

**COUNCIL ASSESSMENT REPORT**  
SOUTHERN REGIONAL PLANNING PANEL

<b>PANEL REFERENCE &amp; DA NUMBER</b>	PPSSTH-336 / DA.2024.0027
<b>DEVELOPMENT</b>	Residential Flat Building with 163 units across 6 Buildings with basement parking
<b>ADDRESS</b>	18 Glenrock Drive, Googong NSW 2620 (Lot 642 DP 1289740)
<b>APPLICANT</b>	Base Developments Pty Ltd
<b>OWNER</b>	642 Googong Pty Ltd
<b>DA LODGEMENT DATE</b>	5 February 2024
<b>APPLICATION TYPE</b>	Development Application
<b>REGIONALLY SIGNIFICANT CRITERIA</b>	Clause 2.19 and Schedule 6(2) of State Environmental Planning Policy (Planning System) 2021 – Development that has a capital investment value (CIV) of more than \$30 million.
<b>CIV</b>	\$60,365,197.00
<b>CLAUSE 4.6 REQUESTS</b>	Clause 4.3 Height of Buildings (QPRC LEP 2022)
<b>KEY SEPP/LEP</b>	<ul style="list-style-type: none"> <li>• State Environmental Planning Policy (Planning Systems) 2021</li> <li>• State Environmental Planning Policy (Biodiversity &amp; Conservation) 2021</li> <li>• State Environmental Planning Policy – (Sustainable Buildings) 2022</li> <li>• State Environmental Planning Policy (Resilience &amp; Hazards) 2021</li> <li>• State Environmental Planning Policy (Housing) 2021</li> <li>• State Environmental Planning Policy (Transport and Infrastructure) 2021</li> <li>• Queanbeyan-Palerang Regional Local Environmental Plan 2022</li> </ul>
<b>TOTAL &amp; UNIQUE SUBMISSIONS KEY ISSUES IN SUBMISSIONS</b>	<p>The development was publicly notified in accordance with the Queanbeyan-Palerang Community Participation Plan 2019 (CPP) and the provisions of Environmental Planning and Assessment Regulations 2021 (EP&amp;A Regulation). The notification period was for 31 days from 4 March to 3 April 2024.</p> <p>No submissions were received.</p>
<b>DOCUMENTS SUBMITTED FOR CONSIDERATION</b>	<p>Appendix 1: Recommended Conditions of consent</p> <p>Appendix 2: Architectural Plans</p> <p>Appendix 3 Engineering Plans</p> <p>Appendix 4: Landscape Plans</p>

	Appendix 5: Design Verification Statement Appendix 6: Statement of Environmental Effects Appendix 7: Table 6: SEPP (Housing) - Apartment Design Guide Part Three – Siting the Development Appendix 8: Clause 4.6 Exceptions to development standards Justification Report
<b>SPECIAL INFRASTRUCTURE CONTRIBUTIONS (S7.24)</b>	The site is not located in an area that Special Infrastructure Contributions (SIC) apply.
<b>RECOMMENDATION</b>	Approval
<b>DRAFT CONDITIONS TO APPLICANT</b>	No
<b>SCHEDULED MEETING DATE</b>	21 August 2024
<b>PREPARED BY</b>	Mark Pepping Associate   Principal Planner Zone Planning NSW Pty Ltd
<b>DATE OF REPORT</b>	30 July 2024

## EXECUTIVE SUMMARY

Development consent is sought under DA.2024.0027 for a residential flat building development comprising six buildings containing a total of 163 units which will comprise one, two, and three bedroom units (the development). The development also includes and 316 residential parking spaces and 33 visitor parking spaces all located within the basement car park areas apart from 12 visitor spaces including 2 accessible visitor spaces located at grade adjoining Buildings A and F. All required car parking spaces are provided on site.

The development is 'Regional Development' as defined by Chapter 2 Schedule 6 of State Environmental Planning Policy (Planning Systems) 2021 (PS SEPP) – The development is for a residential flat building with a CIV over \$30 million in value (being \$60,365,197.00) . The Southern Regional Planning Panel (SRPP) is the relevant determining authority.

### Consultation

The development was notified in accordance with the Queanbeyan Community Participation Plan 2019 for 31 days duration from 4 March to 3 April 2024. The notification included the following:

- Notification letters sent to adjoining and adjacent properties;
- Notification on the Council's website.

The Council received no submissions in response to the notification.

### Integrated Development

The development is not nominated as integrated development.

### Other external referrals

The development was referred to Department of Planning and Environment, Essential Energy, Transport for NSW, Canberra Airport and the NSW Police. A discussion on these referrals is proposed in Table 9 of Section 4.1 of this report.

### Pre-conditions to granting development consent

The following legislative clauses apply to the development which require the consent authority satisfaction prior to the granting of development consent:

- Chapter 2 'State and Regional Development' and Schedule 6 of State Environmental Planning Policy (Planning Systems) 2021 (PS SEPP) – The development is for a residential flat building with a CIV over \$30 million in value . The Southern Regional Planning Panel (SRPP) is the relevant determining authority.
- Chapter 4 – Clause 4.6 'Contamination and remediation to be considered in determining development application' of State Environmental Planning (Resilience and Hazards) 2021. A search of Council's records and aerial photos indicates the site is a part of a recently approved subdivision (DA 123-2017) which was approved by the SRPP on 10 January 2018 which created 932 residential allotments, superlots and allotment for community facilities. Potential contamination was assessed as part of this development application and is discussed in detail in this report. On this basis, the site is considered suitable for the proposed use.
- Chapter 2.2 – Clause 2.6 Clearing that requires permit or approval of State Environmental Planning Policy (Biodiversity & Conservation) 2021—provides that a person must not clear vegetation in any non-rural area of the State without the authority confirmed by a permit granted by the council. The application does not involve tree removal.
- Clauses 5 and 6 of the Building Sustainability Index BASIX– 2022 (Sustainable Buildings SEPP) - A BASIX assessment is required to be provided with the development application.

The development is accompanied by BASIX Certificate 1729536M dated 10 December 2023 which meets the requirements of the SEPP. A condition has been recommended requiring the BASIX certificate be complied with.

- Clause 2.3 'Zone objectives and Land Use Table' of Queanbeyan-Palerang Regional Local Environmental Plan 2022 (QLEP) – The development site is zoned part R1 General Residential and part E1 Local Centre– 'residential flat buildings' are permissible with consent via in the land use table for the R1 General Residential zoned portion of the site and as an Additional Permitted Use under Schedule 1 – Item 7 – Use of certain land in Googong – Zone E1 Local Centre.
- Clause 4.6 – Exceptions to development standards provides that Development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that—
  - (a) compliance with the development standard is unreasonable or unnecessary in the circumstances, and
  - (b) there are sufficient environmental planning grounds to justify the contravention of the development standard.
- Clause 7.1(3) 'Earthworks' provides several matters that the consent authority must consider prior to granting development consent to earthworks. The matters listed under cl.7.1(3) have been considered during the assessment and the proposed works are acceptable.

## Key Issues

The key issues considered during the assessment related to :

- Vehicular access
- Parking arrangements
- Building Apartment design for Building E & F

Amended plans were submitted which redesigned the basement level to increase the size. As a result, the carparking generated by the development is contained wholly on the site.

The development has been assessed under Section 4.15(1) of the EP&A Act 1979 and is considered satisfactory. Accordingly, it is recommended that the application be approved for the reasons set out in Appendix A.

## Recommendation

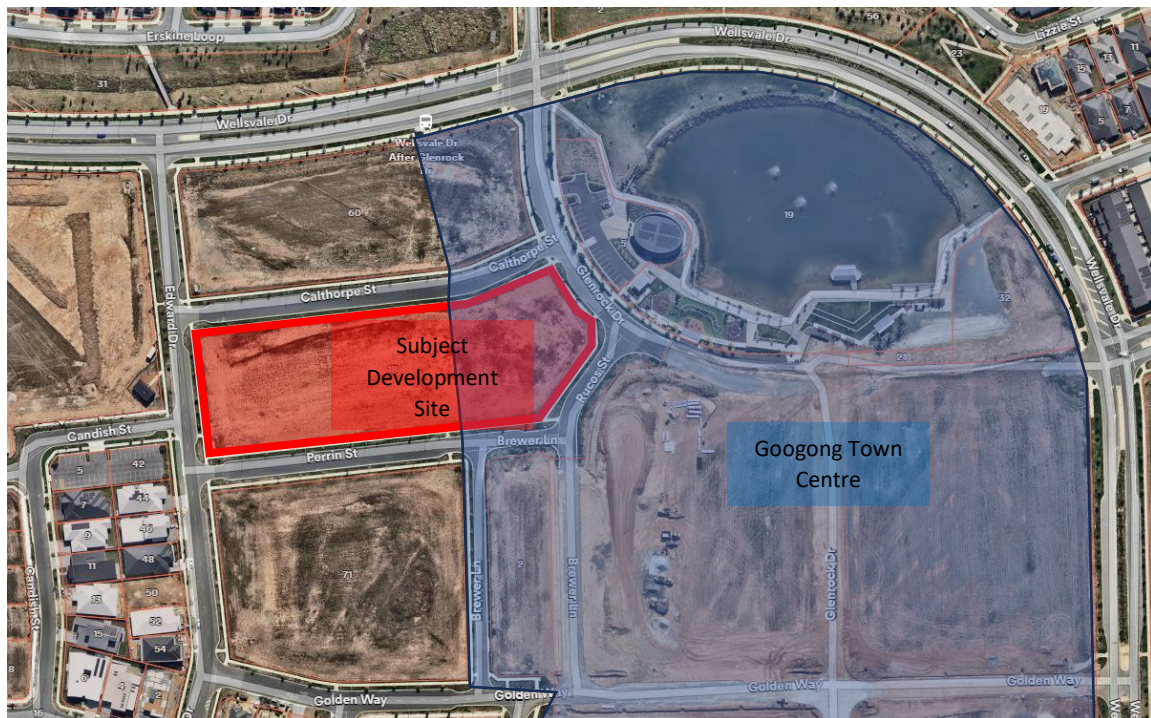
That the Development Application DA.2024.0027 for Construction of a Residential Flat Building development comprising 6 buildings containing a total of 163 units over a two level basement parking area, associated services, civil work, and landscaping at 18 Glenrock Drive, Googong, NSW 2620, be **APPROVED** 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.

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

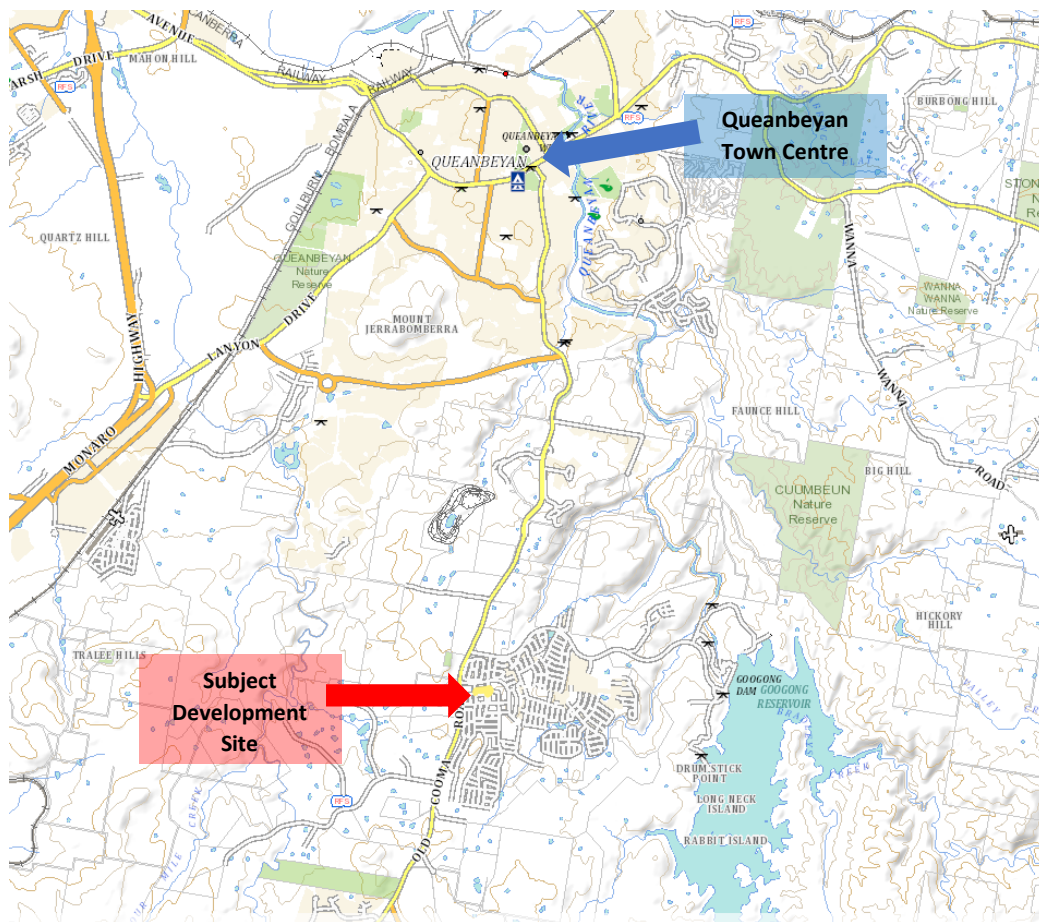
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### **1.1 The Site**

The site is currently vacant and comprises 11,901m<sup>2</sup> of part R1 General Residential and part E1 Local Centre zoned land pursuant to the Queanbeyan-Palerang Regional Local Environmental Plan 2022 (QLEP) and is located at 18 Glenrock Drive, Googong, NSW 2620 and is legally described as Lot 642 DP 1289740 (the site). The site is located approximately 8km south from the Queanbeyan Central Business District (CBD) and is located within the Queanbeyan Palerang Regional Local Government Area (LGA).



**Figure 1: Site Location (Source Nearmap)**



**Figure 2: Broad location (Source: NSW Planning Portal Spatial Viewer)**



The site has six frontages being Calthorpe Street (north), Edward Drive (west), Perrin Street and Brewer Lane (south) and Glenrock Street and Rucos Street (east). The highest point onsite is 759.5m Australian Height Datum (AHD) in the southwestern corner of the site and the lowest point is 751.5m in the eastern corner of the site. The natural slope of the site is approximately 4%.

The site is not flood or bushfire prone. The site contains no heritage items, is not in a heritage conservation area, and is not in close proximity to a heritage item, including those of Aboriginal significance, as confirmed through a 200m wide Aboriginal Heritage Information Management System (AHIMS) search which was undertaken on 1 July 2024.

The site is not burdened by any easements.

The site was inspected on 9 May 2024. Photos from the site inspection are included below.



Figure 3: Photo of site from the east (Glenrock Dr) looking west



Figure 4: Photo of site from south-east looking west along Calthorpe Street



Figure 4: Photo of site from south west looking east along Perrin Street

## **1.2 The Locality**

The site is located within Neighbourhood 2 of the Googong township (NH2) which is 8km south of the Queanbeyan CBD.

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. Neighbourhood 2 comprises a mix of residential commercial and community facilities as part of the Town Centre and is located in the western part of the Googong Township. Areas within Neighbourhood 2 are undergoing constructions including low density areas to the west of the site. Neighbourhood 2 also includes Bunyip Park located to the east of the subject site and can be seen in Figure 1 above.

Within the vicinity of the site are a number of other phases of development relation to the Googong Township:

- a) Neighbourhood 1A to the east and northeast that is now largely completed and occupied. This phase of development comprises predominantly residential accommodation with areas of public amenity.
- b) Neighbourhood 1B to the east currently under construction. This phase includes residential accommodation, a neighbourhood centre and an area of biodiversity conservation.
- c) Future Neighbourhood 3 (Googong Central) to the south. This phase consists of residential accommodation and a large town centre/commercial core.
- d) Future Neighbourhood 4 (Googong South) to the south-east. This phase consists of predominantly residential accommodation.

The area surrounding the Googong Township 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 northwest of the site on the western side of Old Cooma Road (Refer to Figure 2).

## **2. THE DEVELOPMENT AND BACKGROUND**

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### **2.1 The Development**

The Applicant is seeking development consent for a residential flat building development comprising six buildings containing a total of 163 units which will comprise one, two and three bedroom units (the development). The development also includes 316 residential parking spaces and 33 visitor parking spaces in a basement car park areas and 12 non basement visitor parking spaces adjacent to the internal driveway. Each of the adaptable units are provided with 2 accessible parking spaces capable of meeting ASNZS 2890.6 Off-street parking for people with disabilities.



The development will include one (5) five storey building (Building A), two (4) four storey buildings (Buildings B & C) and three (3) three storey buildings (Buildings D, E & F) with a unit makeup as follows:

**Table 1: Unit Provision**

	Blg A	Blg B	Blg C	Blg D	Blg E	Blg F	
Level 4	-	-	8	-	-	-	
Level 3	9	8	8	8	-	-	
Level 2	9	8	8	8	6	6	
Level 1	9	8	6	6	6	6	
Ground	9	6	-	-	6	6	
Lower Ground	9	-	-	-	-	-	
<b>Total</b>	<b>45</b>	<b>30</b>	<b>30</b>	<b>22</b>	<b>18</b>	<b>18</b>	<b>163</b>

Of the 163 units, there are 16 one bedroom units, 12 one bedroom plus study units, 107 two bedroom units and 28 three bedroom units. Of the total units there are 17 two bedroom units (UT2G & UT2H) and three bedroom units (UT3B) which are designed as adaptable units and which are located within buildings A, B, C and D. These buildings have lift access from the basement car parks to the top floors. In addition, the development incorporates a total of 33 (20%) Liveable Housing Units in accordance with the Design Quality Guidelines for Residential Apartment Developments.

The development includes a centrally located communal open space area (approx. 1,440m<sup>2</sup>) forming a central park between the buildings. Each building contains a mix of units facing the internal communal area of the surrounding streetscape areas. The majority of units have dual aspect which offers cross ventilation and passive surveillance opportunities of the communal area and surrounding public streets. Landscaped areas are proposed within the communal open space and the ground floor setback areas. Total planting area is approximately 3,097m<sup>2</sup> or 26% of the site. The development also provides a communal lounge with gymnasium and pool.

Each building with the exception of Buildings E and F has one or two combined central lift and stairwell core providing access to the upper-level apartments with all buildings internally connected to the basement car park. Building E and F has a stairwell only as these buildings consist of three levels only above the basement they are within the NCC requirements. Pedestrian access to the development is proposed to be provided from various points within the site between the respective buildings. In total, ten entry points are provided to the common open space. Ground floor facing Rucos Street, Calthorpe Street and Edward Street have individual entry points from the street as well as a rear door from the communal open space.

Two vehicle access driveways are proposed at the eastern end of the site off Calthorpe Street and Perrin Street and allow for drive through of the site. The development has three basement entry points below Building A, Building B and Building F accessed off the internal two driveway. The lower basement is access via the basement entrance under Building A and the Lower ground carpark is accessed via the entrances under Buildings A and F. There is no ability to move between the separate basement parking levels. A total of 316 resident parking spaces and 21 visitor carparking spaces making a total of 349 parking spaces within the basement levels. A further 12 visitor parking spaces are available on the site at grade adjoining the internal drive through driveways including 2 accessible spaces. Fourteen (14) of the adaptable units have equivalent to 3 parking spaces each should the occupants of the respective units not necessitate an accessible space. As such the development meets the required resident and visitor parking space requirements on site. Individual lifts and stairwell cores provide

access to all apartments for each building except Buildings E and F which are serviced by a stairwell only with all buildings internally connected to the basement car parking levels.

All required services can be provided via an extension to existing utility infrastructure as follows:

#### **Water**

The site will be serviced by the existing 150mm pipe for water along Edward Drive via a new water meter cabinet.

#### **Sewer**

The development will be serviced by 2 existing 150mm sewer inlet tie points located on the eastern end of the site on Glenrock Drive and western end of the site on Edward Drive.

#### **Stormwater**

The site is to be serviced by a combination of 150mm, 300mm and 450mm stormwater pipes which connect to the existing stormwater system at the eastern end of the site on corner of Rucos Street and Glenrock Drive.

#### **Waste**

Waste and recycling bins for the development are proposed to be stored within four dedicated bin storerooms located on the basement car park below buildings B – F with the major facilities adjoining the dual entry driveways at the eastern end of the car park. The pick up point for waste is provided in an external pick up bay located within the site between the carpark entry points.

Equivalent to 159 bin units for waste bins and recycling have been calculated for the development. Based on the estimated litres per unit of waste and recycling, the development will be equipped with 18 x 1.1m<sup>3</sup> bin capacities for waste and recycling. These bins will be wheeled out for collection within the designated site location on the main driveway throughfare. No pick up from the surrounding streets will be required. In addition to the waste and recycling bin collection facilities, the development has also made provision for 34 green waste bins of 0.14m<sup>3</sup> capacity.

One street tree will be removed to facilitate the development driveway from Perrin Street and will be required to be replaced as a condition of consent in a more appropriate location in proximity to the site.

#### **Internal Referrals:**

The development was referred internally to Land Use Planning, Development Engineering, Accredited Certifiers, Health Officer, Local Development Committee, New Release Coordinator and Waste Officer. Comments from the Council's departments are discussed later in the report.

#### **External Referrals:**

The development was referred externally to NSW Department of Planning & Environment, Essential Energy, Transport for NSW, NSW Police and Canberra Airport. All external referral responses are discussed in Tables 2 and 3.

## **2.2 Background**

No pre-lodgement meeting was held Council.

The development application was lodged on **5 February 2024**. A chronology of the development application since lodgement is outlined below including the Southern Regional Planning Panel's (SRPP) involvement:

**Table 2: Chronology of Development**

Date	Actions	Addressed
4 <sup>th</sup> March to 3 <sup>rd</sup> April 2024	Development Application publicly notified.	
30 <sup>th</sup> April 2024	Council appoints external consultancy to undertake the assessment of the application and prepare the determination report.	
6 <sup>th</sup> June 2024	A request for further information (RFI) was issued to the Applicant requesting additional detail in respect of internal vehicle circulation issues and parking, Access to buildings E & F and waste management amongst other issues.	The Applicant responded on 2 July 2024 to this request for additional information. The additional information included amended plans and updated Statement of Environmental Effects is considered satisfactory.
17 July 2024	<p>A briefing was undertaken with the SRPP including a site inspection to provide an update on progress of the development application assessment.</p> <p>A background to the development and an overview of the assessment process to date was provided on site.</p> <p>A reconvened meeting in the afternoon included the applicant via on-line steam.</p> <p>The SRPP raised questions regarding:</p> <ul style="list-style-type: none"> <li>• Parking to increase the on-site visitor parking and the accessible parking arrangements to comply with AS 2890.1</li> </ul>	<p>The Applicant provided a presentation of the development and discussed the responses included in the amended plans to address the request for further information.</p> <p>The applicant was encouraged to undertake a further review to address the parking shortfall on the site.</p> <p>Waste collection arrangements are discussed in detail in this report and are considered satisfactory</p>
29 July 2024	Amended plans and documents submitted.	Parking shortfall addressed to be compliant.

## 2.3 Site History

The site is located within Neighbourhood 2 of the Googong Township which is a new township comprising approximately 790ha of land currently zoned for urban development located approximately 8 kilometres south of Queanbeyan CBD.

The Googong Master Plan broadly sets out the ultimate development outcomes for Googong which envisages some 6,600 dwellings, accommodating a population of approximately 18,000 people.

Googong Township is being developed as a series of five neighbourhoods which are broken down into smaller development stages. 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.

Development consent (DA 123-2017) was issued for the following in relation to the subdivision of NH2:

*'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.'*

This development application proposes the development of one site in NH2.

## 3. STATUTORY CONSIDERATIONS

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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). The 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 considered below.

### 3.1 Environmental Planning Instruments

The relevant environmental planning instruments (EPIs), proposed instruments, development control plans, planning agreements and the matters for consideration under the EP&A Regulation are considered below.

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

The following EPI are relevant to this development application:

- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Housing) 2021
- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Sustainable Buildings) 2022
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- Queanbeyan-Palerang Regional Local Environmental Plan 2022

A summary of the key matters for consideration arising from these State Environmental Planning Policies (SEPPs) is outlined in **Table 4**.

**Table 4: Summary of Applicable Environmental Planning Instruments**

EPI	Matters for Consideration								
State Environmental Planning Policy (Biodiversity & Conservation) 2021	<b>Chapter Two: Vegetation in non-rural areas</b> Chapter Two of the Biodiversity and Conservation SEPP (B&C SEPP) applies to the development pursuant to section 2.3 and aims to protect the biodiversity and amenity values of trees within non-rural areas of the state. Part 2.3 has been considered and as development consent is being sought for the removal/relocation of vegetation (one street tree) under this development, no further consideration of Chapter Two is required.								
	<b>Chapter Four: Koala Habitat Protection 2021</b> Chapter Four – Koala Habitat Protection 2021 of the B&C SEPP applies to the development pursuant to section 4.4 and aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.								
	<table><tr><th>Control</th><th>Development</th><th>Outcome</th></tr><tr><td><b>Section 4.8</b> - Does the site have a KPOM?</td><td>No</td><td>Determination of the development must be consistent with the KPOM. If no, proceed to Clause 4.9.</td></tr><tr><td><b>Section 4.9</b> - Does the site have a site area greater than 1.0 Ha or does the site form part of a landholding greater than 1.0 Ha in area?</td><td>Yes</td><td>Assessment under B&amp;C SEPP required.</td></tr></table>	Control	Development	Outcome	<b>Section 4.8</b> - Does the site have a KPOM?	No	Determination of the development must be consistent with the KPOM. If no, proceed to Clause 4.9.	<b>Section 4.9</b> - Does the site have a site area greater than 1.0 Ha or does the site form part of a landholding greater than 1.0 Ha in area?	Yes
Control	Development	Outcome							
<b>Section 4.8</b> - Does the site have a KPOM?	No	Determination of the development must be consistent with the KPOM. If no, proceed to Clause 4.9.							
<b>Section 4.9</b> - Does the site have a site area greater than 1.0 Ha or does the site form part of a landholding greater than 1.0 Ha in area?	Yes	Assessment under B&C SEPP required.							

EPI	Matters for Consideration		
	<p><b>Section 4.9</b> - Is the development likely to have any impact on koalas or koala habitat.</p> <p><i>Note: 'koala habitat' means koala habitat however described in a plan of management under this Chapter or a former Koala SEPP and includes core koala habitat.</i></p>	No	Development satisfactory under B&C SEPP – able to grant consent.
	<p>The development has been assessed against the requirements of Chapter Four of the B&amp;C SEPP (see Table 2) and it has been determined that the development would meet the requirements and objectives of the B&amp;C SEPP.</p>		
State Environmental Planning Policy (Housing) 2021	<p><b>Chapter 4 Design of Residential Apartment Development</b> Chapter 4 of State Environmental Planning Policy (Housing) 2021 applies to development pursuant to section 144 and as it is for the purpose of a residential flat building and is greater than three storeys in height and contains more than four dwellings.</p> <p>Section 147(1) requires an assessment of the development against the design quality principles and the Apartment Design Guide (ADG) as provided below.</p>		
State Environmental Planning Policy (Planning Systems) 2021	<p>State Environmental Planning Policy (Planning Systems) 2021 applies to the development pursuant to Part 2.4 – Regionally Significant Development as the development is classified as regionally significant development under Schedule 6 of the PS SEPP.</p> <p><b>Chapter 2: State and Regional Development</b> The development has a CIV of \$60,365,197.00 and is therefore classified as being 'regionally significant development' pursuant to Section 2.19(1) and Clause 2 of Schedule 6 of Planning Systems in having a CIV of more than \$30 million.</p>		
State Environmental Planning Policy (Resilience & Hazards) 2021	<p><b>Chapter 4: Remediation of Land</b> Chapter 4 of State Environmental Planning Policy (Resilience &amp; Hazards) 2021 applies to the site pursuant to Section 4.4 and aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. Section 4.6 requires that consent must not be granted to the carrying out of any development on land unless the consent authority has considered whether the land is contaminated or requires remediation for the proposed use to be carried out.</p> <p>The site forms part of an approved subdivision for Googong Neighbourhood 2 (DA 123-2017). A Detailed Contamination Assessment was submitted with the subdivision application. The report was prepared by Geotechnique Pty Ltd reference 12675/4-AB dated 16 May 2017.</p> <p>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.</p> <p>A review of the contamination assessment indicated that there were three areas of environmental concern.</p>		

EPI	Matters for Consideration
	<p>The first related to elevated levels of hydrocarbon products in soil in isolated locations in the central portion of the site. However, further testing 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.</p> <p>The second related 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.</p> <p>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. Given these concerns Geotechnique undertook a detailed investigation of this area.</p> <p>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.</p> <p>As a result, remediation of this area would need to be carried out before it is suitable for the proposed land uses. Notwithstanding this the consultant considered that the site could be made suitable for the residential and commercial land uses subject to management works and a remedial action plan an environmental management plan.</p> <p>While additional remediation, validation and management was required there was nothing in the Geotechnique report which indicated that the contamination issues could not be remediated. In their conclusions they stated “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.</p> <p>A Site Audit Report 289R dated 1 March 2023 prepared by Harwood Environmental Consultants advised that subject to compliance with the Geotechnique Pty Ltd report Environmental Management Plan Neighbourhood 2 Old Cooma Road Googong was suitable for the following uses:</p> <ol style="list-style-type: none"> <li>1. Residential with accessible soil, including garden (minimal home-grown produce contributing less than 10% fruit and vegetable intake excluding poultry.</li> <li>2. Residential with minimal opportunity for access, including units;</li> <li>3. Park, recreational, open space, playing fields; and</li> <li>4. Commercial/industrial.</li> </ol>
State Environmental Planning Policy (Transport and	<p><u>Chapter Two: Infrastructure</u></p> <p>Chapter 2 of State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&amp;I SEPP) applies to the development pursuant to Section 2.2 and aims to facilitate the effective delivery of infrastructure across the State.</p>

EPI	Matters for Consideration
Infrastructure) 2021	<p>Section 2.48 of the T&amp;I SEPP requires certain development to be referred to the relevant electricity supply authority and any response is to be considered as part of the assessment.</p> <p>The development was referred to Essential Energy (EE) for comment under clause 2.48(2)(a). Based on the documents submitted, Essential Energy had no comments to make as to potential safety risks arising from the proposed development.</p> <p>EE did not recommend conditions to be included in the development consent provided any activities in proximity to electrical infrastructure 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.</p> <p>Under Schedule 3, the development is considered to be traffic generating development due to having more than 200 carparking spaces. Pursuant to clause 1.22 of the T&amp;I SEPP, all traffic generating developments require concurrence from Transport for NSW (TfNSW).</p> <p>TfNSW did not object to the development, noting that Council must be satisfied that the increased yield of the subject lot, considering the cumulative impact of increased yields of other sites within Googong, will not adversely impact on the performance of the local road network.</p> <p>A Traffic Impact Assessment (TIA) was provided by the Applicant for the development. The development provides 322 on-site parking spaces of the 331 spaces generated by the development. The shortfall of 9 spaces relates to visitor parking spaces and relates to available on street parking. The TIA was reviewed by Council's Development Engineer who has required all parking to be provided on site. Justification for the variation is presented in Table 9 below.</p>
State Environmental Planning Policy (Sustainable Buildings) 2022	<p>Chapter 2 Standards for Residential Development – BASIX</p> <p>State Environmental Planning Policy (Sustainable Buildings) 2022 applies to development pursuant to Chapter 2 as it is for the purpose of a residential flat building.</p> <p>A Multi Dwelling BASIX Certificate Number 1729536M was issued for the 163 unit development on 10 December 2023.</p>
Queanbeyan- Palerang Regional Local Environmental Plan 2022 (QLEP)	<ul style="list-style-type: none"> <li>• Clause 2.3 – Permissibility and zone objectives</li> <li>• Clause 2.5 &amp; Schedule 1) Additional Permitted uses for particular land</li> <li>• Clause 4.1 – Minimum lot size</li> <li>• Clause 4.3 – Building Height</li> <li>• Clause 4.4 - Floor space ratio</li> <li>• Clause 4.6 – Exceptions to Development Standards</li> <li>• Clause 5.3 – Development near zone boundaries</li> <li>• Clause 7.1 – Earthworks</li> <li>• Clause 7.8 – Airspace operations</li> <li>• Clause 7.12 – Essential services</li> </ul>



EPI	Matters for Consideration
Queanbeyan Development Control Plan 2012 (QDCP)	Part Two
Googong Development Control Plan 2010 (GDCP)	Part Seven

### State Environmental Planning Policy (Housing) 2021

Chapter 4 of SEPP (Housing 2021) applies as the development is for the purpose of a residential flat building.

Pursuant to Section 147 of the SEPP, development consent must not be granted if, in the opinion of the consent authority, the development or modification does not demonstrate that adequate regard has been given to:

- (a) the design quality of the development when evaluated in accordance with the design quality principles, and
- (b) the Apartment Design Guide, and
- (c) any advice received from a design review panel within 14 days after the consent authority referred the development application or modification application to the panel.

An assessment of the development against Schedule 9 of the SEPP is provided below. It is noted that the development was not referred to a Design Review Panel for comment.

**Table 5: SEPP (Housing) - Design Quality Principles**

SEPP Housing - Design Quality Principles	Comments	Compliance
<p><b>Principle 1: Context and neighbourhood character</b></p> <p>Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.</p> <p>Responding to context involves identifying the desirable elements of an area's existing or future character.</p> <p>Well-designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.</p> <p>Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.</p>	<p>Being part within the Googong Town Centre designated area, the development is considered to integrate with the future neighbourhood and the future design character of the area. The building design aligns with the envisioned neighbourhood character outlined in the Googong Township and Councils' DCPs in relation to medium-density development.</p> <p>The development includes the use of diverse materials, including concrete, metal cladding, brick, and aluminium. The Development provides an appropriate scale which strongly addresses the surrounding streets. All dwellings are oriented to provide passive surveillance of the street and maximise outlook to adjacent open space. Ground floor dwellings are commercially adaptable along Glenrock Drive.</p> <p>The central and western part of the site are zoned R1 General Residential. The proposed development is of lower scale and orientated to address surrounding low density residential streets. Courtyards and balconies provide appropriate levels of privacy and interaction with the street network.</p>	<p>Compliant</p>

SEPP Housing - Design Quality Principles	Comments	Compliance
<p><b>Principle 2: Built form and scale</b> Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.</p> <p>Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.</p> <p>Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</p>	<p>The development is considered to account for the scale, bulk, and height in relation to the existing character of the area and the desired future character. The eastern part of the site within the Town Centre has a 16m height limit (5 storey). The central and western parts of the site have 12m height limit (3 to 4 storey) and which interface with medium to low density residential developments.</p> <p>All street setbacks are generally in keeping with DCP requirements. The setback continuity reinforces the character of the area, complimenting the streetscape, framing the public domain and enhancing the sites east-west orientation. Setbacks are deep soil with extensive landscaping. Ground floor units with direct street access through private courtyards enhance the connectivity with the public realm. The inclusion of ground floor and upper floor living areas and balconies that overlook the street and central communal area enhances surveillance, contributing to the safety and liveability of the development.</p>	Compliant
<p><b>Principle 3: Density</b> Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.</p> <p>Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.</p>	<p>The development proposes 163 units across six buildings.</p> <p>The proposal achieves an appropriate density as it does not exceed the FSR or site coverage requirements. There is minor encroachment to the height plane which is considered below as part of the Variation Request under Clause 4.6.</p>	Compliant

SEPP Housing - Design Quality Principles	Comments	Compliance
<p><b>Principle 4: Sustainability</b> Good design combines positive environmental, social and economic outcomes.</p> <p>Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.</p>	<p>The site's east-west orientation and topography promote good northerly aspect. As a result, 77% of proposed dwellings achieve the minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter.</p> <p>78% of the proposed dwellings are naturally cross-ventilated, which exceeds the minimum 60% stipulated in the ADG. All dwellings are designed to maximise their aspect with good outlook and privacy.</p> <p>The development will incorporate sustainability measures such as water and energy efficiency including the installation of water-efficient fixtures and energy-efficient lighting. A BASIX Certificate has been prepared that confirms that the proposed buildings meet Water Use, Thermal Comfort, and Energy efficiency targets.</p> <p>Landscaping includes deep soil planting in excess of the requirement (17% instead of the required 7%) and a mix of native and exotic plant species suitable for the microclimatic conditions of the site are proposed. Planting has been selected from the Googong Design Guidelines.</p>	Compliant



SEPP Housing - Design Quality Principles	Comments	Compliance
<p><b>Principle 5: Landscape</b></p> <p>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.</p> <p>Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.</p> <p>Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.</p>	<p>The development integrates the built form and landscaping to contribute to the quality of the surrounding public domain and provide amenity and outlook to residents. The green, central common space provides opportunity for casual interaction between residents. Planting is proposed along the street frontage and side and rear boundaries to provide privacy to lower-level dwellings and soften the street interface.</p> <p>Furthermore, the site takes advantage of the proximity of Bunyip Park and Town Centre, ensuring a strong connection to the surrounding public domain</p> <p>A communal open space area is proposed at ground level, providing a high quality, private amenity area for residents of the development whilst the selection of trees and vegetation is considered to complement the proposed built form.</p> <p>The ground floor apartments enjoy gardens within or adjacent to their oversized outdoor courtyard spaces. The site is also bound with perimeter planting to maximise privacy.</p> <p>The proposed landscaping will provide significant benefit to the future residents of the development as well as residents in the locality and is considered to contribute to the future character of the area.</p>	Compliant

SEPP Housing - Design Quality Principles	Comments	Compliance
<p><b>Principle 6: Amenity</b>            Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well being.</p> <p>Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.</p>	<p>The development provides for sufficient solar access to both the private and communal open space and is considered to satisfactorily address the street frontages through the use of ground level access to the ground level units.</p> <p>The proposed apartments are efficiently planned to avoid wasted space but provided with generous living spaces and bedrooms. Each dwelling provides the minimum private open space area requirements at all levels.</p> <p>Being a development which is separated by roads to all other surrounding sites, the development will not unacceptably impact on the amenity of adjoining properties including solar access and privacy.</p> <p>Apartments are oriented to benefit from views to the north. Apartment layouts have been designed to maximise solar access to living spaces, and natural cross-ventilation.</p> <p>All dwellings are provided with storage that meet the minimum recommended volume.</p> <p>The design of the buildings ensures that large areas of blank walls are avoided and the use of a variety of features such as projecting balconies, material changes, and planter boxes break up the façade.</p> <p>The development is provided with a pool, gymnasium and communal lounge as part of the development which provides residents with recreation socialising facilities</p>	<p>Compliant</p>

SEPP Housing - Design Quality Principles	Comments	Compliance
<p><b>Principle 7: Safety</b>            Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.</p> <p>A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.</p>	<p>Passive surveillance opportunities are maximised through the layout with building entries being clearly identifiable from the street, balconies positioned to encourage passive surveillance over the street frontages and the communal landscape areas, carparking being located within the secured areas, strategically positioned windows and lobby areas and well lit areas.</p> <p>Ground floor Principle Private Open Spaces (PPOS) are located within the front setback and accessible from living rooms. Adequate landscape zones are also provided in front of courtyard fences, enhancing the environment. All PPOS meet the Apartment Design Guide's minimum dimensions and areas.</p> <p>Front fences include a combination of materials, providing openness while preserving privacy. Ground floor front gates are prominently visible and accessible from the street.</p>	<p>Compliant</p>

SEPP Housing - Design Quality Principles	Comments	Compliance
<p><b>Principle 8: Housing diversity and social interaction</b>            Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.</p> <p>Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.</p> <p>Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.</p>	<p>The development offers a variety of unit types and sizes including larger, family sized units, catering to different demographics, needs, and budgets in accordance with the masterplan approval for the site.</p> <p>20% of dwellings in the development have been designed to achieve the Liveable Housing Guideline's Silver Level design features which meets the ADG minimum recommendation. All such dwellings are provided with lift access from the street and basement car park.</p> <p>10% of dwellings in the development have been designed as adaptable to AS4299. All such dwellings are provided with lift access from the street and basement car park.</p>	Compliant
<p><b>Principle 9: Aesthetics</b>            Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.</p> <p>The visual appearance of a well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.</p>	<p>The development proposes a mixture of modern materials and an appropriate combination of solid façade and windows/openings that provides for a high quality design.</p> <p>Each building has a relatively small footprint with wide landscape interfaces between. Buildings have architectural aesthetic. Facades are deeply articulated to provide shadow and depth. Balconies and roofs are more finely detailed in steelwork to ensure a refined elegance..</p> <p>A communal open space area is provided in the centre of the site which is designed to maximise shade and amenity for residents. As demonstrated within the ADG assessment, the development provides an acceptable level of unit design.</p>	Compliant

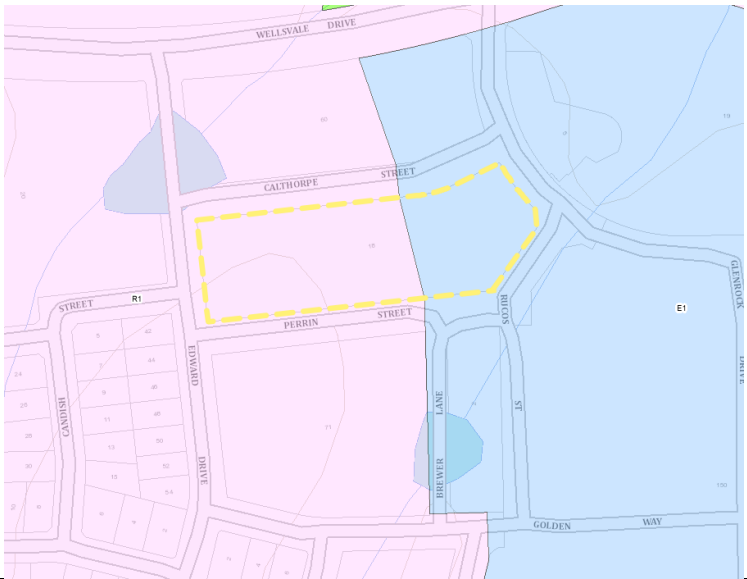


## **Queanbeyan-Palerang Regional Local Environmental Plan 2022**

Section 4.15(1)(a)(i) of the EP&A Act requires the consent authority to consider the provisions of EPIs, which includes Local Environmental Plans (LEPs). The Queanbeyan-Palerang Local Environmental Plan 2022 (QLEP) applies to all land within the Queanbeyan-Palerang LGA. An assessment of the development against the relevant sections of the QLEP is provided below:

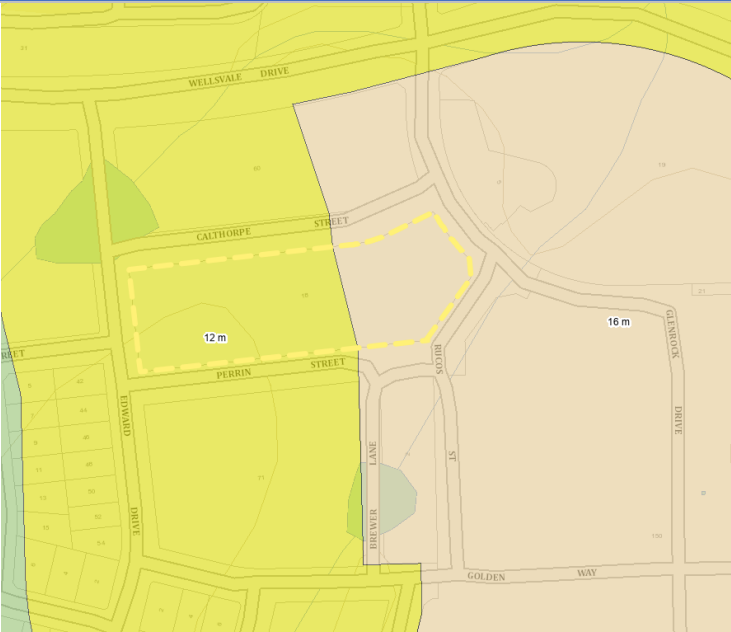
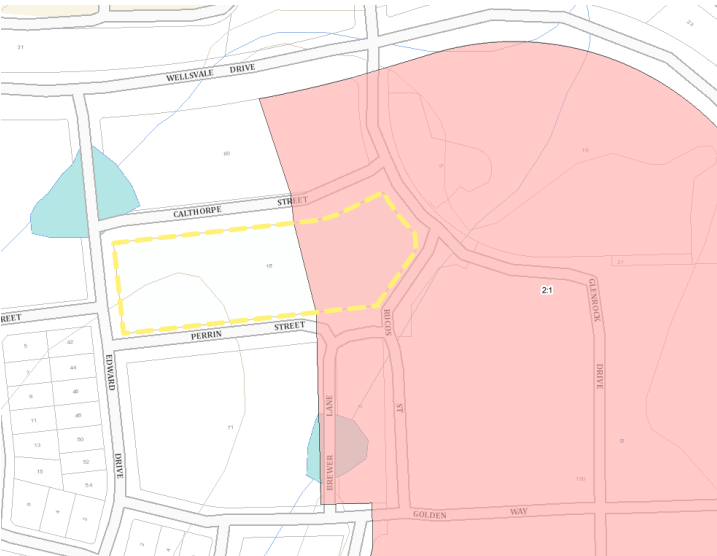
**Table 7: Queanbeyan-Palerang Regional Local Environmental Plan 2022**

<b>QLEP Clause</b>	<b>Development</b>	<b>Compliance</b>
<b>Part 1 Preliminary</b>		
<b>Clause 1.2 Aims of Plan</b>	<p>The aims of the Plan are as follows:</p> <ul style="list-style-type: none"> <li>(aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,</li> <li>(a) to protect and improve the economic, environmental, social and cultural resources and prospects of the community,</li> <li>(b) to facilitate the orderly and economic use and development of land having regard to ecological sustainability principles,</li> <li>(c) to provide for a diversity of housing to meet the needs of the community into the future,</li> <li>(d) to provide for a hierarchy of retail, commercial and industrial land uses that encourage economic and business development that caters for the retail, commercial and service needs of the community,</li> <li>(e) to keep and protect important natural habitat and biodiversity,</li> <li>(f) to protect water quality, aquifers and waterways,</li> <li>(g) to keep, protect and encourage sustainable primary industry and associated commerce in rural areas,</li> <li>(h) to identify and protect the cultural heritage of the area, including the built heritage and the Aboriginal heritage,</li> <li>(i) to protect important scenic quality, views and vistas,</li> <li>(j) to facilitate the orderly growth of urban release areas,</li> <li>(k) to ensure development does not unreasonably increase the demand for public services or public facilities,</li> <li>(l) to identify, protect and provide areas for community health and recreational activities.</li> </ul> <p>The development is considered to be generally consistent with the relevant aims of the QLEP. Specifically, the development will facilitate the orderly growth of the Googong urban release area, promoting good residential amenity and will provide for a diversity of housing throughout Queanbeyan.</p>	Yes
<b>Clause 1.4 Definitions</b>	The development is for the erection of a residential flat building consisting of six buildings and 163 units.	Yes

QLEP Clause	Development	Compliance
	<p>The development is defined in the QLEP's dictionary as being:</p> <p><b><i>residential flat building</i></b> means a building containing 3 or more dwellings, but does not include an attached dwelling, co-living housing or multi dwelling housing.</p>	
<b>Clause 1.6 Consent Authority</b>	As provided for under Schedule 2 of the <b>Environmental Planning and Assessment Act 1979</b> , the Regional Planning Panel – Southern Region is the consent authority for the proposed development.	
<b>Clause 1.9A Suspension of Covenants, Agreements and Instruments</b>	No covenants, agreements and instruments restricting the development have been identified.	
<b>Part 2 Permitted or Prohibited Development</b>		
<b>Clause 2.1 Land use zones</b>	<p>The site is located within the R1 General Residential zone and E1 Local Centre Zone as shown below:</p> 	N/A
<b>Clause 2.3 Zone objectives and Land Use Table</b>	<p>The site is within the R1 General Residential zone and E1 Local Centre zone, of which the objectives are:</p> <p><b><i>R1 General Residential Zone</i></b></p> <ul style="list-style-type: none"> <li>• To provide for the housing needs of the community.</li> <li>• To provide for a variety of housing types and densities.</li> <li>• To enable other land uses that provide facilities or services to meet the day to day needs of residents.</li> <li>• To ensure development complements the character and amenity of the locality.</li> </ul>	Yes

QLEP Clause	Development	Compliance
	<ul style="list-style-type: none"> <li>To ensure buildings with non-residential uses have a bulk and scale that is compatible with the zone's predominantly residential character.</li> </ul> <p><b>E1 Local Centre Zone</b></p> <ul style="list-style-type: none"> <li>To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.</li> <li>To encourage investment in local commercial development that generates employment opportunities and economic growth.</li> <li>To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.</li> <li>To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.</li> <li>To encourage development that is consistent with the character and amenity of the locality.</li> <li>To support business development by providing parking and other civic facilities.</li> <li>To encourage some limited high density residential uses to create vitality in town centres.</li> </ul> <p>The development is for the construction of six buildings comprising a residential flat building consisting of 163 residential units.</p> <p>The development is considered to be consistent with the objectives of the R1 General Residential zone and E1 Local Centre zone as it will provide for the housing needs of the community through the provision of a range of housing types including larger family units close to the Googong Town Centre and ensure the development complements the character and amenity of the locality.</p> <p>Residential flat buildings are not a permitted land use in the E1 Local Centre Zone however by virtue of Clause 2.5 below, the development is permissible as an additional permitted use.</p>	
<b>Clause 2.4 Unzoned land</b>	Clause 2.4 does not apply to the development as there is no part of the site that is unzoned.	N/A
<b>Clause 2.5 Additional permitted uses for particular land</b>	Clause 2.5 applies to the development as part of the site is on land zoned E1 and in Googong Town which is listed under Schedule 1 permitting residential flat buildings with development consent.	YES

QLEP Clause	Development	Compliance
<b>Clause 2.6 Subdivision – Consent requirements</b>	Clause 2.6 does not apply as development consent has not been sought for the Strata subdivision of the land in accordance with this control.	N/A
<b>Clause 2.8 Temporary use of land</b>	Clause 2.8 does not apply as the development does not include temporary use of land.	N/A
<b>Part 4 Principal Development Standards</b>		
<b>Clause 4.1 Minimum subdivision lot size</b>	Clause 4.1 does not apply as development does not involve subdivision.	N/A
<b>Clause 4.1AA Minimum subdivision lot size for community title schemes</b>	Clause 4.1AA does not apply as the development does not include community title subdivision.	N/A
<b>Clause 4.1A Exceptions to minimum lots sizes for certain strata subdivisions</b>	Clause 4.1A does not apply as the development is within the R1 General Residential zone.	N/A
<b>Clause 4.1B Minimum lot sizes for multi dwelling housing and residential flat buildings.</b>	Clause 4.1B applies as the development is for a residential flat building. The site area meets the minimum site area required of 1000m <sup>2</sup>	YES
<b>Clause 4.3 - Height of buildings</b>	<p>The maximum permitted building height for the site is 12m and 16m from natural ground level. The development proposes a maximum building height of 16.98m above natural ground level which exceeds the height limit by 7% in the 16 metre height zone and 12.95m to 13.2m from natural ground level which exceeds the height limit by 8% to 10% in the 12 metre height zone.</p> <p>The variation is supported by a Clause 4.6 Exceptions Justification Report.</p>	NON COMPLIANT

QLEP Clause	Development	Compliance
		
<b>Clause 4.4</b> <b>Floor space ratio</b>	<p>Clause 4.4 applies to the section of the site zoned E1 Local Centre. The floor space ratio that applies to the site is 2:1. The section of the site subject of the FSR achieves a FSR of 1.3:1 and therefore complaint with Clause 4.4.</p> 	<b>YES</b>
<b>Clause 4.6</b> <b>Exceptions to development standards</b>	<p>Clause 4.6 applies to the proposed development in order to account for the variation to the height controls under Clause 4.3. The justification for the Variation is discussed below at the end of this table.</p>	<b>YES</b>
<b>Part 5 Miscellaneous Provisions</b>		
<b>Clause 5.3</b>	<p>Clause 5.3 does not apply as the development is permissible on the split zoned site and therefore not reliant on Clause 5.3.</p>	<b>N/A</b>

QLEP Clause	Development	Compliance
<b>Development near zone boundaries</b>		
<b>Clause 5.10 Heritage conservation</b>	Clause 5.10 does not apply as the development is not in or in proximity to a heritage conservation area, does not contain a heritage item and is not in proximity to any known Aboriginal sites as determined by an AHIMS search undertaken on 1 July 2024.	N/A
<b>Clause 5.21 Flood planning</b>	Clause 5.21 does not apply as the site is not on flood prone land.	N/A
<b>Part 6 Urban release areas</b>		
<b>Clause 6.1 Concurrence of Planning Secretary</b>	The site is within the Googong Urban Release Area and, accordingly, this clause applies. The site forms part of an approved subdivision for Googong Neighbourhood 2 (DA 123-2017) which is part of the overall Googong Masterplan area. On the basis of this previous approval, the concurrence of the Planning Secretary is considered to have been granted.	Yes
<b>Clause 6.2 Public utility infrastructure</b>	<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>As part of the assessment for NH2 (DA 123-2017), Council's Development Engineer assessed the provision of public utilities as being satisfactory. The site is serviced with reticulated potable and recycled water, sewer and stormwater. Electricity is also available via a substation located in the south-east of the site.</p>	Yes
<b>6.3 Development control plans</b>	<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>GDCP came into effect in November 2010. It contains the Googong Master Plan (Part 3) and Structure Plan for Neighbourhood 2 in which this development resides. Accordingly, this clause is considered to be met.</p>	Yes



QLEP Clause	Development	Compliance
<b>6.4 Development near Googong Dam foreshores</b>	This clause is not considered relevant to the proposed development as the site is not located near Googong Dam foreshores.	N/A
<b>Part 7 Additional Local Provision</b>		
<b>Clause 7.1 Earthworks</b>	<p>The site falls from the southwest corner (759.5m AHD) to the eastern corner (751.5m AHD). The development proposes a cut in order to accommodate the basement car parking area.</p> <p>Due to the slope of the site, the development proposes a cut that is a minimum 3.9m in the east corner and a maximum 7.1m cut in the southwest corner of the site.</p> <p>As part of the development application for the wider Googong NH2 area (DA 123-2017) a significant amount of information was provided in relation to earthworks including a geotechnical assessment. This assessment determined that the soil is suitable for the works required to enable development on the site.</p> <p>Before granting development consent for earthworks the consent authority must consider the following matters:</p> <p><i>a) The likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,</i></p> <p>Proposed site preparation and earthworks will not have an adverse impact on soil stability.</p> <p>A Stormwater Management and Drainage Report prepared by Calibre Consulting, March 2017 for the outline development application noted:</p> <p><i>“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.”</i></p> <p>The development is proposed to connect to the stormwater management system installed for the Googong Township</p>	

QLEP Clause	Development	Compliance
	<p>and is therefore not considered to impact on drainage patterns formed as part of the wider Googong area.</p> <p><i>b) The effect of the development on the likely future use or redevelopment of the land,</i></p> <p>The development is consistent with the identified future use of the land and will not impact its potential future re-development.</p> <p><i>c) The quality of the fill or the soil to be excavated, or both,</i></p> <p>A Geotechnical Investigation Report (GIR) prepared by Douglas Partners, July 2016 was submitted for with the development application for Googong NH2. The quality of the soil to be excavated has been identified as being satisfactory. No visual signs of salinity or salinity indication vegetation were observed during the site investigations.</p> <p><i>d) The effect of the development on the existing and likely amenity of adjoining properties.</i></p> <p>The development is unlikely to impact on the existing and likely amenity of adjoining residential and non-residential properties.</p> <p><i>e) The source of any fill material and the destination of any excavated material.</i></p> <p>The source or destination of any fill material will be considered at the final engineering design stage.</p> <p><i>f) The likelihood of disturbing relics,</i></p> <p>The site is not affected by any items or areas of heritage significance identified in the QLEP and is not affected by any known aboriginal sites within a 200m radius of the site.</p> <p><i>g) The proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,</i></p> <p>The site is not in proximity to any waterway, drinking water catchment or environmentally sensitive area.</p> <p><i>h) Any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development,</i></p> <p>Appropriate measures are required as a condition of consent.</p>	

QLEP Clause	Development	Compliance
	i) <i>The proximity to and potential for adverse impacts on any heritage item, archaeological site, or heritage conservation area.</i>	
<b>Clause 7.2 Terrestrial Biodiversity</b>	The site is not within an area of terrestrial biodiversity and, as such, this clause does not apply.	N/A
<b>Clause 7.3 Drinking water catchments</b>	The site is not within a drinking water catchment.	N/A
<b>Chapter 7.4 Riparian land and watercourses</b>	The site is not located in close proximity to a watercourse or riparian zone.	N/A
<b>Clause 7.5 Salinity</b>	The site is not identified as 'salinity' on the landscape map.	N/A
<b>Clause 7.6 Highly erodible soils</b>	The site is not identified as 'Erodible Lands' on the landscape map.	N/A
<b>Clause 7.7 Slopes over 18 degrees</b>	The site is not identified as 'Slopes over 18 degrees' on the landscape map.	N/A
<b>Clause 7.8 Airspace operations</b>	<p>As part of the Googong NH2 development application for the wider area, the development application was referred to the Commonwealth Department of Infrastructure and Regional Development and Canberra Airport.</p> <p>A Controlled Activity Approval under the Commonwealth Airports (Protection of Airspace) Regulations 1996 was issued by the Commonwealth on 12 October 2017 subject to the following conditions:</p> <p>1. 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.</p> <p>2. 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.</p> <p>The development does not exceed the maximum height of 822m AHD or 20 metres AGL (being a maximum 760.38 AHD) and therefore no further action is necessary.</p>	Yes

QLEP Clause	Development	Compliance
	A Condition of consent in relation to temporary cranes being used in the construction phase has been included in the draft consent conditions.	
<b>Clause 7.9 Development in areas subject to aircraft noise</b>	This clause is not considered relevant to the development as the site is not located near the Canberra Airport or within an ANEF contour of 20 or greater.	N/A
<b>Clause 7.12 Essential services</b>	Council's Development Engineer has assessed the development and confirmed that adequate services are available (or can be made available) subject to the imposition of recommended conditions.	Yes
<b>Clause 7.14 Scenic Protection</b>	The site is not within land identified as scenic protection.	N/A
<b>Clause 7.15 Active street frontages</b>	The site is not within land identified as an Active street frontage.	N/A
<b>Clause 7.18 Development near arterial roads</b>	The development is not on land identified as Arterial Road area.	N/A
<b>Clause 7.25 Development on certain land at Braidwood, Bungendore and Googong</b>	The site is not on land identified as Additional Development Area 2.	N/A

#### **Clause 4.6 Exceptions to Development Standards - Variation Justification of Building Height**

The objectives of clause 4.6 are to provide an appropriate degree of flexibility in applying certain development standards to particular development and to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

This clause enables development consent to be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument.

The Development Standard to be varied is Clause 4.3 Height of Buildings of the QPRC LEP 2022. The variation request to the Building Height is not a development standard that is expressly excluded from the operation of this clause.

In accordance with subclause (3), a separate written request has been prepared and submitted with the application (**Attachment 13**) to justify the contravention of the development standard in the circumstances of the case and that there are sufficient environmental planning grounds to justify contravening the development standard in relation to the proposed development.

The objectives of the 2 land use zonings covering the subject site are list below:

### **R1 General Residential Zone**

- *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 development complements the character and amenity of the locality.*
- *To ensure buildings with non-residential uses have a bulk and scale that is compatible with the zone's predominantly residential character.*

### **E1 Local Centre Zone**

- *To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.*
- *To encourage investment in local commercial development that generates employment opportunities and economic growth.*
- *To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.*
- *To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.*
- *To encourage development that is consistent with the character and amenity of the locality.*
- *To support business development by providing parking and other civic facilities.*
- *To encourage some limited high density residential uses to create vitality in town centres.*

The proposed development is considered to be consistent with the fourth objective of the R1 zoned land and third, fifth and seventh objectives of the E1 zoned land. Council is required to have regard to the objectives, noting this does not require absolute compliance with the zone objectives.

Firstly, the development maintains the residential amenity and contributes to the establishment of higher density residential developments in close proximity to the Googong Town Centre.

Secondly, the proposed development provides a mix of residential dwelling unit sizes to provide housing choice and affordability including for people with disabilities. There are similar developed and approved residential apartment buildings surrounding the Town Centre.

Clause 4.3(1) Height of Buildings of the QPRC LEP 2022 outlines its objectives as:

- to establish the height of buildings consistent with the character, amenity and landscape of the area in which the buildings will be located,*
- to protect residential amenity and minimise overshadowing,*
- to minimise the visual impact of buildings,*

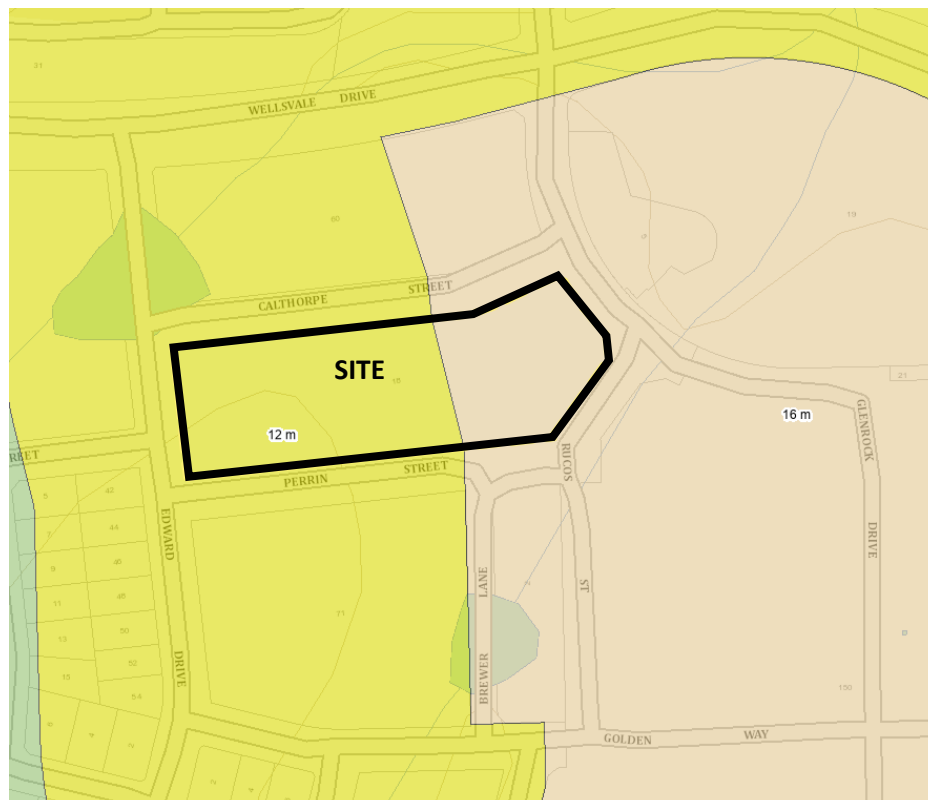
- (d) to maintain the predominantly low-rise character of buildings in the Queanbeyan-Palerang Regional local government area,
- (e) to ensure the height of buildings complement the streetscape or the historic character of the area in which the buildings are located,
- (f) to protect the heritage character of the Queanbeyan-Palerang Regional local government area and the significance of heritage buildings and heritage items,
- (g) to provide appropriate height transitions between buildings, particularly at zone boundaries.

The subject site is identified as having a building height of 12m to the west of the site and 16m to the east of the site. Building height is measured as per the following QPRC LEP 2022 definition:

***building height means –***

- (a) in relation to the height of a building in metres – the vertical distance from ground level (existing) to the highest point of the building, or
- (b) in relation to the RL of a building – the vertical distance from the Australian Height Datum to the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.'

The demarcation of the maximum height limit across the site can be seen in the development below. To enable the assessment of the development from a height compliance perspective, the applicant has superimposed the height line through the site. In summary all of Building A is located in the 16m height zone and is the tallest of the six separate buildings that make up the development. The eastern portions of buildings B and F also are located within the 16 metre maximum height zone however the buildings have maintained a height consistent with the 12 metre height maximum.





Building A is a 5-storey building including commercially adaptable ground floor units to which increased ceiling height is desirable. A small area of roof / parapet exceeds the 16m height plane at the eastern corner of the site by up to 980mm (6% height exceedance). This occurs at the corner of Glenrock Drive and Rucos Street only. There is no exceedance for the majority of each streetscape, and the average height along each streetscape is less than 16m.

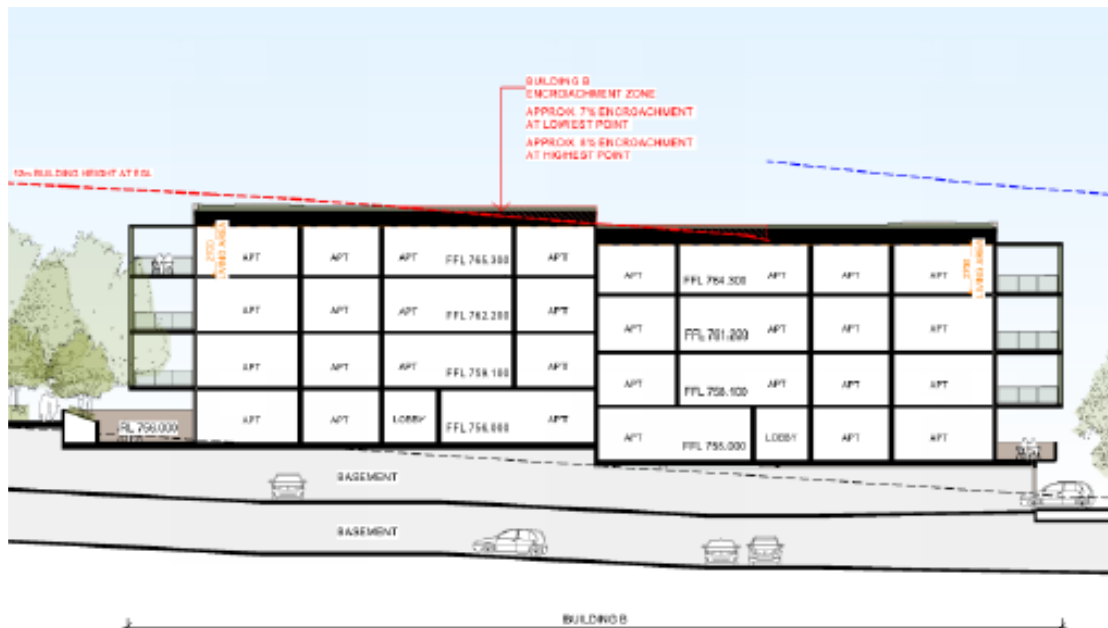
The two lift overruns exceed the 16m height plane by up to 1098mm (7% height exceedance). The overruns are located at the centre of the building floor plate and are not visible from the surrounding public realm.

The exceedance amount is diagrammatically illustrated in the following illustration.



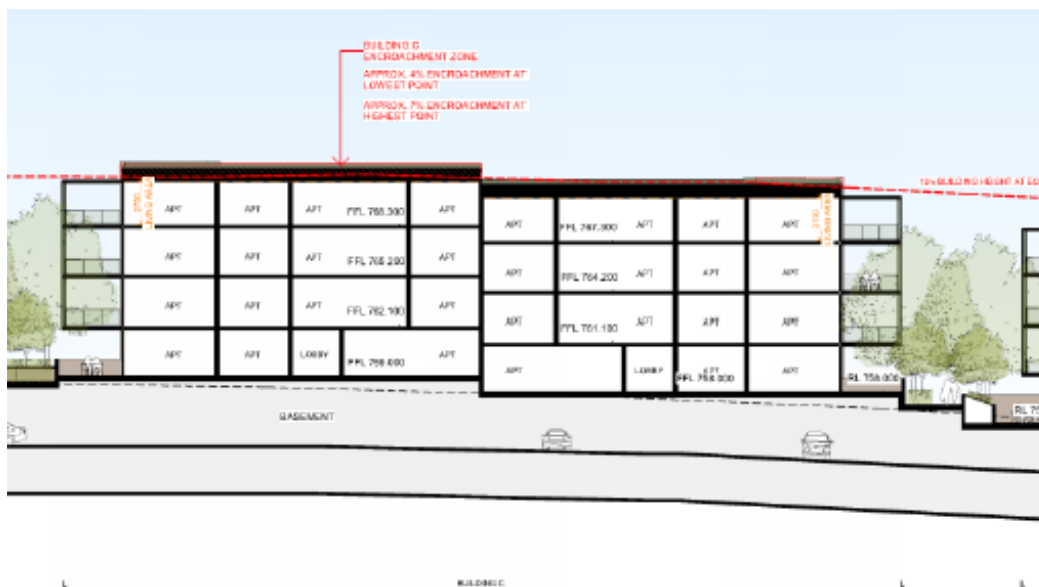
Building B is a 4-storey building which is positioned in both the 12m and 16m height areas. Two areas of roof exceed the height plane by up to 950mm (8% height exceedance) only within the 12m height plane. Within the 16m height plane the building is significantly lower than permitted.

The western lift overrun exceeds the 12m height plane by up to 1200mm (10% height exceedance). The overrun is not readily visible from the surrounding public realm.



Building C is a 4-storey building which is positioned within the 12m height areas. Two areas of roof exceed the height plane by up to 890mm (7% height exceedance). The western exceedance is due to the leveling of the topography at that part of the site.

The two lift overruns exceed the 12m height plane by up to 1200mm (10% height exceedance). The overruns are not readily visible from the surrounding public realm.





(a) *to establish the height of buildings consistent with the character, amenity and landscape of the area in which the buildings will be located*

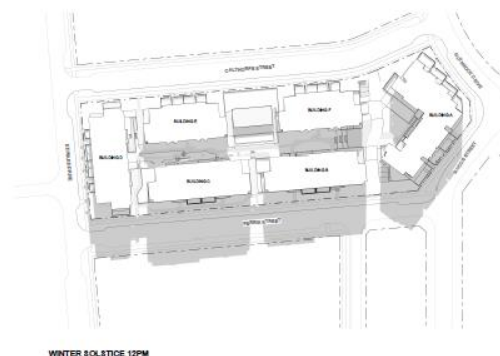
This objective is considered to be achieved for the following reasons:

- The proposed development is compatible with the developing character of the locality particularly the proximity of the town centre. The development also provides a transition of building heights to the lower limits west of the site.
- The variation to the height is not seeking additional floor space but is solely lift overrun and a small portion of the roof structure
- Consistent with the built form, bulk and scale of for the masterplan for the Googong township.

(b) *to protect residential amenity and minimise overshadowing*

This objective is considered to be achieved for the following reasons:

- With roads surrounding the entire site, any exceedance of building height has negligible impact on future neighbours in terms of overshadowing.
- Any additional height to the roof or lift overrun would have a negligible impact
- The layout and separation of the buildings minimises overshadowing into units.





(c) *to minimise the visual impact of buildings,*

This objective is considered to be achieved for the following reasons:

- Overall, the residential flat buildings are designed of a high quality architecturally appearance.
- There is no current or future visual impact to surrounding development and does not contribute to the loss of views.
- The height exceedance in the affected portions of the buildings is relatively minor and does not make the buildings significantly more visually prominent that they are permitted to be under the height limits.

(d) *to maintain the predominantly low-rise character of buildings in the Queanbeyan-Palerang Regional local government area,*

This objective is considered not to be relevant to the site for the following reasons:

- The site and location are specifically zoned for development that promotes higher density residential development in close proximity to the new Googong Town Centre.
- The proposed development optimises the opportunities of providing housing diversity within the Queanbeyan-Palerang Regional local government area.
- The exceedance in height for which this variation seeks approval, further enhances this urban design objective.

(e) *to ensure the height of buildings complement the streetscape or the historic character of the area in which the buildings are located,*

This objective is not considered to be relevant to the subject development due to it being a new purpose built township.

(f) *to protect the heritage character of the Queanbeyan-Palerang Regional local government area and the significance of heritage buildings and heritage items,*

This objective is not considered to be relevant to the subject development due to it being a new purpose built township and not located near heritage listed locations.

(g) *to provide appropriate height transitions between buildings, particularly at zone boundaries.*

This objective is considered to be achieved for the following reasons:

- The proposed exceedance of the building height limit is for lift overrun, and minor portions of the roof only. Exceedance above height planes is minor (less than 10%) and maintain appropriate height transitions between buildings from east to west.
- The building heights towards the western portion of the site is more reflective of the lower building heights and forms evolving to the west of Edward Drive.

In summary, the request for a variation to Clause 4.3 of the QPRC LEP 2022 has satisfactorily demonstrated that the proposed exceedance in height sought does not result in any adverse environmental impacts, and that there are sufficient environmental planning grounds to justify the outlined contravention. The development is in keeping with all other sections of the QPRC LEP 2022.

If the development was made to strictly comply with Clause 4.3 Heights of Buildings under the QPRC LEP 2022, there would be no additional benefit to the public realm including streetscapes around the site. The granting of development consent for this development application will enable a high quality, architecturally designed residential building to be constructed in Googong.

The development meets the objectives of Clause 4.3 Heights of Buildings as outlined in this report along with Clause 4.4 Floor Space Ratio and the R1 General Residential and E1 Local Centre zoning under which the site falls. It is for these reasons that there are sufficient environmental planning grounds to support the justification for the variation sought to Development Standard Clause 4.3 under the QPRC LEP 2022.

**(d) Section 4.15 (1)(a)(ii) - Provisions of any Draft Environmental Planning Instruments**

Section 4.15(1)(a)(ii) of the EP&A Act requires the consent authority to consider the provisions of draft EPIs that have been publicly exhibited.

There are no draft EPIs applicable to the site or development.

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

Section 4.15(1)(a)(iii) of the EP&A Act requires Council to consider the provisions of any development control plan.

The development has been assessed having regard to the relevant desired outcomes and prescriptive requirements within the GDCP and, where a control is not provided within the GDCP, the QDCP.

**Table 8: Queanbeyan Development Control Plan 2012**

<b>QDCP Clause</b>	<b>Requirement</b>	<b>Development</b>	<b>Compliance</b>
<b>2.2.3 Car Parking General Principles</b>	<p>In determining the car parking requirements for a development proposal the following principles shall be followed:</p> <p>1) The minimum standards as set out in this plan.</p>	<p>1) The development provides a total of 316 resident car parking spaces and 33 visitor car parking spaces onsite. The on-site car parking requirements have been met.</p> <p>2) A traffic and parking impact study is provided with the</p>	Yes

QDCP Clause	Requirement	Development	Compliance
	<p>2) The likely demand for on-site parking to be generated by the development.</p> <p>3) The availability of public transport in the vicinity to service the likely demands to be generated by the development.</p> <p>4) Traffic volumes on the surrounding street network, including, where relevant, likely future traffic volumes.</p> <p>5) The probable mode of transport of the users of the development.</p> <p>6) The likely peak usage times of the development.</p> <p>7) The provision of alternative private transport arrangements (e.g. courtesy buses to licensed premises at no charge to users)</p>	<p>development application dated 1 December 2023 and updated 3 July 2024.</p> <p>3) The car parking provision accounts for the minimum car parking standards for the site and provision of public transport in the locality.</p> <p>4) An assessment of likely traffic volumes on the surrounding street network is included in the submitted traffic and parking impact study which confirms the development will not have an acceptable impact on traffic in the locality with negligible delay increases across all local intersections.</p> <p>5) An assessment of probable modes of transport of the users of the development is included in the submitted traffic and parking impact study which confirmed the dominant traffic mode would be vehicles.</p> <p>6) An assessment of the likely peak usage times of the development is included in the submitted traffic and parking impact study.</p> <p>7) No alternative private transport arrangements are proposed.</p>	
<b>2.2.7 Basement Parking</b>	<p>1. Where Basement parking is provided the access ramp to the car parking area shall provide for either two way access or separate access ramps shall be provided for:</p> <p>1) access into the basement car park and 2) exit from the basement car park.</p>	<p>1. A two way access is provided to the basement car park.</p> <p>2. The central driveway was amended to have driveway priority over the two access ramps to the basements under Building A &amp; F. The development includes stop signage to mitigate the potential conflicts at the</p>	Yes



QDCP Clause	Requirement	Development	Compliance
	<p>2. Basement parking areas are to be located directly under building footprints to maximise opportunities for deep soil areas unless the structure can be designed to support mature plants and deep root plants.</p> <p>3. Along active frontages, basement parking must be located fully below the level of the footpath.</p> <p>4. Basement parking should be contained wholly beneath the ground level along public streets. Where this cannot be achieved due to topography, the parking level must protrude no more than 1.2 m above ground level.</p> <p>5. Underground car parking shall be naturally ventilated where possible and shall be less than 1m above existing ground level. Ventilation grills or screening devices of car park openings are to be integrated into the overall façade and landscape design of the development.</p> <p>6. Constructed to preclude entry of floodwater at the Flood Planning Level. Additional requirement for basement levels to implement a failsafe means of evacuation, and a pump-out system to remove flood waters.</p> <p>7. All basement/underground car parks shall be designed to enter and leave the site in a forward direction.</p>	<p>intersection and line marking is shown on plans.</p> <p>3. The basement carpark is located directly under the building footprints which provides for unimpeded deep soil zones.</p> <p>4. The basement carpark is located beneath the ground level along all public streets.</p> <p>5. The basement carpark is to be naturally ventilated with ventilation grills integrated into the façade design.</p> <p>6. The site is not within flood prone land.</p> <p>7. All basement carparks are designed to enter and leave the site in a forward direction.</p> <p>8. The basement carparks are fitted with a security doors.</p>	

QDCP Clause	Requirement	Development	Compliance
	8. All sites shall have underground car parking and be fitted with a security door. Basement garage doors shall not tilt/swing or open in an outward direction.		
	9.		
<b>2.2.9.1 Access Requirements</b>	a) All developments require access from the frontage road to car parking and service facilities. While in some instances access driveways may be sufficient some developments will require a higher standard of traffic control, such as a controlled intersection via a dedicated public roadway, auxiliary lanes and/or right turn bays to maintain efficiency and safety. Refer to Section 6 of the RMS Guide to Traffic Generating Developments Version 2.2 (2002).	Dual access is provided to the basement carpark from Calthorpe Street and Perrin Street.	Yes
<b>2.2.9.3 Sight Distance</b>	a) Ideally, the sight distance required is that which enables the driver of a vehicle waiting to leave a driveway to select a gap in the through traffic and to join the street without causing a major disruption. This is the desirable sight distance (Entering Sight Distance).  b) Driveways are to comply with AS/NZS 2890.1 - 2004: Off-street car parking.	Due to the gradient of the basement carpark driveway, adequate sight lines are provided for vehicles entering and exiting the carpark in accordance with AS/NZS 2890.1 – 2004: Off-street car parking.	Yes
<b>2.2.17 Bicycle Parking</b>	a) Each development is to provide appropriate bicycle parking facilities either on-site or close to the development.  b) The Australian Standards AS 2890.3: 2015 Bicycle Parking Facilities must be complied with. This standard also provides	18 Bicycle parking spaces are provided within the development .	Yes

QDCP Clause	Requirement	Development	Compliance
	information on the design of bicycle parking facilities.		
<b>2.3.3 Energy Efficiency and Conservation</b>	a) New dwellings, alterations and additions to dwellings, and change of uses to create a dwelling, are to demonstrate compliance with State Environmental Planning Policy Building Sustainability Index: (BASIX) 2004.	The development application was accompanied by a valid BASIX certificate which demonstrates compliance with SEPP BASIX (now SEPP (Sustainable Buildings) 2022.	Yes
<b>2.3.4 Water Conservation</b>	a) New dwellings, or developments which contain a residential component within a mixed use building or serviced apartments intended or capable of being strata titled, are to demonstrate compliance with State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.  b) Each dwelling shall be provided with an individual water meter.	The development includes water conservation features in accordance with the submitted BASIX Certificate.	Yes
<b>2.3.5 Waste and Recycling</b>	1) All residential development is to provide for storage of waste bins on site in an area of sufficient size to accommodate waste generated by the development	The development includes four waste storage areas that are sufficient in size to accommodate waste generated by the development.	Yes
<b>2.4 Contaminated Land Management</b>			Yes
<b>2.5 Flood Management</b>		The site is not identified as flood prone land on the QLEP Flood Planning Map.	N/A
<b>2.6 Landscaping</b>		A detailed landscaping plan was submitted with the development application. The landscape plan provides for a mix of native and exotic tree species and landscaping that is considered to be appropriate and will make a positive contribution to the	Yes

QDCP Clause	Requirement	Development	Compliance
		natural environment of the streetscape.	
<b>2.7 Erosion and Sediment Control</b>		An erosion and sediment and control plan has been provided with the development application. The plan is of an appropriate scale, indicates site boundaries and roads, provides slope gradient and details all required sediment and control measures.	Yes
<b>2.9 Safe Design</b>		<p><b>Surveillance</b> The development satisfies the surveillance opportunities for the location.</p> <p><b>Lighting</b> A detailed light plan is conditioned to be prepared prior to the issuing of a Construction Certificate.</p>	Yes

**Table 9: Googong Development Control Plan 2012**

GDCP Clause	Requirement	Development	Compliance
<b>7.2 Streetscape</b>	<p>a) Development shall be generally in accordance with the Neighbourhood Structure Plan.</p> <p>b) A mix of materials compatible with the streetscape are to be used including masonry, timber and glass and the provision of simple and articulated building and roof forms.</p> <p>c) New buildings shall adhere to the minimum building line setbacks as set out in relevant Tables in this Part.</p>	<p>a) The neighbourhood structure plan envisaged the site as a medium density development in proximity to services and amenities associated with the Town Centre. The development is considered to be consistent with this.</p> <p>b) A mix of materials including concrete, metal cladding, painted sheeting, metal blade, brick and aluminium is proposed in the development.</p> <p>c) The development meets the minimum building setbacks.</p>	Yes

GDCP Clause	Requirement	Development	Compliance
	<p>d) On corner sites the façade treatment should address both street frontages in order to promote a strong and legible character while maintaining sight lines.</p> <p>e) Fencing should be designed to provide a clear distinction between private and public space and to encourage casual surveillance of the street.</p> <p>f) Fencing should be consistent with the established style and pattern of fences in the locality.</p> <p>g) Elements such as fences, walls, hedges, level changes and landscaping or a combination of these elements are to define the front boundary.</p> <p>h) Where front fences / walls are used they are to be a maximum height of 1.2m to the primary street frontage.</p>	<p>d) The development provides a frontage to six named streets; Calthorpe Street, Edward Drive, Perrin Street, Brewer Lane Rucos Street and Glenrock Drive. The development is considered to address all street frontages with ground floor units each with a courtyard and individual entry to all streets except Perrin Street which is south facing.</p> <p>e) All fencing proposed at street level provides sufficient transparency to encourage casual surveillance of the streets.</p> <p>f) Fencing is consistent with the requirements of the Googong Multi-Unit Design Guidelines.</p> <p>g) The front boundary for each building is defined through a combination of landscaping, level changes and fencing.</p> <p>h) The development proposes a combination of open landscaping and fences up to 1.2m high fences for all street frontages. The fencing has sufficient transparency to provide for visual interest and surveillance in addition to clearly delineating the boundary between public and private domain. As such, the proposed fencing height is considered acceptable in this instance.</p>	

GDCP Clause	Requirement	Development	Compliance
	<p>i) Front fencing is to be predominately open in design, such as picket fences, hedges or palisade style fencing.</p> <p>j) Maximum height of fences to secondary street frontage is 1.8m. A fence on a secondary street frontage that is 1.8m must not extend more than 50% of the lot depth. Fences to secondary street frontage that extend beyond the 50% lot depth are considered to be front fencing and have a maximum height of 1.2m.</p> <p>k) Side fences between residential lots are to start at least 1m behind the primary building frontage of the dwelling.</p>	<p>i) Front fencing is a combination of open fencing and low brickwork in combination with hedging plantings.</p> <p>j) The development proposes up to 1.8m high fence in selected locations.</p> <p>k) This control is not applicable.</p>	
<b>7.4 Building form and design</b>	<p>a) Development is to exhibit a high degree of design quality and provide attractive street frontages by ensuring that all dwellings have a main element to address the street.</p> <p>b) The design of new development is to address shading from summer sun, ventilation and topography.</p>	<p>a) The development is considered to provide a high degree of design quality and provides for attractive street frontages by ensuring that ground level units address all street frontages where appropriate.</p> <p>b) The topography of the site is steep and the development provides a series of small buildings with separate cores to allow the proposal to step with the topography and maintain appropriate relationship to the street. The proposal includes deep balconies to shelter living areas from summer sun. The proposal includes extensive corner and cross-through dwellings to maximise natural ventilation.</p>	Yes



GDCP Clause	Requirement	Development	Compliance
	<p>c) Studio dwellings are to be located at the rear of the lot only where the lot has access from a rear lane or secondary street on a corner lot.</p> <p>d) Rear garages with studio dwellings may have first level balconies facing the lane provided the balcony remains within the lot boundary. Where 2m deep, overhanging balconies provide for principal private open space the application must demonstrate how garages setback underneath avoid creating an overly wide lane and ambiguous space opportunities for illegally parked cars, trailers, bins etc.</p> <p>e) Studio dwellings are to have balconies or living areas that overlook laneways for casual surveillance.</p> <p>f) Large expanses of blank walls or 'glass box style' developments will not be permitted as these are considered to be inconsistent with the desired character of Googong. Features that may break up blank walls include: balconies, awnings and screens, fixed and/or operable sun screens and articulated façades.</p> <p>g) Articulation zones shall be designed to adhere to the requirements set out in relevant tables in this Part.</p>	<p>c) Not applicable</p> <p>d) Not applicable</p> <p>e) Not applicable</p> <p>f) The proposal does not include large expanses of blank walls or glass curtain walls. Instead, the proposal includes a variety of balconies and shading devices in conjunction with articulated facades to be compatible with the desired character of Googong.</p> <p>g) The proposal includes façade articulation in accordance with the allowances of the DCP.</p>	

GDCP Clause	Requirement	Development	Compliance
	<p>h) The 'Articulation zone' consists of architectural elements which address the street frontage and assist in creating a character in an area. Elements permitted in the articulation zone include entry features or porticos, awnings or other features over windows including sun shading, balconies (roofed or unroofed) or window box treatments to any first floor element, recessing or projecting architectural elements, open verandahs, bay windows or similar features.</p> <p>i) The building design and architectural style (including articulation) is to interpret and respond to the character of the locality, including dominant patterns, textures and compositions of buildings.</p> <p>j) Articulation should reduce the appearance of building bulk and express the elements of the building's architecture.</p> <p>k) Articulation elements should provide visual interest from the street.</p> <p>l) The facades of buildings should be designed with a balance of horizontal and vertical elements.</p> <p>m) Alterations and additions are to be compatible with design elements of the building.</p>	<p>h) The proposal includes façade articulation made up of balconies, awnings, entry features and the like to assist providing appropriate architectural character and amenity.</p> <p>i) The building design and architectural style responds to the landscape character of the locality including texture, colour and material composition.</p> <p>j) The development proposes sufficient articulation including window openings, balconies, material mix and building form.</p> <p>k) The articulation elements are considered to provide for a varied and interesting façade to all surrounding streets.</p> <p>l) The development has a balance of horizontal and vertical elements including shading blades and access lifts/stairs.</p> <p>m) N/A</p>	

GDCP Clause	Requirement	Development	Compliance
	<p><b>Building Entries</b></p> <p>a) Define building entries clearly using setbacks, canopies, different materials, textures and colours.</p> <p><b>Roof Design</b></p> <p>a) Articulate roofs to provide a quality roofscape. Roof design is to:</p> <p>i. Minimise impact on tree-top skyline viewed from beyond the site.</p> <p>ii. Avoid glare, high colour contrast and screen unsightly roof mounted services.</p> <p>iii. Obscure roof mounted structures when viewed from higher dwellings and the public domain.</p> <p>b) Pitched hip and gable roof forms shall predominate.</p> <p>c) Strong colours and black shall be avoided.</p> <p>d) Roof design shall fully integrate and coordinate services. Antennae, plant and solar panels should not be viewed from public areas where practical.</p> <p>e) Where a studio dwelling is built over a rear garage and separated from the upper levels of the principal</p>	<p><b>Building entries</b></p> <p>a) Common lobby entries are clearly defined using entry awnings, increased setback, and colour. Additionally discrete signage and mailboxes are incorporated at each common entry point.</p> <p><b>Roof Design</b></p> <p>a) The proposal includes an architectural roofscape consisting of both flat and walled elements. The roof design:</p> <ul style="list-style-type: none"> <li>- minimises impact on tree-top skyline when viewed from beyond the site due to the flat elements to each building corner.</li> <li>- avoids glare through use of buff colorbond metal and with no major roof mounted services.</li> </ul> <p>b) Low pitched roofs are utilised across the site to enhance site lines to surrounding vistas.</p> <p>c) Colorbond green roofs are utilised to reflect the surrounding natural environment and avoid heat gain or reflection.</p> <p>d) Roof design does not incorporate any significant service elements. Any roof mounted services are carefully coordinated.</p> <p>e) N/A</p>	

GDCP Clause	Requirement	Development	Compliance
	<p>dwelling, there must be a minimum separation of 5m between the upper floor rear façade of the principal dwelling and studio dwelling.</p> <p><b>Residential Flat Buildings</b></p> <p>a) Residential flat buildings shall be located generally in accordance with the Neighbourhood Structure Plan.</p> <p>b) Residential flat buildings must be designed to be consistent with the principles outlined in State Environmental Planning Policy (SEPP) 65 – Residential Apartment Development and Apartment Design Guide.</p> <p>c) Residential flat buildings shall provide for the articulation of the roofscape where appropriate.</p>	<p><b>Residential flat buildings</b></p> <p>a) The residential flat building is located generally in accordance with the Neighbourhood Structure Plan.</p> <p>b) The residential flat building is designed to be consistent with the principles outlined in SEPP 65 (SEPP Housing).</p> <p>c) The development provides for a roof that has sufficient articulation of the roofscape for visual interest..</p>	
<b>7.5 Height and Floorspace</b>	<p>a) The maximum permissible floor space ratio for development within the Googong Town Centre and the Neighbourhood Centres shall be in accordance with the requirements of the QPRLEP 2022 (Refer to relevant Floor Space Ratio Map).</p> <p>b) The maximum heights within the new Googong Township shall be in accordance with the requirements of the</p>	<p>a) The maximum permissible FSR for the eastern part of the site is 2:1 (refer QPRLEP 2022). The proposal achieves an FSR of 1.3:1 in this location and is therefore compliant. There is no FSR control to the western part of the site.</p> <p>b) The site is governed by 2 different maximum height controls. The proposal is generally in accordance with the maximum heights across</p>	Yes

GDCP Clause	Requirement	Development	Compliance
	QPRLEP 2022 (refer to relevant Height of Buildings Map).	the site (refer QPRLEP 2022). There is some minor encroachment to these heights due to topography and roof form but it is considered these encroachments have no impact to site surrounds. The encroachment has been justified and considered acceptable in the context of the proposed development.	
<b>7.6 Privacy and View Sharing</b>	<b>Visual Privacy Controls</b>  a) Windows of upper-level habitable rooms and balconies are to be designed to avoid overlooking of the private open space of neighbouring properties.  b) Appropriate screening, which is permanent, fixed and durable, is to be provided in cases where overlooking cannot be prevented.  c) Narrow or high sill windows may be used to reduce overlooking. Unscreened outlooks into a habitable room on an adjacent dwelling are to have a minimum distance of 6m at the ground floor level or 9m on upper floor levels.  d) Screening is not required in circumstances where the windows are within non habitable rooms (e.g. bathrooms, toilets, storage or laundries) and have translucent glazing or high sill windows	<b>Visual Privacy Control</b>  a) The proposal is surrounded by residential streets with no shared boundaries to neighbouring properties. There is no overlooking of the private open space of neighbouring properties.  b) Appropriate fixed louvre and perforated screening is provided where there is risk of overlooking between buildings.  c) The proposal does not rely on narrow or high sill windows to reduce overlooking. All outlooks into the habitable room of an adjacent dwelling exceed 9m.  d) Any non-habitable rooms with windows utilise high sill windows.  e) N/A.	Yes

GDCP Clause	Requirement	Development	Compliance
	<p>e) Where dwellings are built to a zero lot line on a side boundary, windows are not to be located on the zero lot wall unless that wall adjoins a laneway, public road, public open space or drainage land.</p> <p>f) Windows of upper-level habitable rooms facing a habitable room of a neighbouring dwelling within 9m are to:</p> <ul style="list-style-type: none"> <li>i. Be offset by 1m; or</li> <li>ii. Have high sill windows; or</li> <li>iii. Have fixed obscure or frosted glazing installed in window above ground level of a dwelling where the sill height is less than 1.6m.</li> <li>iv. Balconies to have fixed obscure or frosted glazing; or</li> <li>v. Provide other suitable solutions.</li> </ul> <p><b>View Sharing Controls</b></p> <p>a) Development is to be designed to minimise loss of views from neighbouring properties. Significant views within Googong such as hilltops, Googong Common and the surrounding farmlands are to be valued and shared.</p> <p><b>Acoustic Privacy Controls</b></p> <p>a) Shared walls and floors to be constructed in accordance with the sound transmission and insulation requirements of the Building Code of Australia.</p>	<p>f) N/A.</p> <p><b>View Sharing Controls</b></p> <p>a) The proposal achieves minimal loss of views from neighbouring properties by providing a series of small-footprint buildings with wide landscape interface between to allow visual permeability.</p> <p><b>Acoustic Privacy Controls</b></p> <p>a) The insulation will be in accordance with the BCA requirements. The development is for residential use and is not anticipated to have significant acoustic</p>	

GDCP Clause	Requirement	Development	Compliance
	<p>b) Where buildings adjoin major external noise sources (e.g. parking / recreation areas / garbage collection / air conditioning units, major roads etc), proper consideration is to be given to the following design issues:</p> <ul style="list-style-type: none"> <li>i. Appropriate separation.</li> <li>ii. Use of buildings as noise buffers i.e. less sensitive land uses to be located close to the noise source.</li> <li>iii. Locating sensitive areas of use such as bedrooms away from noise sources.</li> <li>iv. Use of acoustic glazing, solid-core doors, solid wall construction and other appropriate noise preventative design measures.</li> <li>v. Separating plumbing for each dwelling and containing them to prevent transmission of noise between dwellings.</li> </ul> <p>c) Noise sources such as air conditioners, exhaust fans and the like shall be located away from sensitive areas such as bedrooms.</p>	<p>implication on adjoining properties.</p> <p>b) Potential noise source uses have been located away from sensitive residential use.</p> <p>c) The proposal has been designed with consideration of potential noise impacts to bedrooms.</p>	
<b>7.7 Safety and Security</b>	a) Design buildings and landscaping in accordance with Part 2.9 of the Queanbeyan Development Control Plan 2012 – Safe Design.	The building and landscape have been designed in accordance with Part 2.9 of the Queanbeyan DCP 2012- Safe Design.	Yes
<b>7.8 Access and Mobility for Multiple</b>	a) Multiple Dwelling Houses and Residential	a) The proposal complies with AS4299-1995 and	Yes



GDCP Clause	Requirement	Development	Compliance
<b>Dwelling Houses and Residential Flat Buildings</b>	<p>Flat Buildings must comply with AS4299-1995 Adaptable Housing on the following ratio:</p> <ul style="list-style-type: none"> <li>i. One adaptable dwelling for every 10 dwellings in the development.</li> <li>ii. Where the number of dwellings is less than 10 dwellings and not less than five dwellings, provision is to be made to providing at least one adaptable dwelling.</li> </ul> <p>b) For Adaptable Housing direct and level access is to be provided from the car parking space to the dwelling or lift access.</p>	<p>provides 10% adaptable dwellings.</p> <p>b) The adaptable housing has lift access to car parking. The adaptable housing has car parking space in accordance with AS4299-1995. All elements of adaptable housing are compliant with AS4299-1995 and have been certified by an accredited consultant</p>	
<b>7.9 Pedestrian Access and Building Entries</b>	<p>a) The planning of the site is to optimise accessibility for all to the development from the public domain.</p> <p>b) High quality accessible routes are to be provided to public and semi-public areas of residential buildings and the site, including major entries, lobbies, communal open spaces, site facilities, parking areas, public streets and internal roads.</p> <p>c) The main building entrance is to be accessible for all from the</p>	<p>a) The planning of the site optimises accessibility from the public domain with the development providing accessibility throughout via the provision of walkways, ramps and direct access from the basement to the buildings.</p> <p>b) Generous and high-quality accessible routes are provided to all public and semi-private areas of the development.</p> <p>c) All communal lobbies have accessible paths of travel from street frontages and/or</p>	Yes

GDCP Clause	Requirement	Development	Compliance
	<p>street and car parking areas.</p> <p>d) Pedestrian ramps are to be integrated into the overall building and landscape design.</p> <p>e) Ground floor shops, offices and apartments are to be designed to be accessible for all from the street.</p> <p>f) Pedestrian and vehicle access ways are to be separated and clearly distinguishable.</p> <p>g) The provision of public through-site pedestrian access ways is to be considered in the development of all large sites.</p> <p>h) The access requirements from the street or car parking area to the entrances of buildings are to be clearly identified.</p> <p>i) For studio dwellings access is to be separate from the principal dwelling and is to front a public street, lane or shared private access way. If appropriately designed, a combined access for the principal dwelling and studio dwelling can be through communal land but this must be shown on the subdivision plan for separate titling.</p>	<p>the internal communal landscape</p> <p>d) Paths, walkways and ramps are provided throughout the development site to ensure sufficient access is available to all.</p> <p>e) The building entrances are accessible at ground level via walkways and ramps and accessible lift access from the basement level.</p> <p>f) Pedestrian access ways are clearly delineated from the vehicular driveway.</p> <p>g) The proposal provides publicly accessible through-site links.</p> <p>h) The access from street parking to building entrances is clearly defined</p> <p>i) N/A</p>	
<b>7.10 Principle Private Open Space and</b>	a) Refer Tables 1, 2 and 3.	a) The development application includes a detailed landscape plan that confirms the proposed landscape areas	Yes

GDCP Clause	Requirement	Development	Compliance
<b>Landscape Design</b>	<p>b) The principal private open space (POS) is to be:</p> <ul style="list-style-type: none"> <li>• Located behind the building line to the main street frontage, unless specifically permitted otherwise by a Neighbourhood Structure Plan.</li> <li>• Directly accessible from, and adjacent to, a habitable room, other than a bedroom;</li> <li>• Located to have a northerly aspect, where possible;</li> </ul> <p>Where the principal private open space is permitted to be forward of the building line by a Neighbourhood Structure Plan the following additional controls apply:</p> <ul style="list-style-type: none"> <li>• The front setback to the main building line for the ground floor level is to be a minimum of 4.5m. An articulation zone may intrude into the main building line and set back 3.0m.</li> <li>• The principal private open space must have a minimum dimension of 4m.</li> <li>• A 0.5m wide landscape zone with screen planting must be provided located between the principal private</li> </ul>	<p>are in accordance with these controls.</p> <p>All ground floor dwellings have PPOS which meet the minimum requirement of 24sqm, north facing, directly accessible from living areas and of minimum 4m dimension.</p> <p>All upper floor dwellings have PPOS which meet the minimum requirement of 12sqm, north facing, directly accessible from living areas and of minimum 2m dimension.</p> <p>b) PPOS is directly accessible from and adjacent to living rooms and located with northerly aspect where possible.</p> <p>In some areas the PPOS extends forward of the main building line, but in these instances the front setback to the building is increased beyond 4.5m to allow PPOS of minimum 4m dimension. Greater than 0.5m landscape zone with screen planting is provided between the PPOS and front boundary.</p> <p>Where possible the PPOS is located up to 500mm above the general level of the street verge together with a front fence with maximum height of 1.2m. Blade walls are incorporated into the building design to ensure privacy from adjacent dwellings.</p> <p>The proposal allows for open air clothes drying within each PPOS by incorporating screening elements.</p>	

GDCP Clause	Requirement	Development	Compliance
	<p>open space and the front boundary.</p> <ul style="list-style-type: none"> <li>• The principal private open space is to be located between 350 and 500mm above the general level of the street verge.</li> <li>• A front fence is to be provided which is a maximum combined height of retaining wall and fence of 1.5m. The maximum height of the fence is to be 1.2m.</li> <li>• The front door to the home is to be clearly visible and accessible from the street.</li> <li>• The front fence is to have as a minimum 25% open elements.</li> <li>• Blade walls are to be incorporated into the dwelling design to further enhance privacy from adjacent dwellings. Blade walls can project up to 1 metre in-front of the dwelling (this is to be measured from the 4.5m setback line).</li> <li>• At least 25% of private open space must be provided behind the main building line and include a service area to include clothes drying facilities screened from the public realm.</li> </ul> <p>c) A landscape plan is to be prepared in relation to private and communal open space in the case of Small lot housing, Multi Unit/Dual Occupancy development, Residential Flat Buildings and Shop-top Housing. Such a landscaping plan must be prepared by a Council accredited consultant in accordance with Part 2.6 Landscaping of the Queanbeyan Development Control Plan 2012.</p>	<p>c) The development application includes a detailed landscape plan that confirms the proposed landscape areas are in accordance with these controls.</p>	

GDCP Clause	Requirement	Development	Compliance
	<p>d) For studio dwellings the principal private open space shall be in the form of a balcony directly accessed off living space having a minimum size of 12m<sup>2</sup> with a minimum dimension of 2m. It must be north facing where possible with a minimum of 3 hours solar access between 9am-3pm on 21 June.</p> <p>e) Solar access and privacy to the principal private open space of neighbouring lots is not to be significantly reduced or compromised.</p>	<p>d). N/A</p> <p>e) The proposal makes no impact to solar access or privacy to the PPOS of neighbouring lots</p>	
<b>7.11 Car Parking and Garages</b>	<p>a) All on-site parking is to be provided in accordance with the Tables 1, 2 and 3.</p> <p>b) The provision of parking meets the needs of the activity associated with any land use to be accommodated on-site.</p> <p>c) Car parking structures shall be incorporated into the design of residential buildings so as not to dominate the appearance of the building when viewed from public streets or internal private roadways. However, it is understood that for studio dwellings and small lots, the garage will dominate the appearance of the building from the rear.</p> <p>d) All off street parking (including parking spaces and manoeuvring areas) shall be designed in accordance with AS/NZS</p>	<p>a) The development provides 316 resident car parking spaces and 33 visitor parking spaces in accordance with Council's car parking requirements.</p> <p>b) All car parking provided meets the needs accommodated on site.</p> <p>c) Resident parking is provided in basement which is carefully integrated with the built form.</p> <p>d) All proposed parking is compliant with AS/NZS 2890.1-2004.</p>	<b>Yes</b>

GDCP Clause	Requirement	Development	Compliance
	<p>2890.1-2004 – Parking Facilities, Part 1: Off Street Car Parking and AS2890.2-2002, Part 2: Parking Facilities, Part 2: Off Street Commercial Vehicle Facilities and in accordance with Part 2 of the Queanbeyan Development Control Plan 2012 except where Tables 1, 2 and 3 in this Part applies.</p> <p>e) Parking may be provided in tandem where two spaces are provided for one dwelling.</p> <p>f) For studio and one bedroom dwellings on small lots, one on-site car space is required. Garages for separately titled studio dwellings may have a zero lot setback to one side boundary and may be attached to another garage/studio dwellings on an adjoining lot, (still retaining the 1 studio dwelling in a group of 4 dwellings) particularly where the studio dwelling is associated with an attached or semi-detached dwelling.</p> <p>g) Garage doors of residential developments are to be set back at least:</p> <ul style="list-style-type: none"> <li>i. 1m behind the front façade of the home.</li> <li>ii. 5.5m from the street boundary to allow another car to park on site in driveway if necessary.</li> <li>iii. 0m setback where garages are rear loaded for small lots or studio dwellings.</li> </ul>	<p>e) No Tandem parking proposed</p> <p>f) N/A</p> <p>g) N/A</p>	

GDCP Clause	Requirement	Development	Compliance
	h) Double garages are only permitted on lots 12.5m wide or greater.	h) N/A	
	i) Garages on corner lots shall be preferably accessed from the secondary street.	i) N/A	
	j) Driveways to be a minimum of 1.5m from street trees.	j) The two driveway crossings are located greater than 1.5m from street trees.	
	k) Provide landscaping between the driveway and the side boundary.	k) N/A.	
	l) Where bicycle parking is provided in multi dwelling housing and residential flat buildings such bicycle parking should be located in proximity to building entrances in highly visible and illuminated areas to minimize theft and vandalism.	l) Satisfactory bicycle parking facilities are provided adjoining Building A, Building D and Building E.	
	m) Garages are to be treated as an important element of the dwelling façade and are to be integrated with and complementary, in terms of design and material, to the dwelling design.	m) N/A	
	n) Garage doors are to be visually recessed through use of materials, colours, and overhangs.	n) The doors to basement parking are recessed within the built form so as not to be visually dominant.	
	o) When facing the street, the maximum total width of a garage or carport door is to be 50% of the building façade length.	o) N/A	
	p) Garages and covered parking spaces with a column or structure on one	p) N/A	



GDCP Clause	Requirement	Development	Compliance
	<p>or both sides are to be at least 5.5m long with a clear width of at least 3m and a clear height of 2.2m.</p> <p>q) The maximum width of a driveway at the property boundary is to be 4.5m.</p> <p>r) Long straight driveways (gun barrel developments) are to be avoided.</p> <p>s) Large expanses of concrete or sealed surfaces are to be avoided. Different surface treatments to be utilised.</p> <p>t) The opening of basement parking spaces shall not occupy more than 50% of the total width of the street elevation of the building. This does not apply to rear lanes.</p> <p>u) No parking is required for secondary dwellings.</p> <p>v) In finalising the parking numbers required the total number is to be rounded up to the next whole number.</p> <p>w) Parking provision shall be provided at a rate of not less than one disabled space per disability unit in accordance with Australian Standards 2890.1 and Part D3.5 of the Building Code of Australia located at ground level.</p>	<p>q) N/A</p> <p>r) The development does not propose a gun barrel layout and is satisfactory.</p> <p>s) The driveway incorporates a variety of surface treatment delineating driveway from visitor parking spaces.</p> <p>t) The opening to the basement carpark does not face the street.</p> <p>u) N/A</p> <p>v) The total parking provision has been rounded up to the next whole number.</p> <p>w) All adaptable dwellings are provided with parking provisions of one disabled space per disability unit in accordance with AS2890.1. The basement carparking plans illustrate the adaptable carparking configurations. Both configurations can meet the required standards.</p>	
<b>7.12 Site Facilities</b>	a) Refer to 7.16 for specific waste storage area requirements.	a) The development has been assessed by Council's waste officer and is considered to provide sufficient waste storage area.	N/A

GDCP Clause	Requirement	Development	Compliance
	<p>b) Communal waste bin enclosure areas are to be located so as to:</p> <p>i. Conceal their contents from view from the dwellings, public spaces and adjacent properties. ii. Avoid creating an odour nuisance for dwellings on the development site and adjoining properties. iii. Avoid creating a noise nuisance during servicing for dwellings on the development site and on adjoining properties. iv. Be incorporated into the landscaping if provided at ground level.</p> <p>c) One television antenna is provided to serve all dwellings in residential building Likewise for other communication antennae or dishes.</p> <p>d) Each dwelling is provided with a lockable external store of waterproof construction with a minimum volume of 6m<sup>3</sup> . A lockable garage or locker in a carport is acceptable.</p> <p>e) Appropriately designed, clearly visible signage is to be provided indicating the address (and name) of the building for ease of identification.</p> <p>f) Developments are to be provided with secure, open air clothes drying facilities screened from street view.</p>	<p>b) The development proposes four communal waste bin enclosure areas in the north-east and south-east corner of the site in the basement below blgs B - F. These waste areas are enclosed in rooms to minimise noise and odour impacts. Waste pickup is from the main common driveway.</p> <p>c) Noted</p> <p>d) Each dwelling has a lockable external store within the basement of minimum 3.5cbm volume with the remainder of required storage located within the apartment. Refer to ADG compliance assessment.</p> <p>e) Clear signage is required as a condition of consent.</p> <p>f) Each unit is provided with secure, open air clothes drying facilities.</p> <p>g) N/A.</p>	

GDCP Clause	Requirement	Development	Compliance
	<p>g) Open air, common clothes drying facilities are provided to be easily accessible to all residents and visually screened from streets and other public areas. If clothes drying facilities are located on private balconies, 2m<sup>2</sup> is to be provided in addition to the minimum private open space requirements and screened when viewed from outside the development.</p> <p>h) Mechanical plant is to be designed as integral to the building and structure. Mechanical plant for individual apartments (such as air conditioner heat pumps) is to be visually and acoustically screened from public spaces and neighbouring dwellings.</p> <p>i) Mailboxes are to be convenient for residents and delivery services. They should be provided in a safe, secure, well lit location. Mail boxes must be located within the development site.</p> <p>j) Studio dwellings and small lots provisions shall be made for separate services, such as mail delivery and waste collection, and on-site garbage storage areas so that bins are not visible from a street or laneway. Services are to be located on a street address that is able to be accessed by garbage collection and mail delivery services. Where it is more appropriate due to design and layout such services may be serviced from the front residential street via the principal dwelling lot.</p>	<p>h) Mechanical plant is integral to the building design. The mechanical plant for each dwelling is carefully positioned within the dwellings PPOS.</p> <p>i) Mailboxes have been carefully located at each common lobby, in a safe, secure and well-lit location.</p> <p>j) N/A</p>	

GDCP Clause	Requirement	Development	Compliance
<b>7.15 Residential Flat Buildings &amp; Shop Top Housing</b>	a) Residential flat buildings and shop top housing developments in Googong shall comply with Table 3.	a) The development consists of a residential flat building and is in compliance with the standards set out in Table 3 where applicable to the development.	Yes
<b>7.16 Thermal Performance</b>	a) All dwellings within the Googong township are to comply with the relevant energy efficiency requirements of State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004. A BASIX Certificate is to accompany all development applications for new dwellings or alterations and additions to existing dwellings having an estimated construction cost of \$50,000 or more.	a) A BASIX Certificate has been provided with the development and will be required to be complied with as a condition of consent.	Yes
<b>7.17 Solar Access</b>	<p>a) Buildings shall be sited and designed to maximise sunlight to north facing windows</p> <p>b) Principal Private Open Space (PPOS) shall not have sunlight reduced to less than three hours between 9am and 3pm on 21 June.</p> <p>c) Living areas are to generally have a northern orientation and be directly accessible to principal private open space areas.</p> <p>d) Windows are to be protected from direct summer sun with appropriate shading</p>	<p>a) Buildings have been sited to maximise sunlight to north facing windows except where urban design principles result in windows facing away from north to address the street.</p> <p>b) PPOS has sunlight of greater than 3 hours between 9am and 3pm on the winter solstice.</p> <p>c) Living areas always have direct access to PPOS. Living areas are generally oriented to the north except where urban design principles result in windows facing away from north to address the street.</p> <p>d) The proposal has utilised passive sustainability principles to provide</p>	Yes

GDCP Clause	Requirement	Development	Compliance
	<p>devices such as hoods, eaves or louvers.</p> <p>e) Windows to habitable rooms shall open to the sky or a verandah.</p>	<p>shading to main living room windows.</p> <p>e) Each habitable room has an external window.</p>	
<b>7.18 Energy and Natural Ventilation</b>	<p>a) Buildings shall be designed and orientated to take optimal advantage of passive solar access and prevailing breezes.</p> <p>b) To reduce energy consumed by clothes drying machines, all dwellings are to be provided with secure, open air clothes drying facilities.</p> <p>c) Where feasible make use of solar energy and solar hot water.</p> <p>d) Ventilation of residential buildings can be achieved by permanent openings, windows, doors or other devices.</p>	<p>a) Each building has been designed to optimise solar access and natural ventilation.</p> <p>b) Each dwelling has a screened area of PPOS to facilitate open air clothes drying.</p> <p>c) Rooftop Solar energy and instant electric hot water</p> <p>d) The majority of dwellings allow natural ventilation through corner or cross flow design.</p>	Yes
<b>7.19 Waste Management</b>	<p>a) Each dwelling shall be provided with sufficient room on site to store 3 x 240L mobile garbage bins (MGBs). The minimum space required is 2,300mm long by 750mm wide. Storage areas shall have an easily cleaned all weather surface.</p> <p>b) Storage areas shall be located so that:</p> <p>i. MGBs are not visible from public view and located behind the building setback.</p> <p>ii. MGBs can be transferred from their storage location to the street frontage for collection without needing to</p>	<p>a) The proposal is for a residential flat building. The waste engineer has designed an appropriate waste management system.</p> <p>b) All storage bins are located within four enclosed waste storage areas within the basement carpark on site.</p>	Yes

GDCP Clause	Requirement	Development	Compliance
	<p>be wheeled over steps or through the dwelling unit.</p> <p>c) On any collection day residents will be required to wheel two full MGB's to the kerbside. As a general rule MGBs shall not be wheeled more than 75 m. For aged persons or persons with a disability this shall not exceed 50m. Grades shall be less than 1:14.</p> <p>d) For multi-unit developments with nine or more units or a frontage less than 20m and for residential flats each development shall be provided with an external communal storage bay for MGBs. Communal MGB's shall be stored in this area for the use of all occupiers. MGBs shall not be removed from the storage area by occupiers. Council's waste contractors will remove bins from the storage area, empty bins and place the emptied bins back in the storage area.</p> <p>e) Storage bays shall be located within 6m of the boundary on the road from which they will be serviced.</p> <p>f) Storage bays shall be constructed as follows:</p> <p>i. Wall height shall be a minimum of 1,200mm.</p> <p>ii. Floors shall be a minimum 100mm reinforced concrete graded to drain to the outside.</p> <p>iii. The opening to the storage area shall be a minimum of 2,000mm wide and where practical located so that it does not open directly onto the street.</p>	<p>c) Waste collection is entirely within the site by commercial waste contractors.</p> <p>d) N/A.</p> <p>e) N/A.</p> <p>f) N/A.</p>	

GDCP Clause	Requirement	Development	Compliance
	<p>iv. The opening shall be provided with a gate or roller style door. In larger developments a personal access door may also be required to allow occupiers ease of access to the storage area.</p> <p>v. For a single row of bins the minimum internal width of the storage area shall be 2,750mm. For a double row of bins (along each side of the enclosure) the minimum width is 3,500mm.</p> <p>vi. An area 600mm wide x 750mm deep shall be provided for each MGB.</p> <p>vii. Provision shall be made for the following number of MGBs -1 x 240L MGB (red lid garbage) for every two units - 1 x 240L MGB (yellow lid bin) for every two units.</p> <p>g) Roofed storage areas are generally discouraged except where overlooking is likely to occur from balconies above. Roofed storage areas shall be provided with ventilation panels in external walls.</p> <p>h) A graded wash down point connected to the sewer is permitted in the floor of roofed storage areas.</p> <p>i) It is recommended that a layby be constructed as close as possible to the waste storage area to allow residents leaving the premises to park briefly to utilise the storage area. Note: For multi-unit developments between 7 and 8 units please discuss the particular circumstances of the site with Council staff who will</p>	<p>g) N/A.</p> <p>h) Provided</p> <p>i) There is opportunity for residents to park close to waste management rooms for the disposal of waste.</p>	



GDCP Clause	Requirement	Development	Compliance
	determine whether the single dwelling provisions or a communal storage area will need to be provided. In developments with particularly wide frontages the single dwelling provisions may be applied to developments with 9 or more units after discussion with Council staff.		
<b>7.20 Water Conservation</b>	<p>a) All dwellings are to be connected to the Googong reticulated alternate water supply system. This is to be done by connecting to the toilets and at least two outside taps with a minimum of one to the front and rear of the dwelling.</p> <p>b) Development applications for new developments are required to include a Water Management Statement. This is a statement that summarizes proposed water management measures and expected performance levels compared to BASIX performance standards and should include details of how water usage is minimised and how the quality and quantity of water discharge from the site is managed, details of the potential for water recycling and rainwater harvesting and reuse options.</p> <p>c) Details of proposed installation of appliances and plumbing hardware are to be provided in accordance with relevant standards.</p> <p>d) Rainwater tanks are required to be installed where BASIX certificates require</p>	<p>a) All dwellings will be connected to the Googong reticulated alternate water system.</p> <p>b) A Water Management Statement is provided with the development application.</p> <p>c) Details of proposed installation of appliances and plumbing hardware will be detailed at construction stage.</p> <p>d) N/A</p>	

GDCP Clause	Requirement	Development	Compliance
	such items connected to all new residential dwellings.		

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):

### **SECTION 64 CONTRIBUTIONS**

Additional Section 64 contributions are required for the proposed development comprising 163 residential units in accordance with the Development Servicing Plans Googong to address the increased number of dwellings estimated for the location.

Council and Googong Township Pty Ltd (GTPL) has a current Voluntary Planning Agreement (VPA) based on the Googong structure plan. All section 64 contributions of the proposed dwellings that were included within the structure plan would be transferred to GTPL if collected by Council. However, GTPL has previously advised that they do not wish to collect Section 64 Contributions.

Based on Council's Development Engineer's advice, S64 contributions are not applicable to the proposed development.

### **SECTION 7.11 CONTRIBUTIONS**

Section 7.11 of the *Environmental Planning & Assessment Act 1979* permits councils to require as a condition of development consent, the reasonable dedication of land or the payment of monies, or both, for development that is likely to require the provision of, or increase the demand for public amenities and public services within the area.

Section 7.11 Contributions are not applicable to the proposed development.

### **SECTION 7.12 CONTRIBUTIONS**

Section 7.12 of the *Environmental Planning & Assessment Act 1979* permits councils to require as a condition of development consent the payment of monies to be applied towards the provision, extension or augmentation of public amenities or public services (or towards recouping the cost of their provision, extension or augmentation).

Section 7.12 contributions are not applicable to the proposed development as the land is not in the mapped area where the 7.12 contributions plan applies.

#### **(f) Section 4.15(1)(a)(iia) – Planning agreements under Section 7.4 of the EP&A Act**

The following planning agreement has been entered into under Section 7.4 of the EP&A Act:

- **Googong Urban Development Local Planning Agreement**

The development is consistent with this Planning Agreement as discussed in this report.

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

Section 61 of the 2021 EP&A Regulation contains matters that must be taken into consideration by a consent authority in determining a development application. None of the listed matters apply to this development.

### 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 must be 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:

- **Construction** – The construction stage of the development will have the potential to impact on adjoining properties and the environment for a short period of time. Any approval is 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.
- **Waste Management** – Waste and recycling bins for the development are proposed to be stored within four dedicated bin storerooms located within the basement carpark.

These bins will be wheeled to the on-site designated waste pickup point by commercial contractors. No kerbside waste pickups are contemplated with this subject development. Loading Bay signage is proposed to accommodate the waste truck.

The proposed bin numbers, type (some can be reduced in size to assist movement) and collection arrangement (fortnightly, weekly, use of all or some bin enclosures) will need to be finalised to ensure that bins can be efficiently collected while meeting the needs of end-users.

Draft conditions have been provided for the development should the Determining Authority provide consent for the development.

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

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

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

**Does the development fit in the locality?** - There are no significant constraints, heritage, threatened species, agricultural or mineral and extractive resource constraints impacting the development. The development will not give rise to unmanageable transport demands, adequate recreational opportunities will be provided and all services will be available.

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

Section 4.15(1)(d) of the EP&A Act requires Council to consider “any submissions made in accordance with this Act or the regulations”.

The development was notified to adjoining and nearby landowners in accordance with the requirements of the Queanbeyan-Palerang Community Participation Plan 2019 (QCPP). Council did not receive any submissions objecting to the development.

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

Section 4.15(1)(e) of the EP&A Act requires Council to consider “the public interest”. The development satisfactorily addresses Council’s criteria and would provide a development outcome that, on balance, would result in a positive impact for the community. Approval of the development would be in the public interest.

## 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 9.

**Table 9: Concurrence and Referrals to agencies**

Agency	Concurrence/ referral trigger	Comments (Issue, resolution, conditions)	Resolved/Action
<b>Concurrence Requirements</b> (s4.13 of EP&A Act)			
N/A			
<b>Referral/Consultation Agencies</b>			
Transport for NSW (TfNSW)	SEPP (Transport and Infrastructure) 2021, s2.122 (Traffic- generating development)	<p>TfNSW confirmed they have no objections to the development, providing the following notes:</p> <p><b>Context</b></p> <ul style="list-style-type: none"> <li>The approved NH2 Structure Plan development application (DA123-2017) included a traffic study; this traffic study considered the yield of Neighbourhood 2, stage 6 (which this land is part of) to be 243 multi units (units). Considering the size of the subject lot is approximately 21% of the stage 6 area, the yield of the subject lot as part of the Structure Plan is calculated as 51 units.</li> </ul>	<p>Council requested the Applicant provide a traffic and parking impact study which confirms that the development will not unacceptably impact on the traffic in the local road network. This matter is considered resolved.</p> <p>The development has managed to satisfy the various standards with minor and acceptable variations such as height which has led to a development consisting of 163 units. The scale of the development is appropriate given its</p>

Agency	Concurrence/ referral trigger	Comments (Issue, resolution, conditions)	Resolved/Action
		<ul style="list-style-type: none"> <li>• This proposal results in an increased yield of 112 units for the subject lot.</li> <li>• A traffic impact assessment (TIA) has been provided to support this DA, which includes traffic analysis and SIDRA modelling. The TIA considers the traffic impacts of the increased yield of this site, as well as neighbouring lots (which have also proposed higher yields than the initial NH2 Structure Plan DA traffic study yields).</li> <li>• The TIA concludes that the five key intersections in Googong will perform satisfactorily for the AM and PM peaks in 2031 (at the completion of NH2). The LOS remains the same for all intersections aside from Old Cooma Road and Googong Road in the PM peak, which drops to LOS B.</li> </ul> <p><b>Comment</b> TfNSW provide the following comments to be addressed:</p> <ul style="list-style-type: none"> <li>• Council must be satisfied that the increased yield of the subject lot, considering the cumulative impact of increased yields of other sites within Googong, will not adversely impact on the performance of the local road network.</li> <li>• It is highlighted that TfNSW's ongoing role regarding the signalised intersections within Googong is to maintain the signals and optimise the operation of the signals within the constructed road geometry. Any ongoing capacity issues and/or complaints associated with</li> </ul>	proximity to the town centre.

Agency	Concurrence/ referral trigger	Comments (Issue, resolution, conditions)	Resolved/Action
		signals will be a matter for Council to deal with and/or address with Council funded upgrades.	
Essential Energy (EE)	SEPP (Transport and Infrastructure) 2021, s2.48	<p>EE confirmed the following general comments in relation to the proposed development:</p> <ul style="list-style-type: none"> <li>• If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment;</li> <li>• Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with;</li> <li>• Any activities in proximity to electrical infrastructure 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;</li> <li>• Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW); and</li> </ul>	Following receipt of these comments, it is appropriate to include the requirements as advisory conditions of consent as per attached.

Agency	Concurrence/ referral trigger	Comments (Issue, resolution, conditions)	Resolved/Action
		<ul style="list-style-type: none"> <li>It is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (<a href="http://www.safework.nsw.gov.au">www.safework.nsw.gov.au</a>) has publications that provide guidance when working close to electricity infrastructure. These include the Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets.</li> </ul>	
Canberra Airport		<p>Canberra Airport conducted an Obstacle Limitation Surface (OLS) assessment and confirmed that while the planned maximum height of the building does penetrate the OLS, a further assessment was not required at this stage.</p> <p>Based on this no further assessments, or Airspace Protection Approval are required, subject to the following:</p> <ul style="list-style-type: none"> <li>Should any of the construction details of DA.2024.0027 change in height or location, please submit full details for reassessment.</li> <li>If crane/s are required for construction and works at the site, please submit full details of any crane operations to us for a further OLS assessment. The Obstacle Assessment Form (OAF) is located here: <a href="https://www.datocms-assets.com/88007/1675723">https://www.datocms-assets.com/88007/1675723</a></li> </ul>	The matters requested by Canberra Airport have been included as conditions of consent.



Agency	Concurrence/ referral trigger	Comments (Issue, resolution, conditions)	Resolved/Action
		<p><a href="#">431-obstacle-application-form.pdf</a></p> <p>The development is to be subject to the following permanent Civil Aviation Safety Authority (CASA) requirements. This will also apply to any future fixtures e.g. aerals, solar panels, affixed to the roof areas of any of the building:</p> <ul style="list-style-type: none"> <li>CASA has assessed the maximum height of buildings and developments at this site to a maximum height of 822m AHD i.e. an intrusion of 102m into the Outer Horizontal Surface (OHS) for Canberra Airport which is at a height of 720m AHD. CASA notes that the elevation of the site is above the OHS. CASA has no objections to the structures that would intrude into the OHS at the site to a maximum height of 822m AHD provided they do not exceed a maximum height of 20m Above Ground Level (AGL). In this case, obstacle lighting / marking of such structures is not required.</li> </ul>	
<b>Integrated Development (S 4.46 of the EP&amp;A Act)</b>			
N/A			

## 4.2 Council Officer Referrals

The development application has been referred to various Council officers for technical review as outlined **Table 10**.

**Table 10: Consideration of Council Referrals**

Officer	Comments	Resolved/Action
Waste Officer	<p>A referral response was received on 27 February 2024. The Waste Officer's referral response requested the Applicant provide the following:</p> <p><i>The NSW Waste and Sustainable Materials Strategy 2041 (NSW DPIE, June 2021) contains a target to achieve "80% average recovery rate from all waste streams by 2030". As this project contains a significant amount of demolition and/or potential construction waste, the applicant will need to address how this development is contributing to this target.</i></p> <p><b>1. Waste Management Plan</b> A Waste Management Plan, prepared by a suitably qualified or experienced professional, shall be submitted to Council for approval. The waste management plan shall include:</p> <p><b>Construction</b></p> <ul style="list-style-type: none"> <li>• Estimated quantities of construction waste broken down into major waste streams</li> <li>• Description of how construction waste will be avoided, reused, recycled, or otherwise safely and legally diverted from landfill for the duration of construction works.</li> <li>• Estimated quantities of construction waste to be landfilled, reused, recycled, or otherwise safely and legally diverted from landfill</li> <li>• Estimated quantities of excavated natural material (ENM), the expected classification of ENM and how ENM will be managed and disposed</li> <li>• Generally addressing how this project is contributing to the NSW Waste and Sustainable Materials Strategy 2041 (NSW DPIE, June 2021) target to achieve "80% average recovery rate from all waste streams by 2030".</li> </ul> <p><b>Operation</b></p> <p>Post-construction use and management</p> <ul style="list-style-type: none"> <li>• Detail who will be responsible for on-going management of waste areas and waste management within the development</li> <li>• A plan showing an area suitable for storage of each waste stream, with sufficient capacity to meet the waste generated between collections.</li> </ul>	<p>The Applicant provided a Waste Management Plan which estimates quantities of construction waste, details of ongoing waste management including waste pickup processes and on-site storage areas. This referral is considered to be satisfactorily addressed and will formulate the set of documentation that is included in the conditions of consent.</p>

Officer	Comments	Resolved/Action
	<ul style="list-style-type: none"> <li>• Details on how the communal area will be accessible for people with reduced mobility and/or other disabilities.</li> <li>• Include organics bins in all the waste enclosures as currently only in the two large ones.</li> <li>• Add a door for access in addition to the roller doors to the waste rooms.</li> <li>• Include generation of waste types and frequency of collections. Ideally once a week per waste type to minimise truck movements.</li> <li>• Show how bins will be moved to the collection point for the truck to access.</li> <li>• Submit plans showing the swept path of the nominated waste collection vehicle to Council for approval. The plans shall show the nominated waste collection vehicle entering the site in a forward direction, travelling to/from the waste storage area, and leaving the site in a forward direction. The dimensions of the nominated waste collection vehicle shall be no less than 12.5m in length.</li> </ul>	
Development Engineer	<ul style="list-style-type: none"> <li>• As per the submitted plans and Traffic Report, a total of 322 parking spaces have been provided. However, in accordance with Googong DCP a total of 331 parking spaces will be required. The visitor parking cannot be accommodated by on-street parking.</li> <li>• The car parking for adaptable units is required to be at least 3.8m in width and a vertical clearance of minimum 2.5m in accordance with AS 4299-1995.</li> <li>• As per the submitted plans, disabled parking spaces are not in compliance with AS/NZS 2890.6. A disabled parking space is required with a shared area on side of a dedicated space in accordance with AS/NZS 2890.6.</li> <li>• All parking is required to be in accordance with AS/NZS 2890.1 Off Street Car Parking Facilities and AS/NZS 2890.6 Off Street parking for People with Disabilities.</li> <li>• The vehicle swept paths for B99 vehicle in accordance with AS/NZS 2890.1 will be required to demonstrate the manoeuvrability within the driveway, basement car parking, basement parking entry and exit and individual car parking spaces.</li> </ul>	<ul style="list-style-type: none"> <li>• Refer to discussion in Table 9.</li> <li>• Refer to discussion in Table 9 explaining the arrangement for parking spaces attached to adaptable and Liveable units.</li> <li>• Additional plans including swept paths have been provided as part of the response to the RFI to demonstrate a B99</li> </ul>

Officer	Comments	Resolved/Action
	<ul style="list-style-type: none"> <li>As per AS/NZS 2890.1, swept path to demonstrate a B99 vehicle passing at least a B85 vehicle within the driveway, intersections, basement car parking and entrances will be required.</li> <li>All single turn swept path templates shall be for a B99 vehicle in accordance with AS/NZS 2890.1.</li> <li>As per the submitted plans, units on Lower Ground are commercially adaptive. A confirmation is required to the use of units and parking provisions will be applicable accordingly for commercial/retail premises in accordance with relevant specifications.</li> <li>As per the submitted plans and site inspection, a light pole is located adjacent to the proposed driveway access off Perrin Street which is not in compliance with Council's D13 Design Specifications. All driveway crossings must be located at least 1.0m from electrical, Telstra, stormwater inlet pits, water meters, all services, and trees on the verge as per Council's D13 Design Specifications.</li> <li>Each unit will require an individual water meter for potable and non-potable. A water servicing plan with the location of individual water meters in an easily accessible location to ensure appropriate locations can be agreed with Council.</li> </ul>	<p>vehicle passing at least a B85 vehicle within the driveway, intersections, and entrances. The central driveway has been adjusted in size to assist manoeuvrability within the site.</p> <ul style="list-style-type: none"> <li>There are 4 units on the lower ground floor level addressing Glenrock Drive which are designed to be commercially adaptable. The units are 2 bedroom units and are provided with 2 dedicated carparking spaces each. If the units are to be used for commercial purposes in the future, it is likely to be for an office premises. As each unit is less than 120m<sup>2</sup>, and the QDCP2012 requires 1 space per 60m<sup>2</sup> of office space, each unit will therefore meet the carparking requirements.</li> <li>The proposed driveway to Perrin Street has been amended to provide 1.0m clearance from the existing light pole.</li> <li>This requirement has been included as a condition of consent.</li> </ul>

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

### 4.3 Community Consultation

The development was notified in accordance with the QCPP for 31 days duration from 4 March 2024 to 3 April 2024. The notification included the following:

- Notification letters sent to adjoining and adjacent properties;
- Notification on the Council's website.

The Council received no submissions in response to the notification.

## 5. CONCLUSION

The Applicant is seeking development consent for a residential flat building development comprising six buildings containing a total of 163 units which will comprise one, two and three bedroom units (the development). The development also includes up to 316 resident parking spaces and 33 onsite visitor parking spaces located in the basement car park area and at grade. It is noted that 15 car parking spaces are adaptable where accessible parking spaces are required for the accessible units provided throughout the development.

The development will include one (1) five (5) storey building (Blg A), two (2) four (4) storey buildings (Blgs B & C and three (3) three (3) storey buildings (Blgs D, E & F).

The development is 'Regional Development' as defined by Chapter 2 Schedule 6 of State Environmental Planning Policy (Planning Systems) 2021 (PS SEPP) – The development is for a residential flat building with a CIV over \$30 million in value. The Southern Regional Planning Panel (SRPP) is the relevant determining authority.

The development application is not nominated as Integrated Development and has been assessed under the relevant State Environmental Planning Policies, Queanbeyan-Palerang Regional Local Environmental Plan 2022, 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 QPR LEP 2022 which is supported by a Clause 4.6 Variations Report and 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 4.15 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 from 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. It is considered that the key issues as outlined in this report have been resolved satisfactorily through recommended draft conditions at **Attachment 1**.

## 6. RECOMMENDATION

That the Development Application DA.2024.0027 for Construction of a residential flat building development comprising 6 buildings containing a total of 163 units over two basement parking levels, associated services, civil work and landscaping at 18 Glenrock Drive, Googong, NSW 2620, 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.