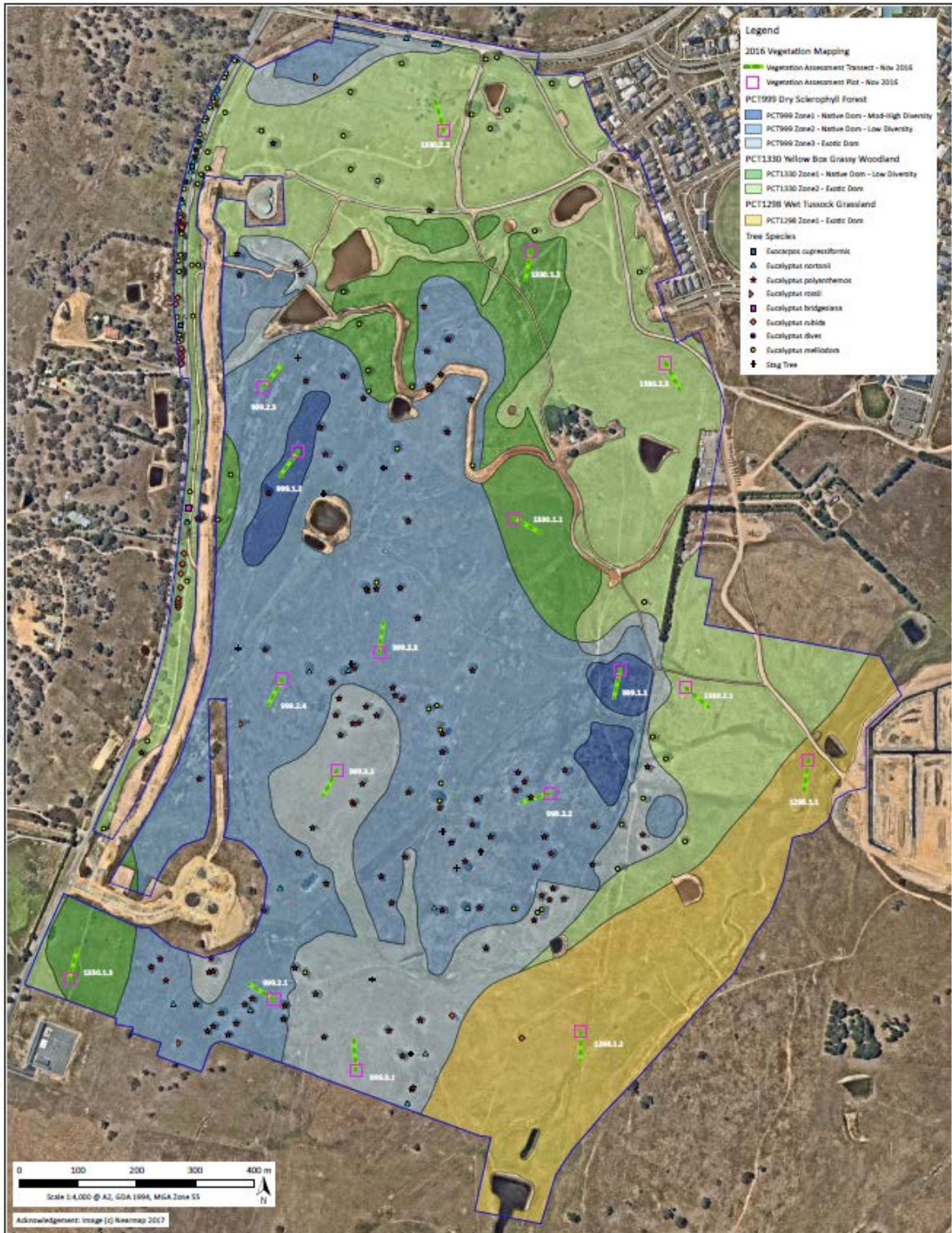


Figure 15 – Vegetation species

Local Environmental Plans

The proposed development has been assessed in accordance with the relevant requirements of the *Queanbeyan Local Environmental Plan 2012* and no relevant draft LEPs apply to the land. A summary is provided as follows:

QUEANBEYAN LOCAL ENVIRONMENTAL PLAN 2012 COMMENTS	COMPLIES (Yes/No)
Part 1 Preliminary	
Clause 1.2 Aims of Plan	
<p>The aims of the Plan are as follows:</p> <ul style="list-style-type: none"> a) <i>To facilitate the orderly and economic use and development of land in Queanbeyan based on ecological sustainability principles;</i> b) <i>To provide for a diversity of housing throughout Queanbeyan;</i> c) <i>To provide for a hierarchy of retail, commercial and industrial land uses that encourage economic and business development catering for the retail, commercial and service needs of the community;</i> d) <i>To recognise and protect Queanbeyan's natural, cultural and built heritage including environmentally sensitive areas such as Queanbeyan's native grasslands, the Queanbeyan River and Jerrabomberra Creek;</i> e) <i>To protect the scenic quality, views and vistas from main roads and other vantage points within Queanbeyan of the escarpment and Mount Jerrabomberra;</i> f) <i>To maintain the unique identity and country character of Queanbeyan; and</i> g) <i>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.</i> <p>The proposed development is considered to be generally consistent with the relevant aims of the QLEP 2012. Specifically, the proposed development will facilitate the orderly growth of the Googong urban release area 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.</p>	<p>Yes</p>

Clause 1.4 Definitions

The proposal is for land subdivision and associated works to create the residential lots for dwelling houses including residential lots to be used for future exhibition village comprising exhibition homes and temporary parking area, residue lots for future multi dwelling housing, small lot housing and potential shop top housing and residential flat building; recreation area, future recreation facilities (indoor) and recreation facilities (outdoor); lots for future school, fire station, senior housing, community facility, sales office (this will be confirmed in the future and will be dependent on rezoning of this land or amendment to Schedule 1 – Additional Permitted Uses of the QLEP 2012) and information and education facilities; and residue lots for Town Centre.

Yes

The proposed development is defined in the LEP's dictionary as being for earthworks, drainage, roads, recreation area and recreation facility (outdoor).

earthworks means excavation or filling.

road means a public road or a private road within the meaning of the Roads Act 1993, and includes a classified road.

drainage means any activity that intentionally alters the hydrological regime of any locality by facilitating the removal of surface or ground water. It may include the construction, deepening, extending, opening, installation or laying of any canal, drain or pipe, either on the land or in such a manner as to encourage drainage of adjoining land.

recreation area means a place used for outdoor recreation that is normally open to the public, and includes:

- (a) a children's playground, or
- (b) an area used for community sporting activities, or
- (c) a public park, reserve or garden or the like,

and any ancillary buildings, but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor).

recreation facility (outdoor) means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

Other identified super lot areas are consistent with the land use zoning map and the Additional Development Area. The proposed development is also defined as subdivision of land under Section 4B of the Environmental Planning and Assessment Act 1979. Subdivision is permitted under Clause 2.6 of the LEP and is discussed later in the report. Drainage and earthworks are not separately identified as a land use type but are considered to be ancillary to the subdivision works, roads and future residential development on site that are permissible with development consent.

Clause 1.6 Consent authority	
As provided for under Schedule 4A of the Environmental Planning and Assessment Act 1979, the Joint Regional Planning Panel – Southern Region is the consent authority for the proposed development.	Yes
Clause 1.9A Suspension of Covenants, Agreements and Instruments	
No covenants, agreements and instruments restricting the development have been identified.	Yes
Part 2 Permitted or Prohibited Development	
Clause 2.1 Land Use Zones	
<p>The applicable zones as listed in Clause 2.1 and identified on the Land Zoning Map (see Figure 17 below) referred to in Clause 2.2 are:</p> <ul style="list-style-type: none"> • R1 - General Residential; • B2 – Local Centre • RE1 - Public Recreation; • E2 – Environmental Conservation. <p>Most of the site is zoned R1 - General Residential except for the Town Centre zoned B2 - Local Centre and land comprising Montgomery Creek, the adjacent riparian corridor zoned RE1 Public Recreation.</p> <p>All of the proposed residential lots are located entirely within the R1 zoned part of the site except for 25 residential lots and 2 large lots for future small lot housing will be located within B2 zoned (Refer to discussion of permitted land uses under Clause 2.3 and Clause 5.3 of the QLEP 2012).</p> <p>Part of the Googong Common will be located within RE1 land which will comprise revegetating areas and construction of boardwalks and pathways.</p> <p>A small portion in the south-east corner is zoned E2 Environmental Conservation which is included as it is subject to a boundary adjustment as part of this application. The proposed development does not include any works within the part of the site zoned E2.</p>	Yes

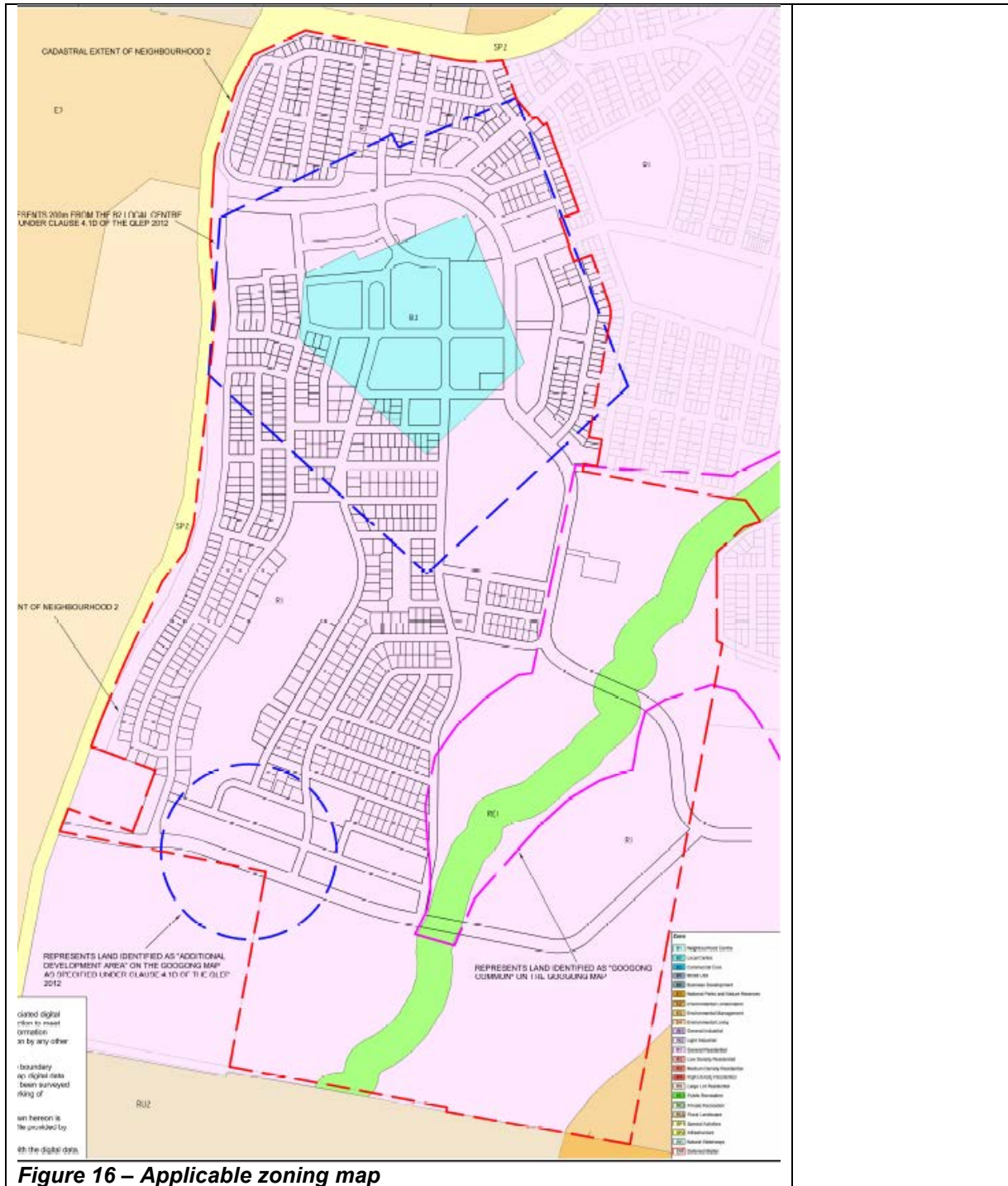


Figure 16 – Applicable zoning map

Clause 2.3 Zone Objectives and Land Use Tables

Zone R1 – General Residential

The objectives of the R1 – General Residential 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 provide facilities or services to meet the day to day needs of residents.*
- *To ensure that buildings with non-residential uses have a bulk and scale that is compatible with the zone's predominantly residential character.*
- *To promote walkable neighbourhoods and a sense of community.*
- *To ensure that where possible, development maintains existing bushland.*
- *To encourage medium to high density housing located in close proximity to the town and village centres.*

The development proposes Torrens Title subdivision to create 932 new residential lots, residue lots for future subdivision of higher density housing and other uses including the Town Centre sites, a State K-12 school, fire station, senior housing, sales office, information and education facilities and community facility, superlots for future small lot housing and public reserves including recreation areas. The proposal also involves subdivision works to prepare the land for the future development, comprising site preparation and grading, stormwater and drainage works, road construction, tree removal, public domain landscaping and utilities augmentation. Dwelling and other buildings construction on the proposed residential lots, superlots and residue lots will be subject to future development applications.

It is considered that the proposed development generally satisfies the objectives of the zone, specifically, the proposal provides for the housing needs of the community through the provision of lot releases in accordance with the Googong DCP. The varying lot sizes will provide for a variety of housing types and densities. All residential lots for future dwelling houses are located within the R1 zone except for 25 residential lots will be located within B2 zoned. Dwelling houses are prohibited within B2 zone. This has been further discussed under Clause 5.3 – Development near zone boundaries.

As part of this DA a number of open space areas and formal parks are proposed which will provide recreational opportunities to meet the day to day needs of residents. The proposed network of public open space will also promote walkable neighbourhoods which will contribute to a sense of community. Additionally, existing trees will be maintained where possible within the public open space networks.

As mentioned above, the proposal involves the creation of residue lots to enable other land uses that provide facilities or services to meet the day to day needs of residents such as exhibition village, school, fire station, senior housing, sales office and information and education facilities and community facility and these future land uses are located within R1 zone. Community facility, exhibition village, senior housing, information and education facilities and public administration buildings are permitted within the zone with development consent. However, schools (defined as educational establishment in the LEP) are not listed as development permitted with consent or development permitted without consent within the zone under the QLEP 2012. As per QLEP 2012 any development that is not specified in item 2 - Permitted without consent and item 3 – Permitted with consent is considered prohibited in the zone.

In accordance with Clause 1.9 – Application of SEPPs, the QLEP 2012 is subject to the provisions of any State environmental planning policy that prevails over this plan as provided by section 36 - Inconsistency between instruments of the Act. This clause states that;

- (1) In the event of an inconsistency between environmental planning instruments and unless otherwise provided:*
 - (a) there is a general presumption that a State environmental planning policy prevails over a local environmental plan or other instrument made before or after that State environmental planning policy, and*
 - (b) (Repealed)*
 - (c) the general presumptions of the law as to when an Act prevails over another Act apply to when one kind of environmental planning instrument prevails over another environmental planning instrument of the same kind.*
- (2), (3) (Repealed)*
- (4) Nothing in this section prevents an environmental planning instrument from being expressly amended by a later environmental planning instrument, of the same or a different kind, to provide for the way in which an inconsistency between them is to be resolved.*

The State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 is applicable to the future development application for the proposed school. Clause 35 of the SEPP allows for an educational establishment in R1 zones with consent. Pursuant to clause 8 – Relationship to other environmental planning instruments the provisions of the SEPP prevail over the QLEP 2012. Therefore the future school is permitted in the zone with consent.

As shown on the plans, the proposal also involves the creation of a residue lot to be used as a sales office (business premises). As per the submitted SEE, the intended operation and function of the sales office is from 2020 through to the projected life of the development and future uses envisaged for the building following its use as the sales office could include a local cafe, restaurant, specialty retail, health consulting rooms for physiotherapist and the like. As per submitted plans, the site is located within R1 zone under the QLEP 2012 and business/commercial premises are prohibited in the zone. A separate approval will be required for the proposed sales office in the future and will be dependent on rezoning of this land or amendment to Schedule 1 to permit this use.

The subdivision of land including the construction of roads and recreation areas and ancillary structures is permitted with consent in this zone.

Zone B2 - Local Centre

The objectives of the B2 – Local Centre zone are:

- *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*
- *To encourage employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To encourage some limited high density residential uses to create vitality in Town Centres.*
- *To recognise Town Centres as important retail centres, which support the Queanbeyan central business district.*

It is considered that the proposed development generally satisfies the objectives of the zone. The Town Centre may be developed in the future to contain a large variety of commercial, medium and high density residential, recreational and community land uses that serve the needs of people who live in, work in and visit the local area, subject to detailed assessment in future DAs. It was envisaged that the Googong Town Centre would provide the heart of the Googong community, promoting walkability, supporting retail and commercial employment opportunities to service the local population, linking to community facilities and local parks, connecting with the school site, and providing a gateway to the broader township.

Commercial premises, community facilities, educational establishments, car parks, multi dwelling housing, residential flat building, shop top housing etc are permissible in the zone with development consent. Dwelling houses are prohibited in the zone. The proposal involves the creation of residential lots for future dwelling houses and 25 proposed residential lots are located within the B2 zone. The applicant proposes to use Clause 5.3 - Development near zone boundaries to permit dwelling houses on lots zoned B2 and within 20m of the R1 General Residential Zone. Lots that fall outside the 20m are proposed to be utilised for permissible uses such as respite day care centre, business premises or office premises. Refer to Clause 5.3 below for more details.

Zone RE1 – Public Recreation

The objectives of the RE1 – Public Recreation zone are:

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

There are bioretention basins and recreation areas located within the RE1 land which form part of the greater area known as “Googong Common”. The proposal involves appropriate riparian zone planting and/or rehabilitation that could be required under a Controlled Activity Approval under the *Water Management Act 2000*. This is proposed to provide an extensive open space resource for the Googong Township. Open space, walking tracks and pathways are proposed to be constructed here. This will enable public use of the land and are seen as a compatible use which suits the natural landscape. As discussed in this Report, the impacts on the Montgomery’s Creek riparian corridor have been considered by both Council staff and the NSW Office of Water as being acceptable and able to be satisfactorily minimised, managed, and mitigated.

Subdivision, recreation areas, recreation areas (outdoor), recreation areas (indoor) and roads are permitted with consent. Environmental protection works are permitted without consent.

Given the above, the proposed development is therefore considered to be generally consistent with the objects of the RE1 zone.

<p>Zone E2 – Environmental Conservation</p> <p>The objectives of the E2 – Environmental Conservation zone are:</p> <ul style="list-style-type: none"> • <i>To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.</i> • <i>To prevent development that could destroy, damage or otherwise have an adverse effect on those values.</i> • <i>To protect threatened species and rivers, creeks and gully ecosystems within Queanbeyan.</i> • <i>To identify and protect escarpment areas that enhance the visual amenity of Queanbeyan and possess special aesthetic or conservational value.</i> • <i>To protect water quality by preventing inappropriate development within catchment areas.</i> <p>A small portion in the south-east corner is zoned E2 Environmental Conservation which is included as it is subject to a boundary adjustment as part of this application. The proposed development does not include any works within the part of the site zoned E2. The proposed development is considered to be generally consistent with the objectives of the E2 zone.</p>	<p>Yes</p>
<p>Clause 2.5 Additional permitted uses for particular land</p>	
<p>Pursuant to Schedule 1 – Additional permitted uses, part of the land is identified on the Googong Map as “Additional Development Area” and “Googong Common” (See Figure 16 - zoning map). This means that development for the uses identified in Schedule 1 are permitted on this part of the land with development consent.</p> <p>The additional permitted uses for Additional Development Area are “development for the purposes of advertising structures, business identification signs, business premises, food and drink premises, hotel or motel accommodation, kiosks, markets, office premises, service stations and shops.”</p> <p>The additional permitted uses for the Googong Common are “development for the purposes of cellar door premises, depots, entertainment facilities, function centres, garden centres, horticulture, landscaping material supplies, plant nurseries, resource recovery facilities, viticulture, waste or resource transfer stations and water recreation structures.”</p> <p>The proposed development does not propose any of the land uses applicable to the “Googong Common” or Additional Development Area. The proposed use put forward with this subdivision application on affected land is for the residential use and recreation area with Googong Common.</p>	<p>Yes</p>

<p>Schedule 1 (5A) permits studio dwellings on land to which clause 4.1D applies and it applies to land identified as “Additional Development Area” and within 200 metres of Zone B2 Local Centre, despite not being permitted with development consent within the R1 General Residential Land Use Table or other provisions of the Plan.</p> <p>Furthermore, Schedule 1 (5A) stipulates further measures that require compliance for applications proposing studios, they are reiterated below:</p> <p>(1) <i>This clause applies to land to which clause 4.1D applies.</i></p> <p>(2) <i>Development consent may be granted to a single development application for development on land to which this clause applies that is both:</i></p> <p>(a) <i>the subdivision of land in accordance with subclause 4.1D (3), and</i></p> <p>(b) <i>the erection of a studio dwelling on a lot resulting from the subdivision.</i></p> <p>(3) <i>Development consent must not be granted under this clause if:</i></p> <p>(a) <i>the ratio of studio dwellings to lots resulting from the subdivision is greater than 1:3, and</i></p> <p>(b) <i>the dwelling in conjunction with which the studio dwelling is to be established is located on a lot that has an area of less than 225m².</i></p> <p>The proposed development does not involve the approval for studio dwellings. However, the proposal involves the creation of residue lots that will be further subdivided into superlots for small lot housing purposes (future DA) as per submitted indicative plan (not for approval – office use only). Superlots greater than 225m² are likely to contain a principal and a studio dwelling that will be further subdivided under strata title.</p> <p>Any proposal to take advantage of the additional permitted uses such as studio dwellings will require separate approval and will be assessed on its merits. The proposal will be required to comply with the requirements specified above.</p>	
Clause 2.6 Subdivision – Consent requirements	
<p>This clause states that the subdivision of land requires development consent. The proposed development includes the subdivision of land to create 932 Torrens Title Lots for the purpose of future dwelling houses, 12 residue lots for future subdivision of small lot housing comprising 152 superlots and 16 studio dwellings (strata title) (approx), and 15 residual lots for future subdivision of higher density housing and other uses including the Town Centre sites, a State K-12 school, fire station, retirement living, sales and information centre and community centre.</p> <p>This plan applies to the subject site and therefore subdivision is permitted with development consent on this land.</p> <p>This proposal does not include land with a secondary dwelling.</p>	Yes
Clause 2.7 Demolition requires development consent	

The proposal does not involve any demolition.	Not applicable
Part 4 Principal Development Standards	
Clause 4.1 Minimum subdivision lot size	
<p>This clause provides for a minimum lot size for the subdivision of land as identified on the Minimum Lot Size Map.</p> <p>The objectives of Clause 4.1 are as follows:</p> <ul style="list-style-type: none"> a) <i>To ensure subdivision is sensitive to land, heritage and environmental characteristics (including water quality, native flora and fauna and places or items of Aboriginal and European heritage value);</i> b) <i>To ensure subdivision does not adversely impact on the functions and safety of main roads;</i> c) <i>To provide lots with areas and dimensions that enable the appropriate siting and construction of a building and associated works to minimise and avoid the threat of natural hazard (including bush fire, soil instability and flooding) and to protect significant vegetation and prominent or significant landscape qualities;</i> d) <i>To ensure new lots have an adequate water supply and can be provided with an effective means of disposal of domestic waste and adequately serviced; and</i> e) <i>To create lots that are compatible with the existing predominant lot pattern or desired future character of the locality and to minimise the likely adverse impact on the amenity of adjoining developments.</i> <p>The proposal has been assessed against the objectives of Clause 4.1 as being satisfactory. Due regard has been given to the environmental constraints on the land, lot sizes and dimensions are appropriate for siting of structures, lots can be adequately serviced, and the proposal is generally compatible with the desired future character of the locality.</p> <p>A variety of lot sizes are proposed to provide choice of densities and housing choice. The subdivision pattern creates a 'sense of neighbourhood' and promotes walking and cycling. Residential precincts are in good proximity to services and community facilities. Lots are oriented to achieve views and good solar access to 93.95% of residential lots. The neighbourhood pattern utilises the residential development areas efficiently, promotes natural attributes and clearly defines public domain.</p> <p>The majority of Googong Township, including the majority of the subject site, is identified on the LEP's Lot Size Map as having a minimum lot size of 330m² except for the land within the southern boundary of NH2 must have a minimum lot size of 600m² and 80ha for the land zoned E2 – Environmental Conservation (south-east corner of NH2). Pursuant to subclause 4.1(3) the size of any lot resulting from the subdivision of land is not to be less than the minimum size shown on the Lot Size Map. The proposed residential lots range in size from 331m² to 1145m² and the proposed residue lots size are between 1810m² to 1.914ha. None of the proposed lots are located within E2 zone or the land with a minimum lot size of 600m².</p>	Yes

<p>Despite the above, Clause 4.1D – Variation to minimum lot size, allows for certain land in Googong Township to be subdivided to create lots that are less than 330m² despite what is shown on the Minimum Lot Size Map. The proposal involves the creation of residue lots that will be further subdivided into superlots, to be used for small lot housing development and is subject to a future DA.</p>	
Clause 4.1D Variation To Minimum Lot Size	
<p>As mentioned above, the majority of Googong Township, including the subject site is identified on the Minimum Lot Size Map as having a minimum lot size of 330m². However, <i>Clause 4.1D – Variation to minimum lot size</i>, allows for certain land in Googong Township to be subdivided to create lots that are less than 330m² despite what is shown on the Minimum Lot Size Map.</p> <p>The objective of <i>Clause 4.1D – Variation to minimum lot size</i>, is to provide opportunities for affordable medium density housing in appropriate locations.</p> <p>The clause applies to the following land:</p> <ul style="list-style-type: none"> a) <i>Land within 200 metres of any land within Zone B2 Local Centre,</i> b) <i>Land identified as “Additional Development Area” on the Googong Map.</i> <p>Sub-clause 4.1D (3) states:</p> <p>(3) <i>Despite clauses 4.1, 4.1AA and 4.1A, development consent may be granted for the subdivision of land to which this clause applies if:</i></p> <ul style="list-style-type: none"> (a) <i>there will be at least 4 lots resulting from the subdivision, and</i> (b) <i>the minimum lot size of each lot resulting from the subdivision is 130 square metres, and</i> (c) <i>the development application for the subdivision includes a dwelling design for each lot.</i> <p>The “Additional Development Areas” on the Googong Map are located in areas that are zoned R1 – General Residential which usually have a minimum lot size requirement of 330m². Within the “Additional Development Areas” and “land within 200 metres of Zone B2 Local Centre”, lots are permitted to have a minimum size of 130m². These have been identified for a smaller minimum lot size than would otherwise be permitted to allow for a transition zone of medium density residential development, (lots between 130m² and 330m²), in close proximity to Neighbourhood Centres, Town Centre and the facilities and public transport options they provide.</p>	<p>Yes</p>

<p>Part of the subject site is located within the mapped Additional Development Area and within 200 metres of Zone B2 Local Centre (see Figure 17 below). The proposal involves the creation of residue lots that will be further subdivided into superlots for small lot hosing purposes, approvals for those lots are subject to future development applications. Those superlots are likely to comply with the minimum lot size of 130m² as per submitted indicative plan (not for approval – office use only). Lots greater than 225m² are likely to contain a principal and a studio dwelling that will be further subdivided under strata title. A separate development application for subdivision of those lots including the dwelling design will be required to be submitted in the future. It is considered that the proposed development generally satisfies the requirement of this clause.</p>	
Clause 4.3 Height of building	
<p>The height of any building is not to exceed the maximum height shown for the land on the Height of Buildings Map. The majority of the subject land is shown on this map as having a height limit of 8.5m except for the Town Centre the height limit is 16m and within a 200m radius of the Town Centre the height limit is 12m. The land identified as an “Addittional Development Area” on the Googong Map is having a height limit of 12m.</p> <p>The proposed development does not involve the erection of any buildings except for amenity buildings within the proposed recreation area at Googong Common and gazebo/shelter structures within Town Centre lake, Nangi Pimble and local parks. Those structures are single storey and are all less than 8.5m in height. Therefore the proposed development complies with this clause.</p>	Yes
Clause 4. 4 Floor Space Ratio	
<p>The maximum floor space ratio (FSR) for a building on any land is not to exceed the FSR shown for the land on the Floor Space Ratio Map. The part of the subject land that is within a B2 zone (Googong Town Centre) is subject to a maximum FSR of 2:1 and the land identified as an “Additional Development Area” on the Googong Map is subject to a maximum FSR of 1.5:1. The remainder of the land is not identified on the Floor Space Ratio Map.</p> <p>No buildings are proposed within Googong Town Centre (B2 zone) with this application. Any proposed buildings on this site are subject to future applications. Part of the proposed residential lots are located within the “Additional Development Area” on the Googong map. However those residential lots will be used for dwelling houses only. It is not considered that those dwelling houses will exceed the maximum FSR requirement.</p>	Yes

Part 5 Miscellaneous Provisions

Clause 5.3 Development near zone boundaries

The objective of this clause is to provide flexibility where the investigation of a site and its surroundings reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site and be compatible with the planning objectives and land uses for the adjoining zone. This clause applies to so much of any land that is within the relevant distance of a boundary between any 2 zones. The relevant distance is 20 metres.

The original proposal involves the creation of 945 Torrens title residential lots and 25 of those 945 lots are located partially within B2 zone. Dwelling houses are permissible in R1 General Residential Zone. However dwelling houses are prohibited within B2 zone.

The applicant proposes to use Clause 5.3 - Development near zone boundaries to permit dwelling houses on lots zoned B2 and within 20m of the R1 General Residential Zone (refer to Figure 17 below for the location of affected residential lots). The applicant advised that lots fall outside the 20m are proposed to be utilised for permissible uses such as respite day care centre, business premises or office premises. Subsequent negotiations resulted in a written justification was submitted to Council (see below) and that Council agrees to consider the use of Clause 5.3 to allow dwelling houses on nominated lots within B2 zone and within 20m of the R1 zone provided the proposal meets the requirements of this clause.

Application's Justification:

Clause 5.3 (4) states that development consent may be granted to development of land to which this clause applies for any purpose that may be carried out in the adjoining zone, but only if the consent authority is satisfied that:

- (a) the development is not inconsistent with the objectives for development in both zones, and*
- (b) the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land.*

The proposed development is consistent with the zone objectives of both the B2 and R1 zones in that it will:

- Support the range of retail, business, entertainment and community uses within the Town Centre and Neighbourhood 2;*
- Add to the delivery of a range of lot sizes and types, to suit individual household needs, preferences and budgets;*
- Ensure the design of the public domain and provision of pathways, walking tracks and bicycle paths, will provide places for social interaction and exercise, promoting walkability, active and healthy lifestyles and a sense of community;*
- Ensure the Neighbourhood will be serviced by public transport, thereby encouraging use.*

In addition, the lots to be utilised for residential use are planned to be rezoned for R1 General Residential by Council as part of the preparation of comprehensive Local Environmental Plan in line with the approved Structure Plan embedded in Council's Development Control Plan. Therefore, the proposed development is reflective of future permitted uses envisaged for the site and desirable in terms of strategic planning context and compatible land use planning.

The lots will be serviced by infrastructure and are planned to be delivered in stages in to ensure the most efficient and timely delivery of the lots to market, as demonstrated in the DA documentation.

Assessing Officer's comments:

The applicant's justifications are noted. In accordance with the plan below, approximately 12 lots are located within B2 Local Centre zone and within 20m of the R1 General Residential zone boundary and these lots will be utilised for dwelling houses. 13 lots are located within B2 zone and are located outside the 20m of the R1 zone. Therefore these lots will be utilised for permissible uses such as respite day care centre, business premises or office premises as mentioned above. This results in a total of 932 residential lots to be created within NH2 for dwelling houses.

Pursuant to subclause (4), Council needed to be satisfied that this part of the proposed development was not inconsistent with the objectives for development in both zones, and that it was desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land.

Yes

It is considered that the nominated residential lots for dwelling houses in B2 zone are consistent with the objectives of both zones. The proposal will provide for a variety of housing types and densities in close proximity to the Town Centre and promote walkable neighbourhood and sense of community. There will be local economic benefits through employment opportunities for resident who live within the Town Centre area. Additionally, medium and high density residential and senior housing are permitted in B2 zone. Therefore the proposal is considered appropriate and is supported for the reasons above.

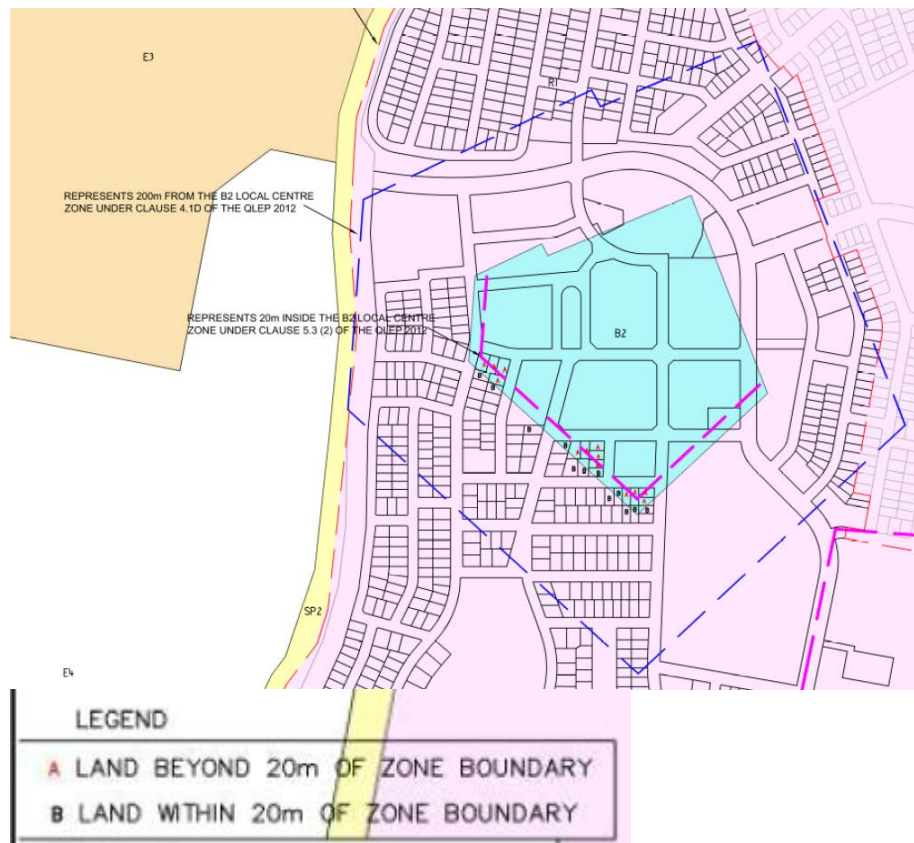


Figure 17 – Lots within B2 Local Centre zone and within 20m of the R1 General Residential zone boundary

Clause 5.9 Preservation of trees or vegetation	
<p>The objective of this clause is to preserve the amenity of the area through the preservation of trees and other vegetation.</p> <p>The clause only applies to species or kinds of trees or other vegetation that are identified by a development control plan. The Googong Development Control Plan (DCP) does not prescribe kinds of trees or other vegetation, and the part of the Queanbeyan DCP that does prescribe trees for the purpose of this clause is not adopted by the Googong DCP. Therefore, this clause is not applicable to the proposal.</p> <p>Please note this clause has been repealed on 25 August 2017.</p>	N/A
Clause 5.9AA Trees or vegetation not prescribed by development control plan	
<p>This clause has also been repealed on 25 August 2017 by the new Vegetation SEPP. However, given that subject application was lodged on 31 March 2017 prior to the adoption of the new SEPP, the provisions of this clause were applicable at the time of lodgement.</p> <p>This clause applies to any tree or other vegetation that is not of a species or kind prescribed for the purposes of clause 5.9. The ringbarking, cutting down, topping, lopping, removal, injuring or destruction of any tree or other vegetation to which this clause applies is permitted without development consent.</p> <p>The submitted plan identifies existing trees and vegetation on the land that will be removed to facilitate the proposed development. This is discussed below in detail under Clause 7.3 of the QLEP 2012.</p>	Yes
Clause 5.10 Heritage conservation	
<p>The objectives of this clause are as follows:</p> <ul style="list-style-type: none"> a) <i>To conserve the environmental heritage of Queanbeyan,</i> b) <i>To conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,</i> c) <i>To conserve archaeological sites,</i> d) <i>To conserve Aboriginal objects and Aboriginal places of heritage significance.</i> <p>Heritage items and archaeological sites are listed in Schedule 5 of the LEP and heritage conservation areas are shown on the LEP Heritage Map. None of these sites are impacted by the proposed development.</p>	Yes – conditions

Sub-clause 5.10(7) - Archaeological Sites requires the consent authority, before granting consent for the carrying out of 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.*

archaeological site means a place that contains one or more relics.

relic means any deposit, artefact, object or material evidence that:

- a) *relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and*
- b) *is of State or local heritage significance.*

Archaeological investigations have been carried out for Neighbourhood 2 and reports submitted for the proposed development. Mapped and listed Heritage items and archaeological sites in the QLEP 2012 are not impacted by the proposal.

However, based on the submitted Archaeological Assessment and Aboriginal Cultural Heritage Assessment (ACHAR) prepared by Navin Officer dated August 2017, Aboriginal sites were found within the subject site. These sites are located within the area proposed to be impacted by the proposed development including earthworks for recreation areas within Googong Common. Given that these sites are not listed under QLEP 2012, the proposed management actions recommended in the submitted ACHAR as outlined below and mitigation actions shown in Table 1 mentioned above are considered appropriate.

The ACHAR recommended that the management and mitigation strategies outlined in the table below be adopted and that:

- a. *Where possible all sites should be avoided.*
- b. *Approval for an AHIP should be sought prior to the commencement of any proposed works that will cause harm to the identified objects.*
- c. *No further actions required at GAPAD22.*
- d. *Where an Aboriginal site is adjacent to the footprint of proposed works, and these works are judged to have the potential to inadvertently impact the site, the boundary of this site should be marked as a 'no-go zone' on all maps used by GTPL and their contractors during construction. Where the potential for inadvertent impacts is high, physical fences should be placed on the boundaries of the no-go zones.*
- e. *Information in this report relating to the exact location of Aboriginal sites should not be published or promoted in the public domain.*
- f. *A program of archaeological salvage (collection) should be conducted for surface Aboriginal sites listed in table below prior to the commencement of the construction of Googong Neighbourhood 2. The methodology for site collection provided should be implemented for this collection.*
- g. *The research program into surface site impacts from farming activities detailed in Navin Officer Heritage Consultant's (NOHC) 2016a and implemented as part of AHIP No. C0001687 should be continued for the Googong project.*
- h. *The protocols for the unanticipated discovery of archaeological material and suspected human remains be implemented as necessary during activities involving ground surface disturbance and excavation.*
- i. *This report should be provided to the Office of Environment and Heritage (OEH) for its information and records.*

Sub-clause 5.10(8) requires the consent authority, before granting consent for the carrying out of development in an Aboriginal place of 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 by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and*
- b) *Notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.*

Archaeological investigations relating to Aboriginal Cultural Heritage have been carried out for Neighbourhood 2. Archaeological Assessment and Aboriginal Cultural Heritage Assessment (ACHAR) prepared by Navin Officer Heritage Consultant (NOHC) dated August 2017 was submitted for the subject application. There is a potential archaeological deposit (GAPAD22) identified within the subject site. Test pits from within GAPAD22 conducted by NOHC identified 14 artefacts were recovered from 26 pits excavated, 13 artefact were unretouched flakes and one artefact was a flaked piece.

Any work that will impact on known Aboriginal objects requires an Aboriginal Heritage Impact Permit (AHIP) to be issued under the *National Parks and Wildlife Act 1974*.

Pursuant to Section 91(2)(a) of the *Environmental Planning and Assessment Act 1979* the application was referred to the NSW Office of Environment and Heritage (OEH) as Integrated Development. This was required because there are known Aboriginal objects on the site, and therefore the OEH would need to issue their General Terms of Approval (GTAs) for any required permits to impact on Aboriginal objects.

The OEH issued their GTAs for the proposed development on 15 September 2017 subject to a number of conditions. A condition will be imposed on the development consent (if granted) requiring compliance with the GTAs.

Excavation Permit under Section 140 of the Heritage Act 1977 for an archaeological salvage excavation at GH5 and GH7 has been issued by Heritage Council on 18 April 2017 subject to a number of conditions. Under this permit, the applicant is responsible for safe keeping of artefacts recovered from the site. A repository for archaeologically excavated material is required to be nominated, as well as referencing the final location in the excavation report as per section 146(b) of the Act to enable a record to be kept of the location of all archaeologically excavated material.

Site Name	AHIMS Number	Significance Assessment	Anticipated Impact	Type of Harm	Degree of Harm	Consequence of Harm	Mitigation Action
GA5	57-2-0372	low	Riparian Corridor, adjacent to major road	Indirect	None	Total loss of value	site previously collected, site to be fenced during construction
GA6	57-2-0373	low	Open area	Indirect	None	Total loss of value	site previously collected, conduct inspection prior to impact and salvage surface artefacts if required
GA7	57-2-0374	low	Residential area	Direct	Total	Total loss of value	salvage of surface artefacts
GRW1	57-2-0980	low	Residential area	Direct	Total	Total loss of value	salvage of surface artefacts
GRW4	57-2-0983	low	Riparian Corridor	Indirect	None	Total loss of value	salvage of surface artefacts
GRW5	57-2-0984	low	Riparian Corridor	Indirect	None	Total loss of value	salvage of surface artefacts
GRW6	57-2-0985	low	Riparian Corridor	Indirect	None	Total loss of value	site previously collected, site to be fenced during construction
GRW7	57-2-0986	low	Sports facilities	Indirect	None	Total loss of value	site previously collected, conduct inspection prior to impact and salvage surface artefacts if required
GRW8	57-2-0987	low	Residential area	Direct	Total	Total loss of value	salvage of surface artefacts
GRW9	57-2-0988	low	School site	Direct	Total	Total loss of value	salvage of surface artefacts
GRW10	57-2-0989	low	School site	Direct	Total	Total loss of value	salvage of surface artefacts
GRW12	57-2-0991	low	Riparian Corridor, adjacent to major road	Indirect	None	Total loss of value	site previously collected, conduct inspection prior to impact and salvage surface artefacts if required
GRW13	57-2-0992	low	Riparian Corridor	Indirect	None	Total loss of value	site previously collected, site to be fenced during construction
GRW14	57-2-0993	low	Partially outside NH2 boundary	Indirect	Partial	Total loss of value	salvage of surface artefacts within project boundary, mark remaining
Site Name	AHIMS Number	Significance Assessment	Anticipated Impact	Type of Harm	Degree of Harm	Consequence of Harm	Mitigation Action
							portion of site on all GTPL maps and plans, fence
GRW15	57-2-0994	low	26 metres outside NH2 boundary	Indirect	None	Total loss of value	mark on all GTPL maps and plans, fence
GRW28	57-2-1005	low	Town centre	Direct	Total	Total loss of value	salvage of surface artefacts
GRW29	57-2-1028	low	School site	Direct	Total	Total loss of value	salvage of surface artefacts
GRW30	57-2-1031	low	Sports facilities, adjacent to major road	Direct	Total	Total loss of value	salvage of surface artefacts
GRW31	57-2-1030	low	Riparian Corridor	Indirect	None	Total loss of value	salvage of surface artefacts
GRW32	57-2-1029	low	Residential area	Direct	Total	Total loss of value	salvage of surface artefacts
GRW33	57-2-1025	low	Residential area	Direct	Total	Total loss of value	salvage of surface artefacts
GRW34	57-2-1026	low	Residential area	Direct	Total	Total loss of value	salvage of surface artefacts
GRW35	57-2-1027	low	Residential area	Direct	Total	Total loss of value	salvage of surface artefacts
GRW36	pending	low	Residential area	Direct	Total	Total loss of value	salvage of surface artefacts
GRW37	pending	low	Residential area (Multi Unit Site)	Direct	Total	Total loss of value	salvage of surface artefacts
GAPAD22	57-2-1007	low	Riparian Corridor and major road	Direct	Partial	Partial loss of value	no further action required

Table 1: Archaeological sites in NH2 and proposed management action

Part 6 Urban release areas	
Clause 6.1 Arrangements for designated state and Territory public infrastructure	
<p>This clause 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.</p> <p>The Development Application was therefore referred to the NSW Planning and Environment requesting the issue of a Satisfactory Arrangements Certificate.</p> <p>A Secretary's Certificate - Satisfactory Arrangements for designated State Public Infrastructure has been issued on 13 September 2017 for the proposed subdivision of Neighbourhood 2.</p>	Yes
Clause 6.2 Public utility infrastructure	
<p>This clause states that development consent must not be granted for development on land in an urban release area unless the 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.</p> <p>Council's Development Engineer has assessed the provision of public utilities as being satisfactory. The site is able to be serviced with reticulated potable and recycled water, sewer and stormwater. Electricity and telecommunications connections are also being made progressively available to each stage of Googong Township. These services and other infrastructure must be completed prior to the release of any Subdivision Certificate for the proposed lots.</p>	Yes
Clause 6.3 Development control plan	
<p>The objective of this clause 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.</p> <p>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.</p> <p>Googong Development Control Plan came into effect in November 2010, with several amendments made since then. It contains the Googong Master Plan (Part 3) and Structure Plan for Neighbourhood 2. Refer to the Development Control section of this Report for further commentary.</p>	Yes
Clause 6.5 Development near Googong Dam Foreshores	
<p>This clause is not considered relevant to the proposed development as the site is not located near Googong Dam Foreshores.</p>	N/A

Part 7 Additional Local Provisions

Clause 7.1 Earthworks

The objective of this clause is 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, and infrastructure construction works including roads construction works within the proposed residential lots and open spaces. Based on the submitted SEE, batter grades are typically 1 in 6 or less to permit driveway access with cut/fill on residential blocks typically less than 2m. Some lot regrading is proposed to eliminate inter allotment or back of lot drainage. The final surface grading design, and hence required depth of cut and fill, for the sports fields in Neighbourhood 2 were driven by design parameters including pipe grades of the stormwater outlet pipe discharging to Montgomery Creek. The batters between the sports fields and Montgomery Creek which vary from 1 in 4 to 1 in 12 drove the amount of fill required on the eastern side of the ovals. A maximum fill depth of 3m is proposed with fill typically less than 2m deep. The batters between the sports fields and adjacent streets, vary between 1 in 4 and 1 in 7 to provide maintainable grassed surfaces. A maximum cut depth of 6m is proposed with cut typically less than 3m. Final design of the grading and earthworks will be resolved in detail design and subsequent construction certificate approval.

Part of the major earthworks within Googong Common were approved under a previous DA 167-2016 for subdivision of NH1A Stage 7 to level the site for future sports fields. The approved earthworks within the sports field areas were varied from 2m cut and 2m fill and were predominantly used as a materials handling area for Stage 7. The earthwork areas were temporarily landscaped with top soil and grass.

This development application was accompanied by a geotechnical assessment, stormwater management and drainage report, engineering designs for stormwater management, site grading plans, riparian corridor offset plans, existing slope plans and proposed design contours plans post earthworks.

Provided recommended conditions of consent are complied with (if granted), the proposed development generally satisfies the objective of this clause.

Yes – conditions

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

- a) *The likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,*

The existing slopes within the site are generally between 0 - 15% with existing slopes as high as 25-50% within small part of land. The proposal involves site preparation and grading to reduce the slopes of majority of residential lots to maximum 20% as per Googong DCP requirements except for 9 residential lots within Nangi Pimble (Hill 800) that have maximum slopes of 25% at the rear of those properties.

Proposed site preparation and earthworks will not have an adverse impact on soil stability. A Stormwater Management and Drainage Report prepared by Calibre Consulting, March 2017 advises:

“The site produces stormwater run-off which flows to Neighbourhood 1A (NH1A) and associated NH1A stormwater infrastructure as well as surrounding future neighbourhoods.

The hydrological and hydraulic modelling has shown that the proposed residential subdivision and supporting roads can be constructed while meeting QPRC requirements for stormwater quantity and quality management. The objectives and performance targets (quantity and quality) are achieved by using stormwater quality improvement devices throughout the subdivision, with a large pond, bio-retention basins, bio-swales and rainwater tanks.”

If development consent is granted conditions will ensure protection of drainage patterns.

- b) *The effect of the development on the likely future use or redevelopment of the land,*

The proposed development is consistent with the identified future urban use of the land.

- c) *The quality of the fill or the soil to be excavated, or both,*

A Geotechnical Investigation Report prepared by Douglas Partners, July 2016 was submitted for the proposed development. The quality of the soil to be excavated has been identified in the Report as being satisfactory. No visual signs of salinity or salinity indication vegetation were observed during the site investigation as per Douglas Partners' statement. Previous stages of the Googong residential development have not encountered saline soils. Therefore it is considered that provided best land development practice is adopted (as for the other stages of Googong) that there would be no significant risk of salinity.

The soil has some potential for re-use on site as fill, however, there will be a need for the use of imported fill material for the engineering works. The recommendations of the Report will need to be adhered to and will be conditioned should development consent be granted.

d) *The effect of the development on the existing and likely amenity of adjoining properties,*

The site works are unlikely to impact on the existing and likely amenity of adjoining rural and residential properties provided that appropriate conditions are imposed and complied with.

e) *The source of any fill material and the destination of any excavated material,*

The source or destination of any fill material will be considered at the final engineering design stage.

f) *The likelihood of disturbing relics,*

The site is not affected by any items or areas of heritage significance identified in the QLEP 2012. However, the site works will have an impact on the identified aboriginal sites/objects within NH2. The NSW Office of Environment and Heritage (OEH) have issued an Aboriginal Heritage Impact Permit (AHIP) on the 15 September 2017 to disturb or move the Aboriginal objects identified in the AHIP. If any additional artefacts or objects are identified during excavation, a Construction Management Plan will provide guidance on the management of these finds.

g) *The proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,*

Groundwater seepage was encountered in 3 pits during the field investigations by Douglas Partners. The seepage in one pit was entering from the direction of an adjacent pond. No groundwater was observed in the remaining test pits. It is noted that the test pits were backfilled immediately following excavation precluding longer term monitoring of groundwater levels.

The NSW Department of Primary Industries – Water has issued General Terms of Approval for works in the vicinity of Montgomery's Creek. Impacts on this waterway will be further assessed and managed as part of a Controlled Activity Approval required to be obtained under the *Water Management Act 2000*. As stated above, the Calibre Consulting's Stormwater Management and Drainage Report advises that 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.

h) *Any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development,*

Appropriate measures will be conditioned should development consent be granted.

<p>i) <i>The proximity to and potential for adverse impacts on any heritage item, archaeological site, or heritage conservation area.</i></p> <p>The site is not affected by any items or areas of heritage significance identified in the QLEP 2012. However, the site works will have impact on the identified aboriginal sites/objects within NH2. The NSW Office of Environment and Heritage (OEH) have issued an Aboriginal Heritage Impact Permit (AHIP) on the 15 September 2017 to disturb or move the Aboriginal objects identified in the AHIP. If any additional artefacts or objects are identified during excavation, a Construction Management Plan will provide guidance on the management of these finds.</p> <p>In summary, the proposed earthworks will not have any detrimental impact on environmental functions and processes, neighbouring uses or heritage items and features of the surrounding land provided that any recommended consent conditions are complied with.</p>	
Clause 7.2 Flood Planning	
<p>This clause is not considered relevant to the proposed development as the site is not identified on the flood planning map and is not land that is at or below the flood planning level.</p>	N/A
Clause 7.3 Terrestrial biodiversity	
<p>The objective of this clause is to maintain terrestrial biodiversity by:</p> <p>(a) <i>protecting native fauna and flora, and</i> (b) <i>protecting the ecological processes necessary for their continued existence, and</i> (c) <i>encouraging the conservation and recovery of native fauna and flora and their habitats.</i></p> <p>Part of the subject site is identified on the Terrestrial Biodiversity Map. This correlates with the location of Montgomery's Creek and existing watercourses at the north-east section near the proposed Town Centre.</p> <p>Before determining the development application the consent authority must consider:</p> <ol style="list-style-type: none"> 1. <i>Whether the development is likely to have:</i> <ol style="list-style-type: none"> i. <i>any adverse impact on the condition, ecological value and significance of the fauna and flora on the land,</i> ii. <i>any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and</i> iii. <i>any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land.</i> 2. <i>Any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</i> 	Yes

Based on the submitted Flora and Fauna Assessment prepared by Capital Ecology dated March 2017, with the implementation of the proposed measures to avoid, minimise and mitigate impacts upon biodiversity values, the proposed development is unlikely to significantly affect any threatened species, populations or ecological communities listed pursuant to the NSW *Threatened Species Conservation Act 1995* (TSC Act). Accordingly, the preparation of Species Impact Statements, or the provision of a formal offset is not considered warranted for the proposed development.

Several recommendations were made in the accompanying Flora and Fauna Assessment to mitigate impacts on biodiversity relating to retention of paddock trees, weed management and recommendations for landscaping of open space areas including the top and upper slopes of Nangi Pimble (Hill 800), wetland areas and other woodland/forest patches which have been adopted as stated in the submitted SEE.

The report also recommended measures to reduce impacts on Biodiversity as follows:

1. Retention of Paddock Trees

Subdivision design will retain remnant trees where practicable, having regard to the habitat values, amenity values, structural integrity of the tree (as described in the tree assessment, SpaceLab 2016), urban design, service requirements, and the general grading required by the subdivision. The trees to be retained, and those to be removed, will be identified on the engineering drawings.

2. Weed Management

The weed management measures that will be implemented to prevent the introduction and/or spread of weeds include the following.

- Appropriate vehicle hygiene will be maintained. Vehicles and machinery entering the study area will be clean of weed seed or propagules.*
- Only soils sourced on site will be used to fill excavations within open space, landscaping, or conservation areas. No top-soil or other potentially weed seed laden organic material will be imported from elsewhere.*
- Only sterile materials such as hessian/jute or rice straw will be used for soil stabilisation or similar purposes.*

A weed control program will be developed to prevent the establishment and spread of significant weeds and control other less significant exotic species (lawn/pasture grasses etc.) within road verges, landscaped areas, and other open space.

3. Recommendations for Landscaping

Open space areas will be established, including the top and upper slopes of Nangi Pimble (Hill 800), wetland areas, and other woodland/forest patches.

The following principles will be followed in all landscaping.

- Local native species will be used for landscaping to the fullest extent practicable. A list of recommended species for the applicable original PCTs is provided as Appendix 6.
- Where practicable within open space areas, all strata will be re-established (i.e. groundcover, midstorey shrubs, and canopy trees) to create habitat complexity. This will discourage urban adapted species and encourage small woodland birds to visit the neighbourhood. Open space plantings will comprise only species appropriate for the applicable original PCT.
- Wetland areas will be of a large size, be located within a buffer of restored woodland (with planted Yellow Box and Blakely's Red Gum) or grassland, and contain island habitat inaccessible to cats and foxes. Such design features will encourage visitation, and potentially breeding, by waterbirds.
- Signs will be erected educating the public on the valuable native flora and fauna being conserved within the Googong open space network.

Several investigations into flora and fauna and their habitats have identified areas within the Googong Township subject to ecological constraint, specifically areas of high quality habitat for the Pink-tailed Worm-lizard (*Aprasia parapulchella*), which is listed as a vulnerable species under the NSW *Threatened Species Conservation Act 1995* and the Commonwealth Environment Protection and *Biodiversity Conservation Act 1999*. This area is outside of the subject site.

As mentioned above, the proposal involves the removal of 133 trees on site. The OEH and JRPP Panels raised that more efforts should be made to retain more trees on site particularly hollow trees. It was suggested that more pocket parks could be provided and more trees on the proposed lots to be retained.

Subsequent negotiations resulted in the applicant reviewing the number of trees to be removed and will now retain an additional 24 trees (number of retained trees increasing from 61 in the initial layout to 85 in the DA design). As per submitted supporting documentation, there are 5 trees classified as "exceptional value" in the NH2 site, with 3 being retained including one in the Nangi Pimble hill top reserve and the 2 to be removed for the following reasons:

- a) Tree identified as No. 48 located at the base of an existing farm dam embankment that cannot be retained – the removal of the dam necessitates earthworks that prevent the tree being retained.
- b) Tree identified as No. 118 located within the subdivision pattern but with areas of open space – and significant groups of trees already being retained – nearby that cannot be connected without significant re-lotting and/or creation of additional park assets and burden for Council.

In response to the specific concerns of the OEH and JRPP Panels regarding tree removal and tree retention, the applicant has further submitted a written justification in Attachment A.

Council is satisfied that the applicant has taken all reasonable steps to investigate, assess and design the subdivision in a way which retains as many of the mature trees as are practical. Council considers that a reasonable balance has been reached between the number of trees retained and the economic impacts of constructing the subdivision.

While Council agrees that large mature/hollow bearing native trees have habitat value and should be retained if possible when new urban development is proposed, the amount of land required to be set aside to ensure the long term viability of the mostly isolated trees is not warranted. The trees do not form an endangered ecological community. Additionally new street tree plantings within the public reserves, Nangi Pimble and Googong Common are proposed for the subdivision. They are predominantly native and exotic small trees to medium trees, with the addition of some ground covers within median strips. Also, Council does not support the creation of more pocket parks as they require extensive ongoing maintenance and liability cost for Council.

It is considered that the retention of isolated scattered trees or incorporation into the proposed lots are not warranted or practical as they will not survive the proposed subdivision works or future building works. Also many of the existing trees are now coming to the end of their foreseeable healthy lifespan. (Also refer to Clause 8.8 Tree Retention and Biodiversity of the Googong DCP for more details)

Further, development consent must not be granted unless Council is satisfied that:

- a) *The development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
- b) *If that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
- c) *If that impact cannot be minimised—the development will be managed to mitigate that impact.*

The proposed development is considered to have been designed and sited to avoid any significant adverse environmental impact. The development of Neighbourhood 2 of Googong Township has been informed by numerous environmental studies and technical reports which have identified the subject site as being suitable for the proposed development. Conditions of consent (if granted) will be imposed to ensure that the development is managed to avoid any adverse environmental impacts from subdivision works.

Clause 7.4 Riparian land and watercourses

The objective of this clause is to protect and maintain the following:

- (a) *water quality within watercourses,*
- (b) *the stability of the bed and banks of watercourses,*
- (c) *aquatic and riparian habitats,*
- (d) *ecological processes within watercourses and riparian areas.*

Part of the site is identified as “Watercourse” on the Riparian Lands and Watercourses Map and is within 40 metres of Montgomery’s Creek, which runs through the south-east corner of the site (See Figure 18 below). Therefore the proposal was referred as Integrated Development to the NSW Department of Primary Industries (DPI) – Water under Section 91 of the *Water Management Act 2000* for works within 40 metres of Montgomery’s Creek. The *Water Management Act 2000* allows for works within riparian corridors provided they undergo the required assessment and obtain the necessary approvals / licenses.

DPI – Water issued their General Terms of Approval for the proposed development on 11 May 2017. Should development consent be granted these are to be included as an attachment to the consent and conditioned to be complied with.

Before determining the development application the consent authority must consider:

1. *Whether or not the development is likely to have any adverse impact on the following:*
 - i. *the water quality and flows within the watercourse,*
 - ii. *aquatic and riparian species, habitats and ecosystems of the watercourse,*
 - iii. *the stability of the bed and banks of the watercourse,*
 - iv. *the free passage of fish and other aquatic organisms within or along the watercourse,*
 - v. *any future rehabilitation of the watercourse and riparian areas.*

It is considered that the issuing of General Terms of Approval by the DPI Water for works within the Montgomery’s Creek riparian corridor indicates that it is unlikely that the proposed development will have any adverse impacts on the items listed above.

2. *Whether or not the development is likely to increase water extraction from the watercourse.*

The proposed development does not include or require any extraction of water from Montgomery’s Creek.

3. *Any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

The applicant will have to obtain a Controlled Activity Approval under the *Water Management Act 2000* before any works will be able to commence. Such an approval will contain appropriate mitigation and management conditions.

Yes – conditions

Further, development consent must not be granted unless Council is satisfied that:

- a) *The development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
- b) *If that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
- c) *If that impact cannot be minimised—the development will be managed to mitigate that impact.*

The proposed development is considered to have been designed and sited to avoid any significant adverse environmental impact. The development of Neighbourhood 2 of Googong Township has been informed by numerous environmental studies and technical reports. The impacts of the proposed works on the riparian corridor can be adequately minimised and mitigated through the administration of the *Water Management Act 2000*. Council's Environmental Health Officer has also assessed the impacts on the riparian corridor and has raised no objections.



Figure 18: Biodiversity and riparian lands and watercourses

Clause 7.5 Scenic protection	
This clause is not considered relevant to the proposed development as the site is not identified as “Scenic Protection Area” on the Scenic Protection Map.	N/A
Clause 7.6 Airspace operations	
<p>This clause states that if a development application is received and the consent authority is satisfied that the proposed development will penetrate the Limitation or Operations Surface, the consent authority must not grant development consent unless it has consulted with the relevant Commonwealth body about the application.</p> <p>The ground level of the site penetrates the Operations Limitations Surface of the Canberra Airport. The application was therefore required to be referred to the Commonwealth Department of Infrastructure and Regional Development and the Canberra Airport. A Controlled Activity Approval under the Commonwealth <i>Airports (Protection of Airspace) Regulations 1996</i> has been issued by the Commonwealth on 12 October 2017 subject to the following conditions:</p> <ol style="list-style-type: none"> <i>The structures in the subdivision must not exceed a maximum height of 822 metres AHD or 20 metres AGL, inclusive of all lift over-runs, vents, chimneys, aerials, antennas, lightning rods, any roof top garden plantings, exhaust flues etc.</i> <i>Separate approval must be sought under the Regulations for any construction equipment (i.e. cranes) or other structures within this Googong site which will exceed the height of 822 metres AHD or 20 metres AGL.</i> 	Yes
Clause 7.7 Development in areas subject to aircraft noise	
This clause is not considered relevant to the proposed development as the site is not located near the Canberra Airport or within an ANEF contour of 20 or greater.	N/A
Clause 7.8 Active street frontages	
This clause is not considered relevant to the proposed development as the site is not identified as “Active street frontage” on the Active Street Frontages Map”.	N/A

Clause 7.9 Essential services

Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:

- a) *the supply of water,*
- b) *the supply of electricity,*
- c) *the disposal and management of sewage,*
- d) *stormwater drainage or on-site conservation,*
- e) *suitable vehicular access.*

Council's Development Engineer has assessed the proposed development and confirmed that adequate services are available (or can be made available) subject to the imposition of recommended conditions. Refer to specific comments below.

Water:

Neighbourhood 2 will require the construction of extensive water supply distribution and reticulation infrastructure. Integrated water cycle stage 3 works are required to be completed for the serviceability of the proposed lots, this will include but not be limited to the construction of rising and distribution mains, permanent potable and recycled water reservoirs at Hill 800 adjacent the Nangi Pimble reserve and then the decommissioning and demolition of the interim water supply reservoirs.

The distribution mains into Neighbourhood 2 will require pressure management to ensure that excessive pressures are not distributed into the neighbourhood 2 lots and existing lots in neighbourhood 1. The detail of this management will be provided at construction certificate application but is envisaged to be a combination of pressure reduction valves within the reticulation system and individual service pressure limiting valves. Higher lots adjacent and nearer to Hill 800 will be supplied via a booster pump system.

Yes – conditions

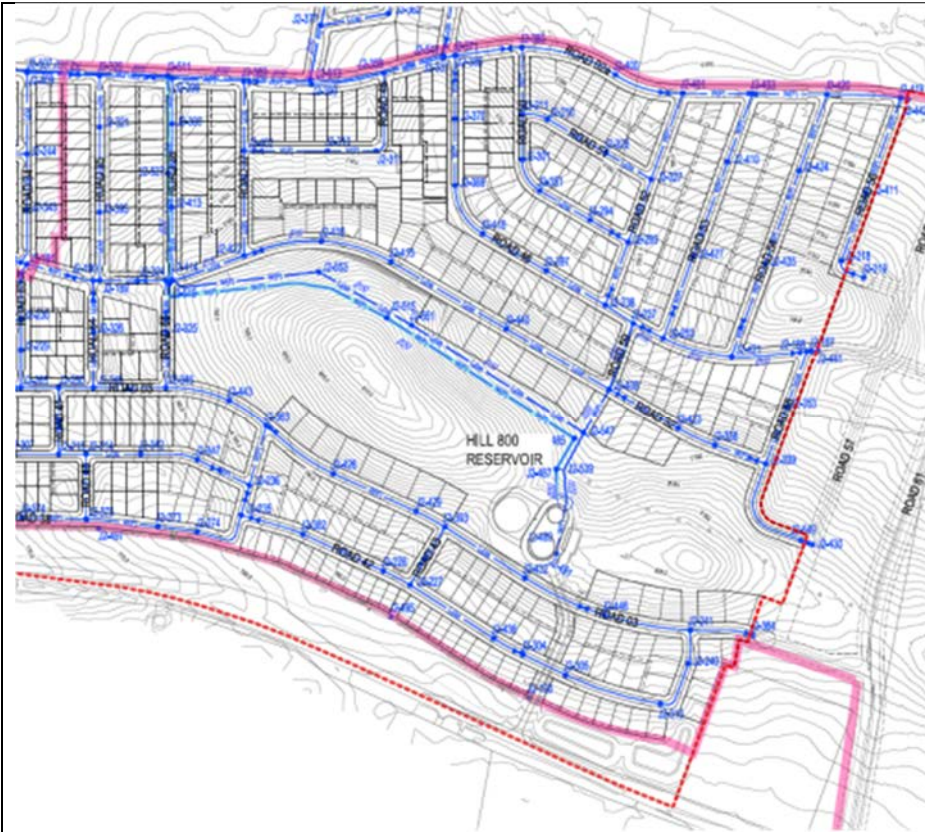


Figure 19: Hill 800 Potable Reservoir and Water Main distribution



Figure 20: Hill 800 Recycled reservoir and water main distribution

The inter connection of Neighbourhood 2 into Neighbourhood 1 provides a sound and functional operation of the water supply system with the appropriate pressure management treatments applied. Whilst pressure management is covered in detail within design specifications and Australian Standards, there will be a condition of consent developed addressing this issue as the applicant consistently had differing interpretations to Council.

The initial design of the water supply for this development demonstrates satisfactory functionality.

Sewer:

The completion of integrated water cycle stage C will see the capacity of the plant reach 9400EP, this should address the requirements for the delivery of Neighbourhood 2, however Sewer pump station 1 and 2 will require upgrading and this is envisaged around the period of stage 5 of neighbourhood 2 or 3750EP.

The sewer design for the development shows a combination of trunk sewer up to 300mm in diameter and reticulation mains of 150mm. Some back of lot easements will be required to enable servicing of lots.

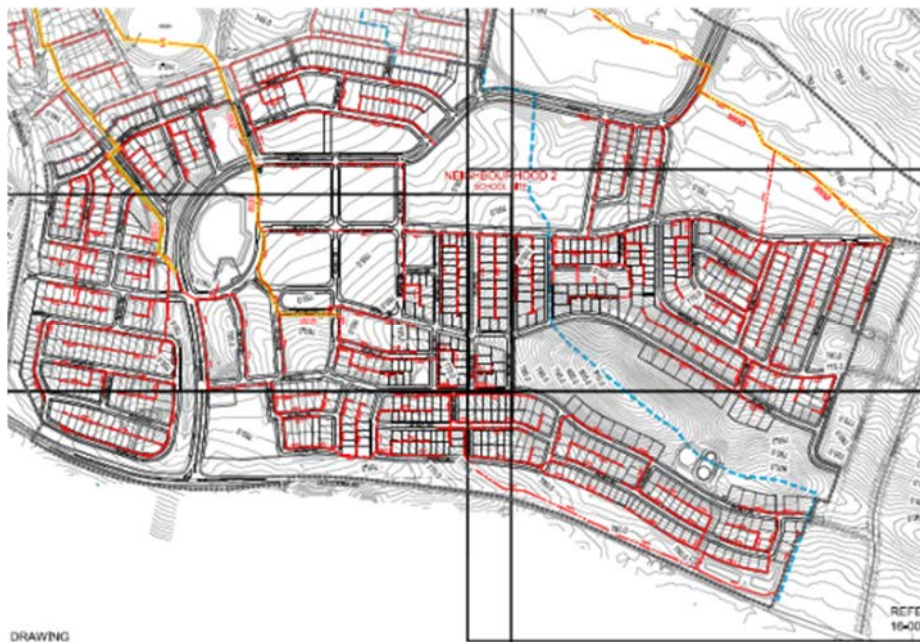


Figure 21: Sewer distribution and reticulation layout to Neighbourhood 2

The applicant will be required to demonstrate at each stage of their construction certificate application the current loadings to the WRP and Sewer pump stations to ensure that upgrading of infrastructure required is completed in conjunction with the staging of the development.

With appropriate conditioning of the triggers for upgrade of infrastructure the proposed sewer design for the development is functional and satisfactory.

Stormwater:

Neighbourhood 2 has a significantly reduced number of storm water detention basins provided throughout the proposed development as opposed to the Neighbourhood 1 site, which in turn has resulted in increased flow velocity and pipe line diameters.

The design required a full review by the applicant to reduce diameters lower velocity of flows. Included was the proposed location of the storm water mains where large diameter mains and box culverts were proposed to be in the centre of the road, which was not acceptable to Council as the maintenance of such an asset in that location would be difficult and costly.

After having the applicant review the design some piped flow was able to be directed to overland flow in the reserve between Old Cooma Rd and Neighbourhood 2. Council has proposed to change pipeline materials for Neighbourhood 2 as part of its Specification review, and the proposed material for storm water mains in general is to be twin wall polyethylene pipe. Council also concurred to have larger diameter pipe under the kerb with blind sumps constructed.

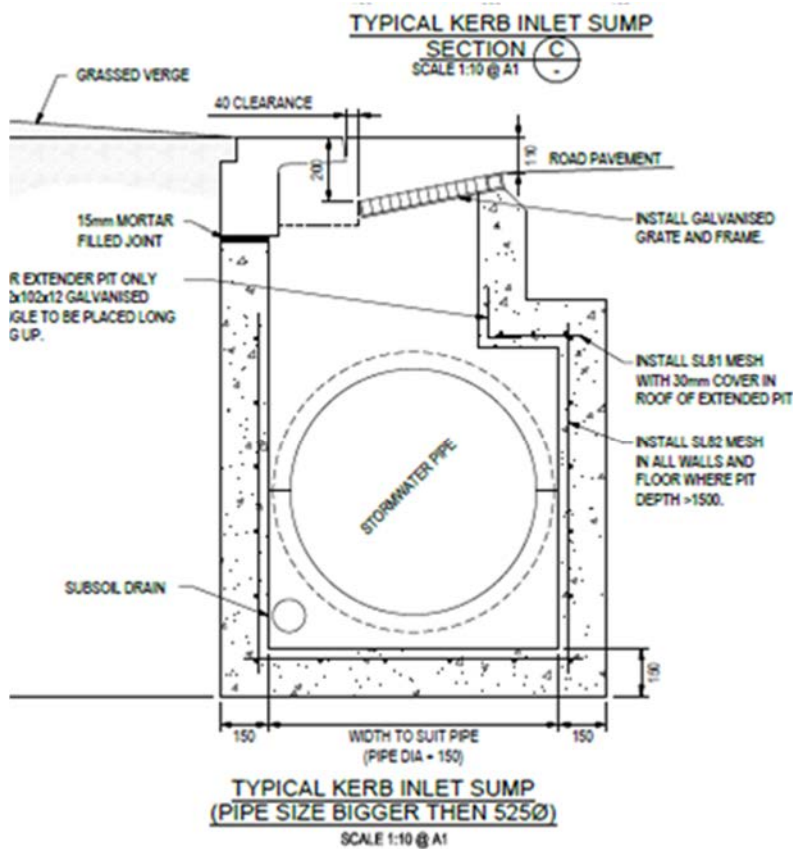


Figure 22: Large diameter pipe kerb inlet blind sump

Council's review of these parameters allowed the applicant to relocate assets from the road way or, where an asset was in a road centre, to be placed in a median that can be accessed for maintenance.

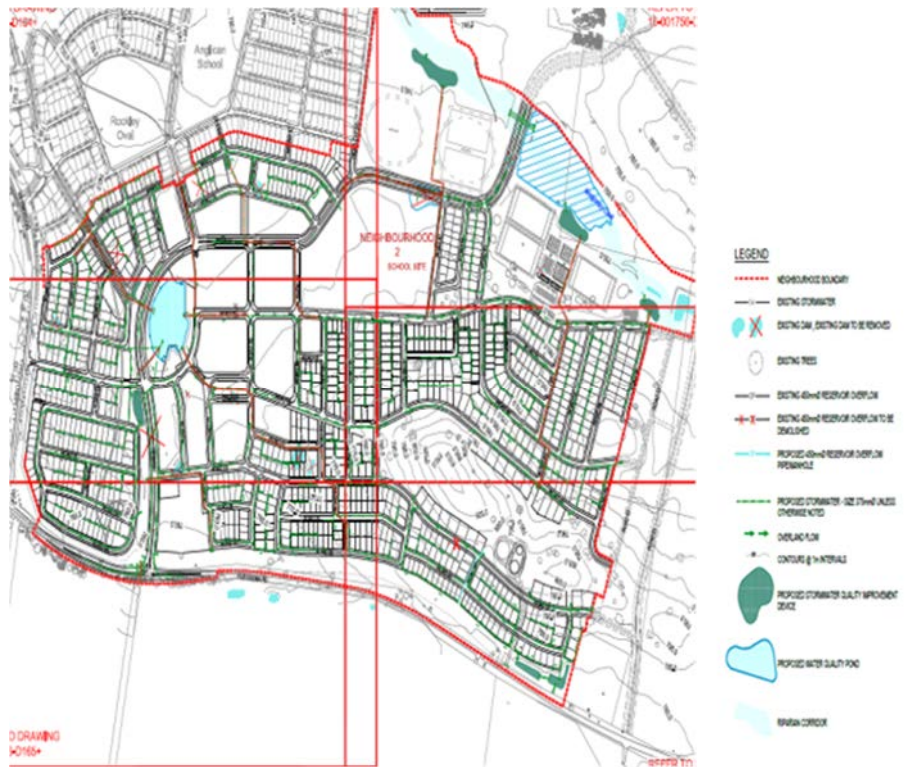


Figure 23: Drainage Concept plan Final Submission

The above concept plan demonstrates the reduced amount of biological retention, however over land flows are able to be achieved along the eastern boundary of the development reducing pipeline diameters as previously discussed.

Traffic and Parking:

Neighbourhood 2 will comprise of a major intersection upgrade on Old Cooma Road and the creation of 3 further significant intersections within the development.

A number of these intersection will be signalised to allow for peak traffic flows not to be affected by que lengths generated by traffic flow during AM and PM peaks.

Neighbourhood 2 will also see a number of changes to the road design from Neighbourhood 1 the main treatments applied to the design having an optimal outcome for Council and the road user are:

- Road widths have been increased to allow for better access and manoeuvrability of local traffic which while still promoting low speeds provide a safer outcome for all road users.
- The radius of intersections within the local network have been increased to provide better manoeuvrability for the design checking vehicle. This larger radius should ensure that road users do not need to encroach onto the opposite side of the road when making left hand turns.

Historically in Neighbourhood 1 the typical street 3 width was 7.5m which was a variation to the DCP. A number of issues with congestion and restriction of traffic flows were experienced in these streets. Council have been firm for this DA not allowing a variation on road widths where the typical street 3 width is 8.0m and this has been maintained throughout the development excluding some very low traffic streets.

Some indented parking in previous stages of Googong did not meet Australian Standards. This has resulted in some complaints to Council's road safety officer. In reviewing the development application for Neighbourhood 2 Council has worked with the developer to ensure that road widths along with parking widths meet Australian standards and industry best practice.

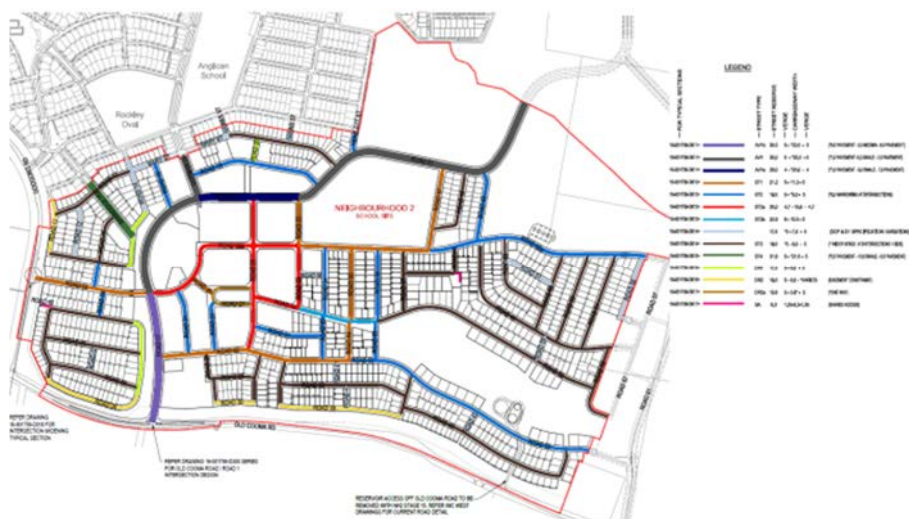


Figure 24: Street hierarchy plan showing road widths

Manoeuvrability of public transport has been a significant consideration for this application, the applicant has been asked to engage with local public transport providers to have support of proposed routes and this support be provided to council:

Hi Adrian,

This email is to advise that Qcity Transit supports Neighbourhood 2 (NH2) bus route plan as presented to us.

If you require any further information please do not hesitate to contact me.

Regards,

Steve Bushby
Regional Operations Manager

Qcity **TbX** **CDC NSW**
Transit Transborder Express

P 02 6299 3722 | M 0488 999 392 | F 02 6299 3828
11 Bass Street | PO Box 6066 | Queanbeyan NSW 2620

Which the applicant has done, the below plan shows the proposed bus route and it is noted that proposed bus routes road widths are no less than 9 metres wide to allow for safe accessibility. Public transport will be servicing a Town Centre and a proposed public high school site generating multiple trips.



Figure 25: Bus route plan

- The intersection of road 2 and road 1 allows for traffic to enter into the proposed early stages of Neighbourhood to from the proposed main thoroughfare, this intersection will have right hand turning lanes and will be signalised. The design checking vehicle is limited to a semi-trailer but this vehicle can adequately manoeuvre through the intersection.

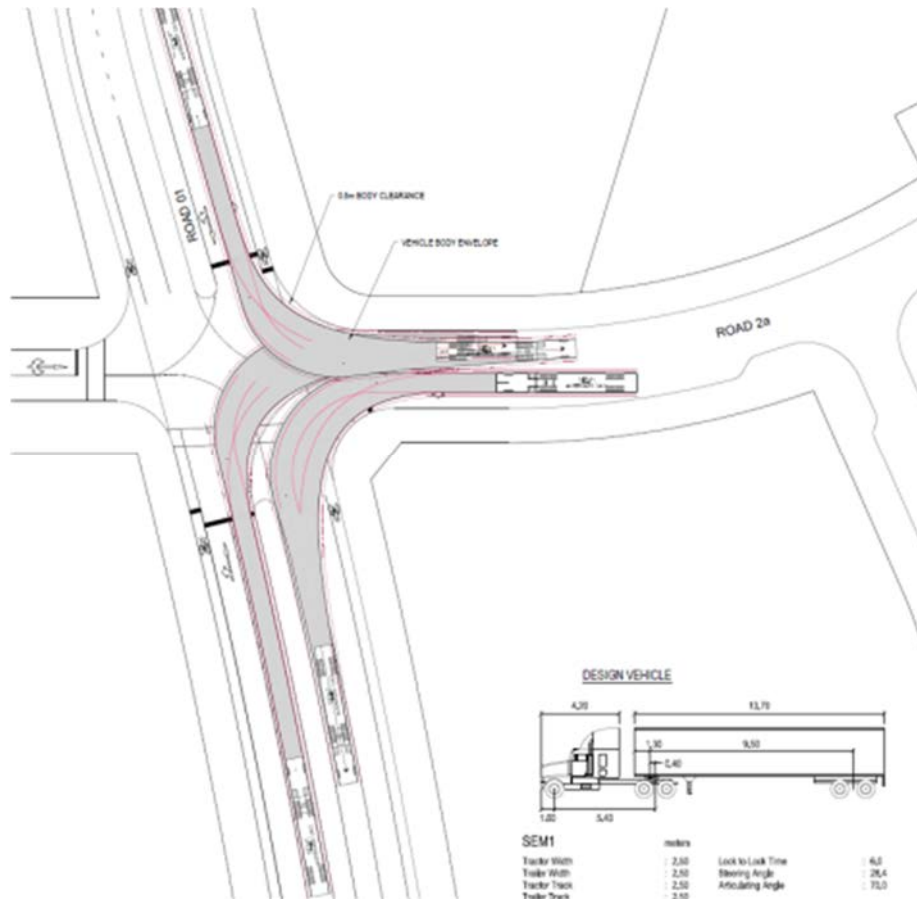


Figure 27: Road 2 and Road 1 Intersection

- The intersection of Gorman Drive and Road 1 sees the interconnection of Neighbourhood 1 into Neighbourhood 2, this link will provide an alternate access to Old Cooma Road and access to the Town Centre and retail precinct. The duplication of lanes at the intersection will allow for left hand turns into Gorman Drive to occur without the interruption to through traffic flows on Road 1. The intersection will be signalised providing managed traffic flows and safe pedestrian access.

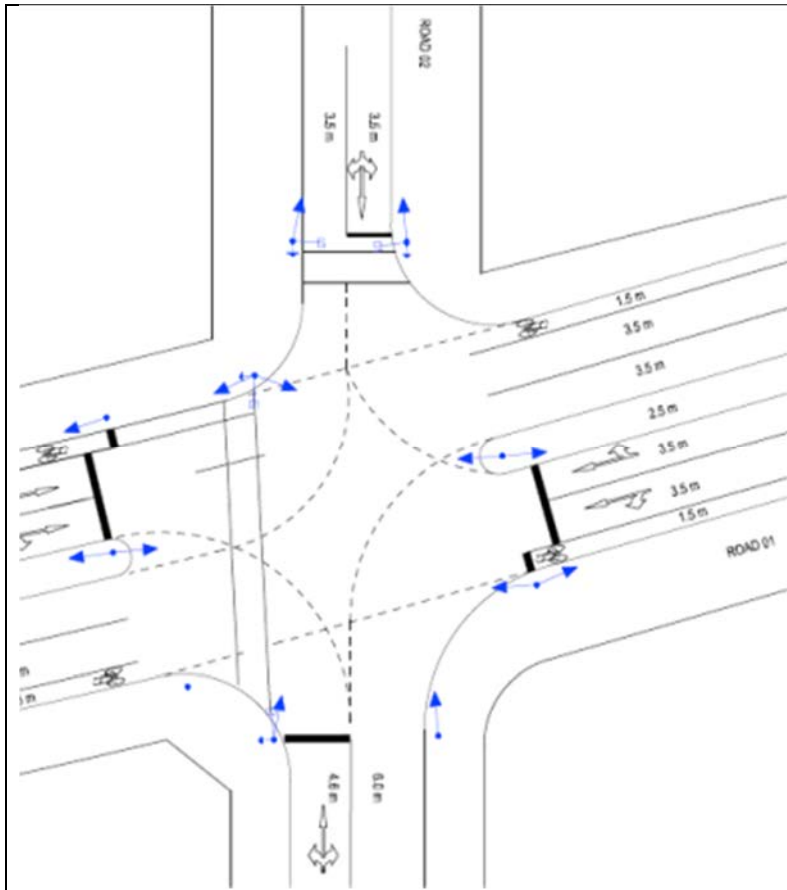


Figure 28: Gorman Drive and Road 1

4. *Googong Road and Road 2 intersection will allow for access to the initial stages of Neighbourhood 2 to access Googong Rd. This intersection will require the widening of Googong Road and the construction a right hand running lane for access onto road 2. The traffic report completed by Calibre Consulting published in March 2017 does not indicate that queuing is identified at this intersection. The use of the intersection will reduce once construction of the new Old Cooma Road / Road 1 intersection is complete.*

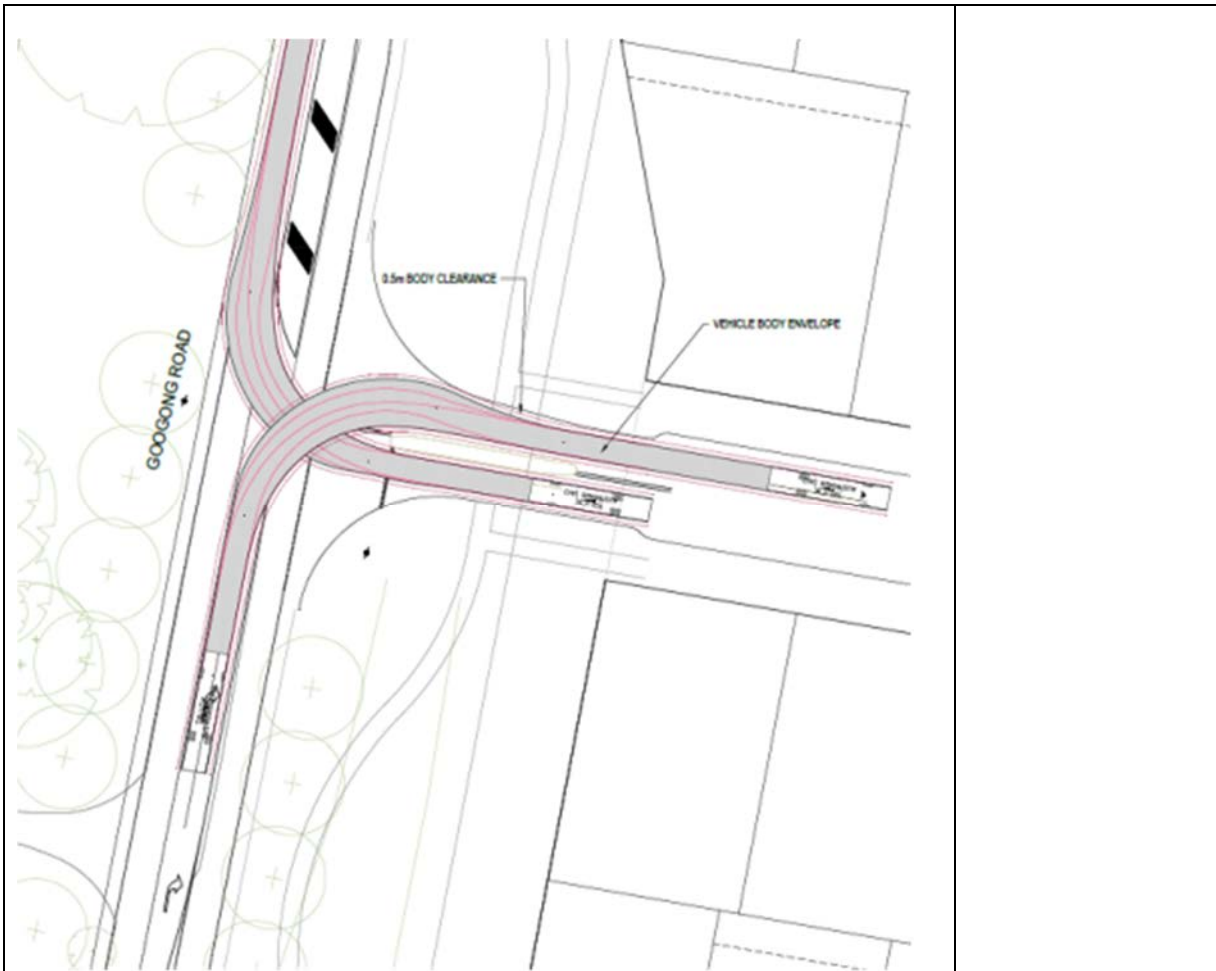


Figure 29: Googong Road and Road 2 intersection

The proposed driveway layout plan submitted as part of the application meet the intent of Queanbeyan Palerang Regional Council Development Design Specification D13.

Any other Engineering comments:

The Road and Parking and Access section of this report will be presented to the Local Development Committee on the 5 of December where representatives from Council's Community Connections, RMS and NSW Police will review the final plans and this report.

The information and changes within this report have been developed collaboratively between all stakeholders and it is envisaged the presentation at the LDC is mainly for information and update purposes since receiving the final set of plans for assessment on the 29/9/2017, which did not provide adequate timing for a report to make the early October LDC meeting where meetings are every two months.

<p><u>Note:</u> There is a variation to specific street type controls which is recommended for approval as the roads are considered as low traffic roads (10 roads in total – proposed roads: 07, 12, 14, 40, 41, 43, 51, 56, 59, 66) and is supported by Council’s Development Engineer subject to the imposition of relevant conditions. Refer to detailed discussion later in this Report under Part 5 of the Googong DCP.</p> <p><u>Electricity</u> Electricity connections are also being made progressively available to each stage of Googong Township. These services and other infrastructure must be completed prior to the release of any Subdivision Certificate for the proposed lots.</p>	
Clause 7.10 Development near Cooma Road Quarry	
<p>This clause is not considered relevant to the proposed development as the site is not identified as “Buffer Area” on the Quarry Buffer Area Map”.</p>	N/A
Clause 7.11 Development near HMAS Harman	
<p>This clause is not considered relevant to the proposed development as the site is not located within 2 kilometres of HMAS Harman or within Zone IN1 General Industrial or Zone IN2 Light Industrial.</p>	N/A

Draft Environmental Planning Instruments

There are no Draft Environmental Planning Instruments relevant to the subject site of the proposed development.

Development Control Plan

The Googong Development Control Plan (GDGP) applies to the proposed development. The GDGP adopts Part 1, Section 1.8 and Part 2, Sections 2.1, 2.2, 2.3, 2.4, 2.5, 2.6, 2.7 and 2.9 of the Queanbeyan Development Control Plan 2012 (QDCP).

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<i>Part 1 About This Development Control Plan</i>	
1.8 Public Notification Of A Development Application The development application was notified to adjoining owners from 18 April 2017 to 22 May 2017 and advertised as Integrated Development in The Queanbeyan Age/Chronicle on 18 April 2017 for 30 days. During this period no submissions were received.	Yes
<i>Part 2 All Zones</i>	
2.2 Car Parking This section requires compliance with the Australian Standard for car parking, which outlines parking and aisle widths, turning paths et cetera. The proposal includes the creation of public reserves including Nangi Pimble, local parks, sport and recreation facility (outdoor) within Googong Common, civic plaza and neighbourhood park with Town Centre lake, neighbourhood playground and community garden. The various community uses fall within the definition of "Recreation area", "Recreation Facility (Indoor)" and "Recreation Facility (Outdoor)". The parking requirement listed for such areas located outside the CBD only requires parking where the recreation area includes: squash and tennis courts, bowling alleys and bowling greens or a gymnasium. No specific vehicle parking requirement are listed for a playground. There are 8 outdoor tennis courts have been provided in Googong Common. Car parking to service the sport and recreation facilities within Googong Common has been provided as a combination of off street car parks, on-street perpendicular parking, and on-street indented parallel parking.	

<p>The submitted landscape plans show 120 on-site car parking spaces have been provided within Googong Common, accessed from Heazlett St, for future indoor recreation centre, netball courts and sportfield 3. Also 76 on-street perpendicular parking spaces on Heazlett St have been provided for future indoor recreation centre, netball courts and sportfield 3. 60 on-site car parking spaces have been provided for the future club, sportfield 3 and sportfield 4 with access from Wellsvale Drive. 80 on-site parking spaces have been provided for tennis club, sportfield 5 and sportfield 6. On-street indented parallel parking also available along the Wellsvale Drive, Road 49 and Road 2a. Public transport also available for visitors.</p> <p>It is noted that the streets around local parks, the community garden and Nangi Pimble are capable of accommodating on-street parking for visitors.</p> <p>8 car parking spaces have been provided for the future sales centre at the Town Centre lake. The future sales centre located outside the CBD could be considered as commercial premises which require 1 space per 60m² of GFA. However, without the floor plan showing the total GFA of the future building, the required parking spaces for this building cannot be calculated at this stage.</p> <p>Bicycle parking has been provided for some local parks/reserve such as Local Park 7 and Nangi Pimble and complies.</p> <p>Council's Development Engineer advises that the proposed car parking around the recreation areas and road network is satisfactory and the layouts show a functionality that can be applied to the site. The site allows for manoeuvrability for design and checking vehicles. Any discrepancies can be adjusted in the Construction Certificate plans.</p> <p>Traffic access to the site is adequate, with an adequate pedestrian footpath network supplied in accordance with the road type cross sections.</p>	<p>Yes</p>
<p>2.3 Environmental Management</p> <p>Detailed construction management plans (CMPs) will be required to be submitted for the development prior to the issue of the Construction Certificate Subdivision. The CMPs will need to address such issues as (but not limited to): noise, dust, management of construction traffic, erosion and sediment control, and protocols for managing complaints.</p> <p>In accordance with the submitted Nangi Pimble Ultimate Reservoir Assessment of Noise Emissions prepared by SLR Global Environmental Solutions dated 23 March 2017, all residential lots located around the reservoir were predicted to comply with the project noise limit (35 dBA) at all locations except a residential lot identified as "Receptor 5" in the Figure below. It is considered that the mitigation controls (construction of acoustic fence) should be provided to reduce the noise impact on affected lot.</p>	<p>Yes - Condition</p>

Council's Environmental Health Officer has reviewed the proposed development and has raised no objection to the proposal subject to the imposition of a condition in relation to the proposed acoustic fence on the northern boundary of Receptor 5, facing the reservoir.



Table 3 Nangi Pimble Ultimate Reservoir – Predicted Noise Levels

Receptor	Predicted Noise Level, dBA LAeq(15minute)
1	34
2	23
3	33
4	25
5	30
6	28
7	25

Figure 30: Lots affected by Nangi Pimble Reservoir noise

2.4 Contaminated Land Management

This section applies to all development and outlines requirements relating to the use and/or development of land that is or may be contaminated. This has been addressed earlier in the report under SEPP 55.

Yes

2.5 Flood Management

The subject site is not identified as a 'Flood planning area' on the LEP Flood Planning Map.

N/A

<p>2.6 Landscaping</p> <p>This section outlines Council's requirements for landscape plans and also lists what development types require a Council Accredited Landscape Consultant to prepare landscape plans.</p> <p>Subdivision proposals that include public land are required to have a Landscape Plan prepared by Category 2 Council Accredited Landscape Consultant. The subject application includes public roads, public reserves and verges.</p> <p>Landscape Plans for public reserves including recreational areas and street tree planting have been submitted. It was prepared by AECOM, who are a Category 2 Council Accredited Landscape Consultant. A mix of native and exotic tree species have been selected generally consistent with the structure plan with a selection of plant species that are drought tolerant and low maintenance. The proposed landscaping is considered to be appropriate and will make a positive contribution to the natural environment of the streetscape.</p> <p>Council's Parks and Recreation officer has reviewed the proposed development particularly the proposed public reserves and changes to the street trees species in NH2 and has raised no objection to the proposal.</p> <p>Refer to detailed comments later in this Report under Part 8 of the Googong DCP.</p>	<p>Yes</p>
<p>2.7 Soil, Water and Vegetation Management Plan (SWVM Plans)</p> <p>Sediment and erosion controls must be installed prior to any work commencing and be maintained throughout the course of subdivision works.</p> <p>A concept SWVM prepared by Calibre Consulting was submitted for the proposed development. More detailed design of sediment and erosion controls will be submitted as part of the Construction Certificate (Subdivision) process. This will ensure compliance with the relevant environmental standards and Council's Engineering specifications. Standard conditions regarding site management and erosion and sediment control to be imposed on the development consent (if granted).</p>	<p>Yes – conditions</p>

2.9 Safe Design

The proposed development is not expected to have any significant negative impact with respect to crime prevention through environmental design considerations. The proposal generally satisfies the relevant provisions of this policy. The design of landscape elements, fencing, street lighting and selection of planting within all open space areas including recreation area in Googong Common, local parks, Nangi Pimble, Town Centre lake & civic plaza, widened verges and green links, linear entry park, playgrounds, community garden, main entry and buffer along Old Cooma Road and Googong Road has been completed with consideration to the provision of views and opportunities for surveillance.

Groundcovers and low level planting are proposed to those areas with suitable tree species to the perimeter of the site, designed to provide shade, but have clear trunks at a lower level to allow for views through the gardens. Also the overall design promotes pride and a sense of place for the community and encourages local community involvement in the creation/conception of the public arts.

The main entrance of Wellsvale Drive and public places will be clearly defined through design features and directional signs. A maintenance policy will be submitted as part of the Construction Certificate Subdivision application.

The principles of Crime Prevention Through Environmental Design (CPTED) will need to be considered further during the assessment of future DA for Town Centre, commercial development, medium and high density residential development, senior housing, school and community facility that will show detailed internal layouts and potentially built form.

The application was referred to the NSW Police Service for comment. Their assessment and recommended advisory notes have addressed the objectives and safe design controls in regards to common open space and recreation areas including ancillary facilities, car parks, landscaping, signage, fencing, access and lighting within public places. NSW Police advised that the development has been identified as a **Moderate-crime risk**. Refer to their comments later in this Report.

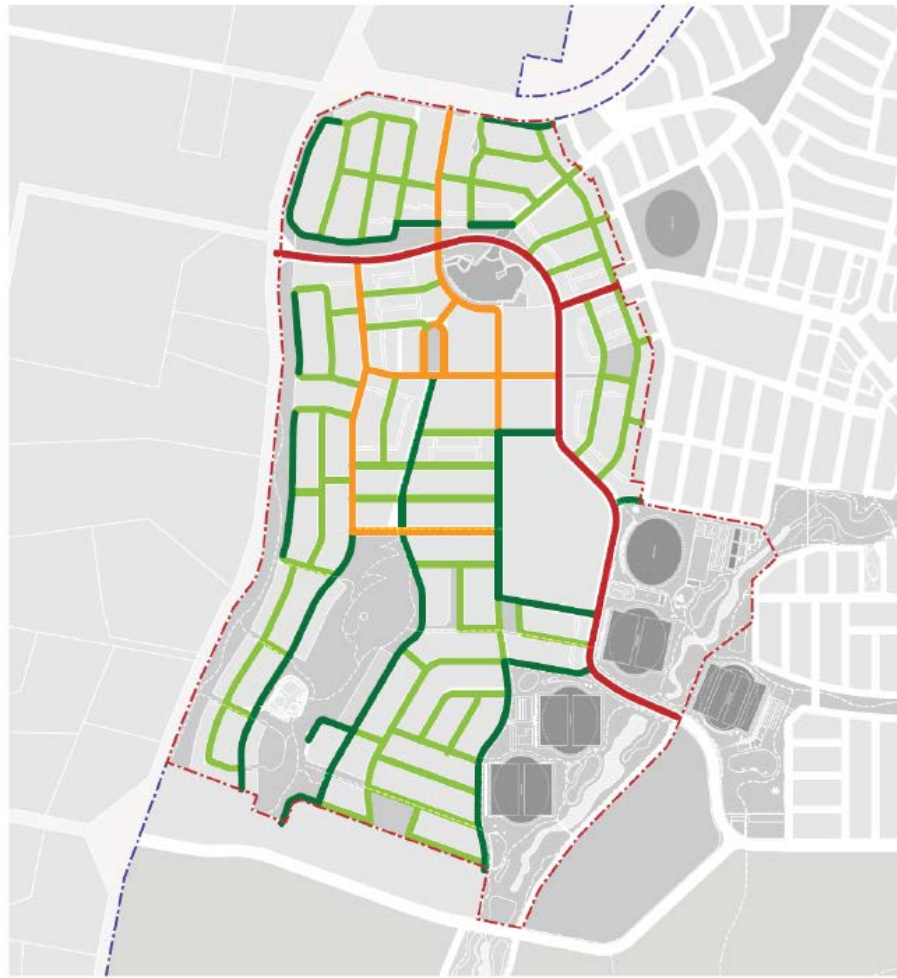
Yes -
condition

The proposed development has been assessed in accordance with the requirements of the **Googong Development Control Plan (DCP)** and a summary of the relevant provisions is provided in the following table.

GOOGONG DCP COMMENTS	COMPLIES (Yes/No)
Part 3 The Master Plan	
<p>Master Plan and Neighbourhood Structure Plans</p> <p>The Master Plan outlines general objectives and controls for Neighbourhood Structure Plans. These Plans provide for the orderly development of Googong Township by establishing the broad structure of each Neighbourhood within the context of the Master Plan. Development in each neighbourhood is to be generally in accordance with the Master Plan and relevant Neighbourhood Structure Plan.</p> <p>The proposed development is generally consistent with the Master Plan for Googong Township.</p> <p>The Approved Structure Plan for the subject site is contained in Appendix 8 of the DCP. It broadly identifies the following:</p> <ol style="list-style-type: none"> 1. Areas of the site for residential, Town Centre, public open space, school, community facility and drainage purposes; 2. Road and pathway alignments; 3. Street types; and 4. Street tree types. <p>Development in each neighbourhood is to be carried out generally in accordance with the applicable Neighbourhood Structure Plan. The proposed development is consistent with the Neighbourhood 2 Structure Plan except for the proposed mix of street tree types.</p>	<p>Variation – Street Trees</p>

GOOGONG DCP COMMENTS

**COMPLIES
(Yes/No)**



LEGEND


-  Googong NH2 Boundary
-  Exotic verge, Native median
-  100% Exotic
-  70% Exotic, 30% Native
-  100% Native

Figure 31 –Street Trees masterpan

GOOGONG DCP COMMENTS

**COMPLIES
(Yes/No)**



GOOGONG DCP COMMENTS	COMPLIES (Yes/No)
<p>Key</p> <p>Native Trees</p> <p>1 <i>Brachychiton populneus</i></p> <p>2 <i>Casuarina cunninghamiana</i></p> <p>3 <i>Eucalyptus albens</i></p> <p>4 <i>Eucalyptus leucoxylon</i> var. <i>megalocarpa</i> 'Rosea'</p> <p>5 <i>Eucalyptus mannifera</i> ssp. <i>maculosa</i></p> <p>6 <i>Eucalyptus polyanthemos</i></p> <p>7 <i>Eucalyptus stellulata</i></p> <p>Exotic Trees</p> <p>8 <i>Acer negundo</i> 'Sensation'</p> <p>9 <i>Acer rubrum</i> 'October Glory'</p> <p>10 <i>Liquidambar styraciflua</i></p> <p>11 <i>Malus</i> 'Royal Raindrops'</p> <p>12 <i>Olea europea</i> 'Swan Hill'</p> <p>13 <i>Pistacia chinensis</i></p> <p>14 <i>Platanus orientalis</i></p> <p>15 <i>Populus simonii</i></p> <p>16 <i>Prunus cerasifera</i> 'Oakville Crimson Spire'</p> <p>17 <i>Pyrus calleryana</i> 'Aristocrat'</p> <p>18 <i>Quercus palustris</i></p> <p>19 <i>Sophora japonica</i></p> <p>20 <i>Ulmus parvifolia</i></p> <p>21 <i>Ulmus procera</i> 'Louis van Houtte'</p> <p>22 <i>Zelkova serrata</i></p> <p>● Existing Trees</p>	
<p>Figure 32 - Proposed street trees for Neighbourhood 2</p>	
<p>Variation – Street Trees</p>	
<p>The Neighbourhood 2 Structure Plan identifies the mix of native and exotic street trees (Refer to Street Trees above). The Street Tree Masterplan submitted with this development application shows these streets being planted with mix of exotic and native trees as per the Structure Plan except for trees along a small part of Road 11 connected to Bambridge Pde being planted with 100% exotic trees; median along proposed Road 1 (Wellsvale Drive) being planted with exotic trees; along Road 28 being planted with native trees and along Road 32 being planted with exotic trees; The Structure Plan above shows those roads should be planted either with 100% exotic trees or 100% native or the median along Road 1 (Wellsvale Drive) should be planted with 100% native trees. The applicant has submitted a supporting document and summarised as follows:</p>	
<p><i>“The percentage difference to the adopted Googong Street Tree Master Plan Neighbourhood 2 is insignificant and reflects a desire to ensure the selected trees are appropriate for the site.</i></p>	

We seek two minor exemptions from the street tree masterplan as approved with the adopted NH2 Structure Plan, being:

- a. Approved Structure Plan / DCP: *Brachychiton 'Jerilderie Red'*-*Kurrajong*;
- b. Proposed replacement: *Olea europea 'Swan Hill'* – *Swan Hill Olive*.

This tree selection change is proposed on two streets, being Road 32 and Bambridge Parade.

Justification:

The substituted tree is a replacement of an 'evergreen for an evergreen' and Council's Parks staff are in favour of trying evergreen species that are not *Eucalypts*, due to the complaints from residents regarding the use of *Eucalypt* trees as street trees.

The *Kurrajong* documented on the Structure Plan has not actually been used in previous neighbourhoods, so with consent from Council's Parks staff, the *Kurrajong* was substituted with the *Olive* being a tougher evergreen tree which was not a *Eucalypt*."

Assessing officer's comment

The applicant's justifications are noted. Council's Manager of Parks and Recreation has assessed the proposed street trees as being satisfactory. The proposal for the street trees as shown on the landscape plans along those roads is supported.

Vegetation has been selected to maintain a low impact on the environment and natural resources. To achieve this plant material that is endemic to the region or exotic plants that will complement the desired character or other aesthetic or functional needs (e.g. solar access) have been selected. Indigenous plant species have been selected, which allows vegetation to be sourced (where possible) from local provenance seed. This has the benefits of preserving genetic diversity, enhance chances of plant survival in the local conditions.

Plant species have also been selected to survive and revive after periods of drought, cold and high winds. As such maintenance for all species is very low to no maintenance, with a specific requirement for active watering to be low. In addition to this a combination of native and exotic trees have been proposed to ensure that in winter there is a green spine of evergreen trees running through Googong. Also trees have been selected to respond the scale of the adjoining built form and width of the road carriageway. This is consistent with the Googong Landscape.

Part 4 Subdivision and Design

4.2 and 4.3 – General Objectives and General Controls

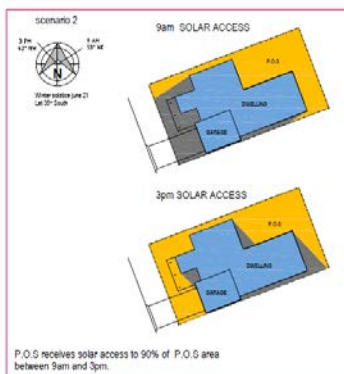
Yes - variation

The objectives are as follows:

1. *Create a legible subdivision pattern that maximises the 'sense of neighbourhood' and promotes walking and cycling over private car uses;*
2. *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;*
3. *Optimise views and the amenity of residential allotments in regards to views, solar access and proximity to community facilities, open space and public transport;*
4. *Ensure each neighbourhood within the township has a range of densities and housing choices to cater for the various needs of the community; and*
5. *Provide good solar access opportunities for future dwellings and residents and ensure that the lot layout responds to and optimises solar access.*

The proposed subdivision is considered to be generally satisfactory with regards to the above objectives. The subdivision pattern creates a 'sense of neighbourhood'. The residential lots are within proximity to services, community facilities, open space and the Town Centre with suitable pedestrian and cycle links to encourage walking and cycling. The lot layout is an efficient subdivision of the land that allows maximum solar access opportunities except for 54 lots (approx. 6.05%), including one superlot, that fall outside the optimal solar orientation. However, the submitted indicative shadow diagrams (See Figure 34 below) show that these lots will receive more than three hours sunlight to at least 70% of the POS area between 9am to 3pm on 21st June. Given that approximately 93.95% of the proposed lots within NH2 are located with optimal solar orientation, this minor variation is considered acceptable.

The neighbourhood pattern utilises the residential development areas efficiently, promotes natural attributes and clearly defines public domain. Lots are oriented to achieve views. A variety of lot sizes are proposed to provide choice of densities and housing choice to cater for the various needs of the community.



LEGEND

- Lot Boundary
- building footprint
- solar access
- shadow

Figure 33 – Typical plan showing required solar access is achieved

The controls are as follows:

- a) *Subdivision design shall be generally in accordance with the Neighbourhood Structure Plan.*

The proposed subdivision design is generally consistent with the Neighbourhood 2 Structure Plan.

- b) *Subdivision lot sizes shall comply with the minimum lot sizes as specified in the QLEP 2012 (refer to QLEP 2012 Lot Size Map).*

Under the QLEP 2012 the minimum lot size for the site is 330m². The proposed residential allotments range in size from 331m² to 1145m². The subdivision of the superlots within the “Additional Development Areas” and “land within 200 metres of Zone B2 Local Centre” to create lots with minimum size of 130m² is subject to a separate development application.

- c) *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. 'Walkable communities' are developments where urban design focuses on pedestrian comfort between key destinations (mixed use centre, school, open space), including shade, shelter, surveillance, attractive surroundings, activity, visual interest and land uses.*

The proposed development involves the creation of a residue lot for the future Googong Town Centre to service daily needs of future residents within easy walking distance. Green links and verges are provided to enable permeability and encourage walkability.

The future Googong Town Centre is located within walking distance west of Neighbourhood 1A and Neighbourhood 1B which is currently being developed.

- d) *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.*

A legible street hierarchy within NH2 is proposed which responds to topography and links into the surrounding current and future road network and generally maximising solar access to lots.

- e) *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.*

Streets are designed to accommodate cyclists and pedestrians and will link to bus stops, schools, community facilities and public reserves.

- f) *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.*

All street block dimensions are generally less than the maximum 250 x 70m with the exception of approximately 20 street blocks including large residue lots that exceed the maximum length and width mentioned above, between 257 – 399m long and 77 – 162m wide. This variation can be supported. No adverse impact on connectivity is created as a result. Safe and convenient access to all allotments within a subdivision can be provided.

- g) *Each new allotment has sufficient building area on it, being land with a slope of less than 20%.*

The proposal involves site preparation and grading to reduce the slopes of the majority of residential lots to a maximum 20% as per Googong DCP requirements except for 9 residential lots located within Nangi Pimble (Hill 800). These have maximum slopes of 25% at the rear of the properties which is considered a variation to the DCP. The size of these lots is between 875m² - 1074m².

The applicant has submitted a written justification summarised as follows:

“We have reviewed the site grading and the applicable slope analysis plans being dwgs D051-D053 (existing slopes), including revising the slope designations to show a demarcation at 20%. The grading design has been refined to provide maximum grade on building envelope areas of 20% as required by the Googong DCP (dwgs D054-D056) (finished surface).

It is important to also note that the lot typologies documented in the DA take account of the site topography, with wider frontages, often deeper lots and larger building envelopes to take account of the larger level differences on sloping lots. Having a range of lot topographies encourages a range of house designs to take advantage of the natural sloping land (in applicable areas) with split level outcomes which reduce environmental impact of the substantial additional earthworks, haulage, retaining wall costs etc. There are many examples of good built form outcomes on sloping land in NH1A stages 1 & 2.

These lot sizes and their location will allow a range of dwelling designs, and their position in the market are such that purchasers will prepare custom dwelling designs sympathetic to the slope, thus reducing the possibility of ‘flat benched’ sites being required and the associated undesirable large cut batters in excess of Council’s DCP maximum wall / batter heights.

We have previously provided example designs for dwellings on these lots as part of the NH2 assessment, demonstrating the expected ‘split-level’ arrangement, which would be compliant to all aspects of Council’s DCP controls, considering;

- *Heights / level difference to ground levels;*
- *Maximum retaining wall heights;*
- *Private open space requirements;*
- *Carparking / garage / driveway access.*

The lots are compliant with the approved Structure Plan and all of Council’s other DCP controls, with the DA documentation provided demonstrating that:

- *Lots are designed with building area no more than 20% slope; and*
- *Driveway grades are maximum 16%.”*

Submitted design contours show that the majority of residential lots will have a sufficient building area with a slope of less than 20% except for 9 lots within Nangi Pimble as mentioned above. This issue was discussed with the JRPP Panels during the site inspection at the site. The Panel requested sections of those lots showing the maximum cut and fill and retaining walls/batters around those blocks and the proposed fences at the rear of those lots on top of any retaining walls, facing Nangi Pimble, to be submitted and presented to the Panels for discussion. The Panel raised concerns regarding the impact of the proposed retaining walls and fences on the streetscape and public domain.

To address the JRPP concerns, the applicant has submitted examples of the streetscape on steep areas within Googong showing how designers and builders have addressed sloping land and that a mix of dwelling styles and designs have been delivered, which provide an enhanced streetscape compared to what would be delivered if one simple earthworks platform was provided in the subdivision civil works (refer to images 1 & 2 below).

The applicant also provides examples of dwellings in Googong and how the need to retain the rear of the property has been dealt with and provides a practical solution to the site slope. The interface from the back of the retaining wall to the dwelling becomes a useable utility space connecting at appropriate outdoor level to the finished floor level FFL (refer to images 5, 6 & 7 below). Images 3 and 4 show the current example of steep lot with built form solutions either side.



Image 1. A typical streetscape which shows a combination of front retaining walls used or a battered front lawn to take up the lot grade.



Image 2. A typical streetscape.



Image 3. A typical steep lot with resolved built form to the adjacent lot.



Image 4. A typical steep lot with resolved built form and side fencing to the adjacent lot.



Image 5. Rear stepped retaining walls with side and rear fencing to a steep lot.



Image 6. Rear retaining wall solution with fencing above.



Image 7. Typical side view of lot a steep lot with side fencing and rear retaining beyond.

The applicant also provided an example of a potential earthworks 'platform' that could be included with the subdivision construction, establishing a notional site cut for the driveways & garages, and a notional position for a split-level demarcation, refer to figure below which notates some of the concerns and problems with this provision, including;

- *Extent of retaining walls is vastly increased, adding significant cost penalty;*
- *Creates a problematic interface with the retaining wall, given the expected two-story dwelling designs don't suit a fixed wall position and would result in the creation of large voids between the wall and dwelling;*
- *Would create a bland and predictable streetscape;*
- *Creates a far worse environmental outcome with substantially more (and wasted) earthworks haulage and the resultant environmental costs rather than having custom and more sympathetic dwelling designs.*

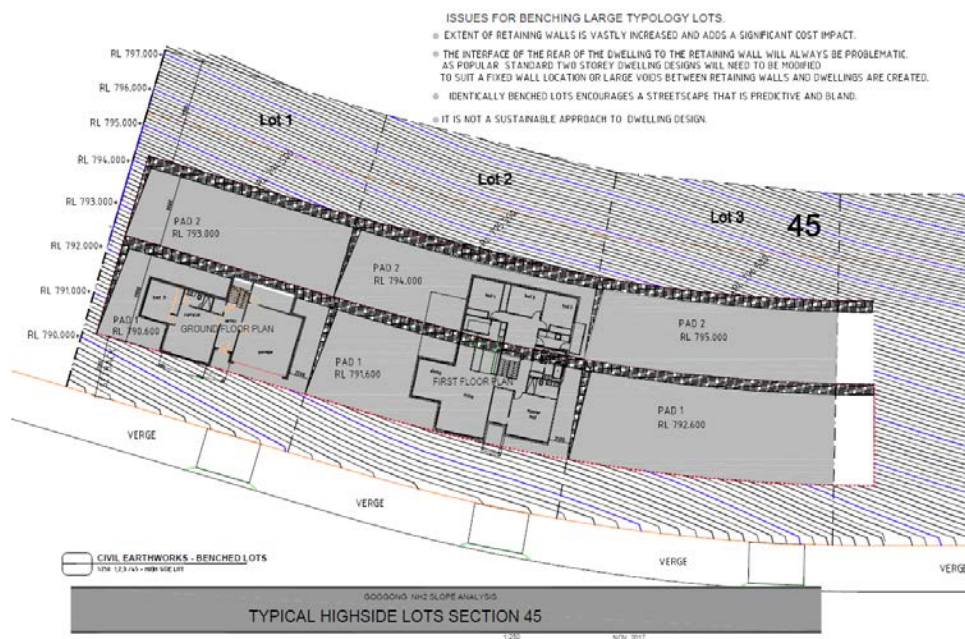


Figure 34: Benched lots

Assessing officer's comment:

The applicant's justifications are noted. Council is not satisfied that the submitted supporting documents satisfactorily address concerns raised in regards to the finished slopes at the rear of those properties within Nangi Pimble and proposed cut and fill for those sites. Any proposed cut and fill should be stabilised and appropriately retained. The required retaining walls should be constructed at subdivision works stage by the developer. This will provide a new allotment that has a sufficient building area on it and will reduce any unnecessary cut and fill and potential erosion in the future.

Therefore a recommended condition of consent will be imposed requiring a building envelope on those lots and details of any proposed cut and fill and required retaining walls to be submitted and approved by Council prior to the issue of the Construction Certificate – Subdivision.

Any proposed retaining walls at the rear of those lots will not highly visible from the street as they will be screened by the dwelling houses once built.

4.4 – Lot Orientation and Lot Size and Layout

Lot Orientation

Controls for lot orientation are listed below. There are no objectives.

- a) *Consideration should be given to different lot dimensions depending on the lot orientation. In this regard, upfront detailed tailoring of a layout at the early stages of a project can deliver sustainable outcomes.*
- b) *Lot orientation, size and dimensions should enable dwellings to be generally sited either on an N-S or E-W orientation. Where other amenities such as views over open space are available or the topography prevents efficient design then alternative lot orientations can be considered. Refer above.*
- c) *Allowances are to be made for different lot depths and widths, depending on orientation, which may also result in increased variety to the streetscape frontage pattern. Allowances are to be made for different lot depths and widths, depending on orientation, which may also result in increased variety to the streetscape frontage pattern.*
- d) *Where E-W oriented lots are proposed lots should be wider to support solar access.*
- e) *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.*
- f) *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. Narrower lots can be accommodated, particularly for the northern lots as they are particularly suitable for two storey dwellings with a lesser footprint. A wider southern lot allows for a central courtyard, which may gain greater solar penetration.*

Yes

The proposed subdivision generally complies with the above controls. All future dwellings should be able to be sited on an east-west or north-south orientation. Based on the submitted shadow diagrams, approximately 93.95% of the proposed lots within NH2 are located within optimal solar orientation. 54 residential lots (approx. 6.05%) including one superlot fall outside the optimal solar orientation. However these lots are likely to receive more than three hours sunlight to at least 70% of the POS area between 9am to 3pm on 21st June. Different lot depth, size, shape and orientation of each proposed lot should allow for high levels of solar efficiency and increase streetscape variety.

Lot Size and Layout

The objectives of the lot size and layout controls are:

1. *Encourage a variety of lot sizes across the site to promote housing choice and create varied streetscapes;*
2. *Smaller lot sizes are to be located within easy walking distance of a neighbourhood centre or the Town Centre, with larger lot sizes generally at the edges of Googong;*
3. *Promote generally rectangular street blocks and lots to maximise efficiency.*

The proposed subdivision is considered to be generally satisfactory with regards to the above objectives. A variety of lot sizes is proposed, all lots will be within walking distance of a neighbourhood or Town Centre, and a mix of larger allotment sizes has been provided to the east of and west Nangi Pimble. The street blocks are mostly rectangular in shape.

Controls for lot size and layout are:

- a) *Minimum lot size is to be in accordance with the LEP Lot Size Map and the lot dimensions are to be in accordance with the Table below.*

Lot Size	Minimum Frontage Dimension
170 < 250m ²	6.0m
250 < 300m ²	6.0m
300 < 450m ²	10m
450 < 600m ²	12m
600 < 900m ²	12m
900 < 1500m ²	15m
> 1500m ²	18m

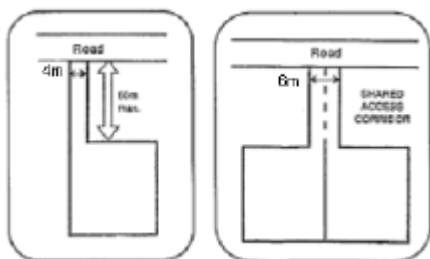
- b) Residential lot size must be capable of accommodating a dwelling, private open space and at least one under cover car parking space.
- c) Lot size and layout are to take into account the slope of the land, any environmental constraints and any significant natural features to create a legible and permeable neighbourhood pattern.
- d) Lots should be generally rectangular in shape and orientated to allow future dwellings to gain access off streets and where possible, public open spaces.

No more than two battle axe shaped allotments should adjoin each other. The access corridor is that part of a battle axe shaped allotment which provides private access between the main part of the allotment and the public road.

Council's requirements for access corridors are as follows:

- 1) Maximum length: 60m
- 2) Minimum width: 4.0m
- 3) Minimum width of Shared Access Corridor: 6.0m
- 4) No more than two allotments should be served by a shared access corridor.

The access corridor of a battle axe allotment is not included in the calculation of the minimum allotment area.



Under the QLEP 2012 the minimum lot size for the site is 330m². The proposed residential allotments range in size from 331m² to 1145m². The proposal complies with the minimum lot size.

The proposed residential lots must comply with the minimum frontage shown in the table above. All lots comply with the minimum frontage except for 3 lots within Stage 5 as follows:

- a) Lot 7 Sec 28 is 576sqm with lot width of 10.2m (should be 12m)
- b) Lot 8 Sec 28 is 591sqm with lot width of 10.2m (should be 12m)
- c) Lot 8 in Sec 27 is 435sqm with lot width of 9.9m (should be 10m)

This is considered as a variation to the DCP. The applicant has submitted a written justification as outlined below;

“All lots comply with the minimum subdivision requirements except three lots do not meet the minimum frontage dimensions:

- » *Lot 7 Sec 28 is 576sqm with lot width of 10.2m*
- » *Lot 8 Sec 28 is 591sqm with lot width of 10.2m*
- » *Lot 8 in Sec 27 is 435sqm with lot width of 9.9m.*

The above variations are considered minor and arise due to the street pattern resulting from the site constraints, and take into account the site topography of the land. The lots are still generally rectangular and maximise solar efficiency, thereby consistent with the objectives.”

The proposed variation is considered minor and is supported for the following reasons:

- (a) A suitable vehicle and pedestrian access can be provided to those lots despite the narrow frontages. Council’s Development Engineer has assessed the application and has raised no objection to the proposal.
- (a) The narrow lot width will not impact on the building appearance or streetscape and proposed landscaping at the front boundary.
- (b) Narrow frontage will not reduce the natural surveillance to/from dwelling to/from the street or solar access.

The proposed lot size, layout and minimum frontage for future small lot housing, multi dwelling housing or other uses will be assessed under separate development applications.

The proposal involves the creation of battleaxe allotments as part of this application. A battleaxe allotment is proposed for a lot in Stage 14 with a frontage to road 58. The access handle is 6m with maximum length of 60m. Other battleaxe allotments are proposed for 2 lots in Stage 12 with a frontage to road 46. Access handles are shared with minimum 6m widths with maximum length of 51m. No more than two allotments will be served by a shared access corridor. All battleaxe lots comply with the requirement above.

Each proposed residential lot will be capable of accommodating a dwelling, private open space and undercover car parking. Each lot is also rectangular in shape and able to be accessed from a public street and/or a laneway. The slope of the land and the environmental constraint posed by the riparian corridor and Montgomery’s Creek have been taken into account in the design.

Variation –
minimum
frontage – 3
lots do not
comply -
supported

Part 5 – Design Guidelines and Controls for Public Domain

5.2 Street Network

The objectives of the street network controls are:

1. *establish a street network that complements the characteristics of each neighbourhood area and promotes a liveable and permeable local environment.*
2. *Provide safe and convenient access to all subdivisions and all allotments within a subdivision.*
3. *Facilitate safe movement of road users through the provision of usable and accessible facilities for pedestrian and cyclists.*
4. *Promote use of public transport through the provision of appropriate facilities for users of public transport.*
5. *Make provision for legible, safe and efficient pedestrian, bicycle and vehicular movement throughout the township and connections to the established network.*
6. *Create a street hierarchy that reflects the function and character of each street and forms part of a legible network.*
7. *Make provision for a public transport route through Googong.*
8. *Provide as appropriate Water Sensitive Urban Design (WSUD) elements into the street network, as illustrated in images above.*

General controls for the street network are:

- a) *Streets are to be designed in accordance with the Master Plan, Council's adopted Engineering Design Specification – Googong, Control Diagrams and numeric controls in Table 3.*
- b) *A development application must demonstrate that the proposed streets are appropriate for their role in the street network.*
- c) *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.*
- d) *Streets are to include a stormwater drainage facilities as required. WSUD controls should be provided where possible in central medians.*
- e) *Subdivisions are to be designed to provide adequate safety for pedestrians using the street verge.*
- f) *Applications for subdivision shall be accompanied by a traffic engineering assessment that includes traffic volumes and movements, cross-sections through typical street types demonstrating that road reserve widths can adequately accommodate electricity, gas, telecommunications, water and waste water infrastructure, street trees, footpaths, shared paths, on-street parking, road pavement widths and where appropriate on-street cycling.*

This Part of the DCP adopts various street types for the Googong Township, with pavement widths and verge widths dependent on traffic volumes, pedestrian use and services. Each street type also has its own set of specific objectives and controls.

Yes – variation to road width is supported

The proposed new streets that form part of the subject application have been assessed by Council's Development Engineer as being generally satisfactory with the general controls above. There is a variation to specific street type controls which is recommended for approval as the roads are considered as low traffic roads (10 roads in total – proposed roads: 07, 12, 14, 40, 41, 43, 51, 56, 59, 66) and is supported by Council's Development Engineer subject to the imposition of relevant conditions. The applicant has submitted a written justification for the variation as follows:

"We refer to Council's comments provided in the NH2 DA comments & responses schedule which noted "Council may consider some smaller very low VPD streets to be applied for consideration to vary the DCP being Roads: 07, 12, 14, 40, 41, 43, 51, 56, 59, 66."

To that end, we seek Council's agreement to an exemption from the DCP required 8.0m carriageway to a 7.5m wide carriageway for the above type streets. The revised road hierarchy plan illustrates these streets in context of the overall Neighbourhood layout.

Justification:

Further to the explanation provided in the NH2 DA SEE and referenced traffic engineering report, these proposed 7.5m wide streets will have daily traffic at less than around 250vpd, with the majority at less than 200, well under the typically accepted threshold of 1,000vpd being acceptable for minimum width local streets.

These streets will all function as intended by the DCP, with parking accommodated anywhere legally along the street - parked cars act as traffic management devices in that there is ample space for one vehicle to travel, but not two, between parked cars.

It has been proven that providing more than an adequately safe width for three vehicles (as noted above) increases vehicle speeds in residential areas, which is a demonstrated concern of residents in completed areas of Googong to date. In addition, providing more than the adequate and safe street width will increase Council's ongoing maintenance obligations, and hence rates for residents for no traffic benefit."

Assessing officer's comment

The applicant's justification is noted. As mentioned above, the proposed variation is supported by Council's Development Engineer.

Adequate safety of pedestrians is provided. The assessment of the proposed laneways to provide access to future small lot housing development is subject to future development applications. The indicative design shows the future laneways are likely to comply with Council requirements in terms of width.

Stormwater drainage facilities and Water Sensitive Urban Design (WSUD) controls are proposed.

Refer to detailed comments under the next clause.

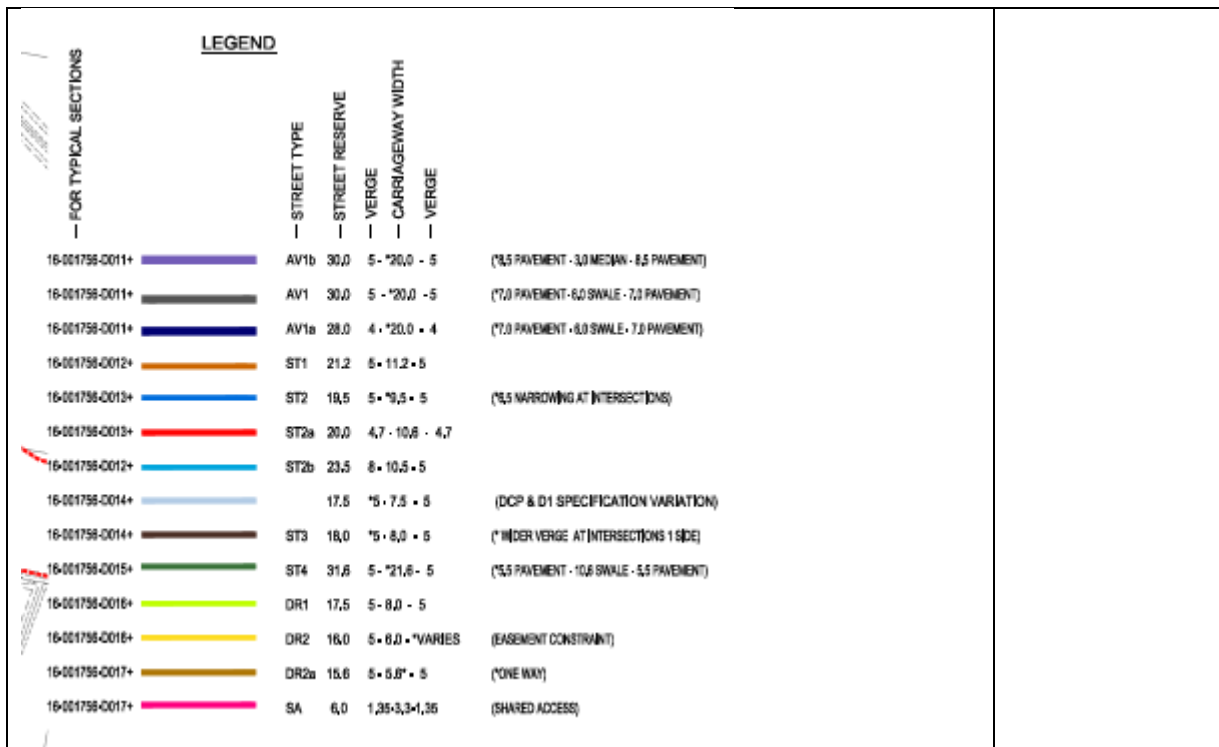


Figure 35: Street Hierarchy Plan for NH2

5.3 Main Road

Design Objectives:

- 1) These roads are intended as the main 'town road', linking the commercial centres within Googong as well as to the external network.
- 2) Their main function is to provide the convenient and safe distribution of traffic generated by the township development.
- 3) These streets are to be designed to accommodate public transport, cars, cyclists and pedestrians.
- 4) An entry statement in the form of public art is encouraged.

Controls:

- a) Arterial Roads will provide for two travel lanes in each direction with access from allotments prohibited. Where access to lots is required a service road will be provided.
- b) Daily traffic is intended to be approximately 9,000 vehicles per day.
- c) It is to be designed for a vehicle speed of up to 60 km/h and be able to accommodate public buses.

There is one new main road within the subject development site. It is known as Wellsvale Drive (Road 01) and is a combination of Local Arterial Road (AV1), Urban Local Arterial Road (AV1a) and AV1b road (refer to Figure 35 above). It provides access to Neighbourhood 2 off the existing Old Cooma Road and acts as the main "town road", linking the commercial centres within Googong as well as to the external network. It is identified on the Googong Master Plan and Neighbourhood 2 Structure Plan Map as two-way road divided by a median and with on-road parking along small section of the road and cycle lane and footpaths on either side.

Yes

<p>This street will connect with Old Cooma Road, Gorman Drive around the Town Centre lake and collector streets, connecting the Town Centre to urban fringe of Neighbourhood 2. It provides the convenient and safe distribution of traffic generated by the future township development. It has been designed to accommodate public transport, cars, cyclists and pedestrian.</p> <p>Landscape embellishments to old Cooma Road will create a sense of arrival to the new township. In addition to feature planting, public art and signage will also establish the entry into the Town Centre.</p> <p>The proposed new streets that form part of the subject application have been assessed by Council's Development Engineer as being generally satisfactory with the general controls above.</p>	
<p>5.4 Collector Streets</p> <p><i>Design Objectives:</i></p> <ol style="list-style-type: none"> 1) <i>Collector Streets are intended to also accommodate buses and link the Local Streets within neighbourhoods to the main road and beyond.</i> 2) <i>They are the neighbourhood "arrival" streets so their character has an important impact on sense of place.</i> 3) <i>These streets will tie Googong together providing the preliminary movement system for pedestrian, motorists, cyclists and the public transport system.</i> 4) <i>Entry statements in the form of public art are encourage.</i> 5) <i>Daily traffic will be fewer than 3000 vehicles per day.</i> <p>There are 7 collector streets (ST1 type) being Roads: 02, 03, 26, 33, 35, 47 and 64 proposed in NH2 (refer to Figure 35 above). Based on Development Engineer's advice, ST1 type street is also considered as a Local Street – Boulevard. The main difference being the requirements of a median. Part of these roads are identified as collector street and local street – boulevard.</p> <p>Road 02 provides access to Neighbourhood 2 off the existing Googong Road through Stage 2, linking to the Road 01 (Wellsvale Dr), Town Centre and other collector streets. Roads 03, 33, 35, 47 and 64 have been designed to accommodate buses. Pathways have also been provided along these roads. All roads have been designed to accommodate public transport, cars, cyclists and pedestrian.</p> <p>The proposed new streets that form part of the subject application have been assessed by Council's Development Engineer as being generally satisfactory with the general controls above.</p>	<p>Yes</p>

<p>5.5 Local Streets</p> <p><i>Design Objectives:</i></p> <ol style="list-style-type: none"> 1) <i>Local streets will be the most common street type in Googong.</i> 2) <i>They are designed to meet the typical conditions of residential areas.</i> 3) <i>The network of local streets will link neighbourhood areas to the collector.</i> 4) <i>Total number of vehicles is estimated to be 2,000 per day.</i> <p><i>Controls:</i></p> <p>a) <i>Daily traffic is intended to be approximately 2,000 vehicles per day.</i></p> <p>The construction of Local Street Type 2 (ST2) and 3 (ST3) are proposed within the subdivision. The majority of streets within the Googong Township so far are this street type including in NH2. Both street types comply with the requirements specified in Table 3 of the Googong DCP.</p> <p>The proposed new streets that form part of the subject application have been assessed by Council's Development Engineer as being generally satisfactory with the general controls above.</p>	<p>Yes</p>
<p>5.6 Local Streets – Boulevard</p> <p><i>Design Objectives:</i></p> <ol style="list-style-type: none"> 1) <i>This road is a variation of the Local Street and provides a much wider boulevard to promote a country feel in particular areas.</i> 2) <i>Opportunity exists for the promotion of WSUD to be accommodated with the central median strip, as well as a deep planting zone.</i> <p><i>Controls:</i></p> <p>a) <i>The road will have a total carriageway width of 2 x 5.5m (including parking).</i></p> <p>As mentioned under Clause 5. 4, ST1 type street is also considered as a local street – boulevard. There are 7 collector streets (ST1 type) being Roads: 02, 03, 26, 33, 35, 47 and 64 proposed in NH2 (refer to Figure 35 above).</p> <p>The proposed new streets that form part of the subject application have been assessed by Council's Development Engineer as being generally satisfactory with the general controls above. Refer to Clause 5.4 for more details.</p>	<p>Yes</p>

<p>5.7 Local Streets – Adjacent to Major Open Space Areas</p> <p><i>Design Objectives:</i></p> <p>1) <i>These roads are intended to complement the open space areas abutting the street to enhance the amenity of the area.</i></p> <p><i>Controls:</i></p> <p>a) <i>The road DR1 will have a total carriageway width 8.0m (including parking)</i></p> <p>b) <i>Daily traffic volume is intended to be approximately 1000 vehicles per day.</i></p> <p>c) <i>DR2 will be utilised in low traffic environments and have a carriageway width of 6.0m (including parking).</i></p> <p>The proposal includes the construction of Local Streets – Adjacent to major Open Space Areas identified as DR1 and DR2, being Roads 04, part of roads 11 and 14, roads 20, 30 and 38. Landscape embellishments within public reserves will enhance the amenity of the area along those roads. Council’s Development Engineer has assessed the application as being generally satisfactory with regards to the general controls above.</p>	<p>Yes</p>
<p>5.8 Local Street – Laneway</p> <p><i>Design Objectives:</i></p> <ol style="list-style-type: none"> 1. <i>Laneways within Googong may be either part of the public road network or private laneways forming part of a community title development.</i> 2. <i>The design intent for either type of laneway is to promote a shared zone with pedestrians, allowing vehicular traffic only for access to garages/parking spaces and is to incorporate a change in materials and or kerb cuts to provide differentiation to other vehicular streets.</i> 3. <i>Typical laneway treatments are shown in Figure 7. They are also to have a maximum length of 80m (this length is reduced to 60m for “gun barrel” laneways), to be sign posted for low speeds and no parking is permitted.</i> 4. <i>The laneway must be designed to cater for the design traffic that is likely to use the laneway, particularly with regard to delivery vehicles in commercial areas.</i> <p><i>Controls:</i></p> <ol style="list-style-type: none"> a. <i>Public laneway are to have a carriageway of 3.0m, must allow for garbage service vehicles and medium rigid trucks and are to be signposted as one-way. A minimum road reserve width of 6.0m is required where a 0.5m rear setback is provided.</i> b. <i>Where no rear setback is provided a minimum road reserve of 7.0m is required. Any above ground structures, trees or landscaping in the laneway shoulder must be located to allow vehicles to enter garage doors in accordance with Figure 5.4 of AS/NZS 2890.1 – 2004. Public laneways must connect to a public street at each of its ends and not to another laneway.</i> 	<p>Yes</p>

c. Private laneways are to have a minimum carriageway of 3.0m and a verge of 1.5m, with no provision for on street parking. Their connections to a public road are to be provided by a driveway with width in accordance with Table 3.2 of AS/NZS 2890.1-2004. The public laneway should be offset from one another at a street junction and any staggering must allow for use by small rigid trucks.

As mentioned throughout this report, the proposal includes the creation of superlots to be subdivided in the future for small lot housing development which will include public/private laneways. No laneways are proposed as part of this application. The proposed small lot housing including laneways are subject to future development applications.

However, Council has learned from previous subdivisions in Neighbourhood 1 that it is important to ensure that the superlots are able to be subdivided for small lot housing in a way which allows the minimum lot size and minimum laneway widths and configurations to be met.

Indicative plans showing the superlots and proposed laneways have been submitted to Council (not part of this approval). Laneways within the Googong Township may be either public or private. The applicant has not nominated the type of the proposed laneways for those superlots.

The indicative plans show the future laneways are likely to comply with the requirements above. The proposed width of the laneways is 8.5m. They are not connected to another laneway. They will form a part of the future street network, i.e. will provide access to the future rear loaded garage/carports of the future dwellings within a separate development application and will include landscaping and garbage collection within the verge and laneway. Based on the indicative plan, the length of the future laneways have been reduced to minimise the “gun barrel” effect. The requirements above will be further assessed when the separate applications for small lot housing developments including the proposed laneways are lodged in the future.

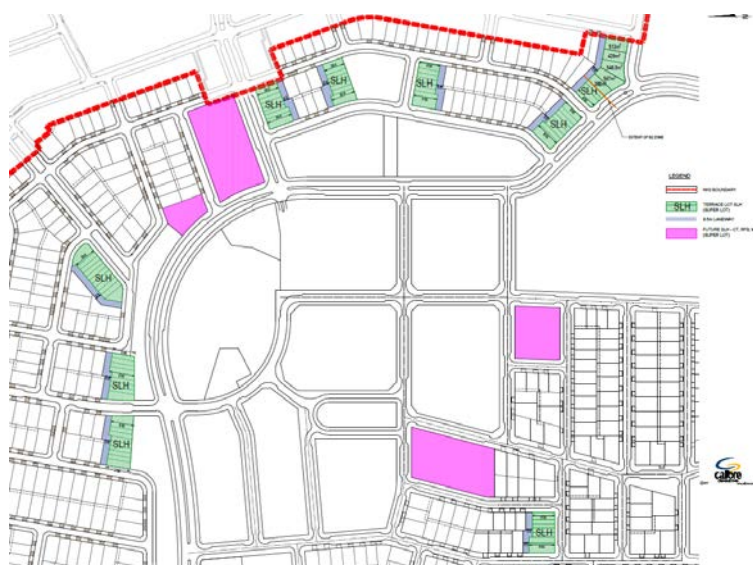


Figure 36: Indicative plan for the proposed small lot housing and 8.5m wide laneways

5.9 Public Open Spaces and Landscaping

Design Objectives:

- 1) *Provide a mix of passive, active, formal and informal public open spaces and play opportunities that will cater for and support the future community of Googong.*
- 2) *Provide open space areas which are distinctive in character and provide safe and secure access for all users.*
- 3) *Establish attractive walking and cycling links throughout.*
- 4) *Create attractive landscapes that are durable and generally low maintenance.*
- 5) *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.*

Relevant Controls:

a) Googong Common - Googong Common shall:

- i. Combine recreation, ancillary commercial, functional, environmental and cultural roles.*
- ii. Provide an extensive open space resource for Googong.*
- iii. Embody the character and environmental attributes of the Monaro landscape.*
- iv. Include a feature entry which suitably announces the entry and incorporates signage, shelters and a major water feature.*
- v. Provide cycle and pedestrian paths, amenities, playgrounds, passive recreation, active sports facilities and shelters, art and heritage interpretation, a pedestrian bridge over Montgomery Creek and water bodies.*

The Common will combine recreation, commercial, functional, environmental and cultural roles. It will provide an extensive open space resource, the 'lungs and playground' for Googong and embody the character and environmental attributes of the Monaro landscape. The section of Googong Common within Neighbourhood 2 contains most of the sporting and recreational facilities to be provided in accordance with the Local Planning Agreement.

A network of footpaths, bridges and cycleways connecting to the rest of the Common and creekline, Nangi Pimble and the Town Centre, including shared paths, key paths and smaller paths with lighting at key crossing points will also be provided as well associated facilities such as bins, bubblers, BBQ areas, seating, shade shelters and bike racks. A potential community garden location has been identified to the south of the Common, which will be fenced and will include shelter and seating.

Yes

Signage elements will be located at key entry points and other locations to assist with orientation and interpretation. Public art will be an important feature of the space, with key elements located at feature areas, along with smaller art pieces throughout the Common. These may be sculptures in their own right or may also perform other functions such as play elements, lookouts, water features, bridge structures, balustrades or be integrated into paving and street furniture.

The Googong Common also includes Montgomery Creek riparian corridor, an important environmental resource that will be protected and enhanced. The Googong Common planting palette has been chosen to ensure climatic, aspect and ecological suitability as per submitted Landscape Design Report prepared by AECOM dated 23 March 2017.

Part of the major earthworks within Googong Common were approved under a previous DA 167-2016 for subdivision of NH1A Stage 7 to level the site for future sports fields. The approved earthworks within the sport fields areas were varied from 2m cut and 2m fill and were predominantly used as a materials handling area for Stage 7.



Key

	Indoor Recreation Centre (to future D.A.)
	Area designed for Club / Amenity Building for Sportsfields 3 and 4 (to future D.A.)
	Amenity Building for Sportsfield 5 (100sqm)
	Amenity Building for Tennis Club and Sportsfield 6 (100sqm)
	Sportsfield 3 (S3) - AFL co-use with international cricket. Irrigated floodlit.
	Sportsfield 4 (S4) - Double Soccer co-use with International Cricket / Rugby League. Irrigated floodlit.
	Sportsfield 5 (S5) - Double soccer co-use with Rugby League. Irrigated floodlit.
	Sportsfield 6 (S6) - Single Soccer co-use with Rugby League
	6 Netball Courts with access to amenities in the Indoor Recreation Centre. Floodlit.
	Double Cricket Nets - possible location
	8 Tennis Courts (2 competition / 6 recreation) with hitting wall. Floodlit.
	Multi- Activity Games Arena (MUGA)
	Local Playground 05 - Suitable for ages 5-12
	Local Playground 06 - Suitable for ages 5-12
	Potential Community Garden or BMX track
	Riparian Corridor
	Bus layby

Figure 37: Googong Common

b) Hill 800 - Hill 800 shall:

- i. Include a lookout or series of lookouts with provision of sun and rain shelter.*
- ii. A series of pathways and direct stairway.*
- iii. Provide interpretive signage to reflect upon cultural and ecological landscape and include minor art work(s).*
- iv. Include establishment of plant species responsive to the character and exposed nature of the area.*
- v. Result in minimal removal of existing rock formations to hill top to preserve the geological heritage of the site.*
- vi. Provide adequate level of parking to base of Hill 800 for visitors to the lookout.*

As the highest elevation point within the neighbourhood, Nangi Pimble (formerly known as Hill 800) occupies a dominant position. It is visible from most of Googong and 360 degree views extend in all directions from its summit. As part of the integrated water management strategy the permanent water supply (potable and recycled water) reservoirs are located within the saddle of Hill 800. In addition to the reservoirs and associated infrastructure a series of additional elements are proposed to make the hill and surrounds a place accessible for the community to visit to enjoy the elevation, views and to learn about the surrounding area.

Key	
①	Northern entry point with signage, shelter, seating, bubbler and bike racks
②	Trees to be retained
③	Feature planting with seating
④	Local Park 0
⑤	Old Cooma Road buffer
⑥	Lookout area with shade structure, seating and interpretive signage
⑦	Glossy black cockatoo habitat revegetation areas. Tree canopy with shrub storey including <i>Allocasuarina verticillata</i> planted in groups. Weed control and re-establishment of ground storey where required
⑧	Screen planting including trees and larger shrubs
⑨	Scattered trees mainly located to provide shade to paths. Weed control and re-establishment of disturbed edges
⑩	900mm high gablon terraces, 3m apart planted with native grasses and groundcovers
⑪	Dryland grass - weed control of existing areas, establishment of new areas where earthworks are required
⑫	Substations - Indicative location
⑰	2m key path - concrete - accessible
⑱	2m key path - concrete - not accessible
⑲	1.5m path - concrete - accessible
⑳	2m bush track - not accessible
㉑	1.5m bush track - not accessible
㉒	0.75 bush track - not accessible
㉓	<i>Allocasuarina verticillata</i> planted in clumps with <i>Eucalyptus polyanthemos</i> , <i>nortonii</i> , <i>melodora</i> & <i>mannifera</i>
㉔	<i>Eucalyptus polyanthemos</i> , <i>nortonii</i> , <i>melodora</i> & <i>mannifera</i>

Figure 38: Nangi Pimble (Hill 800)

- c) Neighbourhood Parks - Neighbourhood Parks shall:
- i. Be identified in each Neighbourhood Structure Plan.
 - ii. Be located so that a park is generally within 800m from dwellings.
 - iii. Have a minimum area of 3000m².
 - iv. Be located with drainage lines or ridgelines to accommodate stormwater management and views respectively.
 - v. Provide areas and facilities for both active and passive recreation.
 - vi. Provide detail grading and retaining systems to allow for levels associated with existing trees to be retained and to achieve a satisfactory and practical park grade.
 - vii. Provide one large play area with adequate shade facility and fencing/planting to define the play zone.
 - viii. Provide elements (can be play orientated) that contribute to the 'celebration of water' across the Township.
 - ix. Provide a large shelter facility with BBQ facility with seating and tables
 - x. Provide entry and signage (park name) elements.
 - xi. Ensure heritage overlay where appropriate through interpretive signage, artwork installations or retention of existing shelter belt and cultural plantings.
 - xii. Include water sensitive urban design elements such as vegetated swales, minor creeklines, passive irrigation and detention ponds or treatment basins.

The Neighbourhood park is integrated into the southern edge of the lake, beginning at the Civic Plaza and wrapping around to the north-west corner with an area exceeding 3000m². It is located in a close proximity to residential areas. The proposed Sales and Information Centre / future cafe is located within this space. The proximity of the Town Centre and visual importance of this park makes it logical for it to have an urban character, while fulfilling the practical needs of a neighbourhood park.

There is a 2-3m level difference between the road and water level, which has been used to create a series of sitting steps /terraces with a northerly outlook over the lake. These will be concrete, with planting pockets for trees and groundcovers to provide shade. Public art will be integrated into these terraces.

An upper walkway lies adjacent to the street, lined with a double avenue of trees and bench seating. A lower walkway, closer to the water level, will have unique sculptural seating and semi-mature tree plantings along the water's edge. Seating steps will lead down to the water and the sculptural stepping stones.

The lower walkway will have accessible ramped connections to the upper road levels, as well as steps at other key linkage points. Adjacent to the lower walkway is an 'activity terrace'. There will be activity/ play elements located in this zone, which have been selected to suit the space and location. Ping pong tables and outdoor chess will be able to be viewed from the terraces. Sculptural pieces will be designed to allow exploration and play, without being 'traditional' play elements.

A small shelter with seating and BBQ facility and a bubbler will be provided in this space. The future café (subject to a future DA) will be adjacent to this space, which will assist in its activation. North of the sales centre is a flat, open grassed kickabout area with shade trees and seating. This also acts as the Council maintenance access space when required. It provides areas and facilities for both active and passive recreation. Signage and lighting will be provided at a suitable location.



Figure 39: Neighbourhood Park, Town Centre lake and Civic Plaza

d) 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.

There are 3 local parks that have been provided within Neighbourhood 2, being Local Park 7, Local Park 8 and Local Park 9. All local parks have an area exceeding 1000m², linked to a larger open space network via the green links and/or widened verges and located within 200m of most residential areas. Local Park 8 includes facilities for small children.

Local Park 7 with an area of 4344m² has been designed to create a large, low maintenance public open space, using gentle grass mounding and trees to create a sense of space and enclosure for the large multi-functional grassed lawn/kickabout space. This will be a place for informal games of soccer, kite flying or even smaller community markets. A 2m key path runs along the southern and eastern edges of the park, with a diagonal path providing a direct route across the park. A small shelter will be located adjacent to the kickabout space, with benches, bike racks, a water bubbler and bins provided. Low ornamental planting will be located adjacent to the shelter, hedge planting adjacent to the residential fence, and tree plantings to reinforce the geometry of the space and provide shade and habitat. Car parking will be provided on the street. There is a bioretention basin located on the northern side of the park to assist with the stormwater management.

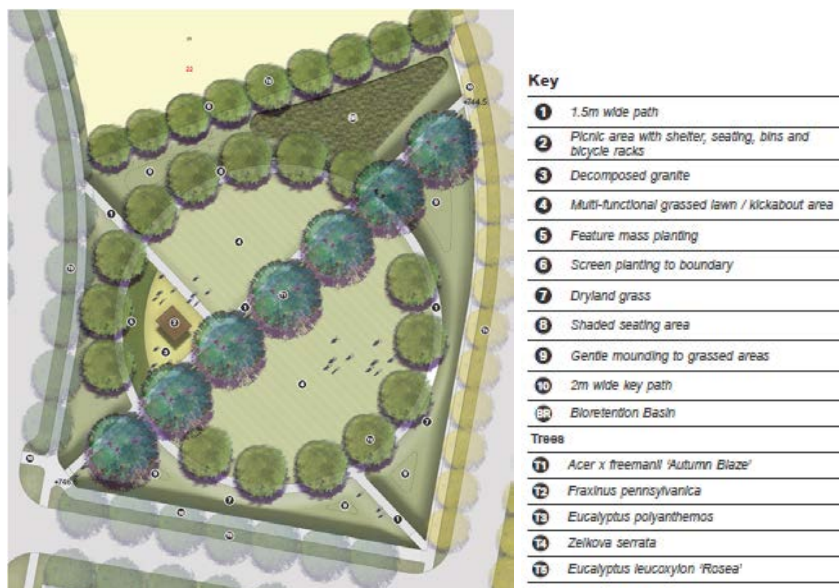


Figure 40: Local Park 7

<p>Local Park 8 with an area of 3444m² is close to the Town Centre, so has been designed to have a predominantly formal, urban character. Local Playground 4 and the community garden are located within this park. A 2m key path is located on the eastern edge of the park, forming a strong connection south to Nangi Pimble via the green link, and north to the lake and Neighbourhood Park. This has been reinforced with a formal avenue of <i>Malus domestica</i> trees with low ornamental planting and north/south seating provided for Town Centre residents, shoppers and workers. A community garden will be located at the southern end of the park for use by the local residents, especially for those who may not have their own back garden. This space will be fenced with raised beds, citrus trees, hedging, shelter, compost areas, water tanks and seating. There is an opportunity to integrate sculptural / art elements into this garden in the way of fencing, raised beds, planting supports, etc. The northern end of this park will comprise lawn areas and a small plaza with sculptural play elements, shelter, bubbler, bike racks and bins. Themes of the play elements will be influenced by the local cultural history and may link in some way with those in the Neighbourhood Park, a short walk away.</p>	
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Local Park 9 is a small hilltop park with an area of 7830m² that will be fully fenced as a dog park, with some dog exercise equipment and the appropriate bins, bags and signage. A 1.5m wide path will wind up the hillside to a summit lookout with seating and shade trees. This will have visual connections to both the major and minor peaks of Nangi Pimble. There are some large level changes within this park. Any required regrading to the park will be achieved by grading grassland to 1:5 where possible, and installation of planted gabion terraces where required. Hedge planting will be installed to residential fence lines. Seating beneath trees also has been provided.

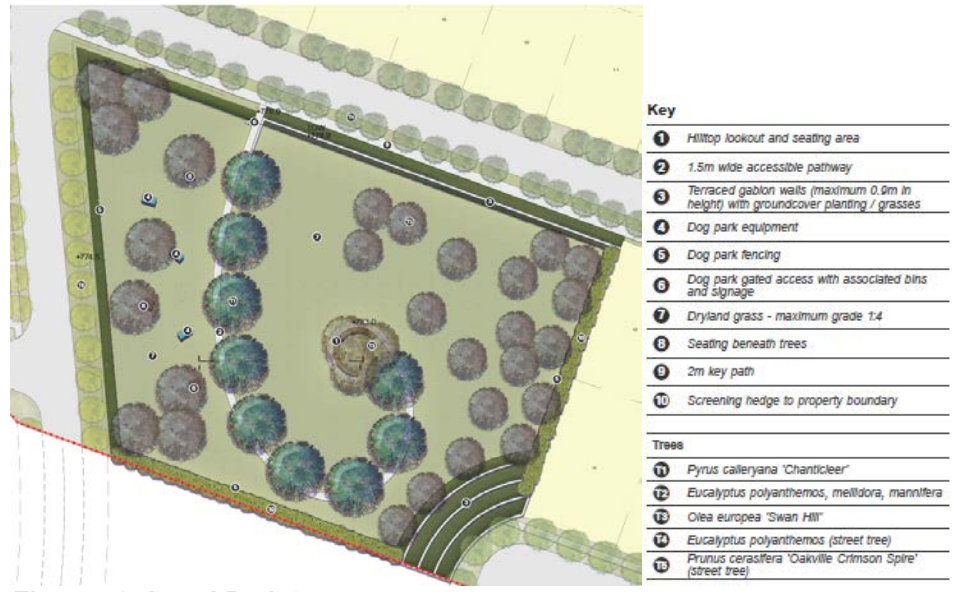


Figure 42: Local Park 9

e) Civic spaces in the neighbourhood centres and Town Centre - Civic spaces in the neighbourhood centres and Town Centre shall:

- i. Provide one space central to each centre.
- ii. Provide vegetation or other buffering elements from NW to SE winds to provide protected enjoyable spaces.
- iii. Provide areas and facilities for both active and passive recreation and café/spill out zone from adjoining retail or community facility.
- iv. Provide entry and signage (park name) elements.
- v. Provide interpretive signage to reflect upon cultural and ecological landscape.
- vi. Provide and integrate artwork.
- vii. Provide and integrate cycle parking.
- viii. Provide for and integrate water sensitive urban design elements.
- ix. Be predominantly planted with a single identifier species.
- x. Be generally oriented to optimise solar access.

The Civic Plaza looks north over the new lake, and along with the Community Building will be clearly visible from Wellsvale Drive when entering Googong (refer to Figure 39 above). Activation on the southern edge will be by retail edges café/spill out zones, and to the east by the Community Centre, an iconic building. This will be a multifunctional space, with predominantly hard paved surface to maximise flexibility and large shelter with seating. An iconic art/water element will create a focal feature and incidental play. Other interpretive art elements will be integrated into signage, paving and street furniture.

The Town Centre lake has the dual function of creating a major entry statement as well as being sized and designed to perform its stormwater and flood mitigation requirements. The southern half of the lake adjoining the Town Centre has a predominantly hard edge, in keeping with its more urban setting. This will allow pedestrian access up to the water's edge, and in some areas direct interaction with the water via stepping stones. As safety is an important consideration, a flat (0.5m deep), 4m wide safety bench has been provided adjacent to these edges. Pockets of macrophyte planting are also proposed along this bench to soften and contrast against the harder built elements.

The northern half of the lake edge has a more natural character, with soft edges and macrophyte planting that will create an attractive green edge when viewed from the south. In the northwest corner of the lake, a pebble 'beach' area will allow people to access the water. This will also double as an access point for maintenance vehicles when required. The deepest part of the lake will be 1.8m deep, and three aerating water jets are proposed to assist in keeping the water oxygenated and clear.

Safety is an important consideration for all areas of open water. Water safety flotation devices and warning signs will all be installed in accordance with Council / Australian standards.

f) Linear Parks and drainage reserves - Linear Parks and drainage reserves shall:

- 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 and create pooling where required, urban creek lines along streets and existing creeks.*
- vi. Include bushland regeneration where appropriate.*

The Linear Entry Park has the dual function of acting as a drainage reserve, as well as creating a quality open space experience, continuing the sense of arrival set up at the main entry. A double avenue of *Liquidambar styraciflua* trees highlights the park edge, with a 2m key path running between the rows of trees. Linear beds or ornamental planting shall complement the trees and add colour and seasonal interest.

The drainage line runs along the centre of this space, and a series of weirs are proposed to create localised ponding and add water movement. Along the same alignment as the weirs are sculptural concrete elements to contrast against the softer landscaped backdrop. These may also be used as informal seating areas for pedestrians. Pedestrian connection across this Linear Park is important, so a pedestrian bridge is proposed to allow access between the northern residential area and the Town Centre. This has been aligned with a crossing point on Wellsvale Drive. The drainage line will be planted with a palette of endemic local groundcover species, with pockets of *Cuarina glauca*. Pebbles and boulders will also be used to create an attractive creek like appearance that will emerge out of the ground at the upper road level, forming a

At the eastern end of the park, a bioretention basin is located to treat stormwater prior to its discharge into the lake. A series of terraced gabion walls and native planting are proposed to the basin edges to allow some flatter open lawn areas with benches for informal public recreation.



Figure 43: Linear Entry Park and drainage reserves

There are a number of spaces that have been created to retain existing site trees or facilitate key pedestrian linkages (See Figure 44 below). Site grading, roads and residential layouts have been designed to minimise the impact on tree roots within the dripline. Landscape treatment in these spaces will be low maintenance, with hedge planting to fence lines and supplementary tree planting to provide shade to footpath connections and increase biodiversity. They also provide connection between the neighbourhood, local parks and other key community focal points with the continuous open space network.

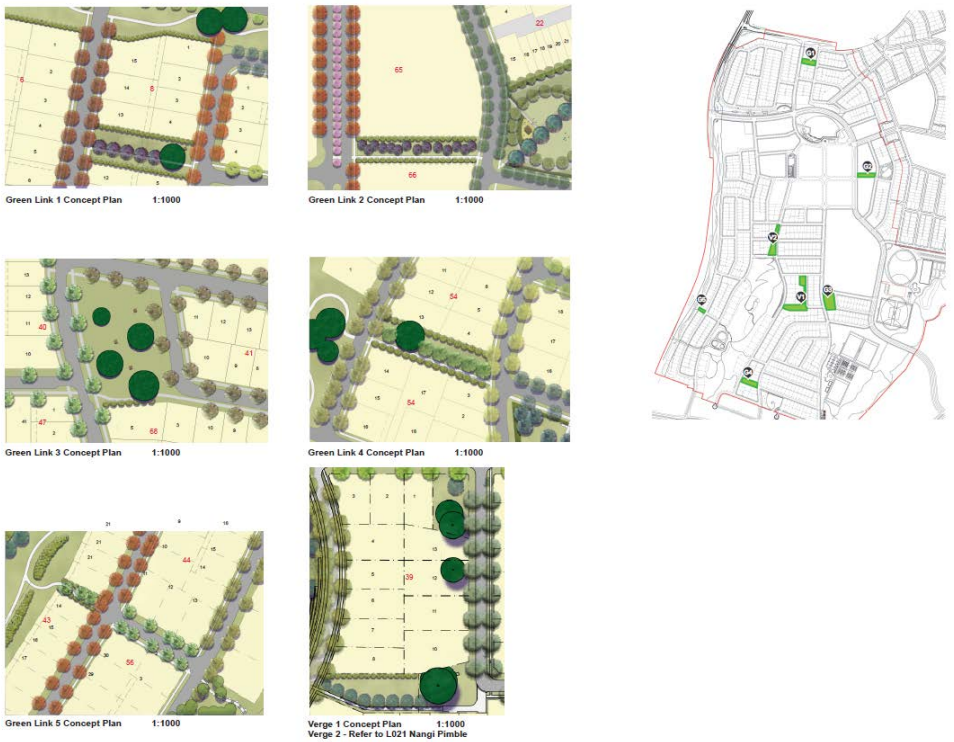


Figure 44: Green links and widened verges

5.10 Landscaping in the Public Domain

Main access roads and boulevards are to incorporate WSUD bio retention elements where appropriate. Gateways to the site along Old Cooma Road and Googong Road are to include feature planning to establish a visual identity and include exotic species.

Relevant control is:

- a) *Any subdivision application shall be accompanied by a planting schedule detailing proposed planting for local streets. Such proposed planting shall include a mix of exotic and local native species. Other plants may be used where it can be demonstrated that they meet the objectives and controls in this DCP.*

The submitted Landscape Plans include the required detailed planting schedules for main entry, Old Cooma Road buffer, Googong Road buffer and street trees. As discussed previously in this Report the submitted Street Tree Masterplan shows the proposed street verges being planted with combination of native and exotic trees. As per Landscape Design report prepared by AECOM Pty Ltd dated 23 March 2017, vegetation has been selected to maintain a low impact on the environment and natural resources, by selecting plant material that is endemic to the region or exotic plants that will complement the desired character or other aesthetic or functional needs. Plant species have also been selected to survive and revive after periods of drought, cold and high winds. Careful selection of materials ensures that maintenance for all species is very low to no maintenance, with a specific requirement for active watering to be low.

Council's Manager of Parks and Recreation has assessed the proposed public domain landscaping as being satisfactory.

Yes

Main entry

The arrival experience for Googong begins at the intersection between Old Cooma Road and Googong Road (the ultimate intersection upgrade is not within the scope of this DA). The duplication of approximately 600m of Old Cooma Road into dual carriageway, and a new avenue of Poplars will give this section of road a special character. Within the adjacent open space, plantings of *Liquidambar styraciflua* trees along with sculpted grass terracing will be used to highlight the northwest corner. This leads into a linear space with a winding 2.5m share path, groves of Eucalyptus trees, and gentle grass mounding with pockets of ornamental flowering meadow.

The main entry into Googong from old Cooma Road is at a new signalised intersection into Wellsvale Drive. This will be signified by feature entry signage, combining lettering and a sculptural form to create an iconic landmark element. The materiality of this element builds upon the themes of landform and geological elements, linking to existing site signage to create a strong design language and to establish a visual identity for the site. Lighting will be integrated to ensure presence both day and night. These elements will be complemented by semimature tree planting of the Googong signature entry species *Liquidambar styraciflua* along with mass planted bulbs. These elements will create a clear sense of arrival and departure, will assist in navigation throughout Googong, and will support the development of unique marketing and neighbourhood identities. There is a 10m wide electrical easement running parallel to this section of Old Cooma road. Underground electrical and hydraulic services and sight lines have all been considered in the design process.

Old Cooma Road Buffer

The Old Cooma Road Buffer runs south from the Main Entry into Wellsvale Drive, and contains a 35m wide electrical easement. Vegetation types, species selection and planting density have been considered to ensure the corridor and easement meet Asset Protection Zone (APZ) and Essential Energy requirements. Within the easement, no plant material with a mature height of over 3m in height has been proposed. Swathes of native shrubs up to 3m have been proposed to assist in the screening of back fences. Existing trees will be retained where possible, and supplemented with additional native species outside of the easement to provide additional habitat. A 2.5m share path will be included as part of this open space that will link north to the main entry and south to Nangi Pimble. Feature entry sign and sculpture will be provided at the intersection of proposed Wellsvale Drive. Bioretention basin also has been provided at the south-western side of the water reservoir site.



Key

1	Main Entry
2	2.5m wide sharepath
3	Feature entry sign and sculpture
4	Native Shrub Planting - max height 3m
5	Walkway to Nangi Pimble
6	Dryland grass mix
7	Nangi Pimble
8	Blorenton Basin
Trees	
11	Tree mix (Eucalyptus melliodora, Eucalyptus albens, Eucalyptus baxteri)
12	Overhead electricity alignment
13	35m electrical easement

Figure 45: Old Cooma Road buffer planting



Key

1	Feature entry sign and sculpture
2	Bulb planting
3	Undulating turf mounding
4	Sculpted turf terraces
5	2.5m wide concrete pedestrian share path
6	Hedge screening to lot boundary fence
7	Dryland grass mix with groupings of Eucalyptus polyanthemus
8	Turf edge
9	Overhead high voltage wires
10	Substations - indicative location
Trees	
11	Poplar avenue
12	Groves of Eucalyptus melliodora
13	Groupings of Eucalyptus polyanthemus to verge
14	Liquidambar styraciflua as backdrop to entry signage and Googong Road corner
15	Platanus x acerifolia trees as avenue and to supplement existing

Figure 46: Old Cooma Road duplication and main entry

Googong Road Buffer

There is an existing avenue of *Platanus acerifolia* along this road which will be retained where possible and replaced where required. Other existing trees shall be retained where possible. Back fences adjacent to the buffer will be screened with hedge planting, and new groupings of native trees will be planted to offer shade and habitat. A 2m key path will be installed to the southern side of the road to connect and continue the existing pathway within Neighbourhood 1.



Figure 47: Googong Road buffer

5.11 Community Facilities

A site of 3692m² has been provided in Stage 3 for a future community facility in accordance with the Local Voluntary Planning Agreement to provide a range of quality, safe and well located community facilities suitable for the needs of residents throughout Neighbourhood 2. The proposed community facility site is located to the south east of the main water body directly adjacent to the Town Centre and neighbourhood park. A future DA will be lodged separately for the community facility.

Yes

5.12 Educational Facilities

In accordance with the requirements of the Googong State Planning Agreement a school site of 9 hectares is proposed in Stage 14. This has been located within proximity to the Town Centre and within walking distance to the sports and recreational areas. This will help encourage additional activation of the mix of uses in the Town Centre, and its proximity to the common will facilitate sharing of the community facilities with good access to the bus network and surrounding street network. The development of this site is under the direction of the NSW Department of Education and is subject to a future development application.

Yes

<p>5.13 Public Art</p> <p>A Public Art Strategy has been prepared for Googong, as a high-level visioning document that presents inspiration for the number of ways public art can be integrated to give Googong a unique place identity. Many approaches and forms of art are possible, such as:</p> <ul style="list-style-type: none"> • Sculptural installations • Kinetic Art – using wind, solar, water • Interactive installations • Landform art • Ground paintings and wall murals • Integrated into functional elements: seating, walls, balustrades, lights, paths; • Digital / Light / auditory installations. <p>Public art will be provided in accordance with the local planning agreement. Areas suitable for public art have been identified in the landscape plans for public open space areas. Further details relating to Public Art will be developed as part of detailed designs at the CC stage.</p> <p>Council’s Cultural Development Officer has reviewed the proposed development particularly the proposed public art in the Neighbourhood 2 and has raised no objection to the proposal. The officer suggested that the intention should be for the environment, history, heritage and residents to be consulted and referenced in the concept of public artworks; and where possible current/future residents should be invited to be involved in the creation/conception of the art works (such as in community art workshops etc). This process creates connectedness, ownership and community pride.</p>	<p>Yes</p>
<p>5.14 Signage in the Public Domain</p> <p><i>Design Objectives:</i></p> <p>1) <i>The use of signage is an effective means of communicating information. All signage shall be designed to enhance and support the desired character of the new township.</i></p> <p>2) <i>Objectives for signage in Googong include:</i></p> <ol style="list-style-type: none"> i. <i>To establish a consistent approach to the use of signs without being detrimental to the picturesque rural landscape or urban streetscape of Googong.</i> ii. <i>To ensure that signs are in keeping with the scale and character of buildings and localities.</i> iii. <i>To minimise the extent of visual clutter caused by the proliferation of signs and to encourage the rationalisation of proposed signs.</i> iv. <i>Ensure that signage is of a high quality design and finish.</i> 	<p>Yes</p>

Controls:

- a) *That all signage be subject to a development application to Council, with the exception of those listed in Exempt and Complying State Environmental Planning provisions.*
- b) *Any application for signage must state that the proposal complies with State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64) under the Environmental Planning and Assessment Act 1979.*
- c) *Public domain signage is to be shown in applications for Construction Certificates and is to be consistent with the guidelines for public domain signage outlined in the Googong Landscape and Open Space Strategy (LOSS).*
- d) *Public signage is to clearly identify the local neighbourhoods.*

The principles of signage location and types are to be continued as developed in Neighbourhood 1, with the addition of a new type especially designed for the Common as follows:

- Park Signage - Located at prominent park corners or entry points to identify local and Neighbourhood parks.
- Orientation Signage - To aid in the legibility of the Googong network of paths and open spaces, located at key decision points or nodes.
- Interpretive Signage - To provide information to help explain points of environmental or historical significance.
- Signage Wall - To provide park naming at key arrival points, in addition to or as an alternative to park signage.
- Common Signage - To combine Common identification, orientation information and safety signage (concept yet to be developed)
- Building Signage - Integrated into the building design of key buildings such as schools, sporting pavilions and community facilities (subject to future development applications for buildings).

The proposed signs have been designed to enhance and support the desired character of the Googong Township. The proposed signs are compatible with the amenity and visual character of the area and provide effective communication in a suitable location. The proposed signage is of a high quality design and finish.

Public domain signage is to be shown in applications for Construction Certificates and is to be consistent with the guidelines for public domain signage outlined in the Googong Landscape and Open Space Strategy (LOSS). The proposed signage requires an assessment in accordance with SEPP 64 – Advertising and Signage. Provided appropriate recommended conditions of consent are complied with, the proposed signage is considered generally satisfactory with respect to the above design objectives and controls and requirements of SEPP 64. Refer to SEPP 64 assessment for more details.

Part 8 – Environmental Management

8.2 Soils and Salinity

Yes

Objectives:

- 1) *To minimise erosion and sediment loss during and after construction.*
- 2) *To minimise water pollution due to erosion, siltation and sedimentation.*
- 3) *To ensure development will not significantly increase the salt load in existing watercourses within the site.*
- 4) *To ensure measures are implemented as part of the development to prevent any degradation of the existing soil and groundwater environment.*
- 5) *To minimise the damage caused to property and vegetation by existing saline soils, or processes that may create saline soils.*

Controls:

- a) *All development must incorporate soil conservation measures to minimise soil erosion and siltation during construction and following completion of development. Soil and Water Management Plans, prepared in accordance with Managing Urban Stormwater – Soils and Construction (NSW Department of Housing 3rd Edition March 2004 ('The Blue Book')) are to be submitted with each subdivision development application.*
- b) *All sediment and erosion controls are to be installed prior to the commencement of any construction works and maintained throughout the course of construction until disturbed areas have been revegetated/established.*
- c) *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 reporting on the conditions of the site, the impact of the proposed subdivision on the saline land, the mitigation measures that will be required during the course of construction and a requirement that the consultant signs off the project upon completion of works. Investigations and sampling for salinity are to be conducted in accordance with the requirements of Site Investigations for Urban Salinity (DNR).*

The proposed development generally satisfies the relevant objectives and controls in this clause. A concept SWVM prepared by Calibre Consulting was submitted for the proposed development. More detailed design of the SWVM in accordance with the "Blue Book" will be submitted as part of the Construction Certificate (Subdivision) process. This will ensure compliance with the relevant environmental standards and Council's Engineering specifications. Standard conditions regarding site management and erosion and sediment control to be imposed on the development consent (if granted).

Salinity investigations were undertaken by suitably qualified consultants as part of the Part 3A approval for the Integrated Water Cycle System and covered the whole township site including the land subject to this development application. The reports were included in the Environmental Assessment for the Part 3A application.

A Geotechnical Investigation Report prepared by Douglas Partners, July 2016 submitted with this application, stated that no visual signs of salinity or salinity indication vegetation were observed during the site investigation. Previous stages of the Googong residential development have not encountered saline soils. Therefore it is considered that provided best land development practice is adopted (as for the other stages of Googong) there would be no significant risk of salinity on site.

8.3 Cut and Fill

Objectives:

- 1) *Minimise the extent of excavation and fill.*
- 2) *Ensure that the built form responds to the topographical constraints of the Googong site.*
- 3) *Ensure dwelling designs allow for accessible driveway grades and safe vehicular movement.*
- 4) *Ensure that the amenity of adjoining residents is not adversely affected by any cut and fill operation.*
- 5) *To minimise the need for retaining walls.*
- 6) *To ensure that batters can be maintained and to limit the potential for soil erosion.*

Controls:

- a) *Excavation and fill on building sites shall be limited to a max of 1.5m. Greater depth may be considered by Council, if within the building envelope, suitably retained and/or stabilised and not visible from the street.*
- b) *Development applications are to identify the extent of proposed cut and/or fill land and provide justification for the proposed changes to the land levels.*
- c) *The maximum height of retaining walls is to be 1.0m.*
- d) *Where terraced walls are proposed the minimum distance between each step is 0.5m.*
- e) *A variation to the retaining wall heights can be considered with supporting justification and concurrence of the adjoining neighbours. Walls over 1m in height are to be designed/certified by a structural engineer*
- f) *Batters are to be limited to a maximum gradient of 1 vertical: 4 horizontal.*
- g) *Proposed cut or fill in the vicinity of sewer and stormwater mains must comply with Council's Development Adjacent to Water, Sewer and Stormwater Mains Policy.*

Variation -
condition

Earthworks will be associated with site preparation and grading, and infrastructure construction works including roads construction works within the proposed residential lots and open spaces. Based on the submitted SEE, batter grades are typically 1 in 6 or less to permit driveway access with cut/fill on residential blocks typically less than 2m. Some lot regrading is proposed to eliminate inter allotment or back of lot drainage.

The final surface grading design, and hence required depth of cut and fill, for the sports fields in Neighbourhood 2 were driven by design parameters including pipe grades of the stormwater outlet pipe discharging to Montgomery Creek. The batters between the sports fields and Montgomery Creek which vary from 1 in 4 to 1 in 12 drove the amount of fill required on the eastern side of the ovals. A maximum fill depth of 3m is proposed with fill typically less than 2m deep. The batters between the sports fields and adjacent streets, vary between 1 in 4 and 1 in 7 to provide maintainable grassed surfaces. A maximum cut depth of 6m is proposed with cut typically less than 3m. This is a variation to the DCP.

Final design of the grading and earthworks will be resolved in detail design and subsequent construction certificate approval and relevant condition will be imposed.

Part of the major earthworks within Googong Common was approved under a previous DA 167-2016 for subdivision of NH1A Stage 7 to level the site for future sports fields. The approved earthworks within the sport fields areas were varied from 2m cut and 2m fill and were predominantly used as a materials handling area for Stage 7. The earthwork areas were temporarily landscaped with top soil and grass.

Measures have been taken to minimise the extent of excavation and fill on site, whilst providing the optimum lot types with appropriate grading outcomes given the existing topography. This development application was accompanied by a geotechnical assessment, stormwater management and drainage report, engineering designs for stormwater management, site grading plans, riparian corridor offset plans, existing slope plans and proposed design contours plans post earthworks. These reports and submitted plans address the extent of cut and fill and site grading. Geotechnical investigations undertaken in the DA to create lots confirms soils are considered to be appropriate for the proposed development and it is unlikely that any significant impact would be created on soils as a result of carrying out the proposed development. Council's Development Engineer has assessed the application and advised that the proposed designs allow for accessible driveway grades and safe vehicular movement. Any proposed cut and fill will be suitably retained and/or stabilised (Also refer to assessment of earthworks under Clause 7.1 of the LEP).

8.4 Stormwater Management and Flooding

Yes -
conditions

Objectives:

- 1) *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.*
- 2) *To minimise the impacts of development and associated infrastructure on the health and amenity of natural waterways.*
- 3) *Treat run-off from development such that it does not adversely impact on downstream flora and fauna during construction and post development phases.*
- 4) *Incorporate Water Sensitive Urban Design (WSUD) in the planning of the site layout and design and development to promote sustainable and integrated management of land and water resources incorporating best practice stormwater management, water conservation and environmental protection.*

Controls:

- a) *All Development Applications shall include a Stormwater Drainage Analysis, addressing the management of water quality and quantity (having regard to all contributing catchments and downstream water bodies), for the range of storm events from the 1 Year ARI to the 100 Year ARI storm event and addressing the objectives of WSUD.*
- b) *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 alleviate stormwater peaks and retain sediments and pollutants.*
- c) *Stormwater management strategies shall be adopted to maximize the efficient use of land and facilitate adequate allocation of land for these purposes.*
- d) *Stormwater management strategies shall be developed and implemented in a manner which addresses potential salinity hazards.*
- e) *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.*
- f) *Stormwater management design is to maintain the existing hydrological regime for stream forming flows, with respect to peak flows and duration of flow.*
- g) *WSUD elements shall be incorporated into the design of all development.*

- h) A Development Application shall include a WSUD assessment that addresses:
- i. the relevant site characteristics and constraints,
 - ii. stormwater management strategies, including treatment measures, reuse and maintenance requirements,
 - iii. a rationale for the proposed strategies, and
 - iv. evidence of stormwater modelling is to accompany all development applications for all proposed development except those for less than 10 dwellings.

The proposed development generally satisfies the relevant objectives and controls in this clause.

A satisfactory stormwater management and drainage report prepared by Calibre Consulting dated March 2017 is included with the application. This report includes the preliminary stormwater design and specifically addresses the issues associated with stormwater drainage, peak flow attenuation and stormwater quality treatment control and improvement using Water Sensitive Urban Design (WSUD) principles.

Natural drainage lines (Montgomery Creek) are incorporated in the stormwater and runoff drainage management system. Satisfactory stormwater management strategies form part of the application as referred to in the Calibre Consulting report.

The Calibre Consulting report concluded that the hydrological and hydraulic modelling has shown that the proposed residential subdivision and supporting roads can be constructed while meeting QPRC, requirements for stormwater quantity and quality management. The objectives and performance targets (quantity and quality) are achieved by using stormwater quality improvement devices throughout the subdivision, with a large pond, bio-retention basins, bio-swales and rainwater tanks.

WSUD elements are incorporated in the design. WSUD assessment addressed by the stormwater management and drainage analysis by Calibre Consulting.

Development Engineer's assessment is summarised below:

"The neighbourhood 2 has a significantly reduced number of storm water detention basins provided throughout the proposed development as opposed to the Neighbourhood 1 site, which in turn has resulted increased flow velocity and pipe line diameters. The design required a full review by the applicant to reduce diameters lower velocity of flows. Included was the proposed location of the storm water mains where large diameter mains and box culverts were proposed to be in the centre of the road, which was not acceptable to Council as the maintenance of such an asset in that location would be difficult and costly.

After having the applicant review the design some piped flow was able to be directed to overland flow in the reserve between Old Cooma Rd and Neighbourhood 2. Council has proposed to change pipeline materials for Neighbourhood 2 as part of its Specification review, and the proposed material for storm water mains in general is to be twin wall polyethylene pipe. Council also concurred to have larger diameter pipe under the kerb with blind sumps constructed.

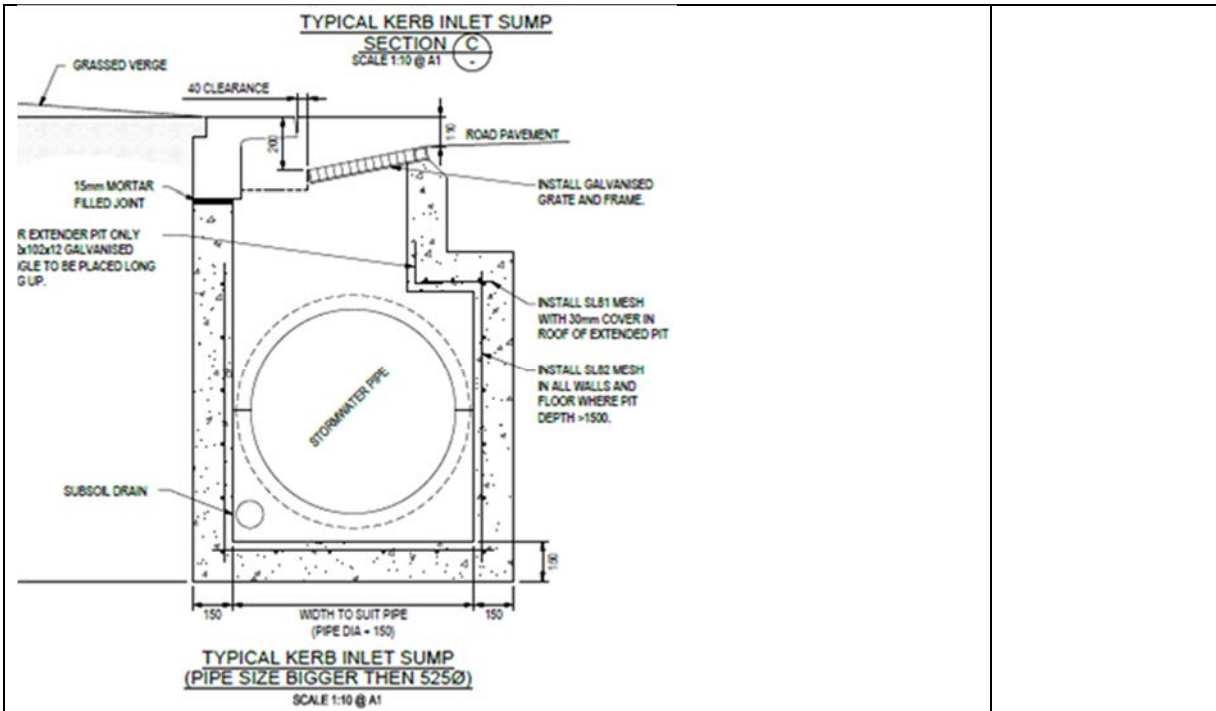


Figure D: Large diameter pipe kerb inlet blind sump

Councils review of these parameters allowed the applicant to relocated assets from the road way or where and asset was in a road centre it be placed in a median that can be accessed for maintenance.

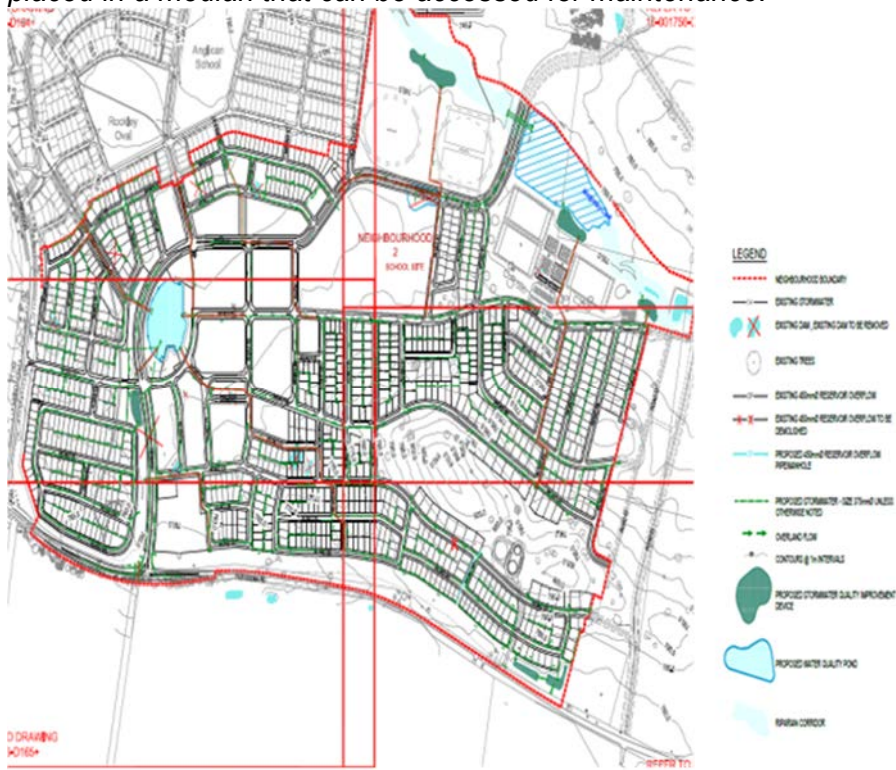


Figure E: Drainage Concept plan Final Submission

<p><i>The above concept plan demonstrates the reduced amount of biological retention, however over land flows are able to be achieved along the eastern boundary of the development reducing pipeline diameters as previously discussed.</i></p> <p>Further details will necessarily need to be provided at Construction Certificate – Subdivision stage.</p>	
<p>8.5 Bushfire Management</p> <p><i>Objectives:</i></p> <ol style="list-style-type: none"> <i>1) Consider bushfire protection and management issues in land use planning and development decisions, to provide a safer environment for the community.</i> <i>2) Manage vegetation to reduce potential bushfire attack in the vicinity of habitable buildings.</i> <i>3) Design and siting of habitable buildings for the protection of life and to improve the survivability of the building during the passage of a fire front.</i> <i>4) Provide safe access for emergency service personnel.</i> <i>5) Ensure adequate water supplies are available to householders and emergency services to assist in the defence of habitable buildings against bushfire attack.</i> <i>6) Establish a maintenance regime for fire protection for the life of the habitable building.</i> <p>The proposed development satisfies the relevant objectives and controls in this clause. The matter is comprehensively discussed in the Background section earlier in this report.</p>	<p>Yes – conditions</p>
<p>8.6 Aboriginal Heritage</p> <p><i>Objectives:</i></p> <ol style="list-style-type: none"> <i>1) To ensure that any Aboriginal heritage significance is appropriately incorporated into the redevelopment of the precinct.</i> <p><i>Controls:</i></p> <ol style="list-style-type: none"> <i>a. Areas containing potential indigenous sites are identified at the Archaeological (Indigenous & European) Map contained within Appendix 2. Development shall not proceed within these areas without appropriate investigation and consultation with the relevant local Aboriginal groups.</i> <i>b. The investigations are to identify, where required, conservation zones for the protection and management of archaeological deposits. A Plan of Management is to be prepared to address the ongoing protection and management of the archaeological deposits.</i> <i>c. Any development application for development within these sites is to be accompanied by an Aboriginal Archaeological Report that is supported by the comments of the local Aboriginal groups.</i> <i>d. 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.</i> 	<p>Yes</p>

<p>The proposed development satisfies the relevant objectives and controls in this clause and has satisfactorily taken Aboriginal Heritage into account. The development application is integrated development under the National Parks and Wildlife Act and was accompanied by an Archaeological Assessment and Aboriginal Cultural Heritage Assessment (ACHAR) dated August 2017 that has been prepared with the appropriate investigations and in consultation with local Aboriginal groups consistent with Clause 5.10(8) of the LEP. The NSW Office of Environment and Heritage (OEH) have issued an Aboriginal Heritage Impact Permit (AHIP) on the 15 September 2017 to disturb or move the Aboriginal objects identified in the AHIP subject to a number of conditions. Refer to assessment of Aboriginal heritage under Clause 5.10 of the LEP for more details.</p>	
<p>8.7 European Archaeological Heritage</p> <p><i>Objectives:</i></p> <ol style="list-style-type: none"> 1) <i>To protect the recognised European archaeological significance of the precinct.</i> 2) <i>To ensure that information regarding the archaeological heritage significance of the precinct is incorporated into the development of the precinct.</i> <p><i>Controls:</i></p> <ol style="list-style-type: none"> d) <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.</i> e) <i>An applicant is to demonstrate to Council how any proposed development that affects the identified elements responds to any identified archaeological constraints. If any relics are to be retained in situ, an applicant is to outline with the development application all management measures to ensure ongoing protection of the relics.</i> <p>Archaeological investigations have been carried out for Neighbourhood 2 and reports submitted for the proposed development. Mapped and listed Heritage items and archaeological sites in the QLEP 2012 are not impacted by the proposal.</p> <p>Heritage assessments identified four sites with European sites within the sites boundaries. None of the sites have been identified as being of high significance, however, further investigations have been undertaken for GH5 and GH7.</p> <p>Excavation Permit under Section 140 of the Heritage Act 1977 for an archaeological salvage excavation at GH5 and GH7 has been issued by Heritage Council on 18 April 2017 subject to a number of conditions. Under this permit, the applicant is responsible for safe keeping of artefacts recovered from the site. A repository for archaeologically excavated material is required to be nominated, as well as referencing the final location in the excavation report as per section 146(b) of the Act to enable a record to be kept of the location of all archaeologically excavated material. Refer to assessment under Clause 5.10 of the QLEP for detailed comments.</p>	<p>Yes</p>

8.8 Tree Retention and Biodiversity

Yes

Objectives:

- 1) *Development should minimise the loss of trees to protect scenic values, habitat and biodiversity.*
- 2) *Development should minimise the loss of existing site trees that enhance natural or scenic values, control sunlight, or provide shade, shelter, habitat or screening.*
- 3) *The development should minimise the environmental impacts of clearing for bushfire hazard reduction.*
- 4) *To maintain or improve as much existing vegetation as practicable within the locality.*
- 5) *Reduce impacts of runoff from roads and impervious areas on adjacent lands.*
- 6) *To manage weeds on the site during and after construction to prevent the spread of weeds.*

The NH2 site has an irregular shaped landform, consistent with grazing. The site contains several farm dams and paddocks, currently grazed by livestock including sheep, goats, horses etc. There are no permanent buildings on site and the aboveground built infrastructure is currently limited to the stock fences, interim water supply reservoirs and water supply infrastructure under construction along Old Cooma Road.

Based on the submitted supporting documents, the site is primarily cleared with 218 trees on site including numerous scattered mature exotic trees. Some areas retain a high cover and diversity of native groundcover species and lower cover of exotic weeds. Continuous grazing has removed the midstrata and entirely prevented regeneration of the canopy species.

The proposal involves the removal of 133 of those trees. The applicant has reviewed the number of trees to be removed and will now retain an additional 24 trees (number of retained trees increasing from 61 in the initial layout to 85 in the DA design). As per submitted supporting document, there are 5 trees classified as "exceptional value" in the NH2 site, with 3 being retained including one in the Nangi Pimble hill top reserve and the 2 to be removed for the following reasons:

- a) *Tree identified as No. 48 located at the base of an existing farm dam embankment that cannot be retained – the removal of the dam necessitates earthworks that prevent the tree being retained.*
- b) *Tree identified as No. 118 located within the subdivision pattern but with areas of open space – and significant groups of trees already being retained – nearby that cannot be connected without significant re-lotting and/or creation of additional park assets and burden for Council.*

An assessment of the vegetation and individual trees on the site was carried out by Ecological Values and Constraints Assessment (Biosis 2015). Capital Ecology undertook a reassessment of the trees to record any use of trees by native species for breeding, to include trees which had not been part of the Biosis (2015) study area, and to ensure that tree species were identified correctly. A Flora and Fauna Assessment dated March 2017 was prepared by Capital Ecology and submitted with the development application. They state as follows:

- A total of 84 flora species were recorded within the study area during the completed plot/transect surveys, comprising 43 native species and 41 exotic species.
- Total of only 43 native flora species were recorded within the study area, and none of the listed threatened flora species identified as potentially occurring within the study area were recorded.
- A total of 41 exotic plant species were recorded within the study area, of which Serrated Tussock *Nassella trichotoma* and African Love Grass *Eragrostis curvula* currently pose a very high threat to the biodiversity values of the study area and adjoining land. Other significant weeds requiring control were also recorded.
- No breeding habitat for any threatened or migratory fauna was identified within the study area, and no threatened or migratory species were recorded during the surveys.
- The study area and surrounding locality has been utilised for agriculture since the mid-1800s and the majority has been cleared, leaving the occasional mature paddock trees, no midstorey, and a variable groundlayer. Parts of the study area have been cultivated and the remainder is continuously grazed. No regeneration of overstorey trees is present within any of the vegetation zones occurring within paddocks, however there is some regeneration occurring along the verges of Old Cooma Road.
- A total of 60 hollow-bearing trees, supporting 108 hollows, were recorded within the study area.
- The study area supports the following three Plant Community Type (PCT)
 - PCT999 – Norton's Box - Broad-leaved Peppermint open forest on foot slopes, central and southern South Eastern Highlands Bioregion. This community tends to occur on rocky, shallow soil. In its unaltered form it is characterised by a semi open canopy of Norton's Box *E. nortonii* and Broad-leaved Peppermint *E. dives*, with other trees such as Red Box *E. polyanthemos* also present. It is likely to have been the dominant community across the study area, particularly the hills and rocky ridges. Within the study area it is present in a modified form, having undergone extensive tree clearance. The groundstorey of much of this PCT is predominantly native, with some patches of more diverse vegetation remaining despite the intensive grazing history of the study area.
 - PCT 1330 – Yellow Box Blakely's Red Gum grassy woodland on the tablelands, South Eastern Highlands. This community occurs on soils of moderate to high fertility and generally moderate depth. In its climax form this community would have been characterised by an open canopy dominated by Yellow Box and Blakely's Red Gum, sparse or absent mid and shrubstorey, together with a defined grassy groundcover supporting a high diversity of native forbs.

- *PCT 1298 – Wet tussock grasslands of cold air drainage areas of the tablelands. This natural grassland community occurs on moist or periodically inundated soils, generally associated with the bottoms of broad valleys subject to extended periods of stagnant cold air and heavy, prolonged frost. Dominant species include Tall Sedge Carex appressa, Poa Poa labillardierei and other moisture tolerant species. Trees are usually absent, however Candlebark Eucalyptus rubida often occurs along the ecotone between the community and the woodland or forest communities which it usually adjoins.*
- *No Pink-tailed Worm-lizards were recorded and the species is considered unlikely to occur within the study area.*
- *No Golden Sun Moths have been recorded at Googong during any of the targeted surveys completed in recent years*

The report concluded that, with the implementation of the proposed measures to avoid, minimise and mitigate impacts upon biodiversity values, the proposed development is unlikely to significantly affect any threatened species, population or ecological community listed pursuant to the NSW TSC Act. Accordingly, the preparation of Species Impact Statements, or the provision of a formal offset, is not considered warranted for the proposed development. In addition, the study area does not contain declared critical habitat for any species, population or ecological community. The occupier is required under the Noxious Weeds Act 1993 to implement all reasonable measures in accordance with the requirements of Weed Control Order No.30 to monitor and control weed on site.

The report also recommended measures to reduce impacts on Biodiversity as follows:

1. Retention of Paddock Trees

Subdivision design will retain remnant trees where practicable, having regard to the habitat values, amenity values, structural integrity of the tree (as described in the tree assessment, SpaceLab 2016), urban design, service requirements, and the general grading required by the subdivision. The trees to be retained, and those to removed, will be identified on the engineering drawings.

2. Weed Management

The weed management measures that will be implemented to prevent the introduction and/or spread of weeds include the following.

- *Appropriate vehicle hygiene will be maintained. Vehicles and machinery entering the study area will be clean of weed seed or propagules.*
- *Only soils sourced on site will be used to fill excavations within open space, landscaping, or conservation areas. No top-soil or other potentially weed seed laden organic material will be imported from elsewhere.*
- *Only sterile materials such as hessian/jute or rice straw will be used for soil stabilisation or similar purposes.*

A weed control program will be developed to prevent the establishment and spread of significant weeds and control other less significant exotic species (lawn/pasture grasses etc.) within road verges, landscaped areas, and other open space.

3. Recommendations for Landscaping

Open space areas will be established, including the top and upper slopes of Nangi Pimble (Hill 800), wetland areas, and other woodland/forest patches.

The following principles will be followed in all landscaping.

- Local native species will be used for landscaping to the fullest extent practicable. A list of recommended species for the applicable original PCTs is provided as Appendix 6.*
- Where practicable within open space areas, all strata will be re-established (i.e. groundcover, midstorey shrubs, and canopy trees) to create habitat complexity. This will discourage urban adapted species and encourage small woodland birds to visit the neighbourhood. Open space plantings will comprise only species appropriate for the applicable original PCT.*
- Wetland areas will be of a large size, be located within a buffer of restored woodland (with planted Yellow Box and Blakely's Red Gum) or grassland, and contain island habitat inaccessible to cats and foxes. Such design features will encourage visitation, and potentially breeding, by waterbirds.*
- Signs will be erected educating the public on the valuable native flora and fauna being conserved within the Googong open space network.*

As mentioned above, the proposal involves the removal of 133 trees. The OEH and JRPP Panels raised that efforts should be made to retain more trees on site particularly hollow trees. It was suggested that more pockets park to be provided and more trees on the proposed lots to be retained.

Subsequent negotiations resulted in the applicant reviewing the number of trees to be removed and will now retain an additional 24 trees (number of retained trees increasing from 61 in the initial layout to 85 in the DA design). In response to the specific concerns of the OEH and JRPP Panels regarding tree removal and tree retention, the applicant has further submitted a written justification in Attachment A.

While Council agrees that large mature/ hollow bearing native trees have habitat value and should be retained if possible when new urban development is proposed, the amount of land required to be set aside to ensure the long term viability of the mostly isolated trees is not warranted. The trees do not form an endangered ecological community. Additionally new street tree plantings and plantings within the public reserves, Nangi Pimble and Googong Common are proposed for the subdivision.

They are predominantly native and exotic small trees to medium trees, with the addition of some ground covers within median strips. Also, Council does not support more pockets parks to be provided as they require extensive ongoing maintenance and liability cost for Council. It is considered that the retention of additional isolated scattered trees or incorporation into the proposed lots are not warranted or practical as they will not survive the proposed subdivision works or future building works. Also may of the existing trees are now coming to the end of their foreseeable healthy lifespan.

The proposed development generally satisfied the above controls. Measures to reduce impacts of runoff from roads and impervious areas on adjacent lands, biodiversity and bushfire threat have been taken into consideration.

Given the reasons above, Council supports the removal of the 133 specified trees and retention of 85 others.

8.9 Land Contamination Management

Objectives:

- 1) *To minimise the risks to human health and the environment from the development of potentially contaminated land.*
- 2) *To ensure that potential site contamination issues are adequately addressed at the subdivision stages.*

Controls:

- a) *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.*
- b) *When redevelopment is proposed on a site where Council suspects that contamination may be present or for applications proposing a change of use to a more sensitive land use (e.g. residential, education, public recreation facility etc), Council may request a Stage 1 Preliminary Site Contamination Investigation.*
- c) *All investigation, reporting and identified remediation works must be in accordance with the protocols of Council's Policy – Management of Contaminated Lands, the NSW Office of Environment and Heritage (OEH) Guidelines for Consultants Reporting on Contaminated Sites and SEPP 55 – Contaminated Land.*
- d) *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.*
- e) *Council may require a Site Audit Statement (SAS) (issued by an OEH Accredited Site Auditor) where remediation works have been undertaken to confirm that a site is suitable for the proposed use.*

Potential contamination areas have been considered as part of the development application preparation. Refer to assessment under SEPP 55 for detailed comments.

Yes

<p>8.10 Odour</p> <p><i>Objectives:</i></p> <p>1) <i>To ensure appropriate levels of odour amenity for future residents near the sewerage treatment plant.</i></p> <p><i>Controls:</i></p> <p>a) <i>If an odour impact assessment was not prepared as part of the Neighbourhood Structure Plan stage any residential development within 400m 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.</i></p> <p>b) <i>Any land identified by the odour Level 3 study as being within a nominated separation distance shall not be developed until it can be demonstrated to Council that changes to the operation of the sewerage treatment plant have resulted in removal of the odour source.</i></p> <p>The proposed development satisfies the relevant objectives and controls in this clause. There are no dwellings or residential allotments proposed within the odour buffer zone of the Sewerage Treatment Plant.</p>	<p>Yes</p>
<p>8.11 Construction Waste</p> <p><i>Objectives:</i></p> <p>1) <i>Development should include design and project management to maximise avoidance, reuse and recycling of subdivision debris and refuse, demolition waste and building/construction materials.</i></p> <p>2) <i>Building designs and construction techniques should minimise waste generation.</i></p> <p><i>Controls:</i></p> <p>a) <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 but will generally include details of:</i></p> <p><i>i. The volume and type of waste to be generated.</i></p> <p><i>ii. How waste is to be stored and treated on site.</i></p> <p><i>iii. How and where residual material is to be disposed.</i></p> <p>b) <i>The Waste Management Plan must be accompanied by drawings with specific details showing:</i></p> <p><i>i. On site sorting and storage areas.</i></p> <p><i>ii. Access for collection vehicles.</i></p> <p><i>iii. Vegetation to be removed or retained.</i></p> <p>c) <i>The Waste Management Plan must optimise recycling to reduce waste to landfill.</i></p>	<p>Yes – condition</p>

<p>In accordance with this clause, 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> <p>A Waste Management Plan will be required to be submitted as part of a broader Construction Management Plan and a condition imposed accordingly.</p>	
<p>8.12 Landfill/Earthworks Objectives:</p> <ol style="list-style-type: none"> 1) <i>To ensure that any earthworks (excavation or filling) will not have a detrimental impact on environmental functions and processes, neighbouring uses or heritage items and features of the surrounding land.</i> 2) <i>Proposed development that includes any landfill activity using material other than VENM should be referred to the EPA as an integrated development assessment.</i> 3) <i>Development should minimise the amount of landfill required.</i> <p>Controls:</p> <ol style="list-style-type: none"> a) <i>Adequate justification of the need for landfill to be deposited on a site must be provided.</i> b) <i>The type and origin of landfill material being used must be detailed. Landfill activity must only be undertaken using VENM such as clay, gravel, sand, soil and rock only must be used for land filling activities.</i> c) <i>Material that is mixed with any other type of waste which has been excavated from areas of land contaminated with human made chemicals as a result of industrial, commercial, mining or agricultural activities or which contains sulphidic ores or soils must not be used for landfill.</i> d) <i>Council may approve the addition of selected crushed inert materials to VENM for specific landfill activities.</i> e) <i>A scaled plan must be provided demonstrating the location of any existing features on the property such as drainage lines and infrastructure, vegetation, roads etc.</i> f) <i>A site plan prepared by a registered surveyor must be submitted demonstrating the existing levels of the property and proposed levels of the landfill.</i> g) <i>The extent of the fill including location, depth, direction and gradient slope of the surface and batter slopes must be clearly demonstrated on a plan.</i> h) <i>Landfill must not adversely affect the natural flow of drainage or runoff.</i> 	<p>Yes – subject to conditions</p>

<p>Plans showing the gradient slope of the surface and the location of existing features on the property such as drainage lines and infrastructure, vegetation, roads etc have been submitted with the application. It is not considered that the proposed earthworks (excavation or filling) will have a detrimental impact on environmental functions and processes, neighbouring uses or heritage items and features of the surrounding land. The application will be conditioned to ensure that land fill activity must only be undertaken using VENM such as clay, gravel, sand, soil and rock only must be used for land filling activities. Also a condition will be imposed to ensure the landfill will not adversely affect the natural flow of drainage or runoff. Refer to assessment of earthworks under Clause 7.1 of the QLEP 2012.</p>	
<p>8.13 Development near Googong Dam Foreshores Objectives: 1) <i>To protect the Googong Dam water supply catchment from inappropriate development that may compromise water supply and quality.</i> Controls: <i>An applicant is to demonstrate to Council that:</i> a) <i>The building and associated infrastructure envelope identified for each existing or proposed lot are appropriate having regard to the land capability and the objective of this clause.</i> b) <i>The development incorporates an appropriate management regime relating to stormwater run-off, bushfire control, vegetation clearing, access provision, fencing controls, recreational uses, feral animal and weed control, management of grazing, keeping of animals and landscaping with indigenous species.</i></p> <p>This clause is not considered relevant to the proposed development as the site is not located near Googong Dam Foreshores.</p>	N/A
Part 9 – Advertising Signage	
<p>This section of the DCP applies to all advertising signs erected or displayed outdoors, including those located outside or on the exterior of buildings, in residential areas, commercial areas, in open space areas and recreational areas. However this section of the DCP does not apply to directional signs such as road traffic and safety signs or informative signs such as street, suburb name signs or signs within reserves.</p> <p>Based on the SEE and plans, the proposal does not involve the erection of advertising signs. Therefore this part of the DCP is not considered relevant to the proposal. The proposed signs are as follow:</p> <ul style="list-style-type: none"> • Park Signage - Located at prominent park corners or entry points to identify local and Neighbourhood parks. • Orientation Signage - To aid in the legibility of the Googong network of paths and open spaces, located at key decision points or nodes. • Interpretive Signage - To provide information to help explain points of environmental or historical significance. • Signage Wall - To provide park naming at key arrival points, in addition to or as an alternative to park signage. • Common Signage - To combine Common identification, orientation information and safety signage (concept yet to be developed). 	N/A

<ul style="list-style-type: none"> • Building Signage - Integrated into the building design of key buildings such as schools, sporting pavilions and community facilities (subject to future development applications for buildings). <p>The principles of signage location and types are to be continued as developed in Neighbourhood 1. Refer to SEPP 64 and Clause 5.14 of the Googong DCP for more details.</p>	
Part 10 – Town Centre and Neighbourhood Centres	
<p>10.2 Googong Town Centre</p> <p><i>Objectives:</i></p> <ol style="list-style-type: none"> 1) <i>To create a vibrant Town Centre that functions as the community and economic heart of the Googong Township.</i> 2) <i>To ensure that the detailed design of the Town Centre is undertaken in a coordinated manner in order to achieve a high quality urban design outcome.</i> <p>The proposed development involves the creation of residue lots for the future Googong Town Centre. The development of Town Centre sites including the construction of buildings, access and associated parking will be the subject of future applications. Residue lots 61 - 64 in Stage 7 will form the Town Centre bounded by roads 01, 02, 26, 32 and 33. The Googong Town Centre is mostly located within the B2 Local Centre Zone and part of the land is located within R1 General Residential zone. A future Town Centre master plan will identify the land use mix for this precinct. The Town Centre is the most active and urban part of Googong and is intended to reflect the character of a modern rural neighbourhood. It will occupy approximately 16.5 hectares and form the civic, commercial and cultural heart for both its immediate Neighbourhood and the entire Googong township.</p> <p>The Googong Town Centre will provide the heart of the Googong community, promoting walkability, supporting retail and commercial employment opportunities to service the local population and visitors, linking to community facilities and local parks, connecting with the school site, and providing a gateway to the broader township. In addition to the standard detached residential lots several super lots have been created to allow for high density residential within the Town Centre and urban fringe areas. This will enhance walkability, safety and activity within and around the Town Centre by increasing the population living close to the Town Centre as well as providing passive surveillance of the public realm.</p> <p>The Town Centre will also function as the transport node for its immediate neighbourhoods and town as a whole. A civic open space will be located within the centre to create township identity and allow for active and passive recreation and/or spill out zone from adjoining retail or other uses and a place for celebrations. Buildings in the Town Centre will be up to four storeys and mixed use and apartment living will be encouraged. High amenity, pedestrian streets with generous landscaped footpaths will be provided. The proposed street tree and open space planting will provide generous shade to pedestrians and the proposed signage are designed in a coordinated manner and will provide effective communication in a suitable location. The proposed development generally satisfies the relevant objectives and controls in this clause.</p>	<p>Yes</p>

Additional Planning Considerations

The following additional planning matters apply to the development:

MATTERS FOR CONSIDERATION	COMPLIES (Yes/No)
<i>Environmental Planning and Assessment Act Regulation 2000</i>	
No matters are prescribed in the Regulation are relevant in the consideration of the subject application.	NA
<i>The Likely Impacts of the Development</i>	
<i>Context and Setting</i> - The proposed subdivision is generally designed to complement the scenic qualities and landscape features of the locality and there will be minimal impacts on adjoining land use activities. The subdivision is consistent with the Neighbourhood Structure Plan for the site and is not out of context with adjoining rural land which will also eventually form part of the Township.	Yes
<i>Access, Transport and Traffic</i> - The proposed development's impact in relation to access, transport and traffic has been satisfactorily addressed by the applicant and is discussed in detail throughout this Report. The Roads and Maritime Services and Council's Development Engineer have raised no objections in relation to this consideration. Appropriate conditions are recommended to ensure satisfactory provision is made for access, transport and traffic.	Yes
<i>Public Domain</i> - The proposed development will provide for adequate recreational opportunities public spaces and pedestrian linkages for future residents.	Yes
<i>Utilities</i> - Council's Development Engineer is satisfied with arrangements to service the land as detailed earlier in this Report under the relevant clauses LEP and DCP clauses.	Yes
<i>Heritage</i> – Matters pertaining to both European and Aboriginal heritage have been satisfactorily addressed as detailed earlier in this Report under Clause 5.10 of the <i>Queanbeyan Local Environmental Plan (QLEP) 2012</i> and throughout this Report. The NSW Office of Environment and Heritage (OEH) have issued an Aboriginal Heritage Impact Permit (AHIP) on the 15 September 2017 to disturb or move the Aboriginal objects identified in the AHIP.	Yes
<i>Other Land Resources</i> - The proposed development will not adversely impact on valuable land resources for productive agriculture land and mineral and extractive resources.	Yes

<p><i>Water</i> - The proposed development adjoins the Montgomery's Creek riparian corridor. A satisfactory stormwater strategy has been prepared by Calibre 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. The NSW Department of Primary Industries – Water have issued General Terms of Approval for works within 40m of Montgomery's Creek on 11 May 2017. Impacts on this waterway will be further assessed and managed as part of a Controlled Activity Approval required to be obtained under the Water Management Act 2000.</p>	<p>Yes</p>
<p><i>Soils</i> – The submitted geotechnical engineer's report confirms soils are appropriate for the proposed development and land is not affected by salinity.</p>	<p>Yes</p>
<p><i>Air and Microclimate</i> - The construction stage of the proposed 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).</p>	<p>Yes</p>
<p><i>Flora and Fauna</i> – The potential impacts of the proposed development on the maintenance of biodiversity has been extensively discussed earlier in this Report. A Flora and Fauna Assessment prepared by Capital Ecology dated March 2017 has been submitted with the subject application. The report concluded that, with the implementation of the proposed measures to avoid, minimise and mitigate impacts upon biodiversity values, the proposed development is unlikely to significantly affect any threatened species, population or ecological community listed pursuant to the NSW TSC Act. A Flora and Fauna Management Plan will need to be prepared and submitted to Council prior to commencement of any works.</p>	<p>Yes</p>
<p><i>Waste</i> - A Waste Management Plan will need to be submitted and approved prior to the issue of a Construction Certificate (Subdivision) and will form part of the Construction Management Plan.</p>	<p>Yes</p>
<p><i>Noise and Vibration</i> - The construction stage of the proposed development will likely cause the emission of noise and vibration 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).</p>	<p>Yes</p>
<p><i>Natural Hazards</i> - Potential hazards include from bushfire, contamination and salinity. The proposed development was referred to the RSF as integrated development requesting the issue of a Bush Fire Safety Authority under section 100B of the Rural Fires Act 1997. As mentioned elsewhere in the Report, the General Terms of Approval (GTA) is required to be issued for the proposed development prior to the determination of the application. At the time of writing this report the RFS have not issue the GTA. In the unlikely event that the GTA has not been issued by the date of the Panel's determination meeting consideration of this DA will need to be deferred. The site contains identified contamination. As detailed earlier in this Report under the SEPP 55 assessment, the Site Auditor has provided interim advice</p>	<p>Yes</p>

<p>that the land is likely to be suitable for residential development pending remediation works. The consent authority can be satisfied that the contamination issues can be resolved but should ensure that the final Site Auditor's Statement is received prior to a construction certificate for subdivision being released. As mentioned in this Report, the site is not affected by salinity.</p> <p>These issues have been satisfactorily addressed in this Report and appropriate conditions recommended.</p>	
<p><i>Technological Hazards</i> - There are no known technological hazards affecting the development site.</p>	Yes
<p><i>Safety, Security and Crime Prevention</i> - The proposed development complies with the relevant section of the QDCP 2012 on crime prevention through environmental design. Also refer to comments from the NSW Police later in this Report.</p>	Yes
<p><i>Social and Economic Impact in the Locality</i> - The proposed subdivision 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 regional and local demands.</p>	Yes
<p><i>Site Design</i> - The proposed subdivision is considered to be generally well designed in an environmentally sensitive manner except for 9 residential lots within Nangi Pimble that is characterised by slopes of 16.667% to 20% with some patches of land (rear boundaries) having a slope of 20 – 25%. This has been appropriately addressed. The proposal involves the removal of 133 of those trees. The applicant has reviewed the number of trees to be removed and will now retain an additional 24 trees (number of retained trees increasing from 61 in the initial layout to 85 in the DA design). The size, shape and design of allotments and roads take into account solar energy requirements and energy efficiency.</p>	Yes
<p><i>Construction</i> - The construction stage of the subdivision will have the potential to impact on adjoining properties and the environment for a short period of time. Any approval is recommended to 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 types of conditions are routinely imposed on development consents that involve construction. In addition, it is recommended that a Construction Management Plan which specifically addresses the generation of dust and noise be required to be submitted to Council for approval prior to the issuing of a Construction Certificate (Subdivision).</p>	Yes
<p><i>Cumulative Impacts</i> - 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.</p>	Yes

<i>The Suitability of the Site for the Development</i>	
<i>Does the proposal fit in the locality?</i> - There are no significant constraints, heritage, threatened species, agricultural or mineral and extractive resource constraints impacting on the proposed development. The proposed development will not give rise to unmanageable transport demands, adequate recreational opportunities will be provided and all services will be available.	Yes
<i>Are the site attributes conducive to development?</i> – Site attributes are considered to be conducive to the proposed development.	Yes
<i>Have any submissions been made in accordance with the Act or the Regulations?</i>	
<i>Public Submissions</i> – No submissions were made during the period of public exhibition.	Yes
<i>Submissions from Public Authorities</i> <u>NSW Department of Planning and Environment</u> Clause 6.1 of the LEP 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 Development Application was therefore referred to the Department of Planning and Environment (DPE) requesting the issue of a Satisfactory Arrangements Certificate. A Secretary's Certificate - Satisfactory Arrangements for designated State Public Infrastructure was issued on 13 September 2017 for the proposed subdivision of Neighbourhood 2.	Yes – subject to conditions/ advisory notes
<u>NSW Police</u> Crime Prevention Through Environmental Design (CPTED) is a crime prevention strategy that focuses on the planning, design and structure of cities and neighbourhoods. Council has adopted the principles of CPTED in Part 2.3 – Safe Design of the Queanbeyan DCP 2012. The development application was forwarded to the Crime Prevention Officer at the NSW Police Monaro Local Area Command for comment. After conducting the CPTED process the NSW Police have identified the development as having a moderate-crime risk .	Yes – subject to conditions/ advisory notes

The Police's comments are provided below.

a) Surveillance

General Comments in Design for Surveillance:

- *The placement and orientation of common entry areas to community and public spaces should maximize opportunities for natural supervision through open plan design which is free from obstructions from landscaping or from poor lighting. See landscaping and lighting for more information.*
- *Generally the proposed area makes good use of the space syntax theory, thus limiting unnecessary areas of limited surveillance.*
- *Houses are positioned in such a way to maximise surveillance to their surrounding neighbourhood.*

Recommended Conditions of Consent:

- *It is important that all recreation facilities, such as BBQ's and toilets are positioned in areas with high natural surveillance. For example, (providing landscaping recommendations that are mentioned within this report are adhered to) the BBQ and shelter as depicted in drawing number L019 is placed in a good position for natural surveillance by passersby on the road way and those using the community area.*
- *Green link concepts, specifically 1 and 4 and verge 1 and 2, appear to have limited natural surveillance. This assumption is made that house fencing will boarder the links and verge thus reducing surveillance. For safety, it is important landscaping and lighting recommendations are adhered to for these areas.*

Applicant's comment:

- *Facilities are located as suggested.*
- *Green links 1 & 4 will only have side fence for 50% of the boundary not 100% as the comment suggests. In face Link 4 will have open front to the lot providing surveillance. The length of these links is less than standard street light spacing, and streetlight design will be look ed at to position a light at either end on the adjacent streets. Width is generous, and not narrow like an alley, hence provide opportunity for surveillance.*
- *Green 'wider' verges are front of lots, so will not have fencing, and will have light spill from the street as per all street verges*

b) Landscaping

General Comments in Design for Landscaping:

- *Some predatory offenders, particularly rapists, seek pockets and enclosures created by vegetation/landscaping. When selecting and maintaining vegetation, consideration should be given to the possibility of areas becoming entrapment sites in the future.*
- *A safety convention is to have 3 - 5 metres of cleared space on either side of pathways and bicycle routes. Thereafter, vegetation is stepped back in height to maximise sightlines.*

Recommended Conditions of Consent:

- *It is important to realise that vegetation can aid in concealment opportunities, restrict natural surveillance, dull lighting and/or casting shadows and provide a natural climbing ladder to gain access to other structures that are otherwise difficult to access. For these reasons the following needs to be born in mind:-*
 - *A safety convention for vegetation is: lower tree limbs should be above average head height, and shrubs should not provide easy concealment (I.E keep under 70cm in height).*
- *Care needs to be taken when choosing shrubs and trees for all areas. Some landscaping may hamper natural surveillance that exists and/or may create entrapment points and concealment opportunities for "would be" criminals. It may also create unnecessary dark areas if lighting is inappropriately placed.*
- *Care should be taken around the pedestrian bridge which is depicted on drawing number L010 to ensure clear views are achieved in approach, crossing and departure from the bridge.*
- *Street trees should not be placed directly under street lighting because when they mature they can block areas of light, creating shadows and dark spaces.*
- *Public car parking areas should not be obscured by landscaping. Limited surveillance in car parking areas can lead to increase stealings from motor vehicles and other offences.*
- *A landscaping maintenance policy should be established for this area.*

Applicant's comment:

- *Most of the comments noted are issues that can be fully addressed in the maintenance of the landscape spaces.*
- *The comments noted are aspects we always consider in our design processes, and the plant selections shown in the DA documentation already take these issues into consideration. The later full detailed design will describe the planting locations in more refined detail.*
- *As with all CC submissions we provide full maintenance plans & schedules included in our specifications. These include the maintenance that we undertake for the full 52 week (rather than Council's standard 26 weeks) extended consolidation periods and what we then recommend Council continue with under their asset ownership.*

c) Lighting

General Comments in Design for Lighting:

- *No lighting plans were supplied with this development.*
- *Lighting should be designed to the Australian and New Zealand Lighting Standards.*
- *Australian and New Zealand Lighting Standard 1158.1 – Pedestrian, requires lighting engineers and designers to consider crime risk and fear when selecting lamps and lighting levels.*

Recommended Conditions of Consent:

- *Lighting throughout areas that contain unavoidable potential concealment opportunities, such as the community garden, should have adequate lighting for times when the area is likely to be in use.*
- *Care should be taken when implementing lighting to ensure it maximises natural surveillance and creates an eye glare with no dark areas that can be used as concealment opportunities. Landscaping should be taken into consideration by ensuring it will not affect lighting in the future.*
- *As a general rule, areas that have adequate surveillance during hours of darkness should have adequate lighting, but if an area cannot be viewed of a night time, the light only encourages people to congregate in the area. Areas like these are likely to attract underage drinkers or others with antisocial intentions in mind as their activities go largely unnoticed whilst they have the pleasure of being comfortable in the area. This is important to keep in mind for all community and public spaces.*

- *Green link concepts, specifically those that boarder onto fence lines should have limited lighting after anticipated normal use of the area. Lighting up areas with limited natural surveillance can allow the “would be” criminal, such as a graffiti artist, to better see what they are doing with reduced chance of detection.*
- *Care should be taken around the pedestrian bridge which is depicted on drawing number L010 to ensure adequate lighting and clear views of a night time are achieved in approach, crossing and departure from the bridge.*
- *A lighting maintenance policy needs to be established for the development.*

A

applicant's comment:

- *Detailed lighting plans will be prepared with Final Design ahead of CC submission, at which time these comments will be incorporated. We don't see any issue in being able to adequately address all the points raised.*

d) Territorial Re-enforcement

General Comments in Design for Territorial Re-enforcement and Space/Activity Management:

- *It is noted that individual development applications will be submitted for communal areas at a later stage.*
- *It is noted the plan consists of a full range of various services, common open space and recreation opportunities as well as a range of residential dwellings. The design appears to be well integrated and conducive of communal ownership. This should foster the feelings within the community of connectivity to the area. This assists in creating ownership for the area and thus can assist in reducing the amount of crime within the area.*

Recommended Conditions of Consent:

- *There is limited information to indicate signage which might be used in and around the development. Confusion resulting from vague entry design can legitimise exploration, trespassing and excuse making by opportunistic criminals. Entries should be legible and inviting. Whilst it is noted that some pathways to community areas are signposted, it is recommended that all access points, such as those provided on drawing number L026, have clear directional and access signage indicating the use of the area.*
- *Areas such as the water reservoir site and receptions areas, such as the tennis club house, should be adequately fenced and signposted to ensure trespasses are warned against entering the areas.*
- *Safety signage should also be considered at relevant points, such as the reservoir.*

Applicant's comment:

- *Signage will be considered at Final Design stage, and these suggestions will be addressed in the comprehensive open space signage strategy.*
- *It should be noted that the reservoir facilities and all included signage etc is already included in these works already approved and being installed.*

e) Environmental Maintenance

General Comments in Design for Environmental Maintenance:

- *It is noted that individual development applications will be submitted for communal areas at a later stage. Maintenance policies should be established for these individual areas.*

Recommended Conditions of Consent:

- *As malicious damage and graffiti is often an offence caused to such developments, strong consideration must be given to the use of graffiti resistant materials, particularly on the fences and recreation facility constructions, such as bubblers, low pedestrian lighting and benches.*
- *A graffiti management plan needs to be incorporated into the maintenance plan for the development. Research has shown that the most effective strategy for reducing graffiti attacks is the quick removal of such material generally with a forty-eight hour period and repair of damaged equipment as soon as possible.*

Advised Conditions of Consent:

- *There is no information within the plans which indicate what maintenance policies will be included within this development. A maintenance policy needs to be established for this development.*

Applicant's comment:

- *As the open space areas will become Council assets, Council would be best placed to respond.*
- *As noted above, as with all CC submissions we provide full maintenance plans & schedules included in our specifications. These include the maintenance that we undertake for the full 52 week (rather than Council's standard 26 weeks) extended consolidation periods and what we then recommend Council continue with under their asset ownership.*

<p>f) Access Control</p> <p><u>General Comments in Design for Access Control:</u></p> <ul style="list-style-type: none"> • <i>Generally, the community space appears to have adequate access and control measures i.e. access points are readily accessible and most with a large pedestrian path of 2 meters.</i> • <i>It is noted that individual development applications will be submitted for communal areas at a later stage. Individual comment can be provided for access control measures, such as gating, at that point in time.</i> • <i>See all other sections for more information.</i> <p><u>Recommended Conditions of Consent:</u></p> <ul style="list-style-type: none"> • <i>Car parking spaces are in appropriate locations for activity. It is recommended that gates be placed across the car parking entry/exit points to restrict access when the areas are not in use. For example, locked after 10pm. This will assist in creating ownership for the area and act as an unwanted measure for those who may wish to utilise the area after hours for criminal or antisocial activity.</i> <p><u>Applicant's comment:</u></p> <ul style="list-style-type: none"> • <i>Gates etc as suggested can be included as DA conditions, with detail resolved in the detail design / CC documentation.</i> <p><u>Assessing Officer's Comment</u> – Police comments are noted. Those made in relation to landscaping, lighting, territorial re-enforcement and space/activity management and access control will be placed on the development consent (if granted) as advisory notes.</p>	
<p><u>Commonwealth Department of Infrastructure and Regional Development (DIRD) and Canberra Airport</u></p> <p>Clause 7.6 of the LEP requires consultation with DIRD for the erection of structures that will penetrate the Obstacle Limitations Surface of the Canberra Airport. DIRD do not object to the proposed development. A Controlled Activity Approval under the Commonwealth <i>Airports (Protection of Airspace) Regulations 1996</i> has been issued by the Commonwealth on 12 October 2017 for the proposed development. This will ensure that any future structures that are compliant with the height limitations of the LEP will not require any further approval from the Commonwealth.</p>	<p>Yes – subject to conditions/ advisory notes</p>

NSW Office of Environment and Heritage (OEH)

Pursuant to Section 91(2)(a) of the *Environmental Planning and Assessment Act 1979* the application was referred to the NSW Office of Environment and Heritage (OEH) as Integrated Development. This was required because there are known Aboriginal objects on the site, and therefore the OEH would need to issue their General Terms of Approval (GTAs) for any required permits to impact on Aboriginal objects under Section 90 of the National Parks and Wildlife Act 1974.

On the 15 September 2017, the General Terms of Approval were received from the OEH for an Aboriginal Heritage Impact Permit (AHIP) under the National Parks and Wildlife Act. The OEH advised that they had reviewed the information provided and has determined that it is able to issue an AHIP for the proposal subject to a number of conditions. OEH also advised that some revisions will be required to the NH2 ACHAR before any AHIP for NH2 works can be issued. A condition will be imposed on the development consent (if granted) requiring compliance with the GTAs.

Excavation Permit under Section 140 of the Heritage Act 1977 for an archaeological salvage excavation at GH5 and GH7 has been issued by Heritage Council on 18 April 2017 subject to a number of conditions. Under this permit, the applicant is responsible for safe keeping of artefacts recovered from the site. A repository for archaeologically excavated material is required to be nominated, as well as referencing the final location in the excavation report as per section 146(b) of the Act to enable a record to be kept of the location of all archaeologically excavated material.

OEH has also reviewed the biodiversity component and have provided comments and recommended conditions of consent in relation to Biodiversity value as follows:

“OEH objects to the number of large hollow bearing trees to be lost on site. Many of which would be in the 200 to 300 years of age bracket and are irreplaceable from an ecological viewpoint. We believe there is greater scope within the current subdivision plan to retain existing trees and with relatively minor adjustments to the design, incorporate some of the larger existing patches of trees both within proposed parks and close by areas. From a spatial analysis of the existing vegetation map OEH has identified those areas which should be reconsidered for retention of trees to avoid such high clearance rates and is shown in Figure below.

There are also intact patches of the Box Gum woodland Endangered Ecological Community (EEC) that will be impacted by the development. We consider that these areas of intact Box gum woodland should also be retained. It appears that from the current design, there has been very little effort to avoid the impacts to the areas of EEC and the loss of the highly valuable habitat trees. It should be noted that hollow bearing trees in the landscaped are a very limited resource. Where the loss of these important habitat trees and EEC cannot be avoided, impacts should be mitigated and offset in accordance with OEH principles for the use of biodiversity offsets in NSW.

OEH understands that only 14% of the existing trees onsite are to be

Yes – subject to conditions/
advisory notes

kept. Many of the trees to be lost are large hollow bearing trees of significant ecological importance. It is recommended:

- Within the proposed urban parkland network the existing tree retention be reviewed so that more existing mature trees are retained.
- Additional areas of retained existing trees be identified such as selected roadsides or laneways, sportsgrounds and other public places where some mature trees can be safely retained and managed in perpetuity. **Figure 1** shows the areas OEH considers should be reviewed to achieve the most gains for retention of existing trees.
- An ongoing schedule of regular tree planting in areas identified above should be implemented to begin recovering the age-class distribution of the tree population to a sustainable state.
- Introducing efforts to reduce mortality rates among these trees so they remain standing for at least 450 years enabling them to reach their full habitat potential for wildlife.
- Introduce mitigating measures to reduce impacts such as moving the dead stags with hollows to be cleared to adjoining parks, and keeping adequate numbers of medium and younger trees to allow replacement in the longer term should also be investigated.

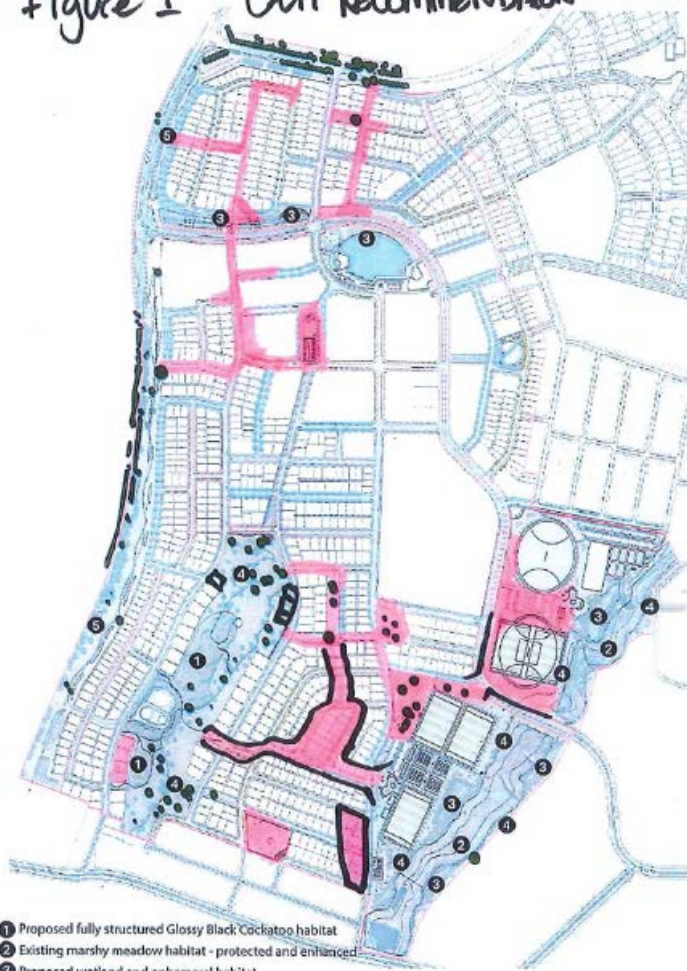
The accompanying biodiversity report to the development application Googong Neighbourhood 2 Flora and Fauna Assessment March 2017 Prepared for Googong Township Pty Ltd Capital Ecology is generally of a high standard and provides a solid basis for Council to make an informed decision on the development application.

It is noted the report recommends in regard to the retention of paddock trees the subdivision design will retain remnant trees where practicable, having regard to the habitat values, amenity values, structural integrity of the tree Page 36. The report also concludes on this basis that the proposed development will not result in a significant impact on any threatened species listed under the Threatened Species Conservation Act 1995. The current design does not reflect this recommendation.

For matters, such as threatened grassland fauna the report is very comprehensive and clearly demonstrates no significant impact. It noted that flora and fauna report in the existing vegetation mapping identifies three small patches of native understorey that is to be cleared in the proposed subdivision design. This loss should be offset.

Please refer to Attachment A for the applicant's response to the above issues. Council supports the removal of the 133 specified trees and retention of 85 others for the reasons outlined in Clause 8.8 of Googong DCP and Clause 7.3 of the QLEP 2012.

Figure 1 OEH RECOMMENDATION



- 1 Proposed fully structured Glossy Black Cockatoo habitat
 - 2 Existing marshy meadow habitat - protected and enhanced
 - 3 Proposed wetland and ephemeral habitat
 - 4 Restored woodland species to the edge of riparian corridor and open spaces
 - 5 Restored woodland species to Old Cooma Road buffer zone
- Note: Existing trees to be retained shown in dark green*

Figure 6.8 Tree Retention Plan

Areas which
Should be reviewed
to gain greater retention
of existing trees

NSW Department of Primary Industries Water (DPI Water)

The proposal was referred as Integrated Development to the NSW Department of Primary Industries (DPI) – Water under Section 91 of the *Water Management Act 2000* for works within 40 metres of Montgomery's Creek. The *Water Management Act 2000* allows for works within waterfront land provided they undergo the required assessment and obtain the necessary approvals / licenses.

DPI – Water issued their General Terms of Approval for the proposed development on 11 May 2017 for works in the vicinity of Montgomery's Creek. Impacts on this waterway will be further assessed and managed as part of a Controlled Activity Approval required to be obtained under the *Water Management Act 2000*. Should development consent be granted these are to be included as an attachment to the consent and conditioned to be complied with.

NSW Department of Primary Industries Fisheries

The application was also referred to the NSW Department of Primary Industries Fisheries as integrated under *Clause 219 - Passage of Fish Not to Be Blocked* of the Fisheries Management Act 1994.

The DPI Fisheries advised that Section 219 permit (obstruct fish passage) under the Act for the instream works associated with the application was not required as the Montgomery Creek at the site is ephemeral and already obstructed by numerous farm dams and banks.

Roads and Maritime Services (RMS)

The proposed subdivision required referral to the NSW Roads and Maritime Services (RMS) being development with frontage to classified road (Old Cooma Road) under Clause 101 and is identified as "traffic generating development" under Clause 104 and Schedule 3 of the policy. Also the proposal involves the construction of new intersections with Old Cooma Road and a number of new internal signalised intersections and the proposed development located adjoining a State Road network.

The RMS comment was received on 12 May 2017. Refer to assessment under SEPP (Infrastructure) 2007 for detailed comments. RMS comments will be placed on the development consent (if granted) as part of conditions.

NSW Rural Fire Service

The land is identified as bushfire prone land on the Queanbeyan Bushfire Prone Land Map.

The proposed development was referred to the RFS as integrated development requesting the issue of a Bush Fire Safety Authority under section 100B of the Rural Fires Act 1997. As mentioned elsewhere in the Report, the General Terms of Approval (GTA) is required to be issued for the proposed development prior to the determination of the application. At the time of writing this report the RFS have not issue the GTA. In the unlikely event that the GTA has not been issued by the date of the Panel's determination meeting consideration of this DA will need to be deferred.

Essential Energy

The subject site is affected by electricity transmission easements and electrical installation is required for the site under the SEPP Infrastructure. Therefore the application was referred to the electricity supply authority (Essential Energy) for comment. Based on the documents submitted, Essential Energy has raised no objection to the development at this time, provided:

1. *If the proposal changes, Essential Energy would need to be informed for further comment.*
2. *Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property are complied with.*
3. *As part of the subdivision, as required by Essential Energy, easements are created for any existing electrical infrastructure. The easements are to be created using Essential Energy's standard easement terms current at the time of registration of the plan of subdivision (currently Memorandum AG189384). Refer to Essential Energy's Contestable Works Team for requirements.*
4. *As noted in the Services Relocation Plan, part of the existing electrical infrastructure is to be disconnected, removed and relocated (as per proposed plan of subdivision). Essential Energy's preference is for the location of its easements and/or infrastructure to be within public reserves or public roadways. Refer to Essential Energy's Contestable Works Team for requirements.*
5. *Council ensures that a Notification of Arrangement (confirming satisfactory arrangements have been made for the provision of power) is issued by Essential Energy with respect to all proposed lots which will form part of the subdivision, prior to Council releasing the Subdivision Certificate. It is the Applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the subdivision, which may include the payment of fees and contributions.*

In addition, Essential Energy's records indicate there is electricity infrastructure located within the property and within close proximity to the property. Any activities within these locations must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity

Easements and Close to Infrastructure. Comments above will be placed on the development consent (if granted) as part of conditions.	
<p><u>Fire & Rescue NSW</u></p> <p>A site (2000m²) has been set aside for a fire station under a State Voluntary Planning Agreement. The application was referred to the Fire & Rescue NSW for comment. They have raise no objection to the proposal.</p>	Yes
<i>The Public Interest</i>	
It is considered to be in the public interest to approve the proposed development (with the recommended conditions). It is considered that the proposal will not have an adverse effect on the public interest. It is generally consistent with the established strategic planning framework for the Googong urban release area. Standard conditions will be imposed to ensure minimal impacts to surrounding properties.	Yes
<i>Government and Community Interests</i>	
It is considered that government and community interests will not be adversely affected by the proposed development.	Yes
<i>Planning Agreement Obligations</i>	
<p>Local Planning Agreement</p> <p>The Queanbeyan City Council Section 94 Contributions Plan (Googong) 2015 ("the Googong Contributions Plan") and Section 64 of the <i>Local Government Act 1993</i> is not applicable to the subject site. The proposed development is subject to the Voluntary Planning Agreement (VPA). Contributions security and cash contributions are applicable under this agreement to the proposed development. Contributions will be levied at the applicable rate for each new residential lot. A condition will be placed on the development consent requiring the payments be made prior to the issuing of the subdivision certificate for each stage.</p>	Yes – VPA - condition

The VPA requires the following deliveries for the development:

Requirements		Proposed NH2 DA Provision
Yield Trigger	Item	
	Land for open space	» All provided
Embellishment of Playgrounds, sports fields & associated recreational facilities		
6,729	Sports field 3 (located in Googong Common) AFL (165x150) co-use with cricket 160 x142), irrigation, floodlighting and practice nets. Amenities building (co share with Sports field 4), spectator seating with shade canopy and car parking.	<ul style="list-style-type: none"> » All provided. » Cricket / AFL Field: 158x129m + 5m runoff. » Nets for S3 and S4 located between fields Cricket pitch to be provided by others (not part of the DA)
	Sports field 4 (located in Googong Common) Double soccer field (100x76) co-use with cricket (160x142) and Rugby League (122x68), irrigation, floodlighting and practice nets. Amenities building (co-share with Sports field 3), spectator seating with shade canopy and car parking. Access to Local Playground (LP06).	<ul style="list-style-type: none"> » All provided. » Cricket / AFL Field: 158x129m + 5m runoff » Double Soccer / Rugby League Fields:116x68m +3m runoff » Synthetic cricket pitch provided
	Sports field 5 (located in Googong Common) Sports field: Double soccer field (100x76) co-use with cricket (160x142) and Rugby League 122x68), irrigation, floodlighting and practice nets. Amenities building (co-share with Sports field 6), spectator seating with shade canopy and car parking.	<ul style="list-style-type: none"> » All provided except Cricket / AFL Oval and cricket nets » Additional Tennis Club and 8 courts provided (see Tennis Courts below) » Double Soccer / Rugby League Fields:116x68m +3m runoff » Synthetic cricket pitch provided

	<p>Sports field 6 (located in Googong Common) Double soccer field (100x76) co- use with cricket (160x142) and Rugby League (122x68), irrigation, floodlighting and practice nets. Amenities building (co-share with Sports field 5), informal spectator seating and car parking.</p>	<ul style="list-style-type: none"> » All provided except Cricket / AFL Oval, nets and second Soccer / Rugby League Field » Single Soccer / Rugby League Field:116x68m +3m runoff » Additional 2 Multi Activity Games Areas provided (Soccer / Basketball)
	<p>6 x Netball courts (located in Googong Common) Access to amenities in the Indoor Sports and Aquatic Centre</p>	<ul style="list-style-type: none"> » All provided.
5,745	<p>10 x Tennis courts (4 courts will be in Neighbourhood 1 and two courts in Neighbourhoods 3, 4 and 5). Works for each pair of tennis courts include:</p> <ul style="list-style-type: none"> » lighting » courtside shelter » toilet and change facilities 	<ul style="list-style-type: none"> » These NH3, 4 and 5 courts have been provided in the Common (6 required plus 2 extra), with lighting, courtside shelter, toilet and change facilities.
<p>Embellishment of Googong Common.</p>		
	<ul style="list-style-type: none"> » Feature entry area to include paved access, arts and signage elements, shelters, feature planting, major water feature and access to creekline and carparking. 	<ul style="list-style-type: none"> » Feature area provided to NW corner with paving, signage, trees and seating. Major water feature not in entry area, but water elements integrated within Local Playground 5
	<ul style="list-style-type: none"> » Hard landscaping to include share path, bush track and multiuse trail networks with lighting, bicycle racks, pedestrian access paths with pedestrian lighting, access to creekline and pedestrian bridges (6) across creekline, way finding signage and arts elements, benches, water bubblers, bins and carparking. 	<ul style="list-style-type: none"> » 2 accessible and 1 bush track pedestrian crossings provided in NH1B » 3 accessible pedestrian crossings provided as part of this DA 1 future crossing will be provided to the south of NH2 (not in this DA) » 1 future crossing will be provided to the south of NH2 (not in this DA)

	» 2 x local playgrounds suitable for ages 1–12	» These 2 x local playgrounds associated with the Common are provided within NH1B (not in this DA)	
	» 2 x local playgrounds suitable for ages 1–12 years	» Local Playground 5 provided in Googong Common north (water elements included) » Local Playground 6 provided in Googong Common south	
	» 1 x regional playground suitable for all ages	» This will be provided in Neighbourhood 4 (not in this DA)	
	» 14 x small shelters, » 5 x small shelters with BBQ, » 4 x small shelters with interpretive signage, » 3 x medium shelter, » 4 x medium shelter with BBQ, » 3 x large shelter with BBQ	» 1 x medium shelter, 2 x small shelters and 2 x BBQs have already been provided within the NH1B Section of Googong Common (Previous DA) » 1 x large shelter, 5 x small shelters and 3 x BBQs will be provided in the future in association with Sports field 7 / Regional playground (Neighbourhood 4 – future DA) » The remainder or equivalent will be provided as part of this DA.	
	» 1 x Community Garden	» One community garden is already included in the common within the NH1A Stage 6 works. Another potential community garden site is also proposed within the NH2 DA in Googong Common South.	

Embellishment of Nangi Pimble (Hill 800)

- | | |
|---|---|
| <ul style="list-style-type: none"> » Lookout structure with pedestrian access and interpretive signage. » Hard landscaping to include share path network, bicycle racks, way finding signage, 1 x small shelter with interpretive signage, water bubbler, bins and carparking. » Soft landscaping. | <ul style="list-style-type: none"> » Lookout structure to the top of Hill 800 has been provided, with an accessible 1.5m path to reach it. » Due to the steep, rock terrain key paths (2m wide) have been provided in lieu of share paths (2.5m wide) » Bicycle racks, way finding signage, 1 x small shelter with interpretive signage, water bubbler, bins provided at the northern entry » On street car parking, has been provided » Soft Landscaping provided |
|---|---|

Embellishment of Neighbourhood Parks

- | | |
|--|---|
| <p>Neighbourhood Park 2 (Neighbourhood 2)
 - Hard landscaping to include share path with lighting, bicycle racks, pedestrian access paths with pedestrian lighting, access across drainage corridor (WSUD element), way finding signage and arts elements, benches, water bubblers, bins</p> | <ul style="list-style-type: none"> » Share path allowed for within lake edge walkway, with feature lighting » Access paths (ramps and stepped) provided with lighting where required » Bicycle racks, way finding signage, benches, water bubblers and bins provided. » Access across drainage corridor not relevant now due to change in design of open space layout, however this is provided across the linear entry park. |
|--|---|

	<p>- 1 x Neighbourhood Playground (NP02) suitable for all ages, 1 x small shelter, 1 x medium shelter with BBQ and an arts element.</p>	<p>» This neighbourhood playground is integrated into the terraced lakeside edge. Due to its urban location, close to the Town Centre and visual prominence it will consist of sculptural play elements along with more passive recreational activities.</p> <p>» The playground is situated adjacent to the Sales Centre / future café, which will provide shaded seating, so one medium shelter is proposed, along with tree shaded terrace seating. The small shelter budget has been relocated to the civic plaza, to allow for a large shelter there. No BBQ is proposed in this area due to its urban context.</p>	
	<p>- Soft landscaping to include feature planting at entries and general landscaping.</p>	<p>» Soft Landscaping provided</p>	
<p>Embellishment of Local Parks</p>			
	<p>Local Park No. 7 Hard landscaping to include pedestrian access paths with pedestrian lighting, bicycle racks, way finding signage and minor arts element, small shelter (1), benches, water bubbler and bins. Car parking in adjacent streets. Soft landscaping to include feature planting at entries and general landscaping.</p>	<p>» All provided</p>	

	<p>Local Park No. 8 (Town Centre park) Hard landscaping to include pedestrian access paths with pedestrian lighting, bicycle racks, way finding signage and minor arts element, benches, water bubbler and bins. Car parking in adjacent streets. Community facilities include Local Playground (LP04) and small shelter (1). Soft landscaping to include feature planting at entries and general landscaping.</p>	<ul style="list-style-type: none"> » All hard landscaping elements and car parking in streets provided » Local playground 04 (LP04) provided as sculptural play elements » Soft landscaping provided » Additional Community garden also proposed within this park 	
	<p>Local Park No. 9 (Hilltop / Dog Park) Hard landscaping to include pedestrian access paths with pedestrian lighting, bicycle racks, way finding signage and minor arts element, small shelter (1), benches, water bubbler and bins. Car parking in adjacent streets. Soft landscaping to include feature planting at entries and general landscaping.</p>	<ul style="list-style-type: none"> » Accessible path to hilltop » Hilltop seating area with shade structure and trees provided. » Park to be fully fenced as a dog park, with associated bench seating, bins, signage, bubbler and some canine play elements » Car parking in streets provided » Soft landscaping provided. 	
Civic space – Embellishment of local open space			
	<p><i>1 x civic space located in Neighbourhood 2</i> » - Hard landscaping to include feature paved access/spaces, pedestrian lighting, major arts/water element, minor arts and signage elements, wayfinding signage, benches, water bubblers, bins, 1 x medium shelter.</p>	<ul style="list-style-type: none"> » Feature paved space provided with lighting and seating » Major sculptural water feature provided. Minor art elements integrated into the seating terraces » Signage, wayfinding signage, benches, water bubblers, bins provided » One large shelter provided 	
	<p>» Soft landscaping to include street trees, feature planting at key areas and general landscaping.</p>	<ul style="list-style-type: none"> » Provided 	

Environmental management – Embellishment of local open space

Drainage Reserves

The Developer is to restore the bushland generally consistent with the LOSS, comprising:

- bushland regeneration – removal of weeds/burns/soil scarification/introduced planting, or
- assisted bushland regeneration – the above and replanting of species missing from the vegetation structure, or
- bushland reconstruction – the above and replanting of vegetation (where little veg exists).

Soft landscaping to include screen planting and general landscaping of water recycling plant drainage reserve

- » Linear Entry Park: This drainage reserve will have no remnant vegetation. It will be planted using native grasses and ephemeral species suitable for the region, with scattered groupings of trees.
- » Googong Common riparian corridor: In most areas, the Riparian Corridor (RC) – Vegetated Riparian Zone (VRZ) plus marshy meadow – is to be retained undisturbed. These areas will undergo bush regeneration to monitor weed removal, erosion control, and nominate areas where additional planting may be required. Where the RC consists of disturbed land or earthworks these areas shall be replanted in keeping with the existing plant species palette.
- » Water Recycling plant: This shall be screened using tree and shrub species in keeping with Hill 800 Gloss Black Cockatoo habitat creation zone.

Buffer Corridor – Old Cooma

Generally consistent with the LOSS. Hard landscaping to include a path within open space, way finding signage and benches. Soft landscaping to include general landscaping to meet APZ requirements.

- » All provided.

Googong Dam Road

Generally consistent with the LOSS. Hard landscaping to include pedestrian access paths, way-finding signage and benches. Soft landscaping to include general landscaping to meet APZ requirements.

- » All provided.

Dedication of land for the Indoor Sports and Aquatic Centre and local roads		
	Land for, and delivery of, multi-purpose centre	» Proposed site shown on DA drgs.
	Dedication of land for the Indoor Sports and Aquatic Centre	» Provided – now an indoor sports and recreation centre.
	Subject to detailed design and final survey the Developer is to dedicate 20,000sqm of land on which Item 2.06 (Indoor Sports and Aquatic Centre) will be constructed.	» Provided – now an indoor sports and recreation centre.
	Land for local roads	» Provided - noting layout is revised from the original Googong Masterplan
	Design & construction of on-site local roads	» Provided
	AV1 (Old Cooma Rd diversion carriageway)	» Provided - revised layout is Wellsvale Dr & Bunyip Dr
	AV1 (Old Cooma Rd diversion) - bridge	» Provided - revised layout is on Wellsvale Dr
	Old Cooma Rd / Googong Ave Traffic Signals	» Provided - revised layout is on Wellsvale Dr
	AV1 (Googong Ave carriageway)	» Provided - revised layout is Wellsvale Dr, Bunyip Dr & Gorman Dr
	AV1 (Googong Ave & Old Cooma Rd diversion) WSUD and landscaping	» Provided - revised layout is Wellsvale Dr & Bunyip Dr

State Planning Agreement

The State Planning Agreement requires a site to be allocated for a fire station and a school within NH2. A 2000m² site has been set aside for a fire station under a State Voluntary Planning Agreement. Options for sites being negotiated with NSW Fire & Rescue, being an option on Old Cooma Rd or an option in NH2 near intersection of entry Rd 02 and Rd 03. The application was referred to the Fire & Rescue NSW for comment. They have raised no objection to either location.

A 9ha site has been set aside for a school in Stage 9, bounded by roads 01, 02a, 33 and 47. This has been located within proximity to the Town Centre and within walking distance to the sports and recreational areas. This will help encourage additional activation of the mix of uses in the Town Centre, and its proximity to the common will facilitate sharing of the community facilities with good access to the bus network and surrounding street network. A Secretary's Certificate - Satisfactory Arrangements for designated State Public Infrastructure has been issued on 13 September 2017 for the proposed subdivision of Neighbourhood 2.

Internal Referrals

Council's Building Surveyor

Council's Building Surveyor has assessed the application and has raised no objection to the proposal subject to the imposition of relevant conditions.

Council's Development Engineering Team

Comments from Council's Development Engineering Team have been incorporated in the assessment under Clause 7.9 – Essential Services of the Googong DCP earlier in this report.

Council's Environmental Health Team

Council's Environmental Health Officer has reviewed the proposed development and has raised no objection to the proposal subject to the imposition of a number of conditions in relation to the proposed acoustic fence and proposed ponds/lakes including their long-term maintenance. Amenity issues such as noise, dust and erosion control also can all be dealt with by way of conditions of consent.

Council's Parks and Recreation Team

Council's Park and Recreation officer has reviewed the proposed development particularly the proposed public reserves and changes to the street trees species in NH2 and have raised no objection to the proposal.

Council's Cultural Development Officer

Council's Cultural Development Officer has reviewed the proposed development particularly the proposed public art in the Neighbourhood 2 and has raised no objection to the proposal. The officer suggested that the intention should be for the environment, history, heritage and residents to be consulted and referenced in the concept of public artworks; and where possible current/future residents should be invited to be involved in the creation/conception of the art works (such as in community art workshops etc). This process creates connectedness, ownership and community pride.

Conclusion

The integrated development application seeks approval for subdivision and associated works as follows:

- a) Boundary adjustment to create 6 lots as shown in Figure 2. This includes a lot for the Nangi Pimble site (Hill 800). The remaining five lots will be further subdivided into 15 construction stages to create Neighbourhood 2 (refer to Figure 10).
- b) Torrens title subdivision of Neighbourhood 2 to create;
 - i) 932 residential lots including 14 lots within Stage 2 to be used as exhibition village,
 - ii) Twelve residue lots for future subdivision for small lot housing comprising 152 superlots and 16 studio dwellings (strata title) (approx),
 - iii) 15 residual lots for future subdivision of higher density housing and other uses including the Town Centre sites, a State K-12 school, fire station, senior housing, sales office, information and education facilities and community facility,
 - iv) Public reserves including Nangi Pimble (Hill 800), local parks, sports fields and Googong Common to be used as recreation area,
 - v) Public roads and drainage reserves.
- c) All subdivision works to prepare the land for the future development comprising site preparation and grading, stormwater and drainage works, road construction, tree removal, and utilities provision.
- d) All landscaping works and associated works to create and embellish all open space and the public domain. This includes the erection of entry sign, park structures including outdoor table tennis and chess, playground equipment, bench seat, decks, shelter with seat, barbeque shelters, dog park equipment, terrace walls, feature walls, weir walls, gabion walls, timber jetty and pedestrian bridge.

The proposed subdivision is not a 'staged development application' for the purposes of the Environmental Planning and Assessment Act, 1979.

The works will also include the construction of two new intersections with external roads – one each on Old Cooma Road and Googong Road and the duplication of the carriage way of Old Cooma Road between the proposed intersection and Googong Road. Note that the actual length of duplication is compromised due to required taper lengths until the ultimate Googong Rd / Old Cooma Rd intersection is completed.

The subdivision of the super lots for higher density residential dwellings and the construction of all buildings (housing, recreational facilities and schools) as well as the Town Centre sites will be the subject of future applications.

The development is “Regional Development” for the purposes of the State Environmental Planning Policy (State and Regional Development) 2011 and the Joint Regional Planning Panel (Southern Region) is the consent authority for the application.

The application was nominated as an Integrated Development requiring approvals under *Fisheries Management Act 1994*, *National Parks and Wildlife Act 1974*, *Rural Fires Act 1997* and the *Water Management Act 2000*. General Terms of Approval have been issued by the relevant agencies to allow the development to proceed except from the NSW RFS.

The development has been assessed under the relevant State Environmental Planning Policies, Queanbeyan Local Environmental Plan 2012, Queanbeyan Development Control Plan 2012 and Googong Development Control Plan. This assessment found that the development generally satisfies the controls and requirements of these instruments with some variations to the Googong DCP that do not warrant refusal and can be managed by way of conditions of consent.

The other relevant matters for consideration under Section 79C of the Act have also been considered and the development is considered suitable for the site, it will have an acceptable impact on the site, local area and neighbouring properties. The submissions for agencies have been considered and conditions recommended where appropriate and no public submissions were received that related to this development. There are no significant public interest concerns resulting from the development.

The development is recommended for conditional approval.

Recommendation

1. That Integrated Development Application 123-2017 for subdivision involving a boundary adjustment, the creation of 932 residential lots including 14 lots within Stage 2 to be used as exhibition village, 12 residue lots for future subdivision for small lot housing, 15 residual lots for future subdivision of medium and high density housing and other uses including the Town Centre sites, an education establishment (State K-12 school), fire station, senior housing, sales office, information and education facilities and community facility, recreation area and ancillary infrastructure and local services on Lot 10 & 11 DP 754881, Lot 21 DP 1203214 and Lot 5 DP 1217396, 36 Googong Road and Lot 463 DP 1226692 (formerly known as Lot 376 DP 1221669), Montgomery Avenue, Part Road Reserve – Old Cooma Road & Googong Road, Googong NSW 2620 be granted consent subject to the conditions in the attached schedule.
2. That the Office of Environment and Heritage, NSW Department of Primary Industries Water, NSW Rural Fire Service and Roads and Maritime Service be advised of the outcome of the determination.