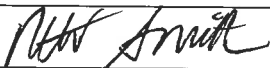


## COUNCIL ASSESSMENT REPORT

### SOUTHERN REGIONAL PLANNING PANEL

<b>PANEL REFERENCE</b>	PPSSTH-308
<b>DA NUMBER</b>	DA10.2023.327.1 (PAN-380651)
<b>PROPOSAL</b>	Emergency Service Facility – Cooma Fire Control Centre
<b>ADDRESS</b>	Lot 14 DP 250029 (9 Polo Flat Road, POLO FLAT) (Part of)
<b>APPLICANT</b>	Public Works and NSW Rural Fire Service
<b>OWNER</b>	Snowy Monaro Regional Council
<b>LODGEMENT DATE</b>	19/10/2023
<b>APPLICATION TYPE</b>	Development Application
<b>REGIONALLY SIGNIFICANT CRITERIA</b>	Clause 3 and Clause 4 Schedule 6 of <i>State Environmental Planning Policy (Planning Systems) 2021</i> : Crown development over \$5 million as public works is the applicant and Council related Development over \$5 million.
<b>CIV</b>	\$16,300,899 (excluding GST)
<b>CLAUSE 4.6 REQUESTS</b>	Not applicable
<b>KEY SEPP/LEP</b>	<ul style="list-style-type: none"> <li>• <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i></li> <li>• <i>State Environmental Planning Policy (Sustainable Buildings) 2022</i></li> <li>• <i>State Environmental Planning Policy (Planning Systems) 2021</i></li> <li>• <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i></li> <li>• <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i></li> <li>• <i>Cooma-Monaro Local Environmental Plan 2013</i>;</li> <li>• <i>Cooma-Monaro Development Control plan 2014</i>.</li> </ul>
<b>TOTAL &amp; UNIQUE SUBMISSIONS KEY ISSUES IN SUBMISSIONS</b>	<p>28 day notification Period between 06/11/2023 to 04/12/2023.</p> <p>1 submission was received.</p> <p>1 issue raised – Parking</p> <ul style="list-style-type: none"> <li>- The current facilities fall short on parking with emergency services crew using any possible parking available in the street.</li> </ul>

	The site is used by crews from surrounding fire stations and currently does not have enough space for the increase in large vehicles during emergencies.
<b>DOCUMENTS SUBMITTED FOR CONSIDERATION</b>	<ul style="list-style-type: none"> <li>• Owners consent, by Snowy Hydro Ltd</li> <li>• Site survey, prepared by Kleven Spain, Re SM489, dated 1.12.22</li> <li>• Architectural Plans, prepared by NBRS, Project No. 22396, Rev 4-10, dated 2.8.23</li> <li>• Landscape Plans, prepared by NBRS, Rev B dated 23.8.23</li> <li>• Statement of Environmental Effects, prepared by Andrew Martin Planning, dated August 2023</li> <li>• Bushfire Assessment, prepared by Peterson Bushfire, Ref 23017, dated 29.5.23</li> <li>• BCA Report, prepared by MBC Group, Ref 22000602, dated 17 March 2023</li> <li>• Civil Engineering Plans, prepared by Northrop, Project No. 222002-07, Rev 6, dated 23.8.23</li> <li>• Electrical Services drawings, prepared by Northrop, Project No. SY 222002-07, Rev 5, dated 14.8.23</li> <li>• Hydraulic drawings, prepared by Northrop, Project No. SY222002-07, Rev 4, dated 11.8.23</li> <li>• Mechanical Services drawings, prepared by Northrop, Project No. SY222002-07, Rev 4, dated 11.8.23</li> <li>• Cost Summary Reports (Detailed Design), prepared by MBM, dated 19.7.23</li> <li>• Due Diligence Insight Report, prepared by Land Insight, Report No. LI-2965 DDR dated 30.9.22</li> <li>• Biodiversity Development Assessment Report (Draft), prepared by EMM, Ref E230081 RP1N2, dated 26.7.23.</li> <li>• Traffic and Parking Impact Assessment, prepared by McLaren Traffic Engineering, Reference No. 220708.01 FA, dated 22 August 2023</li> <li>• Waste Management Plan (Operational), prepared by NBRS, Rev A, dated 24.8.23</li> </ul>
<b>SPECIAL INFRASTRUCTURE CONTRIBUTIONS</b>	Not applicable
<b>RECOMMENDATION</b>	Approval
<b>DRAFT CONDITIONS TO APPLICANT</b>	Conditions where provided to the applicant on 14/02/2024. General agreement of conditions where received 29/02/2024 and are included as Attachment B.

<b>SCHEDULED MEETING DATE</b>	6 March 2024
<b>PREPARED BY</b>	Sorrell Rangiihu
<b>DATE OF REPORT</b>	29 February 2024
<b>ENDORSED BY</b>	Peter Smith
<b>SIGNATURE</b>	
<b>ENDORSEMENT DATE</b>	7 March 2024

## EXECUTIVE SUMMARY

The development application (DA10.2023.327.1) seeks consent for the construction of a new Emergency Services facility - "NSW Rural Fire Service - Monaro Fire Control Centre" ('the proposal') with training facilities, storage shed, helicopter hanger and pad, radio communications tower and associated landscaping including parking and storm water infrastructure ('the proposal').

The subject land is located at No. 9 Polo Flat Road in the Snowy Monaro Regional Council (SMRC) Local Government Area (LGA) suburb of Polo Flat in NSW (Figure 1). The subject land is currently owned by Snowy Hydro Ltd. The Snowy Monaro Regional Council (the "Council") is to purchase a portion of the land for use by the NSW Rural Fire Service (RFS). A land acquisition will also be required from adjacent land holder "Greater Western Foods" on Geebung Street to facilitate the construction of the new access road. The land acquisition for the access road is being managed by the Snowy Monaro Regional Council with approval for the new access road being assessed under Part 5 of the *Environmental Planning and Assessment Act 1979*.

The site is located in the E4 – General Industrial (Emergency Services Purposes) pursuant to Clause 2.2 of the *Cooma-Monaro Local Environmental Plan 2013* ('LEP 2013') and occurs within the northern section of Lot 14 DP 250029. The subject land is located directly adjacent (east) to the existing RFS (Figure 2).

Whilst Emergency Services Facility (or Helipad) is not identified in the land use tables for zone E4 it is considered to be permitted with consent as it is not listed as prohibited and E4 is identified as an open zone allowing the use to be fall under the "Any development not specified in item 2 or 4" category.

The principle planning controls relevant to the proposal include *State Environmental Planning (Transport and Infrastructure) 2021*, the *Cooma-Monaro Local Environmental Plan 2013 (LEP)* and the *Cooma-Monaro Development Control Plan 2014* ('DCP'). The proposal is consistent with various provisions of the planning controls including:

- Streetscape, height and bulk, setbacks, crime and safety, stormwater;
- Flood Planning;
- Bushfire prone land;
- Groundwater Vulnerability;
- Terrestrial Biodiversity.

The proposed application is not integrated development pursuant to Section 4.46 of the *Environmental Planning and Assessment Act 1979* ('EP&A Act'), however concurrence was required and a referral to DPE – Biodiversity Conservation and Science pursuant to s7.12(2) of the *Biodiversity and Conservation Act 2016* was conducted, Essential Energy were also referred pursuant to *State Environmental Planning Policy (Transport and Infrastructure) 2021* ('Transport and Infrastructure SEPP') and Crown pursuant to Clause 5.2 of the LEP 2013. No issues or objections were raised by any authorities.

The application was placed on public exhibition from 06 November 2023 to 06 December 2023, with one (1) submission being received. The submission raised issues relating to parking insufficiencies within the current facilities and traffic increase and concerns during emergency situations. These issues are considered further in this report.

The application is referred to the Southern Regional Planning Panel ('the Panel') as the development is '*regionally significant development*', pursuant to Section 2.19(1) and Clause (3) and (4) of Schedule 6 of *State Environmental Planning Policy (Planning Systems) 2021* as the proposal is council related development for an *emergency services facility* with a CIV over \$5 million as well as Crown development over \$5 million.

A briefing was held with the Panel on 31 January 2024 where key issues were discussed, including...

1. Access - The proposal is not reliant on the new access road being completed first as provisional access can be granted via the existing council owned lot that will form part of the road way. A deferred commencement is not likely to be required. The new access road is considered development permitted without consent under clause 2.109(1) of the State Environmental Planning policy (Transport and Infrastructure) 2021 which requires a Review of the Environmental Factors under Part 5 of the EP&A Act 1997. The review was completed in January 2024.
2. Traffic and Car Parking – Parking proposed 61 spaces on site as well as provision for 7 trucks. As raised by a submitter the current parking arrangement does not meet the demand during emergency events. Council has no provisions for Emergency Services Facilities but is satisfied that 61 spaces will meet the demand in the future.
3. Potentially Contaminated – The site is listed on councils contamination register due to the use of the site to store aviation fuels at the existing hangar. A due diligence report conducted by the applicant identified the current NSW Rural Fire Service as being potentially contaminated (section 4.2 Due Diligence Insight Report dated 30/9/2022). Due to the continuation of the existing use this raises no concerns as the site is considered an extension to the existing and/or of a similar use.
4. CASA requirements – The inadequacy of any reporting by the applicant on the use of the site for helicopter use appears to be due to the fact that the site has remained as an airfield with the existing use of the northern part of the site still being for this use. Council has requested an address by the applicant to ensure possible future impacts including CASA requirement be addressed. This additional information was not received in time for submission of this report.
5. Land Gifting – Snowy Hydro have arranged to gift the land to Snowy Monaro Regional Council in exchange for the construction of the road. This may allow future land use to more of the existing lot and the potential for future industrial use needs to be considered.

6. Subdivision – Does not form part of this application as incorrectly stated in the Statement of Environmental Effects. The subdivision can be conducted as exempt development under clause 2.75(f) of the State Environmental Planning Policy (Exempt and Complying Codes) 2008 where a lot that is, or is intended to be, used for public purposes including a rural fire brigade or other emergency service purposes can be completed as exempt.
7. Biodiversity – EMM report dated October 2023 identifies impacts as being a loss of 1.9 hectares of native vegetation with 0.24 hectares of this area being identified as Natural Temperate Grassland Critically Endangered Ecological community under the EPBC Act. Impacts requiring offset consist of a total of 29 eco-system credits for PCT 3414 – Monaro Snowgrass-Kangaroo Grass Grassland.
8. Use of the site – The facility will allow for better use from various authorities as a hybrid centre for both fire and rescue operations.

No significant concerns were raised as part of this assessment with requirements for compliance with council standards able to be achieved through the use of conditions in the consent.

The development has been considered against the requirements of section 4.15 (1) of the Environmental Planning and Assessment Act 1979 (as amended) and the provisions of the relevant State environmental planning policies and has achieved an acceptable level of compliance. The application is considered to be of public interest and is an essential facility to support the growing community in a positive way therefore it has been determined that the proposal can be supported.

Following a detailed assessment of the proposal, pursuant to Section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979 (as amended) it is recommended that consent for an Emergency Services Facility – Fire Control Centre at 9 Polo Flat Road Polo Flat (Lot 14 DP 250029) is recommended for approval subject to the conditions contained at **Attachment A** of this report.

## **1. THE SITE AND LOCALITY**

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### **1.1 The Site and Locality**

The site is located on the outskirts of the town of Cooma, within the existing industrial precinct, Polo Flat. Polo Flat is located well away from the urban and residential area of the Cooma town ship.

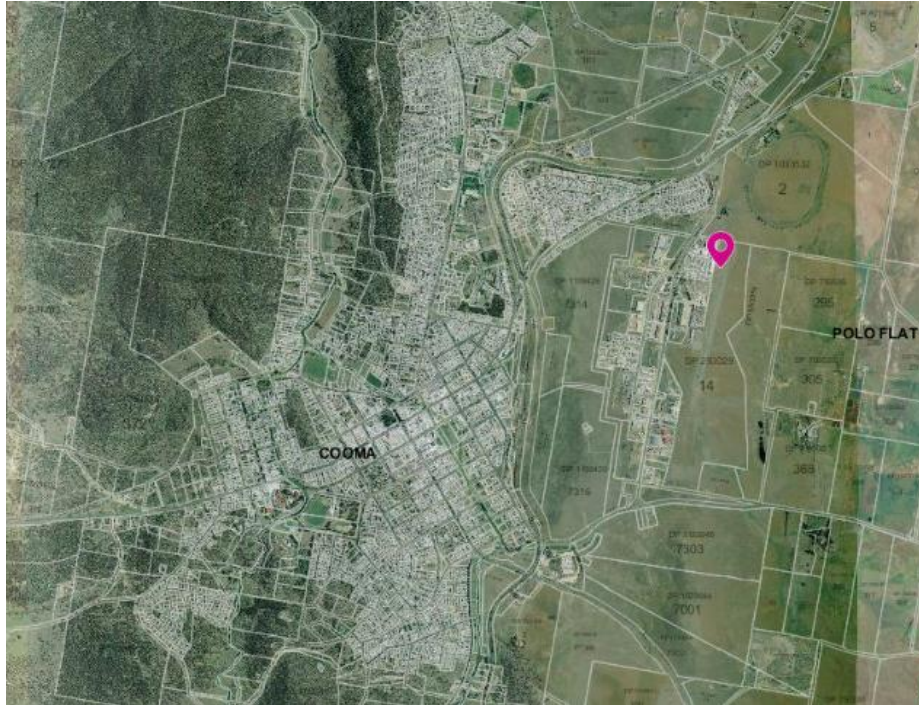
The proposed location is to be adjacent the existing Fire Control Centre which currently operates out of 11 Geebung Street Polo Flat Road on land currently owner by Snowy Monaro Regional Council.

The properties adjoining the subject site contain a mixture of industrial uses including, to the west where the existing RFS lies, transport companies, steel works, shed companies and Tip Top bread to name a few, an abattoir to the east and the race course to the north.

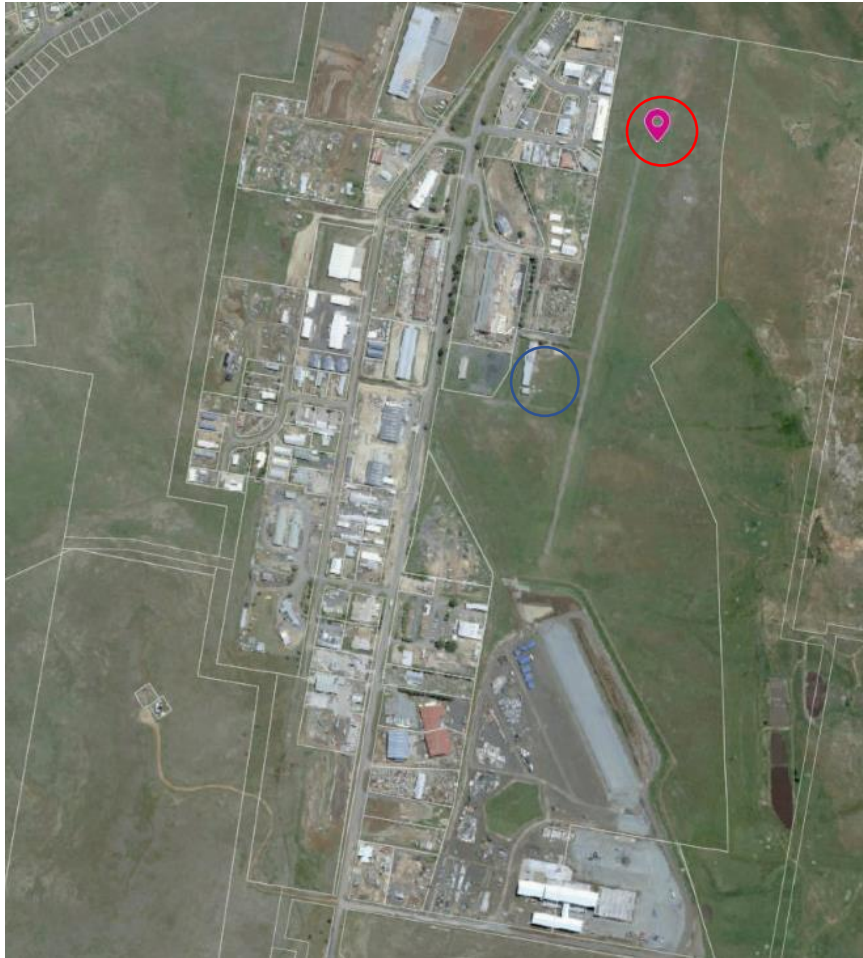
The proposed location is currently owned by Snowy Hydro with a subdivision of land currently being conducted under clause 2.75(f) of the *State Environmental Planning Policy*



*(Exempt and Complying Codes) 2008*. The site has an existing air strip and concrete segment factory currently operating on the southern end of the land. The site (Lot 14) is 56.9 hectares with the proposed subdivision area to be approximately 2.2 hectares. This will accommodate the new access road (3, 155.6m<sup>2</sup>) as well as the proposed Cooma Fire Control Centre (FCC).



**Figure 1 – Site location**



**Figure 2 – The Site location identified in red, existing hanger outlined in blue.**

The newly created site currently within existing Lot 14, the development area, is 1.9 ha in area, and is 92.095m fronting the new roadway, with side boundaries of 196.9m (west) and 181.97m (east) plus two small splays of 6.7m and 13.223 at either end with a northern boundary of 88.395m.

The site no longer operates as a fixed wing air strip only a helicopter pad for private use. The existing hanger is circled in blue which currently houses the RFS helicopter which is approximately 400m from the current RFS location.



**Figure 3 – Street view from Geebung Street where the new road is proposed**





**Figure 4 – Current Facility showing existing parking viewed from Geebung Street**



**Figure 5 – The location of the new site at the rear of the existing looking east**



**Figure 6 – The location of the new site at the rear of the existing looking north**



**Figure 7 – The location of the new site at the rear of the existing looking south**



## **2. THE PROPOSAL AND BACKGROUND**

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### **2.1 The Proposal**

The site is to be owned by the Snowy Monaro Regional Council, providing public land to an essential service that serves the broader community year-round and particularly during an emergency operations or high bushfire seasons.

Construction of the new Cooma Fire Control Centre will consist of the following facilities:

#### Buildings:

- Fire Control Centre building
- Storage buildings (District 5 bays + Mitigation 2 bays)
- Aircraft hangar (helicopter)

#### Ancillary:

- Radio Communications Tower
- Training rooms and grounds
- Parking areas (40 permanent and 23 overflow)
- Helipad and 20kL bunded fuel storage tank
- Outdoor BBQ area
- Extension of utility services to the site (sewer, power, water, telecommunications)
- Landscaping and drainage works including detention basin
- Site identification signage and internal wayfinding signage
- Rainwater tanks - 1 x 50kL FCC building, 2 x 25kL Storage building
- Fire water storage tanks (2 x 49,000L)
- Connection to local power network
- Connection to town water + new water meter along property boundary
- Connection of site to sewer manhole in Geebung Street
- Sewer pump out for hangar building (2kL) and storage building (cannot gravitate to existing infrastructure) + rising sewer mains
- Vehicles access (entry and exit crossovers and driveways to new roadway)
- Vehicular access (7m wide) to existing SES facility adjoining site to west.
- Fencing of the site - chain wire with barb wire on top; front fence - 1.8m palisade with security gates

#### Operation and use of the Fire Control Centre

##### General:

- Monday to Friday: 8 hours per day (or 40 hours per week)

- Weekends - 2 days (12 hours)
- Staffing: up to 10 people
- Helicopter hanger to be manned 24 hours

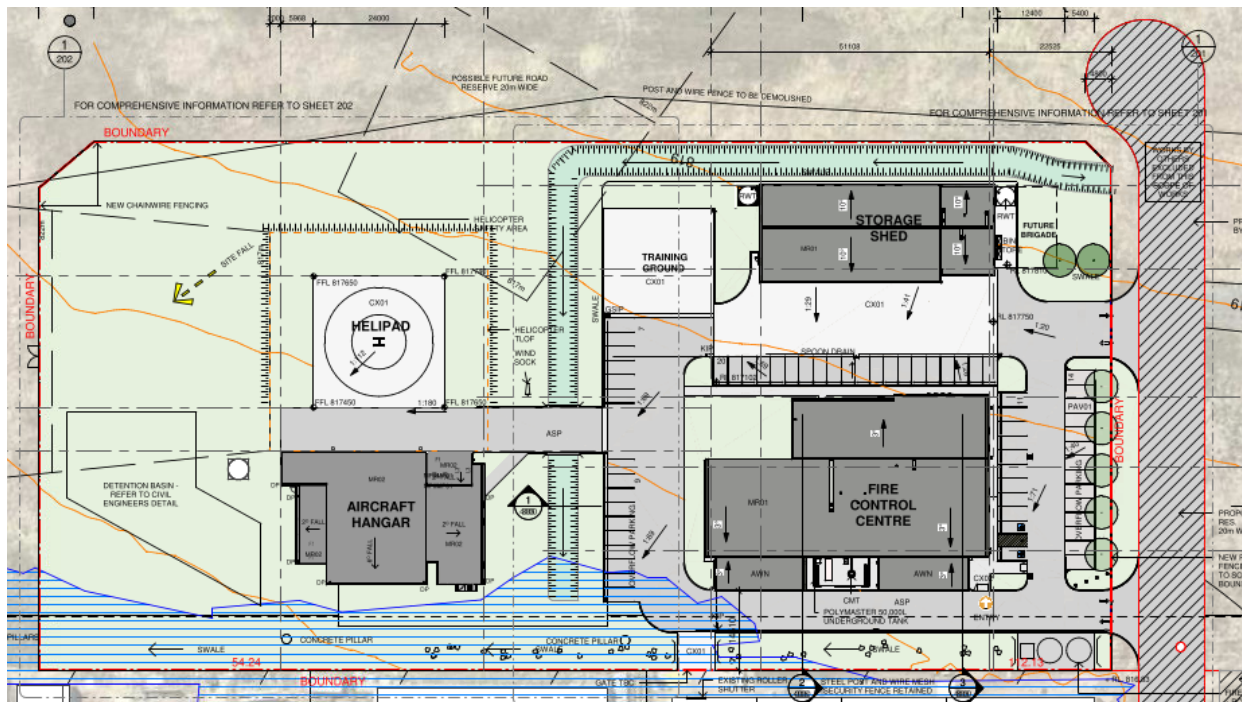
#### Emergency events:

- Conducted in accordance with emergency legislation
- Staffing - up to 100 people at any one time

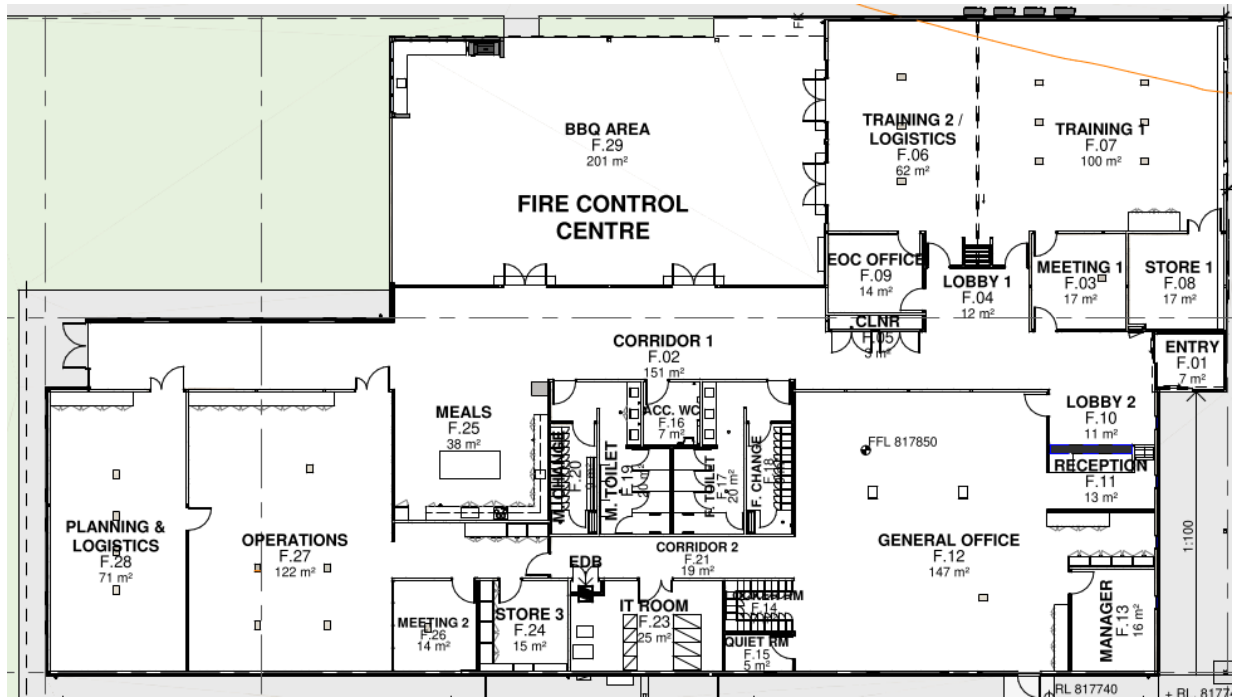
#### Operations do not include:

- RFS Vehicle maintenance on-site
- Refuelling on-site, except for helicopter fuelling - next to hangar
- Commercial kitchen facilities (limited to reheating and basic preparation only)

There is a new road to be constructed to provide access to the site through existing council land that is currently utilised by NSW Rural Fire Service and part of the Tip Top Bread land. The road construction does not form part of this approval and is being assessed under Part 5 of the EP&A Act 1979.



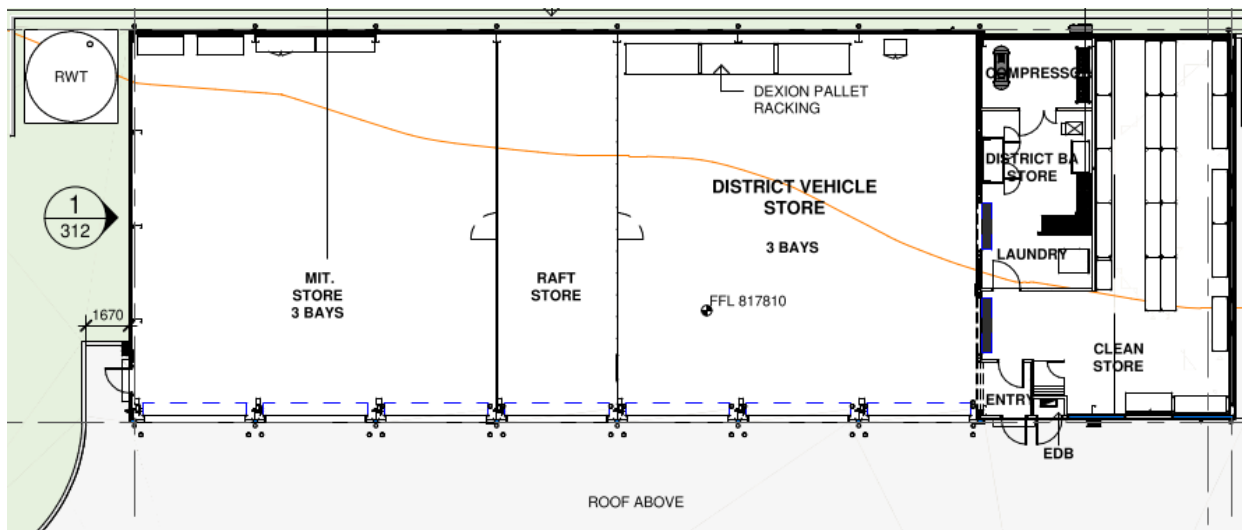
**Figure 8 – Proposed site layout for Cooma Fire Control Centre (NBR5 4/10/2023 Rev. P5)**



**Figure 9 – The internal layout of the main control centre (NBRS 4/10/2023 Rev. P5)**

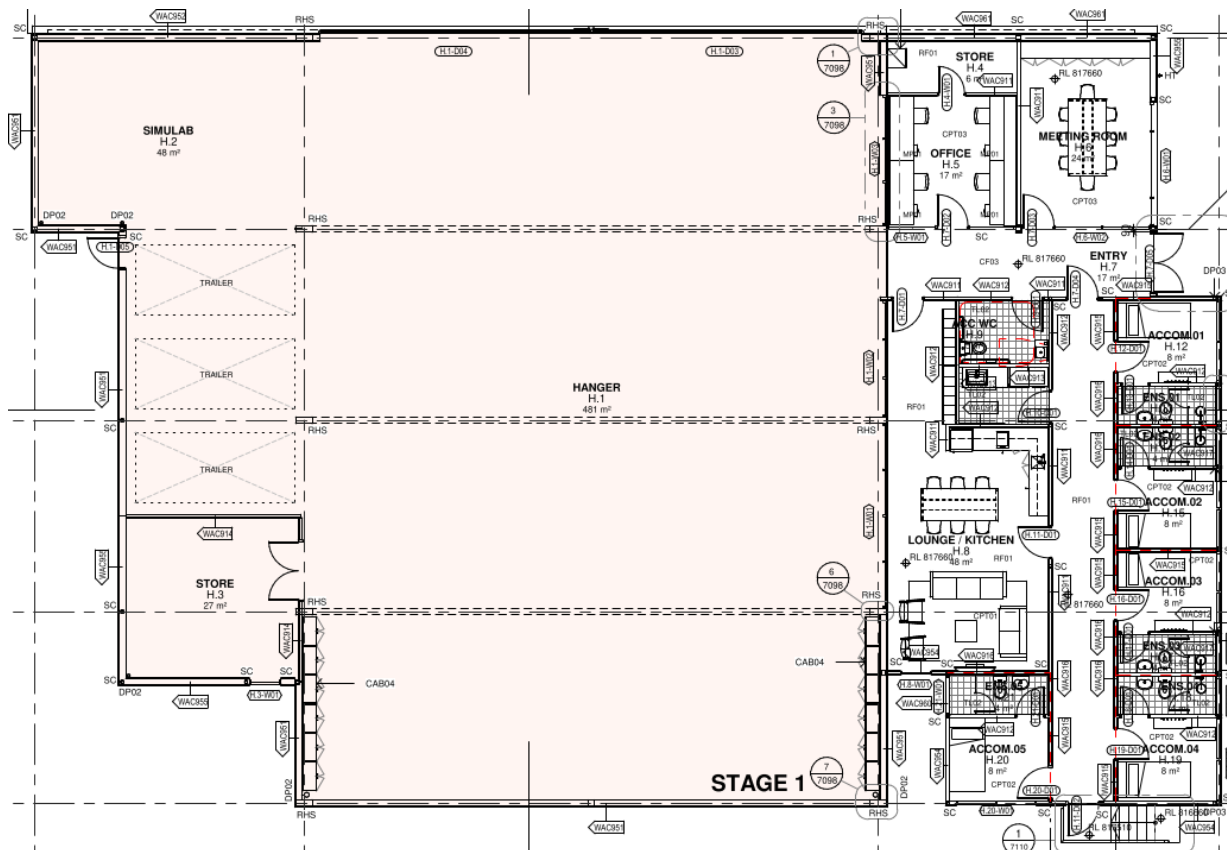
A general foyer area with reception is straight off the entry from the car park. Public can enter here but limited to the view of the operations and screens in the control rooms which is ideal as reducing impacts to public interaction or over hearing of emergency situations is preferred.

The training area has the ability to also double as a community liaison area to take public or community groups in emergency situations.



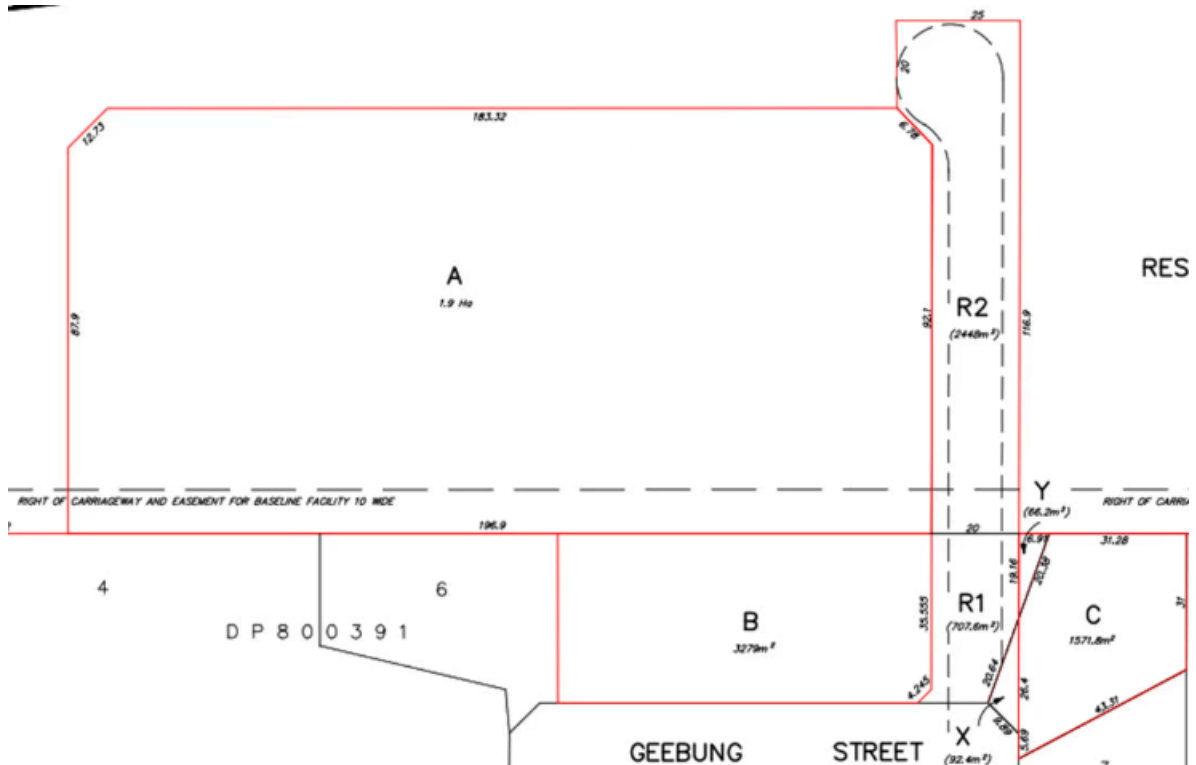
**Figure 10 – The internal layout of the storage area (NBRS 4/10/2023 Rev. P5)**





**Figure 11 – Landscape Plan (NBRS not dated Rev. A)**

The hanger is identified as Stage 1 as a priority to get the facility to hold the current helicopter on site with the amenities for crew listed as stage 2 priority.



**Figure 12 – The lot layout (not part of this application) (NBRS 4/10/2023 Rev. P5)**

**Table 1: Development Data**

<b>Control</b>	<b>Proposal</b>
Site area	Existing lot 14 - 56.8 hectares New Site – 1.9 hectares
GFA	FCC = 979.6m <sup>2</sup> Hanger = 229m <sup>2</sup> + 564m <sup>2</sup> storage Storage shed = 629m <sup>2</sup>
FSR (retail/residential)	Not applicable
Clause 4.6 Requests	Not applicable
Max Height	No provisions apply FCC = 4.5m Proposed storage shed = 6.75m Helicopter Hanger = 8m
Landscaped area	Approximately 9000m <sup>2</sup> or 47%
Car Parking spaces	Complies 61 spaces – including 2 disabled 7 bay truck storage
Setbacks	Complies Front – 22.6m Side – 8m and 12m Rear 43m

## 2.2 Background

No pre-lodgement meeting was held prior to the lodgement of the applicant however a review of the plans was sought via email. Issues raised as part of the review where access to the site and land ownership which are being resolved simultaneously with the application.

A summary of the key issues and how they have been addressed by the proposal is outlined below:

- Biodiversity – BDAR was referred to DPE – Biodiversity and Science with no objections. The BDAR identified a total of 29 Ecosystem credits as required to offset impacts to 1.9 hectares.
- Access – The new access road is considered development permitted without consent under clause 2.109(1) of the State Environmental Planning policy (Transport and Infrastructure) 2021 which requires a Review of the Environmental Factors under Part 5 of the EP&A Act 1997. The review was completed in January 2024.
- Parking – Submitters raised concerns. 61 proposed spaces should meet the demand.
- Truck manoeuvring – Swept path testing conducted by McLaren Traffic Engineering on 22 August 2023 using vehicle to represent Category 1 fire vehicles for manoeuvring into and out of the storage shed as 8.8m long Medium Rigid Vehicle (MRV) in accordance with Clause 2.2(b) of AS2890.2:2018. The design vehicle for deliveries is a 20m long Articulated Vehicle (AV) in accordance with Clause 2.2(d) of

AS2890.2:2018. The swept path results indicate that the site's internal and access design is able to successfully accommodate the design vehicles and that the proposed fire vehicle storage bays are able to be successfully accessed by fire vehicles. It should be noted that the swept path for the fuel tanker to access the aircraft hangar requires the overflow parking area and training ground for manoeuvring. The fuel tanker shall operate under a plan of management.

- Stormwater – Swales and a detention basin have been proposed to manage storm water on site with a stormwater easement proposed on the western boundary to allow for additional stormwater services (if required) on Lot 14 in the future.
- Services – All services can be provided to the site. A review was conducted by councils Development Engineer with no issues raised.
- Potential Contamination – The site is identified on councils register as potentially contaminated due to the existing use for an air strip and storage of aviation fuels. The contamination does not appear to be listed on any searches conducted by the applicant. Groundwater samples were taken by EMM (2019) which identified PFAS as present at concentrations below the relevant assessment criteria. No concerns were raised regarding the new proposed use of the site and the any potential contaminants as the site will not be habitable and the existing use is similar to that of the new proposed use.
- Helicopter Hanger – The applicant has outlined in the Statement of Environmental Effects (SEE) that the hanger and pad will comply with Australian Standards and Civil Aviation Safety Authority (CASA) circular requirements under – Council has requested an address of the requirements be provided and the Additional information is still outstanding, conditions to meet requirements of CASA have been added to the draft conditions provided in **ATTACHMENT A**.

The development application was lodged on 1 October 2023. A chronology of the development application since lodgement is outlined below including the Panel's involvement (briefings, deferrals etc) with the application:

**Table 2: Chronology of the DA**

Date	Event
<b>19 October 2023</b>	DA lodged
<b>6 November 2023</b>	Exhibition of the application for 28 days
<b>3 November 2023</b>	DA referred to external agencies
<b>1 November 2023</b>	Request for Information from Council to applicant regarding an accurate CIV and to upload the data and shape files through BOAMS. All information received promptly 03/11/2023
<b>22 January 2024</b>	Requested Information - Supporting documentation for the use of the site for a helicopter pad/hanger and any necessary CASA documentation requirements Informally requested via email on the 15 <sup>th</sup> December 2023. Formal request made on 22/01/2024. Currently outstanding
<b>31 January 2024</b>	Panel briefing



6 March 2024	Determination
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## 2.3 Site History

The site forms part of an airfield which was originally established in 1921. It was developed in the late 1950s and 1960s to service the Snowy Scheme. It became the base for the Snowy Mountains Hydro-electric Authorities flying unit and aircraft. By 1976, the fleet was reduced to one aeroplane, but the Polo Flat airstrip was still maintained.

The original hangars and terminal buildings are existent on the northern part of Lot 14. The southern portion now includes activities associated with the Snowy Mountains Hydro 2 project, including the Segment Factory constructed in 2021.

- Approval to graze cattle on the land was given in 2000 under DA128/00.
- Approval to erect 3 hangars was given in 2008 under DA107/08
- Approval to erect a hangar was given in 2008 under DA111/08
- Approval for a two lot subdivision was given in 2008 under DA71/08
- Approval for a Segment factory was given in 2020 State Significant application SSI-10034

Existing fire control centre approvals/timeline.

The existing fire control centre is located at 11 Geebung Street Polo Flat (Lot 1 DP832813) and operates out of a shared building owned by Snowy Monaro Regional Council. The RFS has been at this location since 2006 after a development application for commercial alterations to fitout the location for use by the NSW Rural Fire Service was approved.

- Approval for commercial alterations – internal fit out was given in 2005 under DA289/05.
- Approval to erect a radio control tower was given in 2006 under DA92/06
- Approval to erect a garage was given in 2009 under DA142/09 for transfer parking

## 3. STATUTORY CONSIDERATIONS

When determining a development application, the consent authority must take into consideration the matters outlined in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* ('EP&A Act'). These matters as are of relevance to the development application include the following:

- (a) *the provisions of any environmental planning instrument, proposed instrument, development control plan, planning agreement and the regulations*
  - (i) *any environmental planning instrument, and*
  - (ii) *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*

- (iii) any development control plan, and
  - (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and
  - (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),
- that apply to the land to which the development application relates,
- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,
  - (c) the suitability of the site for the development,
  - (d) any submissions made in accordance with this Act or the regulations,
  - (e) the public interest.

These matters are further considered below.

It is noted that the proposal **is not** considered to be integrated Development under s4.46 of the EP&A Act 19997.

### 3.1 Environmental Planning Instruments, proposed instrument, development control plan, planning agreement and the regulations

The relevant environmental planning instruments, proposed instruments, development control plans, planning agreements and the matters for consideration under the Regulation are considered below.

#### (a) Section 4.15(1)(a)(i) - Provisions of Environmental Planning Instruments

The following Environmental Planning Instruments are relevant to this application:

- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- Cooma-Monaro Local Environmental Plan 2013;

A summary of the key matters for consideration arising from these State Environmental Planning Policies are outlined in **Table 3** and considered in more detail below.

**Table 3: Summary of Applicable Environmental Planning Instruments**

EPI	Matters for Consideration	Comply (Y/N)
State Environmental Planning Policy (Biodiversity & Conservation) 2021	Chapter 3: Koala Habitat Protection 2020 Chapter 4: Koala Habitat Protection 2021	Yes
State Environmental Planning Policy	Chapter 2: State and Regional Development	Yes

(Planning Systems) 2021	<ul style="list-style-type: none"> <li>Section 2.19(1) declares the proposal regionally significant development pursuant to Clause 3 of Schedule 6 as it comprises of council related development over \$5 million.</li> </ul>	
SEPP (Resilience & Hazards)	Chapter 4: Remediation of Land <ul style="list-style-type: none"> <li>Section 4.6 - Contamination has been considered in the Statement of Environmental Effect.</li> </ul>	Yes
State Environmental Planning Policy (Transport and Infrastructure) 2021	Chapter 2: Infrastructure – Division 6 Emergency Services Facilities <ul style="list-style-type: none"> <li>Section 2.51 - Development Permitted with consent applies</li> <li>Section 2.52 – not applicable</li> </ul>	Yes
LEP	<ul style="list-style-type: none"> <li>Clause 2.3 – Permissibility and zone objectives</li> <li>Clause 5.21 – Flood Planning</li> <li>Clause 6.1 – Earthworks</li> <li>Clause 6.3 – Terrestrial Biodiversity</li> <li>Clause 6.4 – Groundwater Vulnerability</li> <li>Clause 6.10 – Essential Services</li> </ul>	Yes
DCP	<ul style="list-style-type: none"> <li>Clause 2.3 – Setbacks</li> <li>Clause 6.1 – Bushfire prone land</li> <li>Clause 6.3 – Contaminated Land</li> <li>Clause 6.4 – Flood Prone Land</li> <li>Clause 6.6 – Groundwater Vulnerability</li> <li>Clause 6.9 – Polo Flat Structure Plan</li> </ul>	Yes

Consideration of the relevant SEPPs is outlined below;

*State Environmental Planning Policy (Biodiversity and Conservation) 2021*

*The State Environmental Planning Policy (Biodiversity and Conservation) 2021* (B&C SEPP) 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.

The B&C SEPP adopts two Chapters of relevance to Koala management, with Chapter 3 - Koala habitat protection 2020, and Chapter 4 - Koala habitat protection 2021 both applying to the lot.

While Koala SEPP 2021 applies to Lot 14, there are no koala food trees on the subject site that would be impacted by the proposed development.

*State Environmental Planning Policy (Planning Systems) 2021*

The proposal is *regionally significant development* pursuant to Section 2.19(1) as it satisfies the criteria in 3(d) of Schedule 6 of the Planning Systems SEPP as the proposal is development for council related development over \$5 million. Accordingly, the Southern Regional Planning Panel is the consent authority for the application. The proposal has a CIV of \$16,300,899 (excluding GST) which is consistent with this Policy.

*State Environmental Planning Policy (Resilience and Hazards) 2021*



The provisions of Chapter 3 of *State Environmental Planning Policy (Resilience and Hazards) 2021* ('the Resilience and Hazards SEPP') pertaining to hazardous and offensive development have been considered in the assessment of the development application. Section 3.12 of Resilience and Hazards SEPP requires consent authorities to consider whether the development falls into the definition of potentially hazardous or offensive development, whether any public authorities need to be consulted concerning any environmental and land use safety requirements, whether a preliminary hazard analysis is required, any feasible alternatives to the carrying out of the development and any likely future use of the land surrounding the development.

***potentially hazardous industry*** means a development for the purposes of any industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would pose a significant risk in relation to the locality—

(a) to human health, life or property, or

(b) to the biophysical environment

No hazardous materials, of sizable quantities are to be stored on site (except helicopter fuel). A 20KL bunded fuel tank is proposed to store aviation fuel for helicopter use, this is below the thresholds outlined in Australian Standard AS1940 - 2004 The Storage and Handling of Flammable and Combustible Liquids and the Advisory Circular AC91-25v1.1 Fuel and Oil Safety publication. Any other flammable materials will be less than 10ltrs and stored in suitable flammable cabinet, as per regulations.

Helicopter fuel will be stored in the tank on the northern side of the hangar. This location is well removed from the FCC and storage buildings. All works relating to the safe storage and handling of this fuel will comply with the Australian Standard AS1940 - 2004 The Storage and Handling of Flammable and Combustible Liquids and the Advisory Circular AC91-25v1.1 Fuel and Oil Safety publication.

The provisions of Chapter 4 of the Resilience and Hazards SEPP have also been considered in the assessment of the development application. Section 4.6 of Resilience and Hazards SEPP requires consent authorities to consider whether the land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out.

Contamination has been considered in the Statement of Environmental Effect and a desktop assessment report, generated by Land Insight, dated 30 September 2022 provided. The potential sources of contamination on the site is recognised as being contaminated due to the existing use of the site for aviation fuel storage associated with the existing approved airstrip.

The Land Insight report does not identify any known contamination matters for the subject site. The new allotment is located at the northern end of the old airstrip. This is well away from any fuelling or storage areas that would have been used for aircraft when the airstrip was operational. Therefore, it is reasonable to assume there is low risk of contamination of the land without further assessment.

The new proposed use is considered to be consistent with the existing use and no contamination report has been requested. The site will continue to store aviation fuels for use by the RFS helicopters.

## State Environmental Planning Policy (Transport and Infrastructure) 2021

### Division 6 – Emergency Facilities and Bush Fire Hazards

Section 2.51(2) applies - Development for the purpose of an emergency services facility may be carried out with consent by or on behalf of a public authority (other than the NSW Rural Fire Service) on any land.

### Cooma-Monaro Local Environmental Plan 2013

The relevant local environmental plan applying to the site is the *Cooma-Monaro Local Environmental Plan 2013* ('the CMLEP'). The aims of the LEP include to plan and manage for environmental sustainability, to promote and coordinate the orderly and economic use and development of land, to provide clarity and certainty for the community regarding the future development of Cooma-Monaro, while allowing flexibility to respond to change, to encourage opportunities for development in the urban area, including industrial land and to encourage the siting and management of development to avoid, as far as practicable, conflict between adjoining and nearby land uses, both within and between zones having regard to likely future land uses. The proposal is consistent with these aims as the proposal provides for additional community support and resources during high bushfire season and remains within close proximity to existing and consistent uses to avoid conflict.

### *Zoning and Permissibility (Part 2)*

The site is located within the E4 – General Industrial pursuant to Clause 2.2 of the LEP.

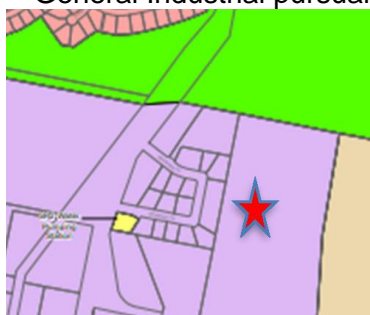


Figure 13 – Zoning - E4 in purple

The proposed FCC is permissible pursuant to the CMLEP. The development is for an Emergency Services Facilities (ESF) and the E4 zone is a prescribed zone.

*Emergency services facility* means a building or place (including a helipad) used in connection with the provision of emergency services by an emergency services organisation.

According to the definitions in Clause 4 (contained in the Dictionary), the proposal satisfies the definition of Emergency Services Facility which is a permissible use with consent in the Land Use Table in Clause 2.3 as it is not listed as prohibited and falls under 'any other development not specified in item 2 or 4'. The proposal, including the helipad and hangar, is permissible with development consent.

The proposed FCC is also permissible under the provisions of the Transport and Infrastructure SEPP clause 2.51(1).

The zone objectives include the following (pursuant to the Land Use Table in Clause 2.3):

- To provide a range of industrial, warehouse, logistics and related land uses.

- To ensure the efficient and viable use of land for industrial uses.
- To minimise any adverse effect of industry on other land uses.
- To encourage employment opportunities.
- To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.
- To ensure that development does not detract from the town centre as the primary business, retail and commercial area


The proposal is considered to be consistent with these zone objectives for the following reasons:

- The proposal allows for efficient and viable use of the currently vacant land by growing existing uses and allowing for further industrial uses to be engaged.
- The proposal minimise any adverse effect of industry on other land uses by creating additional industrial land use opportunities to open up off the new proposed road ensuring more area for industry to develop in an area that was slowly becoming congested and minimising the need to encroach on the town perimeter.
- The proposal will allow for training and employment opportunities within the NSW RFS.
- The proposal does not detract from the town centre as the primary business, retail and commercial area

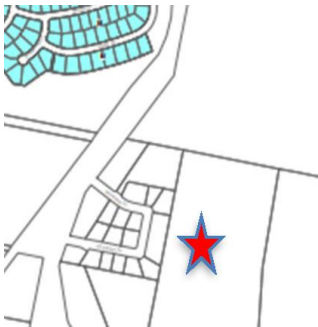
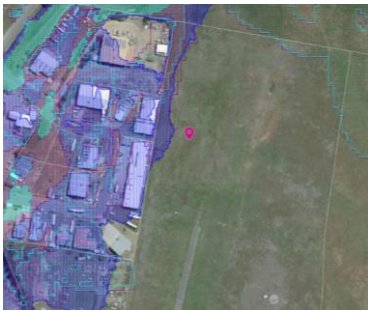
#### *General Controls and Development Standards (Part 2, 4, 5 and 6)*



The LEP also contains controls relating to development standards, miscellaneous provisions and local provisions. The controls relevant to the proposal are considered in **Table 4** below.

**Table 4: Consideration of the LEP Controls**

Control	Requirement	Proposal	Comply
Minimum subdivision Lot size (Cl 4.1)	400m <sup>2</sup>	Not relevant to the proposal however the new lot will comply at 1.9 hectares.	NA
Height of buildings (Cl 4.3)		No provisions apply Maximum height is 9.6m at the hanger which is the tallest structure.	NA



FSR (CI 4.4)		No provisions apply	NA
Flood planning (CI 5.21)		Council is satisfied that the development is compatible with the flood function of the land and is not likely to cause any adverse impacts.	Yes
Earthworks (CI 6.1)	<p>(3) (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,</p> <p>(b) the effect of the development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or the soil to be excavated, or both,</p> <p>(d) the effect of the development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of any fill material and the destination of any excavated material,</p> <p>(f) the likelihood of disturbing relics,</p> <p>(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,</p> <p>(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p>	<p>Earthworks, as detailed in the civil engineering plans are part of the proposal and will be assessed as part of the DA.</p> <p>The proposed earthworks will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.</p>	Yes

Terrestrial Biodiversity (CI 6.3)		<p>The proposal lies outside any mapped Terrestrial Biodiversity.</p> <p>A BDAR supporting the application has also been provided and referred to BCD for comment who had no objection.</p> <p>Council is satisfied no irreversible impacts on native or protected flora or fauna are likely.</p>	Yes
Groundwater Vulnerability (CI 6.4)		<p>The siting of the proposed control centre is well clear of any area identified as being groundwater vulnerable land so it is considered unlikely to impact any ground water vulnerable land.</p>	Yes
Essential Services (CI 6.10)	<p>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—</p> <ul style="list-style-type: none"> <li>(a) the supply of water,</li> <li>(b) the supply of electricity,</li> <li>(c) the disposal and management of sewage,</li> <li>(d) stormwater drainage or on-site conservation,</li> <li>(e) suitable vehicular access</li> </ul>	<p>Water, Electricity, sewerage and storm water can all be extended to the site.</p> <p>Access can be provided once the new road has been completed which has undergone a Part 5 Assessment under the EP&amp;A Act.</p> <p>Council is satisfied that adequate arrangements have been made to ensure all necessary services including access have been satisfied.</p>	Yes

The proposal is considered to be generally consistent with the LEP.

**(b) Section 4.15 (1)(a)(ii) - Provisions of any Proposed Instruments**

There are no proposed instruments which have been the subject of public consultation under the EP&A Act, which are relevant to the proposal.

**(c) Section 4.15(1)(a)(iii) - Provisions of any Development Control Plan**

The following Development Control Plan is relevant to this application:

- *Cooma-Monaro Development Control Plan 2014* ('the DCP')
  - Streetscape – Clause 2.1 – Consistent with the objectives of this clause
  - Building Height and Bulk – Clause 2.2 – Consistent with the objectives of this clause
  - Setbacks – Clause 2.3 - Complies  
Front: 22.6m, Sides 8m and 12m, rear 43m
  - Vehicle Access and Roads – Clause 2.5 – Complies  
Council is satisfied the adequate arrangements have been made to ensure access to the site. Conditions for compliance with council's standards can also be added to any conditions of consent for driveways.
  - Stormwater – Clause 2.6 – Complies  
Detention basin proposed complies with councils requirements
  - Building performance and energy efficiency – Clause 2.7 – Complies  
A section J report was provided demonstrating compliance with this clause
  - Erosion and Sediment Control – Clause 2.8 – Complies
  - Landscaping – Clause 2.9 – Complies  
A landscaping plan was provided
  - Off-street parking and delivery vehicle facilities – Clause 2.10 – Complies  
The DCP does not outline a minimum requirement for Emergency Services facilities however council is satisfied that the proposed 61 spaces will meet the demand. A Traffic Engineering Report including swept paths was provided demonstrating manoeuvrability within the site for various vehicle sizes can be achieved.
  - Infrastructure and Easements – Clause 2.11 – Complies  
An existing Right of way to benefit Snowy Hydro is proposed to be extinguished and replaced with a council stormwater easement for future use if required. No other easements were identified in this part of the lot.
  - Bushfire Prone Land - Clause 6.1 – Complies  
Bushfire Assessment Report by Peterson Bushfire dated 29 May 2023 has been provided. Predominant vegetation is grassland or managed land. BAL 12.5 has been proposed.
  - Contaminated Land - Clause 6.3 – Complies  
The site is listed as contaminated due to the use of the site as an airfield and the storage of aviation fuels. The storage facility for these fuels is not within close proximity to the new proposal and does not pose any risk to the new use which will also continue to store aviation fuels near the hanger.
  - Flood Prone Land – Clause 6.4 – Complies  
A small area of the site not proposed for use is identified as flood prone. No flood report has been requested and no conditions for requirements on floor levels is necessary as all works lie outside the flood prone area.
  - Groundwater Vulnerable Land – Clause 6.6 – Complies  
The proposal lies outside any mapped area of Groundwater vulnerability. The new use is consistent with the existing use of the site and is not likely to cause any additional adverse impacts.

- Polo Flat Structure Plan – Clause 6.9 - Consistent

The following contributions plans are relevant pursuant to Section 7.18 of the EP&A Act and have been considered in the recommended conditions (notwithstanding Contributions plans are not DCPs they are required to be considered):

- *Snowy Monaro Section 7.12 Development Contributions Plan 2022*

This development is not excluded from the requirement to pay contributions under the Section 7.12 Snowy Monaro Local Infrastructure Contributions Plan 2022, as crown development.

Contributions incurred are 1% of the cost of works \$17,930,989.00 = \$179,309.89

Public Works (the applicant) has advised, In accordance with Circular D6, the levying of contributions from Crown developments requires a clear nexus between the developments and the works for which they are collected. As Section 7.12 plans collect indirect contributions, they are not applicable to Crown developments.

As advised conditions for 7.12 contributions have been removed from the draft conditions of consent in ATTACHMENT A.

**(d) Section 4.15(1)(a)(iiia) – Planning agreements under Section 7.4 of the EP&A Act**

There have been no planning agreements entered into and there are no draft planning agreements being proposed for the site.

**(e) Section 4.15(1)(a)(iv) - Provisions of Regulations**

Section 61 of the 2021 EP&A Regulation has been considered and in assessing the proposed development application, no matters are relevant to the proposal.

Section 62 (consideration of fire safety) and Section 64 (consent authority may require upgrade of buildings) of the 2021 EP&A Regulation are not relevant to the proposal.

These provisions of the 2021 EP&A Regulation have been considered and are addressed in the recommended draft conditions (where necessary).

**3.2 Section 4.15(1)(b) - Likely Impacts of Development**

The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality have been considered. In this regard, potential impacts related to the proposal have been considered in response to SEPPs, LEP and DCP controls outlined above and the Key Issues section below.

The consideration of impacts on the natural and built environments includes the following:

- Context and setting – The proposal is considered to be generally consistent with the context of the site, in that the proposed Emergency Services Facility and helicopter hanger are similar to the existing use on the site and adjoining site. The site is appropriate as the industrial zoning is an ideal context for such development and the



location marks the edge of the industrial area and the eastern edge of the town of Cooma which is ideal with consistent streetscape, scale, mass, form, character to surrounding development and minimal potential impacts on adjoining properties or land uses.

- Access and traffic – The proposed Fire Control centre traffic and travel demand will be similar to the existing demand placed on Geebung Street with additional parking spaces proposed it may reduce congestion during emergency events and allow better flow for vehicles and personal to and from the site during emergencies. The new access road may allow for further industrial use of lot 14 in the future.
- Public Domain – The proposal will not adversely impact on any public domain. There is the race course to the north of the site which will not be accessible via the new road at this stage and limited pedestrian traffic is also unlikely. The proposed helicopter pad is placed at that part of the site closest the race course which may cause impacts if race meets coincide with high fire danger days. The site currently gets utilised by the RFS for this use under an agreement between RFS and the airfield so no additional impacts are expected to occur. Conditions to ensure compliance with CASA guidelines should be used to ensure safe aviation practices are followed.
- Utilities – All essential utilities are able to be provided to the site. Essential Energy have provided their approval with general comments attached in the draft conditions of consent.
- Storm water - The site is proposing a detention basin to manage all the storm water for the development on site. This will minimise any likely impacts further down during wet seasons and minimise any impacts from flooding at the north-western part of the site where the site is slightly flood prone.
- Heritage – The site does not have any heritage items within close proximity.
- Aboriginal Heritage - There are no identified cultural and/or archaeological heritage constraints in regard to the proposed works. No Aboriginal objects are known or predicted to be present in the site.
- Land uses – The proposed use is consistent with the existing use of the site to the west as an RFS control centre and the south as an air field and is not likely to cause any conflict in uses. All the land to the east is zoned RU1 – Primary Production and is owned by Monbeef which is an abattoir and although agricultural in nature the use of the site for an abattoir is more an agricultural industry business.
- Water/air/soils impacts – The site has been well designed to ensure impacts from stormwater and any potential soil contaminations from aviation fuels can be well isolated. The open area to the north west of the site is very open and contains an area for fuelling an area for water detention and the area for the helicopter pad.
- Flora and fauna impacts – Clearing of native grasslands has been identified as being over the clearing threshold and a BDAR has been completed by EMM dated October 2023. The BDAR identified that impacts would occur to 1.9 hectares of the site and an offset of 29 ecosystem credits to require to offset these impacts.
- Natural environment – The proposal appears to be considerate and consistent with the natural contours of the site.

- Noise and vibration – Noise and vibration has not been identified as a key issue due to the location being within an industrial area. Conditions for operating within normal work hours to minimise any noise and vibration impacts will be included in the draft conditions.
- Natural hazards – The site has a small area impacted by flood which lies outside of any area proposed for development. A Bushfire Assessment Report by Peterson Bushfire dated 29 May 2023 has been provided addressing the bushfire hazard on the site, The hazard been adequately addressed by the report with a low risk being identified and a BAL of 12.5 recommended along with APZ management.
- Safety, security and crime prevention – The industrial design of the buildings do not contain recesses or similar which would present opportunities for hiding. Formal parking is located in front of the FCC building, near the main entry. Other parking around the site is centrally located with good vision to the stores building and hangar. The site is an active site with staff and visitor onsite daily, the landscaping scheme for the site does not create hiding spaces around the buildings or across the site
- Social impact – The new facility will allow for greater use by all RFS brigades within the greater local government area. The addition of training grounds and BBQ facilities will encourage more people to the RFS and a healthier social interaction between its brigades, members and their families.
- Economic impact – The proposal will allow for a hybrid use of the site by various emergency services authorities as well as the training area being able to be converted into a community liaison area during emergency events. This shall allow for more training and employment opportunities to arise from the proposal as well as the opportunity for the RFS to have their own helicopter based in the region allowing staff to be based in Cooma also. The facility is to be transferred to council facility similar to the existing RFS control centre and will allow for the current facility to go back out to lease.
- Site design and internal design – The site has been designed to and set out appropriately on the site to mitigate any potential impacts. The reception and visitor area has been proposed to the front of the site directly off the access with the helicopter pad, fuelling and truck storage all located further away from any expected visitors. Way finder signage will be used on the site for RFS members but the design does limit access by visitors.

Traffic manoeuvrability on site and to/from the site has been assessed by McLaren Traffic Engineering to ensure the site can accommodate large vehicles for RFS use and refuelling. The fuel tank was discovered to impact on some car parking when moving within the site and a condition to ensure refuelling is conducted under a plan of management has been advised.

- Construction – Construction requirements will be for BCA standards for a class 5 for the main control centre and class 7b for the storage facility .Councils standard conditions for hours of operation will apply and be added to the draft conditions of consent along with conditions for dust control measures and excavation. No major issues were raised in regards to construction requirements.
- Cumulative impacts – The proposal does not identify any adverse cumulative impacts. It is generally consistent with the planning controls will allow for additional industrial

sites to be proposed in the future as illustrated in some previous designs that identify a road that may wrap around the rear of the site..

- Slope – the site has a 2m fall across the site falling to the north-west corner. The stormwater and detention tank has been designed to work with the slope and ensure no run off or impact from the proposed development to adjoining properties at the north western boundary.



**Figure 14 – 2m Contour on the site illustrated by SMRC council mapping.**

Accordingly, it is considered that the proposal will not result in any significant adverse impacts in the locality as outlined above.

### **3.3 Section 4.15(1)(c) - Suitability of the site**

- The proposal fits within the locality, the site is relatively flat and is adjacent the existing FCC and an aircraft strip of a similar use to the proposal.
- Adequate services can be provided to the site
- Natural hazards include bushfire and minor flooding which have been adequately addressed in the application.
- There are no site attributes conducive to the development.

### **3.4 Section 4.15(1)(d) - Public Submissions**

These submissions are considered in Section 5 of this report.

### **3.5 Section 4.15(1)(e) - Public interest**

After the 2019-2020 Black Summer bush fires the NSW Government awarded \$8.5 million to the NSW Rural Fire Service (RFS) for emergency management centres in key locations. One of the chosen centres was Cooma which supports 33 Brigades throughout the region. Cooma has an existing fire control centre in a shared building with the SES.

The proposed Fire Control Centre is consistent with the public interest as it will allow for better management of emergency personnel during emergency situations and in turn better response times, allowing for on-site parking sufficient enough to cater for all personnel and better flow of emergency service vehicles.

## 4. REFERRALS AND SUBMISSIONS

### 4.1 Agency Referrals and Concurrence

The development application has been referred to various agencies for comment/concurrence/referral as required by the EP&A Act and outlined below in Table 5.

There are no outstanding issues arising from these concurrence and referral requirements subject to the imposition of the recommended conditions of consent being imposed.

**Table 5: Concurrence and Referrals to agencies**

Agency	Concurrence/ referral trigger	Comments (Issue, resolution, conditions)	Resolved
<b>Concurrence Requirements (s4.13 of EP&amp;A Act)</b>			
Environment Agency Head (Environment, Energy & Science Group within DPIE)	S7.12(2) - <i>Biodiversity Conservation Act 2016</i>	The proposal is likely to significantly affect threatened species and accordingly, the proposal has provided a biodiversity development assessment report. This report concluded that the proposal will impact 1.9 hectares of PCT 3414 – Monaro Snowgrass-Kangaroo Grass Grasslands and that a total of 29 Ecosystem credits will be required to offset these impacts. Concurrence has been granted on 15 <sup>th</sup> December 2023	Yes
Rail authority for the rail corridor	Section 2.98(3) - <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	NA	NA
<b>Referral/Consultation Agencies</b>			
RFS	S4.14 – EP&A Act	The site is identified as being bushfire prone land as shown by	Yes

	Development on bushfire prone land	the bushfire prone land mapping however the development does not involve habitable uses (Class 1, 2 or 3) or Special Fire Protection Purpose (SFPP) development as defined by 'Planning for Bush Fire Protection 2019' (PBP) Consideration under section 8 of Planning for Bushfire Protection 2019 is all that is required. Construction proposed to comply with a BAL12.5 as outlined in the Statement of Environmental Effects point 5.4.4 on page 34.	
Electricity supply authority	Section 2.48 – <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	No concerns were raised with Essential Energy providing general comments outlined in Attachment G.	Yes
Rail authority	Section 2.97 – <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	NA	NA
Transport for NSW	Section 2.121 – <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	NA	NA
Design Review Panel	CI 28(2)(a) – SEPP 65	NA	NA
<b>Integrated Development (S 4.46 of the EP&amp;A Act)</b>			
RFS	S100B - <i>Rural Fires Act 1997</i> Bush fire safety of subdivision of land that could lawfully be used for residential or rural residential purposes or development of land for special fire protection purposes.	The site is identified as being bushfire prone land as shown by the bushfire prone land mapping however the development does not involve habitable uses (Class 1, 2 or 3) or Special Fire Protection Purpose (SFPP) development as defined by 'Planning for Bush Fire Protection 2019' (PBP)	NA
Natural Resources Access Regulator	S89-91 – <i>Water Management Act 2000</i> water use approval, water management work approval or activity approval under Part 3 of Chapter 3	NA	NA

## 4.2 Council Officer Referrals



The development application has been referred to various Council officers for technical review as outlined **Table 6**.

**Table 6: Consideration of Council Referrals**

Officer	Comments	Resolved
Engineering	Council's Engineering Officer reviewed the submitted storm water concept plan and considered that there were no objections subject to conditions.	Y
Water/Wastewater	Complete The applicant proposes to use a pump to get all waste water to a level on the site that will allow for gravity feeding to the sewer line.	Y

The outstanding issues raised by Council officers are considered in the Key Issues section of this report.

#### 4.3 Community Consultation

The proposal was notified in accordance with the DCP and Council's Community Participation Plan from 6 November 2023 until 4 December 2023. The notification included the following:

- An advertisement in the local newspaper – The Monaro Post edition 1 November 2023
- Notification letters sent to adjoining and adjacent properties (a total of 40 notification letters were sent);
- Notification on the Council's website.

The Council received a total of one (1) unique submission, comprising one (1) objection to the proposal. The issues raised in these submissions are considered in **Table 7**.

**Table 7: Community Submissions**

Issue	No of submissions	Council Comments
<b>Parking and Traffic</b>  Submission raised concern regarding current site not meeting parking requirements to accommodate all personal and trucks during times of emergencies which in turn	1	<p>The new fire control centre provides for 61 parking spaces as well as a separate fire truck storage area. The current site provides only 4 car spaces.</p> <p>The proposed parking and access will allow for multiple brigades to attend the site if required and allow for additional trucks on site and the storage shed.</p> <p>The new access road will ensure all RFS trucks are entering and exiting from the one location.</p> <p><b>Outcome:</b> Although the DCP does not outline any parking requirements for emergency service facilities, council has determined the issue has been</p>

creates traffic hazards.		satisfactorily addressed by the applicant with 61 spaces being provided as outlined in the proposed plans.
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## 5. KEY ISSUES

The following key issues are relevant to the assessment of this application having considered the relevant planning controls and the proposal in detail:

### 5.1 Biodiversity

The proposal is likely to significantly affect threatened species and accordingly, the proposal was required to provide a biodiversity development assessment report (BDAR). Referral to Biodiversity and Conservation Division (BCD) was conducted with BCD's initial advice dated 15 November 2023 outlined some inconsistency with the BAM-C and targeted surveys not being undertaken however the applicant rectified these concerns and uploaded the required data to the BAM\_C as well as the amended BDAR on the 29<sup>th</sup> of November 2023. A response with no objections raised by BCD was received on 15<sup>th</sup> December 2023.

Resolution: The issues have been resolved and BCD have raised no concerns regarding the assessment. A condition requiring a total of 29 Ecosystem credits to offset impacts to 1.9 hectares of PCT 3414 – Monaro Snowgrass-Kangaroo Grass Grasslands will need to be placed on any condition of consent.

### 5.2 Traffic, Parking and Access

Access to the site is to be via a new road constructed by council under a Part 5 assessment. Satisfactory arrangements to ensure access to the site can be achieved have been made and council has no concerns that these arrangements will not impact or stall the development progress or approval as the land (to be transferred to council land also) is consistent with the existing block fronting Geebung Street and can be used immediately for site access.

Parking was proposed at 61 spaces including 2 disabled spots with an additional provision for 7 trucks in a storage shed. An assessment of the traffic engineering design was conducted by McLaren Traffic Engineering on the 22 August 2023. The swept path results indicate that the site's internal and access design is able to successfully accommodate the design vehicles and that the proposed fire vehicle storage bays are able to be successfully accessed by fire vehicles. Council is satisfied that the proposed 61 spaces will meet any demand requirements and that the assessment provided demonstrates trucks can manoeuvre effectively in, out and around the site.

Resolution: The part 5 for the access has been reviewed and approved. The parking concerns raised and any truck manoeuvring issue have been resolved and accordingly, warrants approval of the application

### 5.3 Rotor Wash Assessment – CASA Requirements

The inadequacy of any reporting by the applicant on the use of the site for helicopter use appears to be due to the fact that Lot 14 has remained as an approved airfield and helicopter

hanger at the northern part of the site since 2008. The site is no longer used for any fixed wing aircraft however the existing use of the site for helicopter hanger has never ceased and is currently the used to house the Rural Fire Service helicopter.

The potential for impacts on adjoining properties from rotor wash is possible with the existing site to be vacated by the RFS the proximity to the existing site may cause conflict with future tenants on the site or any potential land owners that may occur should Snowy Hydro decide to subdivide the land to the rear. Council has requested an address by the applicant to ensure possible future impacts including CASA requirement be addressed however a detailed assessment was not provided within the required timeframe.

**Resolution:** Council can only conclude that the use of the site for a helicopter pad is consistent with the current use of the site and is therefore not likely to cause any immediate impacts. Recommendation of the imposition of conditions of consent to ensure compliance with any requirements of the Civil Aviation Safety Authority is recommended and are outlined in **Attachment A**.

## **6. CONCLUSION**

This development application has been considered in accordance with the requirements of the EP&A Act and the Regulations as outlined in this report. Following a thorough assessment of the relevant planning controls, issues raised in submissions and the key issues identified in this report, it is considered that the application can be supported.

A brief summary of the main concerns and how they were resolved are outlined below:

- Access – Not impacting the proposals ability to start construction and has been finalised via a Part 5 Approval.
- Subdivision – Is able to be completed as exempt development. No impact the ability to determine the application as the proposal can be assessed regardless of the subdivision and is permissible on the site as it currently stands.
- Stormwater – resolved via on-site detention.
- Biodiversity – resolved with a requirement to condition that offsets of 29 Eco-system Credit be applied to determination notice.
- Parking – Proposed 61 spaces will meet demand and addresses submitters concerns.
- Helicopter use – CASA requirements to be placed on determination notice.

Based on a full assessment of the built, natural and environmental factors council is satisfied that the site is suitable for the proposed use and is compatible with the locality.

It is considered that the key issues as outlined in Section 6 have been resolved satisfactorily through amendments to the proposal and/or in the recommended draft conditions at **Attachment A**.

## **7. RECOMMENDATION**

That the Development Application DA10.2023.327 for an Fire Control Centre (Emergency Services Facility) at 9 Polo Flat Road, POLO FLAT (Lot 14 DP 250029) be APPROVED pursuant to Section 4.16(1)(a) or (b) of the *Environmental Planning and Assessment Act 1979* subject to the draft conditions of consent attached to this report at Attachment A.

The following attachments are provided:

- Attachment A: Draft Conditions of consent
- Attachment B: General agreement of imposition of Conditions
- Attachment C: Submissions
- Attachment D: Crown Response Letter – No objection
- Attachment E: Essential Energy Response Letter – General Comments
- Attachment F: DPE - Biodiversity Conservation Division Correspondence
- Attachment G: Updated Biodiversity Assessment Report
- Attachment H: Architectural Plans
- Attachment I: Statement of Environmental Effects
- Attachment J: Landscape Plans
- Attachment K: Bushfire Assessment Report
- Attachment L: Civil Engineering Plan
- Attachment M : Section J Report
- Attachment N : BCA Design Compliance Report
- Attachment O : Geotechnical Report
- Attachment P : Traffic Engineering Assessment
- Attachment Q : Waste Management Plan
- Attachment R : Due Diligence Report
- Attachment S: Survey