
Statement of Environmental Effects.

Development Application for Registered Club

SITE | 37 Tomsitt Drive, Jerrabomberra

PREPARED FOR | Tuggeranong Valley Rugby
Union & Sports Club Limited

February 2025

Qualifications

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This report is current at the date of the development application only.

This report is to be read in its entirety and in association with other documentation submitted as part of the Development Application.

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Job Number	22-096		
Client	Tuggeranong Valley Rugby Union & Sports Club Limited		
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1. Introduction

This Statement of Environmental Effects (SEE) accompanies a Development Application (DA) to Queanbeyan-Palerang Regional Council, on behalf of Tuggeranong Valley Rugby Union & Sports Club Limited, pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979 (EP&A Act 1979)* for a staged registered club development. The premises will be known as the Vikings Club. The site is located at 37 Tomsitt Drive, Jerrabomberra, legally described as Lot 6 DP1246134.

The proposed development is located within the North Poplars Local Centres Sub-precinct forming part of the South Jerrabomberra Regional Jobs Precinct. An associated DA has been submitted for a 10-lot subdivision and civil works and which is currently under assessment by Council.

This SEE and accompanying specialist documentation describes the proposed development at the site and provides an environmental assessment against the relevantly applicable Environmental Planning Instruments and Policies, pursuant to Section 4.15 Evaluation of the Environmental Planning and Assessment Act 1979 (EP&A Act).

The assessment carried out in this SEE demonstrates that the proposed development:

- Will deliver a facility to meet the social needs of local residents while facilitating the orderly development of the locality.
- Will provide a high-quality design that will positively contribute to the desired future character of the area.
- Will appropriately protect and preserve environmental conservation land in its vicinity.
- Has been designed and will be managed to mitigate the impacts upon neighbouring properties including established residential development.
- Will contribute towards the strategic planning objectives as most recently articulated in the draft South Jerrabomberra Regional Job Precinct Draft Master Plan.
- Will remain consistent with the relevantly applicable Environmental Planning Instruments and planning policies and controls.
- Is consistent with the objectives of the subject land use zone B1 Neighbourhood Centre, and the future E1 Local Centre land use zone, pursuant to the *Queanbeyan-Palerang Local Environmental Plan 2022*.

For the reasons stated and as set out in this Statement of Environmental Effects report, the proposed development is worthy of approval.

2. Background

2.1 Development Application Timeline

The Development Application was lodged via the Planning Portal on 21 December 2023 and formally accepted by Council on 25 January 2024. Table 1 below summarises the key events associated with the DA to date.

Table 1 – DA Timeline

Who	Key Event	Date
Applicant	DA submitted on Planning Portal	21.12.23
Council	DA lodged with Council	25.1.24
Council	First Exhibition	6.3.24 – 22.3.24
Council	Extended Notification	3.4.24 – 19.4.24
Council	Redacted submissions issued to applicant	6.5.24
Applicant/ Council	Presentation to Councillors on the DA	23.5.24
Council	Email confirming change in assessing office	25.6.24
Council	Request for information (RFI) letter from Council	27.6.24
Planning Panel	Site Inspection, Public Briefing & Applicant Briefing	17.7.24
Applicant	Response to Submissions submitted to Council	18.7.24
Applicant	Additional information and amendments submitted to Council	6.9.24
Council	Renotification – 23 submissions received	26.9.24-15.10.24
Council	Redacted submissions issued to applicant	27.11.24
Applicant	Requested meeting with Council staff	3.12.24
Applicant	Response to Submissions submitted to Council	10.12.24
Planning Panel	Assessment briefing	17.12.24
Applicant/Council	Meeting with Council to discuss issues raised in report to Panel	20.12.24
Applicant/Council	Meeting with Council to provide update on amended documentation	24.1.25

2.2 Amended Application

On 17th December 2024 Council and the applicant were invited to brief the Planning Panel on the assessment status of the DA. A number of issues were raised in Council's assessment report and in the Panel's record of briefing. **Table 2** summarises the key issues raised in the record of briefing from the Planning Panel and the applicant's response.

In response to the matters raised the following amendments have been made to the application which are summarised as follows:

- The development has been reduced in height such that the development is wholly compliant with the maximum permitted building height of 12m. The proposal is no longer reliant on a clause 4.6 variation request.
- Alterations to the ground floor plan for Stage 1 comprising: a reduction in the size of the gaming lounge; reduction in the number of electronic gaming machines (EGM) and introduction of a function room.
- Alterations to the ground floor plan for Stage 2 comprising: a reduction in the size of the gaming lounge; and reduction in the number of electronic gaming machines (EGM);
- Changes to the hours of operation including a reduction in hours for the function rooms.
- Increase in height of the acoustic barrier along the eastern boundary with Esmond Ave from 2m to 3m with an integrated landscape strategy.

Table 2 – Response to Key Issues

Planning Panel	Response
Site Suitability	<p>The objectives of both the current and soon to be adopted E1 local centre zone are relevant statutory matters to be considered. Legal advice from Lindsay Taylor Lawyers, which confirms this is the case, notes that <i>“the E1 zoning should be given significant weight. The planning instrument which introduced the zoning is to be treated as a proposed instrument, and its coming into effect in respect of the Site, is certain and imminent. Failure to consider the objectives of the E1 zone in determining the DA would be a legal error;”</i> To assist, the legal advice from Lindsay Taylor Lawyers is attached as part of the response.</p> <p>It is reasonable to assume therefore that the broader objectives of the E1 zone does reflect Council’s desired future character for the centre of which the site forms part. It does so by being a community use that serves the needs of people who live in, work in or visit the area; by encouraging investment in local commercial development that generates employment opportunities and economic growth; and by encouraging development that is consistent with the character and amenity of the locality being part of the NSW Government’s vision when in March 2021 Government selected the South Jerrabomberra Innovation Precinct to become one of only four regional Job Precincts in the state of New South Wales.</p> <p>Furthermore, we note that the proposed club is of a scale that complies with the development standards and is a type of development that is permissible, meaning in use, and scale that it has been contemplated by Council in the objectives of the current and proposed zone.</p> <p>It is appropriate and necessary that the suitability of the site for the club, also have regard to the South Jerrabomberra Regional Job Precinct Draft Masterplan (the Masterplan), noting legal advice from Lindsay Taylor Lawyers that <i>“the master plan is a relevant consideration, and the fact that it has been exhibited means it should be given greater weight than if it had not been exhibited.”</i></p> <p>By reference then to the masterplan, it notes that the North Poplars sub precinct <i>“is expected to play a significant role in supporting the South Jerrabomberra precinct. The local centre will provide shops and retail uses, cafés, bars, and restaurants as well as wellbeing facilities for people living and working in the South Jerrabomberra precinct and surrounding areas”</i>. It contemplates a commercial character in which the club and its services and facilities will be entirely consistent.</p> <p>Further to the matters of the land use zoning and consistency with zone objective, the proposed club is consistent with the character and amenity of the locality as demonstrated through the amended specialist reports including: Amended Acoustic Environmental & Impact Assessment Report; Amended Alcohol Plan of Management; Amended Traffic Impact Assessment; Amended architectural plans reducing the overall building height to comply with the maximum permitted building height; reduction in the number of electronic gaming machines; and detailed view analysis undertaken by project architects BMA.</p> <p>The locality is also to be read as being the local centre of which the club forms part. The local centre has established commercial and retail uses as is contemplated by the zoning both existing and future as adopted by Council.</p> <p>With no adverse impacts on the nearby residential areas able to be identified by Council, the proposed club by any measure of amenity, use and environmental impacts is consistent with both the residential and commercial character of the locality. The club is a use that serves the needs of people who live in, work in or visit the area. It does so as a community based organisation for which its members are expected to</p>

	<p>be principally from the local area. The Vikings Club advises the following regarding their current membership within the locality:</p> <ul style="list-style-type: none"> • There are 5,732 Vikings only Members from Jerrabomberra / Queanbeyan area i.e. they use Vikings Group Clubs and live in the locality; • There are 12155 members that have Campbell & George membership (which the Vikings Club operate) from the Jerrabomberra / Queanbeyan area – i.e. they use Vikings and Campbell & George; • Statistically the majority of Club users live within a 5km radius of the development. <p>There is a clear and demonstrated number of existing Club Members within the locality that would benefit from the registered club, this of course does not consider potential members once the club is operating. It will be an integral part of the local and broader community. There is no basis to suggest otherwise.</p> <p>In summary, the proposed club is suitable for the site in terms of the zoning, existing and proposed, the draft master plan, the nature and size of the club and its integration with the local and broader community.</p>
Traffic Impacts	<p>Quantum Traffic has reviewed the matters raised by Council with regard to traffic impacts. They have considered in more detail the impacts associated across both Stage 1 and Stage 2 of the development and prepared an amended Traffic Impact Assessment Report (see Appendix 5). The assessment has undertaken greater analysis which includes other indicative developments within Poplars North and a 'base scenario', which is intended to be considered as a baseline against which the impacts of the proposed licensed club can be assessed. This includes a rather conservative 2,300m² of retail floor space on the subject site in place of the registered club. The assessment concludes that:</p> <p><i>Section 3 (page 13) has been added and section 6 (page 12) updated to reflect the consideration of other indicative developments within Poplars North. The analysis indicates that the traffic demands associated with the Poplars North development are likely to exceed the practical capacity of the Envirova Drive / Henry Place / Tompsitt Drive intersection during both the weekday PM and Saturday peak hours. Furthermore, the analysis demonstrates that the proposed licensed club would be expected to result in lesser traffic demands, and hence lesser traffic impacts, compared to even a conservatively small shop, which would otherwise likely be developed on the subject site.</i></p>
Acoustic Impacts	<p>Acoustic Dynamics were engaged by the proponent to undertake an expert peer review (see Appendix 16) of the Acoustic Environmental & Impact Assessment Report prepared by Acoustic Noise & Vibration Solutions P/L and the matters raised in the acoustic peer review undertaken by Day Design, dated 12 December 2024. The findings of the Acoustic Dynamic peer review are summarised as follows:</p> <p>33. Our findings are summarised as follows:</p> <p><i>i. The acoustic report prepared by Acoustic Noise and Vibration Solutions requires minor updates in relation to insufficient information, determination of criteria, calculation assumptions, calculations, and noise management measures;</i></p> <p><i>ii. Day Design suggests that the patron and music noise calculations are incorrect yet did not provide calculations or predictions to support the statement;</i></p> <p><i>iii. Day Design recommend using the most conservative criterion for all receivers, however insufficient justification was provided;</i></p>

	<p><i>iv. Patron and music noise impacts may be marginally underpredicted, however if required, additional mitigation could readily be achieved through the use of architectural mitigation and/or additional patron management measures; and</i></p> <p><i>v. The recommended control measures may require minor updates.</i></p> <p>34. <i>It is our opinion that the required updates are not insurmountable and do not preclude the development from achieving compliance with the relevant acoustic criteria.</i></p> <p>Acoustic Noise & Vibration Solutions P/L has now prepared an amended acoustic report (see Appendix 6) that adopts the recommendations contained within the acoustic peer review undertaken by Day Design. Both the expert peer review and the amended acoustic report are now provided as part of the amended application.</p> <p>The amended acoustic report concludes that:</p> <p><i>Measurements and computations presented in this report show that the noise emissions from the proposed Vikings Club at No. 37 Tompsitt St, Jerrabomberra, will not exceed the noise criteria set out in the NSW Noise Policy for Industry (2017), Section 2.2.1 of the Noise Guide for Local Government, NSW Office of Liquor, Gaming & Racing (OLGR) noise recommendations, and Queanbeyan-Palerang Regional Council requirements.</i></p> <p><i>Noise control recommendations are outlined in Section 9 to ensure compliance through the operation of the proposed Vikings Club. The operation of the proposed Club will comply with the relative sections of the EPA and will not create any offensive noise.</i></p> <p>Design and operational recommendations have been made which are to be adopted by the development. The following are the key changes to the recommendations (refer to amended acoustic report for full list of recommendations):</p> <ul style="list-style-type: none"> - An acoustic barrier is now proposed at a height of 3m (increased from 2m) along the eastern boundary with Esmond Ave; - Automatic door closers are to be installed on all external entry doors to ensure no noise propagation to the nearby residential dwellings; - Recommendations with respect to mechanical plant equipment noting that further assessment will be required as part of the Construction Certificate phase, which can be addressed by way of condition of consent. <p>Further to the assessment of impacts resulting from the registered club, an assessment has also been undertaken with respect to the impact of aircraft movements associated with the Canberra Airport, concluding that:</p> <p><i>The noise attenuation proposed in this report and the building components described in Section 5.0 of this report will result in internal noise levels that are in compliance with AS 2021:2015 'Acoustics – Aircraft noise intrusion – Building siting and construction' and Queanbeyan-Palerang Regional Council requirements.</i></p>
Social Impacts	<p>In support of the application is an amended Social Impact Assessment (SIA) prepared by Hill PDA. The report summarises the changes that have been made to the application with regard to the reduction in the building height and changes to the internal floor plates. The report has been amended incorporating the findings and outcomes of the amended traffic impact assessment, amended acoustic report, and amended alcohol plan of management. The report also more clearly details the impacts of the development associated with both Stage 1 and Stage 2.</p>

	<p>The level of engagement with residents in the adjacent residential area was also raised by Council in its assessment report. In accordance with the recommendations (see section 5.4) of the amended Social Impact Assessment (SIA), further engagement with Tier 1 potential sensitive receivers is proposed to be undertaken by the proponent. We envisage that such engagement would be coordinated in terms of timing with Council's own statutory notification process. The purpose of the further engagement is to ensure that those potential receivers have the opportunity for a fully informed view on the proposed development as amended.</p> <p>Further to the community engagement the proponent will organise to meet with NSW Police to step through the amendments that have been made and particularly the approach taken in the amended Alcohol Plan of Management to address concerns raised in their letter response dated 3 December 2025.</p> <p>The detailed SIA concludes in their report that:</p> <p><i>This report has assessed a range of positive and negative social impacts presented by the proposal. Construction impacts would be temporary in nature and can be mitigated through planning and coordination mechanisms identified in this report.</i></p> <p><i>When operational, the proposal could present social risks, as with any site where liquor and gaming are served and conducted. To some extent, social risks may occur on-site regardless of this proposal, due to the likelihood of development for business/retail uses as per a local centre zoning. This SIA identifies that there is a low-risk baseline environment for risky behaviours and sets out a range of strategies to further mitigate residual risks posed. The proposal would provide a range of community services that would not otherwise be present or available within an identified growth area, including a range of social and recreational activities that would contribute to the development of the area's overall sense of community.</i></p> <p>There are a range of mitigation measures recommended in the report in section 8 which would be adopted by the proponent, these relate to both the construction and operational phases of the proposal.</p>
Height of building	<p>The amended architectural plans by Benson McCormack Architecture dated 30 January 2025 confirm that the height of the building has been reduced to below the maximum height of building as per the Queanbeyan Palerang Local Environmental Plan 2022. Accordingly, the cl 4.6 departure is no longer required. The following maximum heights are now achieved by the development:</p> <p>The entry pavilion building is now a maximum height of 11.2m across both Stages 1 & 2.</p> <p>The main building proposes a maximum height as follows:</p> <ul style="list-style-type: none"> - Stage 1: 10.5m - Stage 2: 12m

2.3 Engagement

The following is a summary of the engagement that has been undertaken both prior to DA lodgement and during the DA assessment as detailed in the supporting Social Impact Assessment:

- The proponent distributed presentation slides regarding the proposal to Jerrabomberra Residents Association (JRA), a community interest group, ahead of the group's March 2024 meeting

- The Vikings Club Chief Executive Officer met with the JRA on 19 April 2024
- Representatives from the broader Poplars subdivision met with JRA on 9 April 2024
- The proposal has been covered in local media on several occasions
- The DA was initially placed on public exhibition from 6 March 2024 to 27 March 2024, which was later extended to 19 April 2024. Throughout this time, the community was invited to make submissions for comment, of which 52 were made
- The Southern Regional Planning Panel held a public briefing on 17 July 2024
- Vikings Club held a drop-in session at the Jerrabomberra Village Shopping Centre on 21 September 2024. The session was broadcasted by Council.

It is confirmed that a drop-in session was held by the proponent at the Jerrabomberra Village Shopping Centre on 21 September 2024. Council and relevant agencies were also engaged with on multiple occasions as summarised below:

- The proponent engaged with Council on an ongoing basis. This includes the proponent being invited to present at a Councillor workshop in May 2024
- The proponent discussed details of the proposal with Canberra Airport to allow for the identification of any potential impacts to the airport. Canberra Airport later issued a submission for the DA identifying key requirements for the proposal to minimise ongoing potential impacts
- The proponent met with NSW Police and the DA was referred to Monaro Police District for comment
- The proponent engaged with Essential Energy
- The proponent engaged with Transport for NSW (TfNSW)
- Comment has been obtained from the NSW Rural Fire Service (RFS) on bushfire-related risks.
- Queanbeyan-Palerang Regional Council and the Southern Regional Planning Panel were involved in further engagement and community representation during assessment of the proposal in late 2024.

Further to the above, the level of engagement with residents in the adjacent residential area was raised by Council in its assessment report. As recommended in the amended Social Impact Assessment prepared by Hill PDA, further engagement with Tier 1 potential sensitive receivers is to be undertaken by the proponent.

The additional engagement will aim to ensure that all potential sensitive receivers are provided with the opportunity to have a fully informed understanding of the proposed development.

2.4 Development History

A history of previous development approvals for the site is provided below in Table 3.

Table 3 – DA Timeline

Development Application	Proposal	Date Approved
DA.192.2016	Demolition of existing dwelling house and subdivision of land to create 6 Lots, construction of roads and associated works.	28 Jun 2017
DA.2020.1427.A	Modification application involving a six-lot Torrens title subdivision and new roads.	28 July 2021
DA.2023.0348	Ten-lot Torrens title subdivision of lot 1 DP 1243031 and lot 6 DP 1246134 and associated civil works.	13 November 2024

Table 1 – development history for subject site.

DA.2023.0348 – Ten-lot Subdivision

A development application for a ten-lot Torrens title subdivision (the subdivision DA) was approved 13 November 2024 by Queanbeyan-Palerang Regional Council (Council). The subdivision DA comprises civil works, which include the extension of Henry Place, the construction of a new road, site works, stormwater and sewer works, and a conservation reserve. The approved plan is detailed below in **Figure 1**. Lot 11 within the plan below forms the development site subject of this DA.

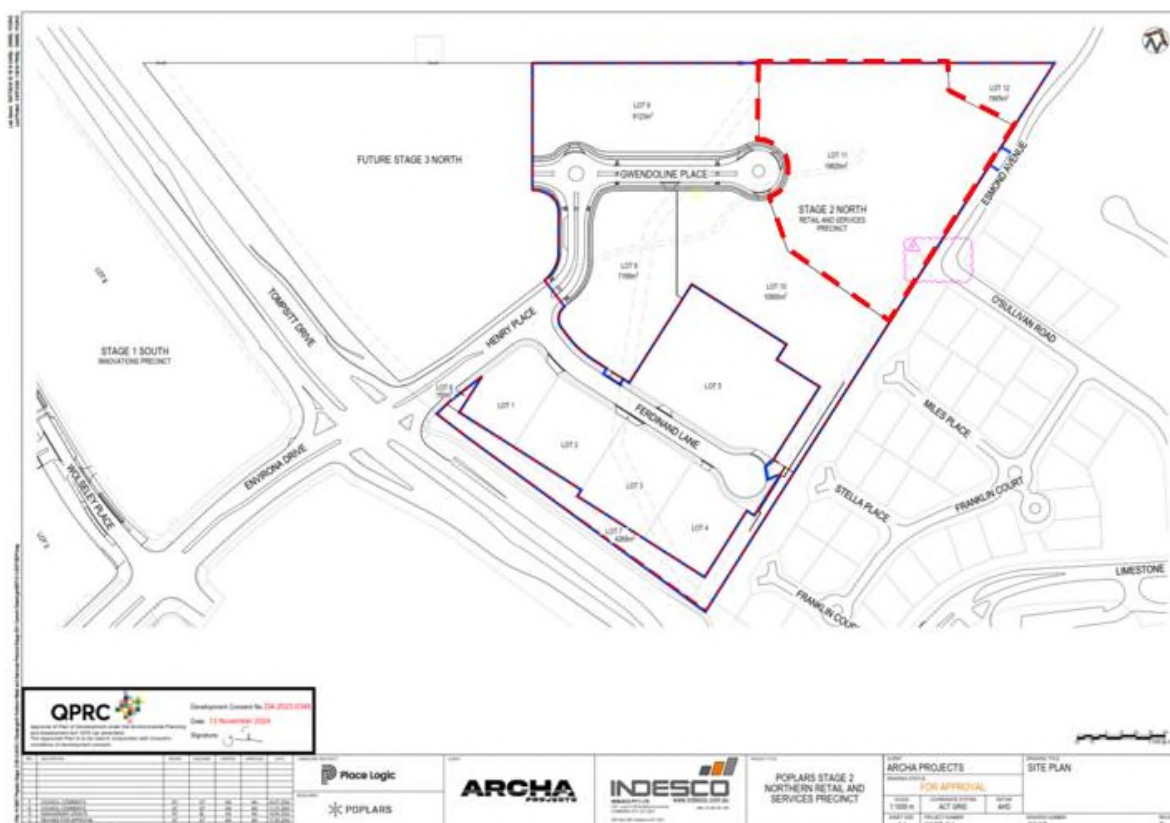


Figure 1 – approved subdivision plan DA.2023.0348. Development site outlined in red. Source: Matthew Dean Stevenson.

The architectural plans submitted as part of this development application reflect the subdivision plan as approved. It is acknowledged that the subdivision will deliver the necessary infrastructure to the site to facilitate the registered club development and that any development consent granted would be conditional upon the delivery of the subdivision.

2.5 Proponent and Project Team

Knight Frank Town Planning has prepared this SEE on behalf of the landowner and proponent. This SEE should be read in conjunction with, and has relied upon, the supporting specialist documentation. The members of the project team who produced the specialist documentation are listed in **Table 4**.

Table 4 - Project Team

Specialist Documentation	Project Team Member
Architectural Plans	Benson McCormack Architecture
Design Report	Benson McCormack Architecture
Landscape Plan	Place Logic
Engineering and Concept Stormwater Plans	Indesco
Traffic Impact Assessment	Quantum Traffic

Specialist Documentation	Project Team Member
Acoustic Impact Assessment	Acoustic Environmental & Impact Assessment Report
Acoustic Expert Peer Review	Acoustic Dynamics
Access Report	Eric Martin & Associates Architects
BCA Compliance Assessment	Design Confidence
Cost of Development Report	Construction Consultants
Electrical Services Plan	JRA Services Consulting
Alcohol Plan of Management	JSF Consulting
Social Impact Assessment	Hill PDA
Legal Advice	Lindsay Taylor Lawyers

3. Subject Site & Context

3.1 The Site

The broader site is an irregular parcel of land off Tomsitt Drive, Jerrabomberra, NSW and located approximately 5km southwest of the Queanbeyan Central Business District in the South Jerrabomberra estate. The site is legally described as Lot 6 DP1246134—shown below in **Figure 2** with a total area of 4.85 hectares.

However, the development site subject of this DA consists of only part of Lot 6 (see **Figure 3** below) described as proposed Lot 11 within the now approved subdivision. The development site is detailed in red comprising an area of 19,829m² when registered.

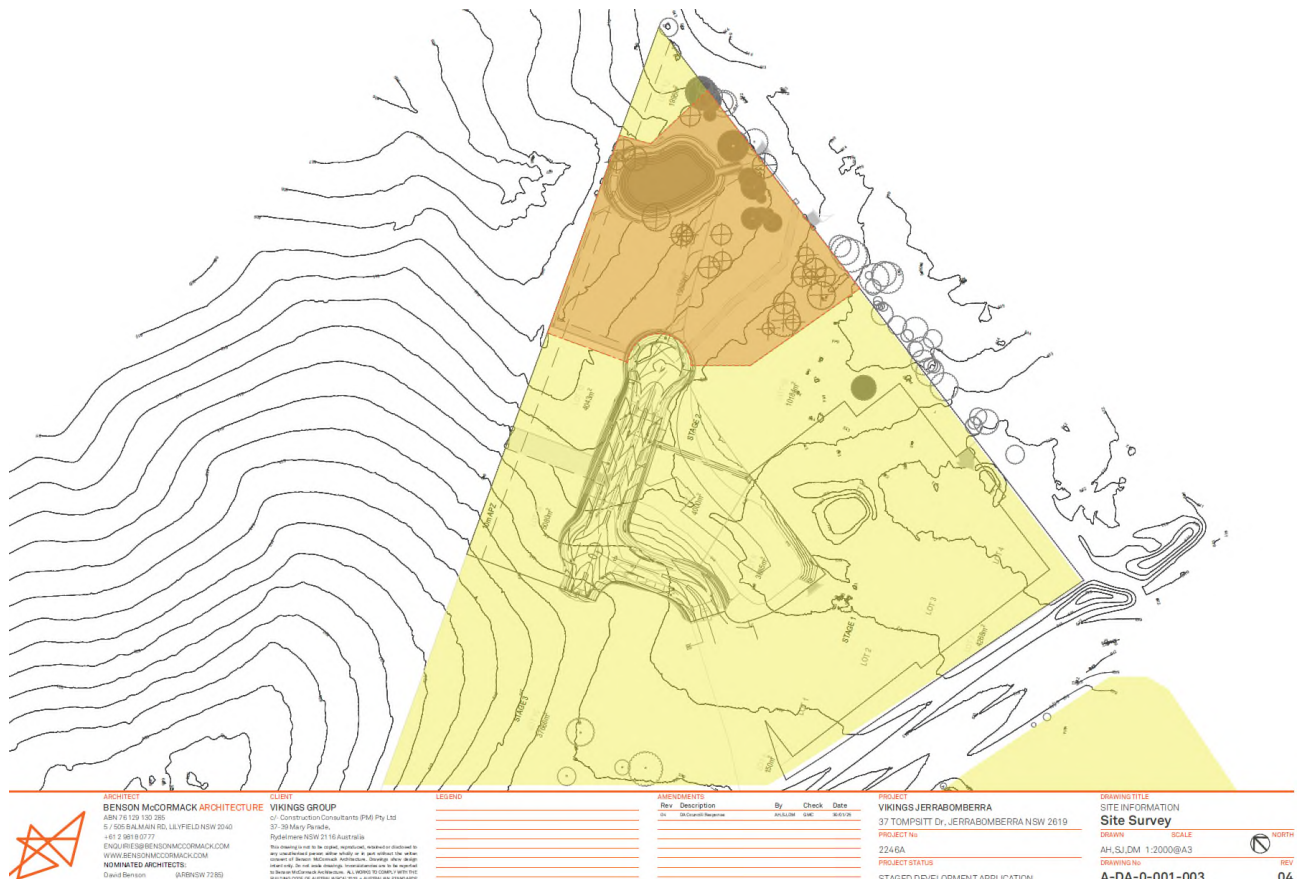


Figure 2 – Site Survey, development site detailed in red. Source: BMA



Figure 3 – GA Plan Level 1 Stage 1, developments site outlined in red. Source: BMA

Further context of the site is provided in **Figure 4**, which shows the site in its surroundings, which includes a residential area immediately to its east and large expanses of farmland to its north and west. Various retailers, including two supermarkets, are to its immediate south.



Figure 4 – Location Plan. Source: BMA.

Photos of the site are provided below. The site is currently open pasture consistent with its surrounding uses, with farmland is located to the north, and west of the site. **Figures 5 - 7** depict the site as viewed from the east from Esmond Avenue. As seen, the site is devoid of any existing buildings or structures.



Figure 5 – The site. Source: Knight Frank Town Planning.



Figure 6 – The site, which is situated amongst remnant vegetation.



Figure 7 – The site, including the dam, viewed from Esmond Ave. Source: Knight Frank Town Planning.

3.2 Surrounding Development and Context

The site is located approximately 5km southwest of the Queanbeyan Central Business District in the South Jerrabomberra estate. It is located approximately 700m west of the Australian Capital Territory/New South Wales state border and 10km southeast of the Canberra Central Business District. The land east of the site consists of low-density residential development with principally single-storey dwellings – there are four (4) dwelling houses that are directly adjacent to the development site. Land to its north and west identified as an environmental conservation area. Land to its south comprises commercial development including an ALDI grocery store, a McDonald's, a KFC, and a 7-11 service station.

Access to these retailers is provided via Ferdinand Lane, a newly constructed road that connects to Environa Drive and Tomsitt Avenue. There is currently no vehicular access to the site. However, as part of the approved subdivision a new road branching off from Henry Place and Ferdinand Lane is proposed to provide access to the subject site. This is reflected in the site plan submitted within the architectural package and approved subdivision plan (refer to **Figure 1**).

The site is identified within the draft South Jerrabomberra Master Plan as the North Poplars Local Centres Sub-precinct.

SITE CONSTRAINTS

BMA has identified a number of specific constraints that apply to the subject site and immediate context. These include the following:

- 1 **STATUTORY PLANNING CONSTRAINTS**
THE SUBJECT SITE IS ZONED NEIGHBOURHOOD CENTRE (B1). MAXIMUM ALLOWABLE DENSITY OF 1:0.1 FSR AND MAXIMUM HEIGHT OF BUILDING BEING 12.0M - QUEANBEYAN-PALERANG REGIONAL LEP 2022. THE SITE ADJAINS PROPERTIES OF DIFFERENT LAND ZONING.
- 2 **ENVIRONMENTAL**
BIO-BANK ENVIRONMENTAL CONSERVATION LAND LOCATED ADJACENT TO THE SITE, CONSTITUTING A 10-METRE WIDE PROPOSED BUSHFIRE ASSET PROTECTION ZONE (APZ) ALONG THE EASTERN BOUNDARY.
- 3 **NATURAL SETTING (VEGETATION)**
EXISTING SIGNIFICANT VEGETATION WILL NOT BE ADVERSELY IMPACTED BY THE PROPOSED DEVELOPMENT. VEGETATION WITHIN THE SUBJECT SITE IS TO BE INVESTIGATED. MAJORITY OF EXISTING TREE CANOPIES TO BE RETAINED AND INTEGRATED INTO PROPOSED BUILT OUTCOME AND LANDSCAPE SCHEME.
- 4 **POND**
EXISTING STORMWATER CATCHMENT POND LOCATED WITHIN THE SITE. RESPONSIBILITIES OF REGULAR MAINTENANCE AND UPKEEPING OF THE POND REQUIRED BY A NOMINATED ENTITY. PRESENTATION OF THE POND INTEGRAL TO THE EXPERIENCE PROVIDED WITHIN THIS LANDSCAPE SETTING.
- 5 **BIODIVERSITY LAND**
TRIANGULATED LOT ADJACENT TO THE NORTHERN BOUNDARY OF THE SITE DEEMED AS A BIODIVERSITY - ECOLOGICAL AREA. LANDSCAPE BUFFER TO BE ESTABLISHED BETWEEN CURATED LANDSCAPE SETTING TO THE REAR OF THE SITE AND THIS ECOLOGICAL AREA.
- 6 **SITE ORIENTATION**
SUBJECT SITE PRIMARY FRONTAGE ORIENTATING SOUTHWEST. OBSCURING SOLAR ACCESS AND OUTLOOK. ALFRESCO AND OUTDOOR SPACE TO BE DESIGNED AND ORIENTED TOWARDS NORTH TO RECEIVE OPTIMAL SOLAR ACCESS.
- 7 **FLIGHT PATH**
SUBJECT SITE LOCATED APPROX. ON AXIS WITH CANBERRA AIRPORT FLIGHT PATH. AIRCRAFT NOISE POLLUTION CONSIDERATION REQUIRED THROUGHOUT DESIGN PROCESS. SKILLFULLY INCORPORATE ACUSTIC REQUIREMENTS TO MAINTAIN CLEAN DESIGN AESTHETIC AND PROVIDE OPTIMAL ACUSTIC COMFORT TO ACCOMMODATE VARYING PROGRAMS.

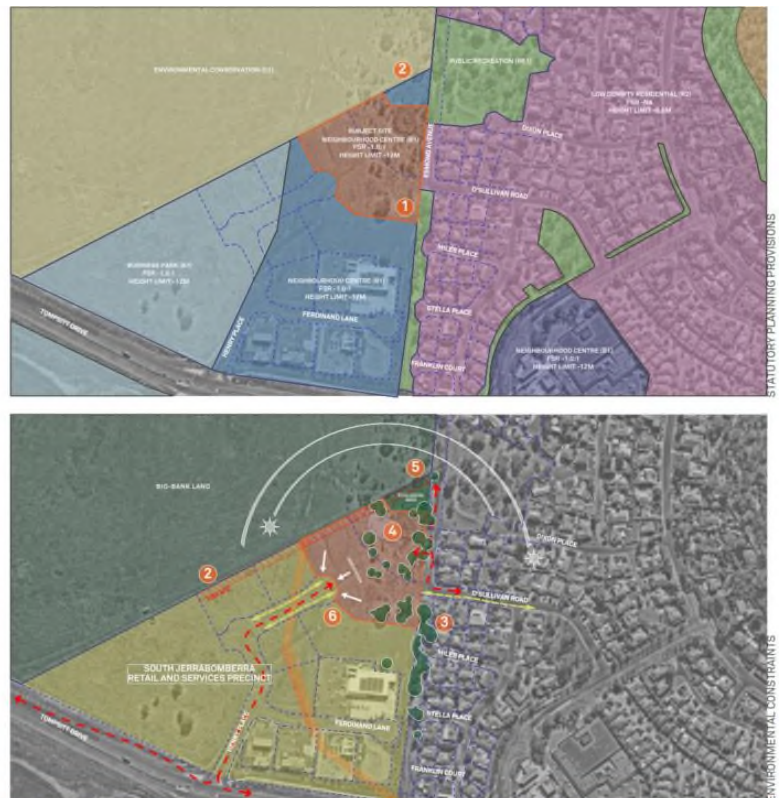


Figure 8 – Site Constraints. Source: BMA.

4. The Proposal

4.1 Proposal Overview

This Statement of Environmental Effects (SEE) has been prepared in support of a Development Application (DA) under Part 4 of the *Environmental Planning and Assessment Act 1979*. This DA seeks Queanbeyan-Palerang Regional Council's consent for the staged construction of a registered club premises. A high quality architectural design is proposed that will contribute towards the emerging North Poplars Local Centres Sub-precinct. The following is a general description and breakdown of the proposed works.

Stage 1 of the development comprises the construction of the Pavilion building and the main club building being generally single storey in scale albeit with an internal mezzanine level containing the building plant equipment, see **Figure 9**. Stage 2 of the development would see the construction of a second level on the main building to facilitate further function rooms and amenities, see **Figure 10**.

Stage 1 – Forecast Timing 2027

Construction of the registered club premises as described:

- Construction of the Entry Pavilion building comprising:
 - Reception, lounge and office area;
- Construction of the main building comprising:
 - Ground level with restaurant, bar areas, gaming areas, function room and amenities;
 - Mezzanine level containing building plant equipment for main buildings
- Construction of the eastern car park and part of the western car park for a total of 153 parking spaces
- Landscaping for the development including the construction of paths and refurbishment of the pond area.



Figure 9 – Stage 1 Photomontage. Source: BMA.

4.3 Development Metrics

Details relating to the proposed floor space calculations and parking spaces are provided in the table below. The proposed total GFA and FSR are compliant with controls of the Queanbeyan-Palerang Regional LEP 2022. Stage 1 of the development is relatively modest achieving an FSR of 0.11:1. Stage 2 would increase the GFA of the development marginally to an overall FSR of 0.18:1, whereas a maximum FSR of 1:1 is permitted.

Table 5 – Key Development Metrics

Building Part	Stage 1	Stage 2
Site Area	19,829m ²	19,829m ²
Lower Ground GFA (i.e. carpark)	0 m ²	0 m ²
Upper Ground GFA	2,179.8 m ²	2,179.8 m ²
Mezzanine GFA	0 m ²	146.0 m ²
Level 1	0m ²	1,236.1 m ²
Total GFA	2,179.8 m²	3,561.9 m²
FSR	0.11:1	0.18:1

4.4 Detailed Description of Proposed Works

A more detailed description of the component parts of the development has been provided in **Table 6** below.

Table 6 – Detailed Description of Proposed Works

STAGE 1	
Car Parks	<ul style="list-style-type: none"> Excavation / earthworks to facilitate car park. Construction of car parking for 153 spaces across two separate car parks. Construction of a vehicular entry/exit to connect to Gwendoline Place. Construction of two pedestrian bridges from the western parking lot to the main building.
Pond / Landscaped Areas	<ul style="list-style-type: none"> Refurbishment works to the pond with appropriate landscaping and paths (further to works proposed as part of the subdivision DA). Landscaping. 3m high acoustic wall along the eastern boundary. Construction of a drainage easement to the west of the pond. Installation of a substation adjacent the cul-de-sac head.
Main Building	<ul style="list-style-type: none"> Ground level consisting of: reception/office area; lounge; restaurant/bar; indoor and outdoor gaming area with bar and strong room; function room; kitchen area with bar and storage; washroom areas; workshop (for gardening equipment etc); loading area and waste storage area; alfresco dining area; Children's play area north of the office/reception area. Mezzanine level of the main building with voids to the level below. Three plant/air handling areas.
Entry Pavilion Building	<ul style="list-style-type: none"> Construction of the western building comprising the construction of the ground floor internals including: Entrance/lounge; reception area; office and meeting room.
STAGE 2	
Parking Lot	<ul style="list-style-type: none"> Conversion of landscape area adjacent to western parking lot to parking spaces, totalling 119 spaces.
Pond	<ul style="list-style-type: none"> Construction of an alfresco dining area to the east of the pond. Construction of a viewing platform to the north of the pond.
Office/Reception	<ul style="list-style-type: none"> Demolition of internal walls and office area to create a storage area, stairwell and lift.
Main Building	<p>Ground Level</p> <ul style="list-style-type: none"> Construction of a goods lift within the plant/air handling area at the east. <p>Level 1</p> <ul style="list-style-type: none"> Demolition of existing roofing and solar panels. Construction of a level 1 comprising: 2 functions rooms; terrace; kitchen and bar; goods lift; store / cloak room; amenities; courtyard pre function area; and stairwell to ground level. Installation of solar panels.
Entry Pavilion Building	<p>Ground Level</p> <ul style="list-style-type: none"> Demolition of internal walls including removal of existing office to create stairwell and lift to upper levels.

	<p>Mezzanine</p> <ul style="list-style-type: none"> • Construction of a new mezzanine floor comprising office / staff and meeting room <p>Level 1</p> <ul style="list-style-type: none"> • Construction of Level 1 to provide for a function/reception area • Construction of a walkway to the main building.
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The following images illustrate the works proposed and have been extracted from the architectural package prepared by Benson McCormack Architecture, submitted as part of this application. Refer to the full architectural package for a complete set of details. A comparison of the development in context across Stage 1 and Stage 2 is illustrated below in **Figures 9 & 10**.



Figure 11 – Stage 1 View Analysis. Source: BMA.

STAGE 2



Figure 12 – Stage 2 View Analysis. Source: BMA.

4.5 Operational Matters

In support of the application is an Alcohol Plan of Management prepared by JSF Consulting which provides detail on the operational aspects of the registered club. It addresses and incorporates feedback received from NSW Police dated 3 December 2024:

- Risk management
- Acoustic impacts and noise control
- Compliance with liquor laws and licence conditions
- The Responsible Service of Alcohol (RSA)
- Minimising disturbance to the neighbourhood
- Effective management of patrons, staff, and security
- Incident reporting and communication with authorities
- Crime Scene Management
- Staff training and operational procedures

The plan is described as a “dynamic document and will be reviewed and updated regularly with input from stakeholders, including NSW Police and Liquor and Gaming NSW”.

Patron Numbers

It is expected that the proposed development will cater for the following patronage:

- 700 patrons within the foyer, lounge/bar, restaurant and gaming lounge;
- 500 patrons within the first floor function space;
- 20 persons within the office; and
- 100 patrons within the alfresco dining area.

The development would cater for a maximum of 1320 persons. From similar experience the operator expects that between Sunday-Wednesday there would be an average of 800 patrons and which would increase to an average of 1100 patrons between Thursday – Saturday.

Hours of Operation

The proposed hours of operation for the registered club and the various components are detailed in **Table 7** below. The hours of operation detail the operation of the registered club from Monday to Sunday.

Table 7 – Hours of Operation

Area	Hours of Operation / General Trading	Cease Sale of Liquor	Final Close
Poker Machine Lounge	Monday to Sunday 9:00am – 2:00am	1:00am	2:00am
Lounge / Bar	Monday to Sunday 9:00am – 2:00am	1:00am	2:00am
Bistro	Monday to Sunday 11:00am – 10:00pm	10:00pm	10:00pm
Cafe	Monday to Sunday 9:00am – 2:00am	N/A	2:00am
Alfresco / Outdoor Areas	Monday to Sunday 9:00am – 10:00pm	10:00pm	10:00pm
Function Rooms	Monday to Sunday 9:00am – 12:00am	12:00am	12:00am

A staggered approach to the closure of the club is proposed to mitigate potential impacts. Alcohol services will be suspended at 1:00am for those areas where alcohol is served, with all patrons leaving the premises by no later than 2:00am. This approach provides a transition period for the patrons to finish socialising and organise their transportation.

Function rooms will cease operating no later than 12:00am which provides a further transition with respect to the closure of the club.

Outdoor smoking will be allowed for within the outdoor areas subject to the hours of operation detailed in Table 7 and in accordance with legislative requirements. A smoking area will also be provided for within the ‘outdoor’ gaming area located on the southern side of the building.

Finally, the hours of operation for the outdoor and alfresco areas have been reduced and which will now cease operating at 10:00pm.

There will be a statutory 6-hour closure period pursuant to section 11A of the Liquor Act 2007.

With regard to the hours of operation for service vehicles, with reference to the supporting acoustic report it is noted that the loading dock is not to be used between the hours of 10:00pm and 7:00am.

We consider this approach in conjunction with all operational measures outlined in the Alcohol Plan of Management (**Appendix 12**) to adequately address the matters raised by NSW Police in their submission dated 3rd December 2024 with regard to resourcing and mitigates the potential for anti-social behaviour.

4.6 Gaming Machine Authorisations and Staging

There is a separate statutory process associated with the obtaining of a license through Liquor & Gaming NSW. It is the initial expectation that the premises will be granted between 60 - 100 gaming machine authorisations, pending meeting the requirements of becoming a licensed Club and meeting all requirements under the *Gaming Machine Act 2001*.

The club would need to find on the open market other venues that are willing to sell their gaming machine authorisations, noting that the club will need to hand back to the Government 1 in every 2 authorisations they purchase. This will reduce gaming machine numbers within NSW.

The venue can apply for up to 20 additional authorisations per year but will need to meet a number of requirements under the *Gaming Machine Act 2001*. We estimate the earliest that additional authorisations will be sought is in 2030.

This approval is subject to strict criteria, ensuring that all applications align with harm minimisation and responsible gambling principles. The requirements for approval include:

- Community Impact Statement (CIS): Evidence that the proposed increase will not adversely affect the local community.
- Consultation with Stakeholders: Engagement with local councils, schools, community groups, and other stakeholders.
- Compliance with Responsible Gambling Measures: This includes self-exclusion programs, staff training, and signage to minimise gambling harm.
- Local Impact Assessment (LIA): A detailed assessment of the economic and social effects of the increase.
- Alignment with Gaming Machine Caps: Adherence to regional caps on gaming machines, which are designed to limit excessive gaming activities in communities.

For context since September 2022 ILGA have received 9 applications from Clubs to increase gaming machine threshold of which all have been refused under Section 34 of the *Gaming Machine Act 2001*.

Every threshold increase results in a 1 in 2 handback of authorisations.

The following is indicative expected staging of gaming machine authorisations which as stated above is subject to strict criteria, engagement and assessment through Liquor & Gaming NSW.

- 2028 – 2030 – Operate between 60 – 100 gaming machines
- 2030 – 2032 – Operate between 80 – 100 gaming machines
- 2032 – 2034 – Operate between 100 – 120 gaming machines
- 2034 – 2038 – Operate between 120 – 140 gaming machines
- 2040 and beyond Operate at a maximum capacity of 160

5. Environmental Assessment

Knight Frank Town Planning has undertaken an assessment of the proposal against the relevant environmental planning legislation, controls and guidelines to identify potential environmental impacts and mitigation measures.

5.1 Assessment of Planning Controls

This SEE includes an assessment of the proposal in terms of the matters for consideration as listed under Section 4.15 Evaluation of the EP&A Act and should be read in conjunction with specialist documentation appended to this report, as outlined on the contents page of this report.

The following is the relevant statutory planning framework:

- *Environmental Planning and Assessment Act 1979 and Regulation 2021*
- *Biodiversity Conservation Act 2016 and Regulation 2017*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Planning Systems) 2021*
- *Queanbeyan-Palerang Regional Local Environmental Plan 2022*
- *South Jerrabomberra Development Control Plan 2015*

5.1.1 Biodiversity Conservation Act 2016 & Regulation 2017

The Biodiversity Conservation Act 2016 (BC Act) provides for the protection of threatened species, communities and critical habitat in New South Wales. This Act provides protection for species, populations and ecological communities considered endangered, vulnerable or extinct. Any activity, which may have an impact on threatened species must consider a range of factors in the assessment and determination of the development application. Section 1.7 of the EP&A Act links with the BC Act and requires the consent authority to consider a range of factors during the determination of a development application.

The Biodiversity Conservation Act 2016 (BC Act) establishes the requirements for the protection of biodiversity, outlines the requirements for the regulating a range of development activities on land and provides mechanisms for the management of impacts resulting from development activities. Part 7 of the BC Act sets out the requirements for biodiversity assessment and sets out significant impact threshold criteria that trigger entry into the Biodiversity Offset Scheme (BOS).

Development or an activity is likely to significantly affect threatened species or ecological communities if:

- The amount of native vegetation being cleared exceeds clearing thresholds; or
- The development is “likely to significantly affect threatened species” using the test of significance in Section 7.3 of the BC Act; or
- The development has any impact within an area mapped on the Biodiversity Values Map; or
- The development is to be carried out in a declared Area of Outstanding Biodiversity Value.

The BOS must be applied to applications under Part 4 Environmental Planning and Assessment Act 1979 wherever the project is likely to have a ‘significant impact’ on threatened biodiversity based on the criteria outlined above. The Biodiversity Offsets Scheme (BOS) Threshold is used to determine when it is necessary to engage an accredited assessor to apply the Biodiversity Assessment Method (the BAM) to assess the impacts of a proposal.

The Biodiversity Conservation Regulation 2017 sets out the threshold level for when the BOS will be triggered. The two threshold triggers

- whether the amount of native vegetation being cleared exceeds an area threshold; or

- whether clearing of vegetation or other prescribed impacts occur in an area mapped on the Biodiversity Values Map.

The site is subject to a biodiversity certification approval under sections 130(1) and 133(1) of the Environment Protection and Biodiversity Conservation Act 1999 (the EPBC Act). The approval is dated 13 September 2021 and was obtained as part of the subdivision DA which precedes this current application.

Furthermore, we note that the proposed development is reliant on an underlying subdivision (DA.2023.0348) which is currently being assessed by Council. This subdivision application is subject of a Biodiversity Certification Assessment Report (BCAR) prepared by Capital Ecology. **Figure 13** of their report indicates the extent of land proposed for Biodiversity Certification and avoided land. The entirety of the subject site is within the land to be certified. We would also state that no additional trees are to be removed from the site than those proposed to be removed as part of the underlying subdivision.

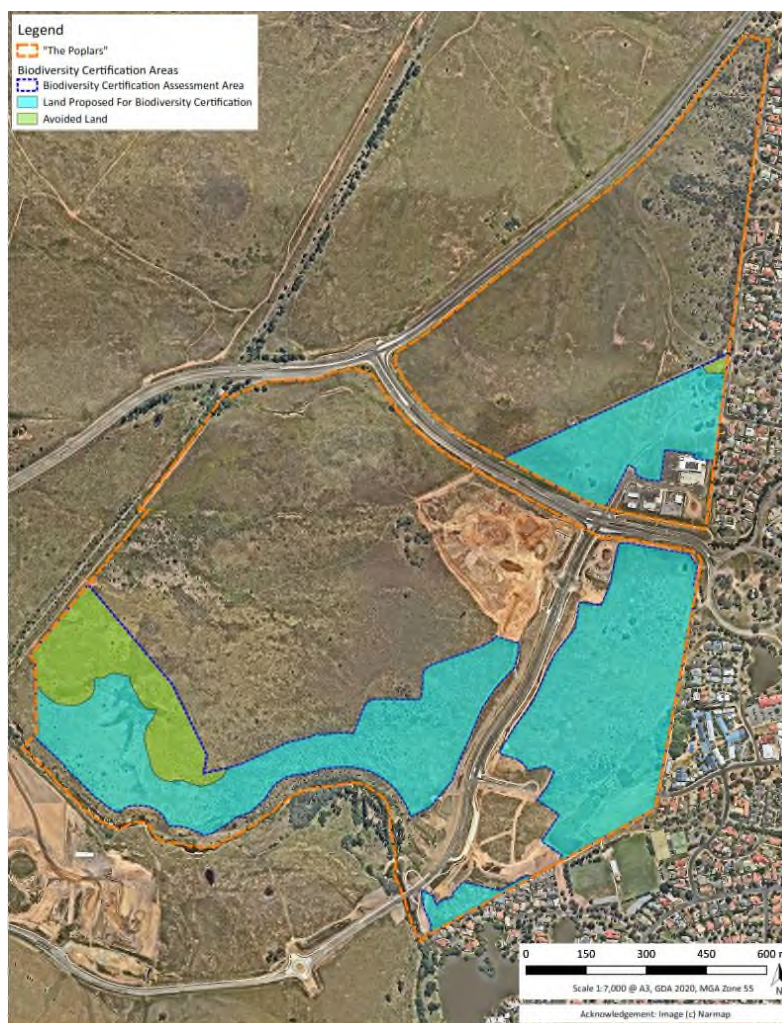


Figure 20. Biodiversity Certification Areas

Capital Ecology Project No: 3027
Drawn by: S. Reid



Figure 13 – Biodiversity Certification Area. Source: Capital Ecology.

Therefore, Council can be satisfied that considerations relating to biodiversity within the *Biodiversity Conservation Act 2016* and *Biodiversity Conservation Regulation 2017* have been satisfied as part of the certification process.

5.1.2 State Environmental Planning Policies

State Environmental Planning Policy (Sustainable Buildings) 2022

State Environmental Planning Policy (Sustainable Buildings) 2022 came into effect on 1 October 2023. There are statutory matters to be considered as part of the design process for both residential and non-residential development. While the proposed development is not considered to be a large commercial development the general provisions as they relate to non-residential development to apply.

3.2 Development consent for non-residential development

(1) In deciding whether to grant development consent to non-residential development, the consent authority must consider whether the development is designed to enable the following—

- (a) the minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials,*
- (b) a reduction in peak demand for electricity, including through the use of energy efficient technology,*
- (c) a reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design,*
- (d) the generation and storage of renewable energy,*
- (e) the metering and monitoring of energy consumption,*
- (f) the minimisation of the consumption of potable water.*

(2) Development consent must not be granted to non-residential development unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified.

In accordance with the requirements of sub-clause 2 supporting the application is a completed Embodied Emissions Materials Form which has been completed by the consultant Quantity Surveyor. With reference to the matters listed in sub-clause 1 the following is noted with regard to the design:

- The building's main structure (columns, beams, floors) have been designed as a low embodied carbon timber construction.
- Accessive architectural ornamentation and glazing has been avoided to reduce energy loss and gain via the facades.
- Passive design is incorporated to mitigate direct solar heat gain. The entry pavilion has minimal glazing facing west and solid precast panels will prevent the internal spaces from excessive heat in summer.
- To the north the main building has a large shading structure on the ground floor and a large overhang on the first level, reducing the heat load on the glazed portions of the façade. Louvres in highlight windows on the southern façade enable natural ventilation to the function rooms.
- Photovoltaics on the roof provide electricity to run energy efficient LED lighting throughout the project.
- EV charging stations are provided within the carpark.
- Rain and stormwater harvested via tanks and the pond can be use to water the landscape areas.
- Endemic landscaping with an extensive tree canopy, as well as fruit and vegetable gardens for the kitchen all form part of the landscape design for the project.

State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Resilience and Hazards) 2021 (the SEPP) applies to the proposed development. Specifically, *Chapter 4 – Remediation of Land*.

Chapter 4 – Remediation of Land

Under clause 4.6 of the SEPP, the consent must consent to the carrying out of development unless it has considered the potential for contamination within a site, if the land is contaminated whether it is suitable in its current state for the proposed use and if the land requires remediation to be made suitable for the proposed use, that the remediation will occur prior to the proposed use.

On the matter of the separate approval that is being sought for the subdivision of the land it is noted that the application was supported by a Site Audit Statement from the NSW EPA dated 12 October 2017. This Statement was supported by a review of various historic reports as it pertains to the development of the site. The Site Audit Statement confirms that the site in the opinion of NSW EPA is suitable for commercial purposes

and other more sensitive land uses. It is therefore concluded that the site is suitable in its current state for the purpose of a registered premises development pursuant to cl4.6.

State Environmental Planning Policy (Planning Systems) 2021

The development is neither state or regionally significant development as described in the Planning Systems SEPP. The estimated cost of this development is \$33,047,736 and is therefore classified as Regionally Significant Development pursuant to Schedule 6(2), to be determined by the Regional Local Planning Panel. That is, the development is considered to be general development with a capital investment value greater than \$30 million. Refer to the Cost of Works Summary provided in **Appendix 9**.

5.1.4 Queanbeyan-Palerang Regional Local Environmental Plan 2022

The *Queanbeyan-Palerang Regional Local Environmental Plan 2022* (QPRLEP 2022) is the relevant and primary environmental planning instrument which applies to the proposed development. The proposed development is assessed in detail against the relevant provisions of the LEP within **Tables 8 and 9** below.

Within the Land Use Table, Note 2 applies to the subject site being 'Land subject to South Jerrabomberra Regional Jobs Precinct Process':

Note 2—

*Under the [Standard Instrument \(Local Environmental Plans\) Order 2006](#), Schedule 1, clause 6(2), this Plan is, until 26 April 2025, taken to apply to land identified as "Land subject to South Jerrabomberra Regional Jobs Precinct Process" on the [Land Zoning Map](#) (the **subject land**) as if certain amendments to this Plan had not commenced on 26 April 2023. As a result, until 26 April 2025 and to the extent this Plan applies to the subject land, this Plan is taken to include the references to business and industrial zones that were in this Plan immediately before 26 April 2023.*

The following is an excerpt from Schedule 1, clause 6(2) of the Standard Instrument Order:

6 Continuation of business and industrial zones

...

(2) A local environmental plan specified in Column 1 of the following table is taken, until 26 April 2025, to apply to the land specified in Column 2 as if the relevant amendments had not commenced—

Column 1

[Queanbeyan-Palerang
Environmental Plan 2022](#)

[Regional](#)

[Local](#)

Column 2

Land identified as "Land subject to South Jerrabomberra Regional Jobs Precinct Process" on the [Queanbeyan-Palerang Regional Local Environmental Plan 2022 Land Zoning Map](#)

(3) In this clause—

relevant amendments, in relation to a local environmental plan, means—

(a) the amendments made by the [Standard Instrument \(Local Environmental Plans\) Amendment \(Land Use Zones\) Order 2021](#), Schedule 3[1]–[4], and

(b) the amendments made to the local environmental plan by one of the following—

- (i) [State Environmental Planning Policy Amendment \(Land Use Zones\) 2022](#),
- (ii) [State Environmental Planning Policy Amendment \(Land Use Zones\) \(No 2\) 2022](#),
- (iii) [State Environmental Planning Policy Amendment \(Land Use Zones\) \(No 3\) 2022](#),
- (iv) [State Environmental Planning Policy Amendment \(Land Use Zones\) \(No 4\) 2022](#),
- (v) [State Environmental Planning Policy Amendment \(Land Use Zones\) \(No 5\) 2022](#),
- (vi) [State Environmental Planning Policy Amendment \(Land Use Zones\) \(No 6\) 2022](#).

The subject site is zoned B1 Neighbourhood Centre the provisions of which are detailed in **Table 5**. All works are proposed within the B1 Neighbourhood Centre zone. We reiterate that the land use table is a reference to those business zones that were in place immediately before 26 April 2023, being that version of the QPRLEP 2022 which was in place between 1 December 2022 to 25 April 2023.

The proposed use is best characterised as a registered club under the LEP as follows:

registered club means a club that holds a club licence under the [Liquor Act 2007](#).

For the purpose of characterising the development it is confirmed that the Vikings Group will hold the relevant club license under the *Liquor Act 2007*, which is the subject of a separate licensing process, and that the requirements under section 10(1) of the *Registered Clubs Act 1976* are met.

Stage 2 of the proposed development includes the majority of the function rooms within both the western building and main building. This aspect of the proposed use forms part of the overall offering of the registered club rather than being a distinct and separate use. The function rooms, whilst being available for functions, is intended to principally serve the members of the club rather than being separately operated. It is not considered appropriate to separately characterise this component noting that ‘function centres’ are currently prohibited within the B1 zone.

For completeness, ‘function centres’ would be permissible in their own right under the future E1 Local Centre zone.

In support of the application is legal advice prepared by Lindsay Taylor Lawyers which addresses the status of the future E1 zone and the weight to be given in the assessment of the application, see **Appendix 15**. This advice confirms that the E1 zone is a statutory consideration under s4.15 of the EP&A Act 1979 and is to be given significant weight. The advice continues: “*The planning instrument which introduced the zoning is to be treated as a proposed instrument, and its coming into effect in respect of the Site, is certain and imminent*”. We have considered the objectives of the E1 zone in our assessment of the development,

Table 8 – Land Use Zone

Land Use Table: B1 Neighbourhood Centre		
1 Objectives of the zone		
<ul style="list-style-type: none"> To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood. 		
2 Permitted without consent	3 Permitted with consent	4 Prohibited
Nil	Boarding houses; Business premises; Car parks; Centre-based child care facilities; Community facilities; Environmental protection works; Flood mitigation works; Garden centres; Hardware and building supplies; Health consulting rooms; Hotel or motel accommodation; Information and education facilities; Kiosks; Markets; Medical centres; Neighbourhood shops; Neighbourhood supermarkets; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Plant nurseries; Public administration buildings; Recreation areas; Recreation facilities (indoor); Registered clubs ; Respite day care centres; Restaurants or cafes; Roads; Service stations; Shop top housing; Shops; Signage; Take away food and drink premises; Tank-based aquaculture; Veterinary hospitals	Pond-based aquaculture; Any other development not specified in item 2 or 3

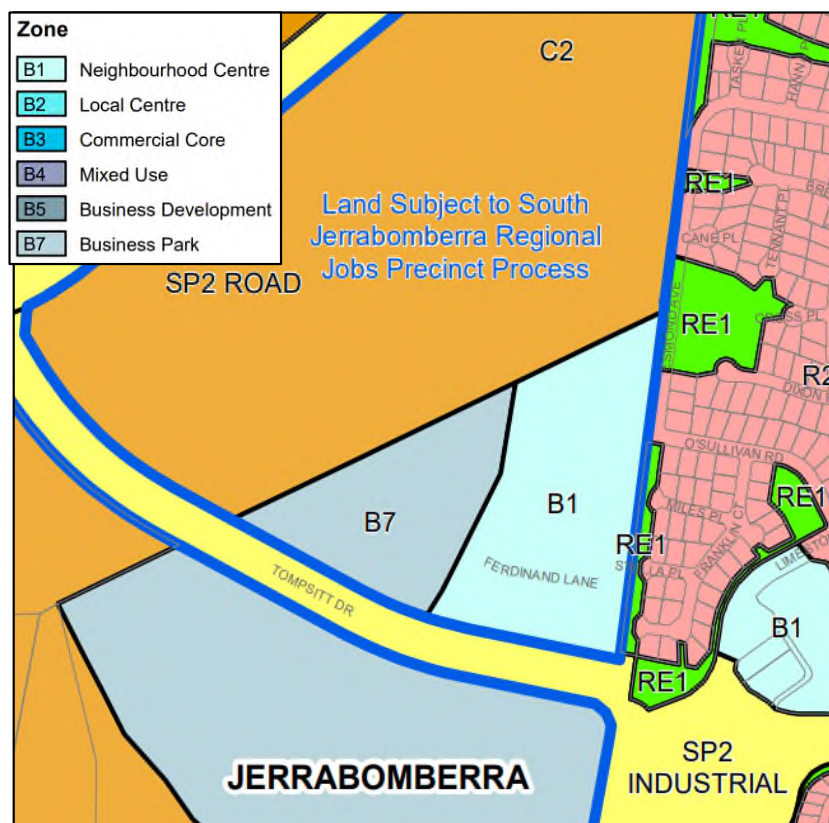


Figure 14 – Land Use Zoning (Source: QPRLEP 2022)

An assessment against the relevant provisions of the QPRLEP 2022 is provided in **Table 9** below.

Table 8 – Relevant Provisions of the QPRLEP 2022

Queanbeyan-Palerang Regional LEP 2022			
Clause	Provision	Assessment	Complies
2.2 Zoning of land to which Plan applies	The proposed development is located wholly within the B1 Neighbourhood Centre zone.	The proposed development is permissible with consent in the B1 Zone. Refer to commentary above regarding the current zoning.	Yes
2.3 Zone objectives and Land Use Table	The subject site is zoned B1 Neighbourhood Centre. Refer to Table 5 .	The proposed development is consistent with the objective of the zone. While the development comprises a registered club, it comprises a range of facilities including a café; bistro; bar area; gaming lounge; function rooms; and landscaped open space areas. The use will serve the needs of people that live and work in the area.	Yes
4.3 Height of buildings	Maximum HOB: 12m	The development has been a mended to wholly comply with the maximum permitted building height. The pavilion building is a maximum height of 11.2m across both Stages 1 & 2. The main building is a maximum height of: <ul style="list-style-type: none">- Stage 1: 10.5m- Stage 2: 12m	Yes
4.4 Floor space ratio	Maximum FSR: 1:1	The proposed FSR for Stage 1 of the development is 0.11:1.	Yes

Queanbeyan-Palerang Regional LEP 2022			
Clause	Provision	Assessment	Complies
		<p>The proposed FSR for Stage 2 of the development is 0.18:1.</p> <p>The development is therefore compliant.</p>	
5.10 Heritage conservation	<p>The objectives of this clause are as follows—</p> <p>(a) to conserve the environmental heritage of the Queanbeyan-Palerang Regional local government area,</p> <p>(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,</p> <p>(c) to conserve archaeological sites,</p> <p>(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.</p>	<p>The site does not contain any heritage items, nor is it located in a heritage conservation area. The site is not identified as an archaeological site. No known Aboriginal objects are located within the site, nor is the site located within an Aboriginal place of heritage significance.</p>	N/A
7.1 Earthworks	<p>(1) The objectives of this clause are—</p> <p>(a) to ensure earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items and features of the surrounding land, and</p> <p>(b) to allow earthworks of a minor nature without requiring separate development consent.</p>	<p>(1) The proposed earthworks are ancillary to the proposed development; the only earthworks part of this application is for the western parking lot, where cut and fill are required in order to create a parking lot. These works are of a minor nature and will not have a detrimental effect on the matters listed.</p>	Yes
7.9 Development in areas subject to aircraft noise	<p>(2) This clause applies to development—</p> <p>(a) on land—</p> <p>(i) near Canberra Airport, and</p> <p>(ii) in an ANEF contour of 20 or greater, and</p> <p>(b) the consent authority considers likely to be adversely affected by aircraft noise.</p> <p>(3) Development consent must not be granted to the development unless the consent authority—</p> <p>(a) considers whether the development will result in an increase in the number of dwellings or people affected by aircraft noise, and</p> <p>(b) considers the location of the development in relation to the criteria set out in Table 2.1 (Building Site Acceptability Based on ANEF Zones) in AS 2021:2015, and</p>	<p>(2) The subject site is located approximately 8km south of Canberra Airport. It is identified as being within an ANEF contour of between 20 and 25 as per the 2019 Australian Noise Exposure Forecast (ANEF).</p> <p>(3) In support of the application is an Amended Acoustic Environmental & Impact Assessment Report, see Appendix 6, which has undertaken an Aircraft Noise Impact Assessment (Part 1 of report). It confirms that compliance can be achieved with AS2021:2015 'Acoustics – Aircraft noise intrusion – Building siting and construction'.</p>	<p>Yes</p> <p>Yes</p>

Queanbeyan-Palerang Regional LEP 2022			
Clause	Provision	Assessment	Complies
	(c) is satisfied the development will meet the indoor design sound levels shown in Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction) in AS 2021:2015.		
7.10 Aircraft noise—development in the South Jerrabomberra Urban Release Area	<p>(1) The objective of this clause is to provide specific controls in relation to noise sensitive development in the South Jerrabomberra Urban Release Area.</p> <p>(2) This clause applies to development on land in the South Jerrabomberra Urban Release Area.</p> <p>(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied the development will meet the indoor design sound levels shown in Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction) in AS 2021:2015.</p>	<p>(2) The site is within the South Jerrabomberra Urban Release Area; therefore, the subject clause is applicable.</p> <p>(3) In support of the application is an Amended Acoustic Environmental & Impact Assessment Report, see Appendix 6, which has undertaken an Aircraft Noise Impact Assessment (Part 1 of report). It confirms that compliance can be achieved with AS2021:2015 'Acoustics – Aircraft noise intrusion – Building siting and construction'.</p>	Yes

5.1.5 Strategic Context

South Jerrabomberra Master Plan

As detailed in **Figure 15**, the development site is located entirely within the neighbourhood centre of the South Jerrabomberra Master Plan in terms of land use. The desired future character for the West Jerrabomberra (Poplars) precinct is described as:

The desired future character of this area will be a mix of office, light industrial, small scale retail, business and community uses that serve the needs of the people who live or work in the locality in a high quality urban designed setting.

The Neighbourhood Centre precinct is an area of approximately 7 ha located north of Tomsitt Drive. It generally supports business, office and retail premises but does not include uses like bulky goods. This precinct has a high quality urban design that is vibrant and attractive.

The inclusion of a registered club within the centre is consistent with the strategic intent of Council and will contribute towards an appropriate range of uses.

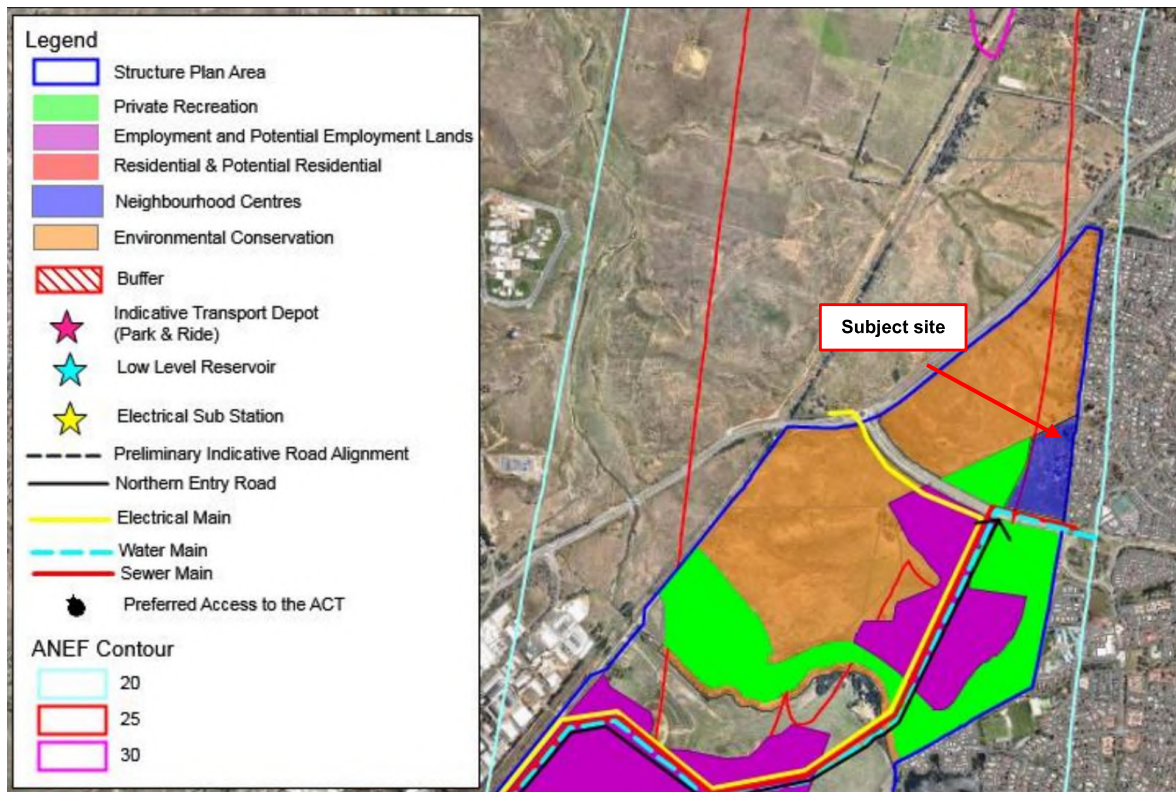


Figure 15 – South Jerrabomberra Master Plan. Source: South Jerrabomberra DCP.

Local Strategic Planning Statement - West Jerrabomberra Innovation Precinct

The subject site is identified as the Poplars Retail and Services Precinct in the West Jerrabomberra Innovation Precinct Map, refer to **Figure 16**.



Figure 16 – West Jerrabomberra Innovation Precinct. Source: Local Strategic Planning Statement.

Draft South Jerrabomberra Master Plan

The Department of Planning and Environment (DPE) exhibited the South Jerrabomberra Regional Job Precinct Draft Master Plan (Draft Master Plan) between 1 November 2023 and 15 December 2023. The intent is for the Minister to adopt the South Jerrabomberra Master Plan to ensure that any future changes to the local environmental plan or development consent is informed by the Master Plan. Consequent amendments to the Local Planning Directions and the QPRLEP 2022 will necessitate the Master Plan be considered in any future planning proposals and development applications.

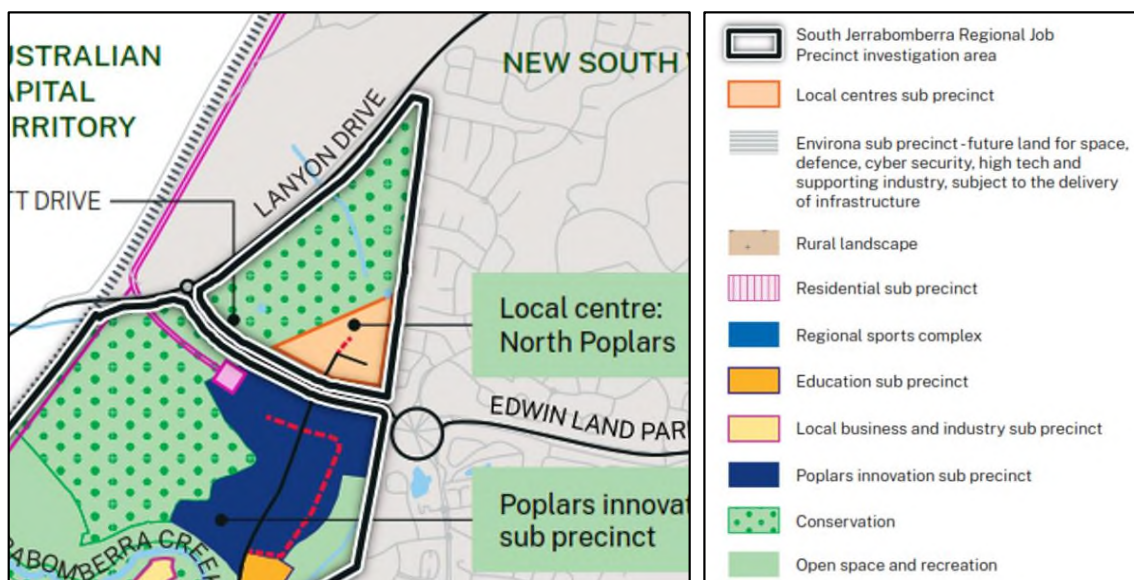


Figure 17 – Draft Master Plan. Source: Department of Planning.

The site is identified by the Draft Master Plan as North Poplars, a local centre sub precinct. By reference to the discussion paper that was prepared in support of the Draft Master Plan, the intent is for the current B1 zone to translate to the E1 zone. That this would have occurred through the employment zone reform undertaken by NSW Government. This is further supported by the exhibited Land Use Considerations Study prepared by Sherpa, dated 14 April 2023.

The envisaged mix of uses and the role of the North Poplars Local Centre is described in the Draft Master Plan as follows:

The North Poplars sub precinct is expected to play a significant role in supporting the South Jerrabomberra precinct. The local centre will provide shops and retail uses, cafés, bars, and restaurants as well as wellbeing facilities for people living and working in the South Jerrabomberra precinct and surrounding areas.

The proposed registered club premises which will comprise a café, bistro and dining, gaming lounge, bar areas, function rooms, and landscaped open space areas is consistent with this stated desired role of the Centre and the range of lands uses.

The objectives of the E1 Zone are detailed below, as currently provided for within the QPRLEP 2022. The proposal is consistent with the objectives of the zone by providing a use that will serve the needs of the residents in the area and employment opportunities to the local community. The proposal is considered to be consistent with the strategic objectives of Council and the vision for the Local centres sub precinct.

1 Objectives of 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 Vikings Club advises the following regarding their current membership within the locality:

- There are 5,732 Vikings only Members from Jerrabomberra / Queanbeyan area i.e. they use Vikings Group Clubs and live in the locality;
- There are 12155 members that have Campbell & George membership (which the Vikings Club operate) from the Jerrabomberra / Queanbeyan area – i.e. they use Vikings and Campbell & George;
- Statistically the majority of Club users live within a 5km radius of the development.

There is a clear and demonstrated number of existing Club Members within the locality that would benefit from the registered club, this of course does not consider potential members once the club is operating. It will be an integral part of the local and broader community.

5.1.6 South Jerrabomberra Development Control Plan 2015

The South Jerrabomberra Development Control Plan 2015 (DCP) guides development outcomes within South Jerrabomberra. The relevant parts and controls of the DCP are assessed in the tables below.

Table 10 – South Jerrabomberra Development Control Plan 2015

Control	Comments	Compliance
Part 3 – Masterplan		
<div>  <div> <div>Indicative Future Layout of Precinct</div> <div> <div> Precinct Boundary </div> <div> Existing Roads </div> <div> Internal Vehicle Access </div> <div> Potential Service Access </div> <div> Main Pedestrian Spine </div> <div> Secondary Pedestrian Connections </div> <div> Potential Informal Connections </div> <div> Village Square / Green (indicative location) </div> <div> Public Open Space with Pond / Water Quality Pond (indicative location) </div> <div> Noise Wall </div> <div> Existing Building Footprints </div> <div> Development Area (indicative extent only) </div> <div> Interface Treatments / Landscape Buffers </div> </div> <div>  </div> </div> </div>		

Figure 18 – North Poplars Neighbourhood Structure Plan

Control	Comments	Compliance
3.7 Neighbourhood Structure Plan Controls		
3.7.1 General a) Be generally consistent with the South Jerrabomberra Structure Plan. b) Be prepared in accordance with the process outlined in the Structure Plan's objectives. c) Demonstrate compliance with any Voluntary Planning Agreement commitments. d) Details the indicative lot yield of each stage of the neighbourhood. e) Be consistent with Part 4 Subdivision Control, Roads and Public Places (note: Part 2 of the Queanbeyan Development Control Plan provides detailed design criteria) f) Be approved by Council as a DCP amendment prior to lodgement of any development application. g) Demonstrated compliance with the desired character of the neighbourhood.	<p>A Structure Plan has been prepared for North Poplars as detailed in Figure 18. The development site forms part of an underlying subdivision which has now been approved by Council.</p> <p>With regard to the current structure plan a landscape buffer to the east is proposed adjacent to the established residential area and integrated with an acoustic barrier.</p> <p>Pedestrian access to the pond area will be provided internal to the site however this will be integrated within the development. It is no longer proposed to provide pedestrian or vehicular access to the residential areas to the east to preserve the residential amenity.</p>	Yes
3.7.2 Flooding h) Ensure that residential land is flood free for a 100 year ARI event. i) Access and egress from development areas shall be provided that accounts for the 1:100 ARI flood event.	<p>The LEP does not include any flood mapping. The Queanbeyan Floodplain Risk Management Study and Plan was reviewed and the site is not identified as subject to 100-year ARI flooding.</p>	N/A
3.7.3 Bushfire a) Identify bushfire prone areas and ensure buffers and development controls in Planning for Bushfire Protection 2019 Guidelines can be accommodated in any structure plan design and future subdivision. b) A comprehensive bush fire management plan shall be prepared for bushfire prone land.	<p>The site is identified as bushfire-prone (category 3 and buffer) by the Queanbeyan-Palerang Regional Council Bushfire Prone Land Map.</p> <p>We would note that the underlying subdivision is supported by a Bushfire Assessment Report which considers the subdivision against Planning for Bushfire Protection 2019 (PBP 2019). This includes for instance the requirement for an Asset Protection Zone along the western boundary of the site.</p> <p>It is considered that appropriate bushfire protection measures can be implemented in accordance with the details set out in the Bushfire Assessment Report and in accordance with PBP 2019.</p>	Yes
3.7.5 Development on Higher Land a) Development shall not be located above the 740m contour. d) Development on land between 710–740m is to comply with any clause dealing with Airspace Operations of the applicable local environmental plan. e) For land between 710–740m any structure, whether temporary or permanent,	<p>The proposed development is located below the 710m contour.</p>	Yes

Control	Comments	Compliance
proposed to breach the obstacle limitation surface must be referred to the Canberra Airport and relevant authorities for assessment.		
3.7.6 Contamination a) Sites that may be potentially contaminated as identified by relevant previous studies or site inspections require detailed environmental investigation in accordance with relevant guidelines and legislation.	It is considered that the site is suitable in its current state for the purpose of a registered club. The underlying subdivision is supported by a Site Audit Statement confirming it is appropriate for more sensitive uses.	Yes
3.7.7 Cultural Heritage a) Ensure that development respects and does not compromise heritage items, archaeological sites, potential archaeological deposits or sites within identified heritage conservation areas. b) Integrate elements of cultural heritage into the future development in appropriate circumstances. c) Identify and conserve sites of European and Aboriginal Heritage as appropriate.	No heritage items or potential archaeological deposits are known to be located within the site. The site is not an archaeological site, within a heritage conservation area or within a European or Aboriginal Heritage site.	N/A
3.7.10 Water Sensitive Urban Design (WSUD) and Drainage Reserves a) Ensure that development incorporates stormwater, retention and detention strategies to limit the changes to the hydrological regime (flow rate and duration) of the receiving waterways. b) Incorporate WSUD in the planning of the site layout and design to promote sustainable and integrated management of land and water resources incorporating best practice stormwater management, water conservation and environmental protection. c) Integrate WSUD into open space and streetscapes to collect and treat runoff from waterborne pollutants prior to discharge to receiving areas and waters d) The design of the stormwater management systems shall be integrated with the planning of the site layout and design. e) Protect and enhance creek corridors such as Jerrabomberra Creek and Dog Trap Gully Creek. f) Ensure that development does not adversely impact on the water quality, water quantity and habitat value of waterways. g) Encourage where appropriate recreation activities such as cycling and walking trails in the drainage corridors.	In support of the application are civil engineering drawings, see Appendix 4 . The underlying water sensitive urban design measures form part of the separately lodged subdivision DA. The proposed development introduces stormwater measures to cater for the proposed development and which integrate with the underlying infrastructure consistent with Council's requirements.	Yes
3.7.13 Neighbourhood Centre Activity Objectives	The proposed development does not comprise retail floorspace and therefore	Yes

Control	Comments	Compliance
<p>1) Ensure neighbourhood centres are developed in an efficient, orderly manner that are of high amenity and are attractive places.</p> <p>2) Encourage higher density living in the South Tralee Neighbourhood Centre in close proximity to facilities, services and transport that also accounts for potential impacts on amenity from Hume and aircraft noise.</p> <p>Controls</p> <p>a) Until such time as a Retail and Business Hierarchy Strategy is prepared for the Queanbeyan Local Government Area:</p> <p>i. The total retail GFA within the Poplars Neighbourhood Centre shall not exceed 7000m² (excluding office and business premises).</p>	<p>the control is not considered to apply to a registered club.</p> <p>The proposal is considered to be consistent with the objectives for the neighbourhood centre which will facilitate development of 'high amenity and are attractive places'.</p>	
Part 5 – Roads and Public Spaces		
5.14 Additional Controls for the Poplars Neighbourhood Centre		
Access & Parking		
4. Carparking is to be suitably landscaped and is to be designed to minimise vehicle and pedestrian conflicts and maximise general safety for users.	4. Landscaping is provided around the two parking lots, creating a visual buffer. It has been designed in accordance with the appropriate standards with regards to its function and safety.	Yes
5. Carparking shall be located so as to be convenient for users of the Neighbourhood Centre and minimise any impact on the amenity of adjoining residential areas.	5. Carparking is appropriately located for the purpose of servicing the proposed development. Access is proposed internally via the approved subdivision and will therefore not adversely affect the established residential development to the east.	Yes
Part 8 – Environmental Management		
8.2 Soils and Salinity		
Soil conservation measures have been incorporated into the Construction Management Plan. Refer to this plan for further details.		Yes
8.3 Cut and Fill		
a) Excavation and fill on building sites shall be limited to a max of 1.5m. Greater depth may be considered by Council, if within the building envelope, suitably retained and/or stabilised and not visible from the street.	a) Excavation of up to 3.5m is proposed to facilitate the western car park. This is considered appropriate as it mitigates the visual impact of the car parking structure and represents an efficient use of land.	No, but justified
b) Development applications are to identify the extent of proposed cut and/or fill land and provide justification for the proposed changes to the land levels.	b) Bulk earthwork plan prepared by Indesco, see Appendix 4 .	Yes
c) The maximum height of retaining walls is to be 1.0m.	c) Walls for the western car park will be greater than 1m in height. The walls will for	Yes

Control	Comments	Compliance
	the most part not be visible as they will support the proposed car park structure.	
d) Where terraced walls are proposed the minimum distance between each step is 0.5m.	d) Terraced walls will be included where appropriate.	Yes
e) A variation to the retaining wall heights can be considered with supporting justification and concurrence of the adjoining neighbours. Walls over 1m in height are to be designed/certified by a structural engineer.	e) Retaining walls greater than 1m do not directly adjoin neighbouring properties and will not impact upon their existing and future development.	Yes
f) Batters are to be limited to a maximum gradient of 1 vertical: 4 horizontal.	f) Able to comply.	Yes
g) Proposed cut or fill in the vicinity of sewer and stormwater mains must comply with Council's Development Adjacent to Water, Sewer and Stormwater Mains Policy.	g) Able to comply.	Yes
8.4 Water Sensitive Urban Design		
a) Ensure that development incorporates stormwater, retention and detention strategies to limit the changes to the hydrological regime (flow rate and duration) of the receiving waterways.	The proposed development is reliant on the delivery of the underlying subdivision which has since been approved. Stormwater infrastructure is proposed which includes drainage lines and overland flow for the subdivision. This includes the construction of a pond which will act for the purpose of on-site detention and incorporates appropriate water quality treatment devices.	Yes
b) Incorporate WSUD in the planning of the site layout and design to promote sustainable and integrated management of land and water resources incorporating best practice stormwater management, water conservation and environmental protection.		
c) Integrate WSUD into open space and streetscapes to collect and treat runoff from waterborne pollutants prior to discharge to receiving areas and waters		
d) The design of the stormwater management systems shall be integrated with the planning of the site layout and design.		
e) Protect and enhance creek corridors such as Jerrabomberra Creek and Dog Trap Gully Creek.		
f) Ensure that development does not adversely impact on the water quality, water quantity and habitat value of waterways.		
A Development Application shall include a WSUD assessment that addresses:		

Control	Comments	Compliance
<p>i) The relevant site characteristics and constraints.</p> <p>j) Stormwater management strategies, including treatment measures, reuse and maintenance requirements with particular regard to cross border flows.</p> <p>k) A rationale for the proposed strategies.</p> <p>l) Evidence of stormwater modelling is to accompany all development applications for all proposed development except those for less than 10 dwellings.</p>		
8.6 Bushfire Management		
The subdivision DA has already addressed the issues raised in this section. A Bushfire Assessment Report was submitted as part of that DA considering all of the relevant matters under Planning for Bushfire Protection 2019, addressing issues including asset protection zones.		Yes
8.13 Tree Retention and Biodiversity		
The broader site has been subject to a biodiversity certification approval and which is currently being progressed via the separate subdivision application being assessed by Council. The proposed development proposes no further removal of trees beyond those that are approved to be removed as part of the subdivision DA and the works are wholly contained within land subject of the certification process. Thus, considerations discussed in the controls have already been satisfied and the subject site has been deemed suitable for development.		Yes
8.17 Construction Waste		
<p>a) A Waste Management Plan must be provided for all development requiring construction works on site.</p> <p>b) The Waste Management Plan must optimise recycling to reduce waste to landfill. The owner/applicant must provide relevant evidence to Council or the accredited certifier of compliance with the specified arrangements.</p>	A Waste Management Plan is able to be prepared as part of the Construction Certificate process. It is noted that a detailed breakdown of material is required for the purpose of satisfying the requirements of the Sustainable Buildings SEPP.	Able to comply
8.18 Landfill / Earthworks		
<p>a) Adequate justification of the need for landfill to be deposited on a site must be provided.</p> <p>...</p> <p>e) A scaled plan must be provided demonstrating the location of any existing features on the property such as drainage lines and infrastructure, vegetation, roads etc.</p> <p>f) A site plan prepared by a registered surveyor must be submitted demonstrating</p>	<p>a) Landfill is not proposed. Excavation works to be completed in the western segment of the site will be filled using soil from within the site itself.</p> <p>(e) Refer to the submitted civil engineering plans for these details, see Appendix 4.</p> <p>(f) A site plan has been submitted with sufficient details for the purpose of assessment by the consent authority.</p>	<p>N/A</p> <p>Yes</p> <p>Yes</p>

Control	Comments	Compliance
<p>the existing levels of the property and proposed levels of the landfill.</p> <p>g) The extent of the fill including location, depth, direction and gradient slope of the surface and batter slopes must be clearly demonstrated on a plan.</p> <p>...</p> <p>i) Before granting development consent for landfill or earthworks, an applicant is to demonstrate to Council the following issues have been addressed:</p> <p>i. The likely disruption of or any detrimental effect on existing drainage patterns and soil stability in the locality.</p> <p>ii. The effect of the proposed development on the likely future use or redevelopment of the land.</p> <p>iii. The quality of the fill or of the soil to be excavated, or both.</p> <p>iv. The effect of the proposed development on the existing and likely amenity of adjoining properties.</p> <p>v. The source of any fill material or the destination of any excavated material.</p> <p>vi. The likelihood of disturbing Aboriginal objects or other relics.</p> <p>vii. Proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area</p>	<p>(g) Refer to the civil engineering plans for these details, see Appendix 4.</p> <p>(i) Refer to the civil engineering plans for these details, see Appendix 4.</p>	<p>Yes</p> <p>Yes</p>
Part 10 – Neighbourhood Centre Controls and Principles		
10.2 Overall Desired Future Character		
<p>The Poplars</p> <p>The desired future character of the Poplars will be a mix of office, light industrial, small scale retail, business and community uses that serve the needs of the people who live or work in the locality in a high quality urban designed setting.</p> <p>The Poplars Neighbourhood Centre precinct is an area of approximately 7 ha located north of Tomsitt Drive. It generally supports business, office and retail premises but does not include uses like bulky goods. This precinct has a high quality urban design that is vibrant and attractive.</p> <p>The Business Park precinct is an area of approximately 30ha located south of Tomsitt Drive primarily used to accommodate a business park, environmental conservation and private recreation. It will support a diverse range of business, office and light industrial uses in a</p>	<p>It is considered that a registered club use is consistent with the strategic intent of Council and will contribute towards the range of uses within the Poplars Neighbourhood Centre. It will provide a range of uses including dining; café; gaming lounge; and functions rooms. It will provide a meeting place and opportunities for the local community of which there are already a substantial number of members within the locality.</p> <p>A high quality design is proposed which will contribute towards an attractive centre. Landscaped open space is proposed centrally and within the northern part of the site, with a pond at its centre.</p> <p>Landscaped boundaries generally greater than 3m in width will provide ample opportunity for layered plantings.</p>	<p>Yes</p>

Control	Comments	Compliance
<p>high quality built form and landscaped setting showcased through best practice site planning and urban design provisions with staff and customers in mind. Development should limit any impacts on surrounding neighbourhoods. Buildings are to be designed to respect the topography and landscape features.</p> <p>Objectives</p> <p>1) To create a vibrant, mixed use neighbourhood centre that provides a range of retail and community facilities that serve the local population as well as higher density housing options.</p> <p>2) To ensure that the detailed design of the neighbourhood centre is undertaken in a coordinated manner in order to achieve a high quality urban design outcome.</p> <p>3) Good quality development which has regard to adjoining development in minimising any adverse impacts.</p> <p>Controls</p> <p>a) Compliance with the relevant controls of Part 3D of the Queanbeyan Development Control Plan 2012 of this part of the development control plan in Business zones where shop top housing is permitted with consent</p>		
10.4 Safety and Security		
<p>a) Comply with the relevant controls in Clause 2.9 of the Queanbeyan Development Control Plan 2012.</p> <p><i>2.9.3 Controls from the Queanbeyan DCP 2012 are listed below:</i></p> <p>a) Buildings are to be designed to overlook streets and other public areas to provide casual surveillance. Buildings adjacent to a public area must have at least one habitable room window with an outlook to that area.</p> <p>b) Pedestrians and cycle thoroughfares are reinforced as safe routes through:</p> <p>i) appropriate lighting</p> <p>ii) casual surveillance from the street</p> <p>iii) minimised opportunities for concealment</p> <p>iv) landscaping which allows clear sight-lines between buildings and the street</p> <p>v) avoidance of blind corners</p> <p>c) Site planning, buildings, fences, landscaping and other features clearly</p>	<p>a) See below responses.</p> <p>a) The proposed club is sited in such a way where it does not front directly onto any public roads. It is positioned at an angle and will not have direct views onto the street as to create opportunities for casual surveillance. A 3m high acoustic barrier is proposed along the eastern boundary shared with Esmond Ave. There are however existing dwellings along the local road which will continue to provide opportunity for passive surveillance.</p> <p>b) Lighting and landscaping are designed appropriately as to avoid opportunities for concealment and blind corners. Refer to architectural plans for further detail.</p> <p>c) The proposed club is sited and designed to clearly delineate between private and</p>	<p>N/A</p> <p>N/A</p> <p>Yes</p> <p>Yes</p>

Control	Comments	Compliance			
<p>define public, common, semi-private and private space.</p> <p>Note: Applicants must demonstrate compliance with the principles of Crime Prevention through Environmental Design (CPTED) when submitting development applications.</p>	<p>public space. The proposed building is separated from the public street by landscaping and proposed parking spaces to the south and west of the building. An acoustic barrier along the eastern boundary measuring 3m high provides a clear delineation between public and private space. For further discussion, refer to the CPTED section below.</p>				
10.5 Site Car Parking					
<p>a) Comply with the relevant controls in Clause 2.2 of the Queanbeyan Development Control Plan 2012.</p> <p>Relevant controls of Clause 2.2 are listed below:</p> <p>2.2.6 Controls</p> <p>a) Car parking is to be provided for all development in accordance with Table 1. An assessment will be undertaken of development types that are not explicitly listed (screenshot of requirement for registered club below)</p> <table border="1"><thead><tr><th>Parking Requirement</th></tr></thead><tbody><tr><td>Within in the CBD – 1 space per 60m2 of GFA.</td></tr><tr><td>Outside the CBD – whichever is the greater of: Comparisons with similar clubs, or 1 space per 3.5m2 of licensed gross floor area, plus 1 space per 40m2 of office floor area.</td></tr></tbody></table>	Parking Requirement	Within in the CBD – 1 space per 60m2 of GFA.	Outside the CBD – whichever is the greater of: Comparisons with similar clubs, or 1 space per 3.5m2 of licensed gross floor area, plus 1 space per 40m2 of office floor area.	<p>A total of 153 spaces are provided in Stage 1 and 120 in Stage 2 for a total of 272 car spaces. In support of the application is a Traffic Impact Assessment at Appendix 5. This acknowledges that the development does not strictly comply with the numerical requirements of the DCP. Rather, the development relies on observation and analysis for three (3) similar premises.</p> <p>There has been significant change in patron behaviour since the development of the Guide to Traffic Generating Developments 2002 and Council's controls. That observations informing the parking requirements date back to 1978. It is considered that the quantity of parking is appropriate and is expected to result in a peak occupancy of 94 car parking spaces under the Stage 1 only and a minimum of 143 car parking spaces under Stage 2.</p> <p>All requirements relating to Australian Standards and access driveways will be complied with.</p>	<p>No, however justified</p>
Parking Requirement					
Within in the CBD – 1 space per 60m2 of GFA.					
Outside the CBD – whichever is the greater of: Comparisons with similar clubs, or 1 space per 3.5m2 of licensed gross floor area, plus 1 space per 40m2 of office floor area.					
10.7 Pedestrian Access and Mobility					
<p>a) To assist people with a disability, the main building entry points should be clearly visible from primary street frontages and enhanced as appropriate with awnings, building signage or high-quality architectural features that improve clarity of building address and contribute to visitor and occupant amenity.</p> <p>b) The design of facilities (including car parking requirements) for disabled persons shall comply with the relevant Australian Standard (AS 1428 Pt 1 and 2 or as amended) and the Disability Discrimination Act 1992 (as amended).</p> <p>c) The development shall provide at least one main pedestrian entrance with convenient barrier free access to the ground floor and/or street level.</p>	<p>a) The building identification signage is located on the southern elevation, which is the primary frontage onto Gwendoline Place. Access to the building will be clearly visible from the street.</p> <p>b) accessible parkin has been provided for in accordance with the legislative requirements.</p> <p>c) Reference is made to the Access Report at Appendix 7 which confirms that appropriate access has been provided for. Relatively minor matters are required to be</p>	<p>Yes</p>			

Control	Comments	Compliance
<p>d) The development shall provide continuous access paths of travel from all public roads and spaces as well as unimpeded internal access.</p> <p>e) The development shall provide visually distinctive accessible internal access linking to building entry points and the public domain.</p> <p>f) Pedestrian access ways, entry paths and lobbies shall use durable materials commensurate with the standard of the adjoining public domain (street) with appropriate slip resistant materials, tactile surfaces and contrasting colours.</p>	<p>satisfied with the Construction Certification documentation.</p> <p>d) Reference is made to the Access Report at Appendix 7 which confirms that appropriate access has been provided for to and within the site. Relatively minor matters are required to be satisfied with the Construction Certification documentation.</p> <p>e) Appropriate entrance points have been provided and wayfinding within the building for the proposed use.</p> <p>f) Appropriate materials are to be utilised noting that there is limited pedestrian interface with the public domain.</p>	
10.12 Additional Objectives and Controls for Poplars Neighbourhood Centre		
<u>The Built Form Controls</u>		
<p>a) Development is generally to take the form of 1 to 2 storeys.</p> <p>b) The equivalent of 3 storey built form structures may be considered in order to provide variation and diversity and may form part of key signage elements and strategic articulation of the built form.</p>	<p>a) The proposed club presents as a two storey form however its scale is equivalent to three storeys in height, particularly the northern component of the building.</p> <p>b) The proposed club is up to three storeys in terms of its height. It is well-articulated and presents a high-quality architectural response. The greatest height is at the north-western part of the building which is focussed away from the residential area to the east and is largely arrived at due to the sites topography. The southern aspect of the development otherwise presents between 1 – 2 storey in form to the commercial land to the south.</p> <p>The building has been designed and sited such that the horizontal length, and therefore bulk of the building, is focussed away from the more sensitive residential edge to the east.</p> <p>For these reasons it is considered that the building height and number of storeys is appropriate. noting also that the height of the building has been reduced to comply with the maximum building height of 12m.</p> <p>c) The proposed club is sited to give consideration to the residential development to its east. Landscaping</p>	<p>No, however justified</p> <p>Yes</p> <p>Yes</p>

Control	Comments	Compliance
c) The design and siting of buildings shall give consideration to providing a transition to the existing residential development.	measures and at grade carparking create a substantial buffer between the building and Esmond Avenue, providing an appropriate visual transition. A setback of at least 28.6m is achieved to the boundary. The actual separation distances between the club and the nearest receivers increases further still between 75m-97m to the main building and 50m to the outdoor dining area (adjoining the pond).	
d) Where practical, active building frontages at ground level are to define edges to the pedestrian network and public domain elements.	d) The proposal is for a registered club which has specific user requirements. The proposal orients to the landscaped grounds to the north activating the dam. The development otherwise exhibits a high quality architectural design that will contribute towards the precinct.	Yes
f) Blank walls are discouraged.	f) A high quality architectural design is proposed that will contribute towards the locality.	Yes
g) Built form is to include a high level of architectural finish and design.	g) The proposed building is of a high architectural standard. Refer to architectural plans for full details.	Yes
h) Articulated and varied architectural forms and facades are encouraged.	h) All facades are well-articulated, and the design delivers a thoughtful and high-quality outcome for the locality.	Yes
Landscaping and Edge Treatment Controls a) The landscaping of a sufficient width and suitable species shall be provided around the perimeter of the neighbourhood centre including Tomsitt Drive b) The landscape buffer along the eastern edge of the centre shall be designed to provide a suitable buffer to minimise any impact on the amenity of the adjacent residential area. c) Landscaping along the northern edge shall be designed to minimise any adverse impact to the environment / conservation values of the adjoining land. d) Landscape edge to Tomsitt Drive shall provide a suitable address whilst also retaining visibility for the commercial uses along the frontage.	In support of the application are landscape drawings and details prepared by Place Logic, see Appendix 3 . The site includes a landscape buffer along its eastern boundary, as shown on the North Poplars Neighbourhood Structure Plan, which is integrated with a 3m high acoustic barrier. The design of the landscaped areas has taken into consideration safer by environmental design practices.	Yes

Control	Comments	Compliance
e) All landscape areas shall be designed in accordance with safer by environmental design practices		
<u>Safety and Surveillance Controls</u> a) Buildings should be designed to overlook public domain areas and provide casual surveillance. b) Building entrances should be orientated towards the street wherever possible to ensure visibility between entrances, foyers, car parking areas and the street. c) Appropriate lighting should be provided to all cycle and pedestrian paths, bus stops, car parks and buildings. d) Development should provide clear sight lines and well-lit routes between buildings and the street, and along pedestrian and cycle networks within the public domain. e) Consideration should be given to the use of landscape elements so as to not compromise the perceived level of safety	a) The building is sited to face the Gwendoline Place and will provide casual surveillance to the south. A 3m high acoustic barrier is proposed along Esmond Ave which provides a clear barrier to the public domain. b) The building entrance is on the southern frontage, which is oriented towards Gwendoline Place. c) Appropriate lighting will be installed for the car parking areas. d) Clear sight line are generally provided between buildings and car parking areas. Appropriate territorial reinforcement measurements are to be implemented including along the eastern boundary with the established residential area.	Yes

5.1.7 Crime Prevention Through Environmental Design

Crime Prevention through Environmental Design (CPTED) is an integral element of modern land use planning and design. It aims to reduce the opportunities for crime by using design and place management principles that will maximise the effort required to commit crime and risk to offenders, whilst minimising the actual and perceived benefits of crime. CPTED recognises that any design strategy needs to be part of a holistic approach to crime prevention incorporating social, environment and community development strategies.

Careful consideration has been given to the physical environment, social environment (different users and uses of public space) and movements through public spaces. There are five principles that are to be addressed in the assessment of this DA as part of the CPTED analysis. These principles include:

- Surveillance
- Territorial reinforcement
- Activity and space management
- Access control
- Lighting

Surveillance

Natural surveillance limits the opportunity for crime by designing spaces and buildings that foster human activity and interaction as well as overlooking of the environment. It is thought to be an ideal form of crime deterrence as casual incidences may be observed, and also the offender perceives that they are more likely to be seen. Natural surveillance can be enhanced by designing buildings and landscapes to allow unobstructed views into parking areas, windows and doorways.

The location and anticipated profiles of the Club, users of the pond area and surrounding residential development, will promote activity, surveillance and connection throughout the day and night and will provide a relatively high level of natural surveillance.

Club Building and Carpark

The proposed orientation allows clear sightlines and opportunities for connections to occur naturally. The alignment of the proposed movement networks and the orientation of the development allow for largely unobstructed sightlines by adjoining users to observe and be observed.

The car park configuration has been designed on a grid system and has implemented circular movement of traffic around the car park. The grid rows increase natural surveillance allowing for good sightlines across the car park and between vehicles allowing users to “see and be seen”. The car park has been designed with a dedicated single vehicular entry and exit point.

Movement networks will be located along Gwendoline Place providing a direct link from the surrounding neighbourhood centre to the Club. Pedestrian access to the Club is available at ground level. This access point shall direct club users to the entry foyer on the ground floor. The layout and design of the entry foyer area allows visibility of the area by club patrons and staff.

Recreational Area (Pond)

The pond is located to the north of the Club. The pond includes a pedestrian boardwalk and seating areas as well as a viewing platform (to be located to the north of the pond). Proposed pedestrian paths are proposed between the Club and pond with landscaping provided around the perimeter of the pond. Pedestrians will be encouraged to utilise pathways between the pond and club activity nodes, creating a level of natural surveillance within the area.

An appropriate signage strategy can enhance way finding and direct people to safe places and routes. It can also reinforce messages of orientation and direction. Signs will be developed as a system with a consistent pattern based on hierarchy of most important to least important messages and be accessible to people with visual impairments. As well as signs and graphics, legible environments can be created through site layouts, colour and texture coding and maps.

Surveillance of the area is largely unobstructed by topography and vegetation. The alignment of the proposed movement networks also allows for largely unobstructed sightlines of the site. The overall design of the area has created opportunities “to see and be seen”. Concealment/entrapment opportunities have been reduced by allowing clear sightlines increasing the safety and perception of safety.

The anticipated activity profiles associated with the users of the club, pond and surrounding movement networks will provide a relatively high level of natural surveillance, will promote activity and connection throughout the day and night and thereby create periods of high natural surveillance by reason of increased activity on the site.

Appropriate landscaping can be used to both enhance the amenity of an area and the perception of safety. Studies have found that landscaping design and maintenance of the site as a whole correlates with user satisfaction and safety. Appropriate landscaping can promote opportunities for natural surveillance, allows sightlines through areas, direct pedestrian flows and avoid the creation of entrapment spots.

Territorial Reinforcement

Territorial reinforcement can be described as a means of developing and/or maintaining a sense of propriety for the space or development by establishing a sense of place and by clear delineation between private, semi-private and public realms, thereby deterring entry by ‘unauthorised’ persons.

Territorial reinforcement is enhanced by natural surveillance, natural access control and environmental maintenance. The distinction between the public realm and the various activities within the site (Club, individual club components, pond and alfresco areas) will be made clear through the use of physical design and transitional zones which will provide cues to help define the distinction between the activities and public realm.

A 3m high acoustic barrier is proposed along the eastern boundary of the development which provides a clear demarcation between the registered club site and the adjoining residential area. There are no access points provided between the adjoining Esmond Ave and the subject site.

Activity and Space Management

Activity and space management have been identified as important issues for crime prevention, as a run-down, little used or vandalised appearance can contribute to a perception that an area is not used and therefore available for use for anti-social behaviour.

The mix of land uses can be harnessed to increase security, particularly relative to public areas. Facilitating a diverse range of activities that occur over a 24-hour period can increase a sense of vitality while also facilitating increased natural surveillance.

The mix of activities allowed for within the pond including the viewing platforms and seating areas will encourage a range of users to visit the site, thereby generating activity to the area. The Club, including the alfresco areas, picnic lawns and pond are designed to cater for a wide demographic. The diversity of activities and users will ensure an ongoing level of activity and consequential surveillance. More broadly the proposed development will contribute towards a range of uses within the Neighbourhood Centre.

It is envisaged that the equipment and surrounding landscaping will be subject to an ongoing monitoring and maintenance regime (under the care and control of the proponent) which will ensure it presents well to the surrounding environment. Cleaning and maintenance staff will be engaged to clean the club grounds daily.

Access Control

Entrapment spaces are small, confined areas that are adjacent to or near a well-travelled route and are shielded on three sides by some barrier. It is important to eliminate potential entrapment and hiding spaces to ensure that users can see a safe route and not be liable to attack in unsurveyed spaces. Further, unsurveyed spaces are unlikely to be used, thereby representing dead or wasted space. This will limit the amount of legitimate activity in the space and a further cycle of danger and non-use can occur.

The proposed development has been designed to avoid entrapment spaces through its use of access control treatments. Access control treatments may include natural (i.e. entry/exit points and landscaping), technical/mechanical (i.e. bollards, CCTV) and/or organised access controls and are used to restrict, channel and encourage people and vehicles into, out and around sites. Effective access controls can be achieved by using physical and symbolic barriers that channel pedestrians into areas. All access to the club is to be via a controlled access point whereby members and guests are required to sign in, this places the club in a strong position to manage the movement of patrons through the premises.

This proposal incorporates a mixture of natural, technical/mechanical and organised access controls by the utilisation of design measures such as positioning of potential vulnerable use of the pond within a visibility-controlled area with overlooking from the alfresco area, the orientation and location of movement networks to channel pedestrians along designated paths to a single Club entry (i.e. avoids multiple entries to the Club). Physical barriers such as landscaping is proposed at the pond and carparking areas to deter vehicles from entering the pond area.

Technical/mechanical access controls include CCTV internally and externally of the Club, car parks, pond alfresco area, balcony, entrances and loading docks. Organised access controls include security personnel as detailed in the supporting Alcohol Plan of Management (see **Appendix 12**) to monitor and control customer behaviour and ensure a clean and safe environment.

Lighting

Lighting is an important aspect of community safety and crime prevention, impacting on both actual crime and fear of crime. It is considered that the level of lighting in public spaces needs to be adequate for a person to be able to clearly view another person at a reasonable distance. When assessing the lighting, consideration should be given to the architectural design, human needs and the environment.

Lighting to entries will allow club patrons to see into and out of the building before entering and exiting (particularly at night time). This will increase safety and perception of safety for the club patrons. It should be noted that a full lighting layout has not yet been completed but would be done so as part of the Construction Certificate documentation.

6. Section 4.15 Considerations

The following *Matters for Consideration* are to be taken into consideration by a consent authority when determining a development application, pursuant to Section 4.15 *Evaluation of the Environmental Planning and Assessment Act 1979*.

6.1 Section 4.15 (1)(a)(i) - The Provisions of any Environmental Planning Instrument

The relevantly applicable provisions of the relevant Environmental Planning Instruments have been examined above in Section 5 of this SEE and the proposal is considered to be consistent with those provisions including of the QPRLEP 2022.

6.2 Section 4.15 (1)(a)(ii) - The provisions of any Draft Environmental Planning Instrument

The site is subject of a future E1 Local Centre zone pursuant to the QPRLEP 2022. This zone and its provision are to come into effect on 26 April 2025. Legal advice prepared by Lindsay Taylor Lawyers (see Appendix 15) confirms that the future E1 zone is a statutory consideration being a proposed instrument. That its coming into effect is 'certain and imminent' and should be given significant weight.

The proposed development is permitted within the zone and is consistent with the zone objectives as examined in Section 5 of this SEE.

6.3 Section 4.15 (1)(a)(iii) - Any Development Control Plan

The relevantly applicable provisions of South Jerrabomberra Development Control Plan 2015 have been examined in Section 5 of this SEE and the proposal is considered to be generally consistent with those provisions or where variations are sought, suitable justifications have been provided.

6.4 Section 4.15 (1)(a)(iia) - Any Planning Agreement that has been entered into or any Draft Agreement

It is understood that there is no Planning Agreement relevant to the subject site.

6.5 Section 4.15 (1)(a)(iv) - The Regulations

The relevant matters listed under clause 61 of the EP&A Regulation 2021 have been considered in the assessment of the proposed development.

6.6 Section 4.15 (1)(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,

The likely impacts of the proposed development have been considered in the previous sections of this SEE, inclusive of the likely impacts on the natural and built environments, as well as the social and economic impacts in the locality.

Social Impacts

The Vikings Club will provide a place to meet the social needs of residents in the locality. Substantial restaurant, function rooms, café, bar and gaming facilities are provided that will cater for a diverse range of users in a safe environment. The Club is committed to providing gambling facilities in an environment which minimises harm and meets community expectations by conforming with all relevant Acts and Regulations and following the Club Safe responsible gambling program.

With regard to the service of alcohol the Vikings Club is committed to the principles of Responsible Service of Alcohol and aims to provide alcohol service in a safe and responsible manner for the benefit of patrons, the community, staff and the Club. The Club is to be managed in a safe and responsible manner in accordance with the Alcohol Plan of Management, refer to **Appendix 12**.

A detailed Social Impact Assessment has been undertaken by Hill PDA with regard to the proposed development and the potential social impacts arising from both the construction and operational phases of the

development. It documents that there will be a range of both positive and negative social impacts, concluding that:

The SIA has considered potential negative and positive social impacts associated with the proposal, and suggested measures to mitigate the former and enhance the latter. Considering the effect of these measures on the overall significance of impacts, the SIA notes the following:

- *Construction may create highly positive livelihood impacts relating to construction employment and the spending of money at local businesses*
- *Construction may also have a range of temporary medium-level negative impacts. These would include disturbances, inconveniences and safety concerns, the presence of noise/dust/odour/vibration (including effects on health and wellbeing), temporary changes to community character and surroundings, and potential disruptions to utilities and services*
- *Construction may also result in low-level temporary negative impacts, including utilities/infrastructure/services-related way of life impacts, lowered community cohesion and decision making potential, and health and wellbeing impacts of construction activities (and concerns thereof)*
- *During operation, the proposal may have key high positive impacts on livelihoods through providing direct and indirect employment. It may also have key high negative operational impacts, resulting from gambling-related effects on physical, social and mental health*
- *Operation may result in a range of other high positive impacts, e.g. the contribution of dining and entertainment to way of life, the provision of community space in the local area (and related community and health impacts), and the use of revenues to fund local services and initiatives. Other high negative impacts could include long-term changes to neighbourhood character, alcohol-related health effects, and the effects of potential increased compulsive gambling behaviour on livelihoods*
- *Medium-level positive operational impacts could include the increased accessibility of local employment, contribution to local cultural values, the spending of money at local businesses, and positively perceived changes to the local environment. At the same time, negative medium impacts could occur, such as the effects of alcohol and gambling on ways of life and/or cultural values, the potential for increased crime (and related health effects), and negatively perceived changes to the area*
- *Operation may result in a range of low-level negative impacts. These could include the local impacts of club noise and patrons (including on health), effects on local road capacity, potential community discord and/or feelings of powerlessness, and reduced accessibility of local services.*

This report has assessed a range of positive and negative social impacts presented by the proposal. Construction impacts would be temporary in nature and can be mitigated through planning and coordination mechanisms identified in this report.

When operational, the proposal could present social risks, as with any site where liquor and gaming are served and conducted. To some extent, social risks may occur on-site regardless of this proposal, due to the likelihood of development for business/retail uses as per a local centre zoning. This SIA identifies that there is a low-risk baseline environment for risky behaviours and sets out a range of strategies to further mitigate residual risks posed. The proposal would provide a range of community services that would not otherwise be present or available within an identified growth area, including a range of social and recreational activities that would contribute to the development of the area's overall sense of community.

There are a range of mitigation measures recommended in the report in section 8 which would be adopted by the proponent, these relate to both the construction and operational phases of the proposal. With respect to the operational phase the following actions are proposed:

- *Events and entertainment likely being hosted at the venue*
- *Provision of family-friendly dining areas*
- *Provision of information on gambling and alcohol addiction support services at the venue.*

- *Enacting Alcohol Plan of Management (APM) measures to minimise the number of intoxicated patrons and ensure that people leave the premises in a timely and respectful fashion at, or prior to, closing time, while also restricting operating hours*
- *Adoption of noise reduction measures identified in the Acoustic Environmental & Impact Assessment Report prepared by Acoustic Noise & Vibration Solutions P/L, dated January 2025, including the adoption of a Noise Management Plan*
- *Events and entertainment likely being hosted at the venue giving potential opportunities for community expression and connectedness*
- *Provision of a function room for community gathering*
- *Should stage 2 of the proposal occur, provision of additional function rooms, which would comprise additional space for community gathering*
- *Continuation of support for programs in the wider Jerrabomberra and Queanbeyan areas*
- *Monitoring for new opportunities to fund programs and initiatives in Jerrabomberra*
- *Use of design to ensure that the venue is accessible to people with disabilities*
- *Location of development near cycle/pedestrian paths and bus routes*
- *Consideration of prioritising hiring local residents*
- *Provision of a range of parking spaces and development occurring alongside the construction of new roads*
- *Adherence to the sustainable design principles put forward in the Architecture Report prepared by Benson McCormack Architecture*
- *Hosting of events and live entertainment at the premises*
- *Use of revenues to help fund Vikings Group's social and sport-related programs in Jerrabomberra and Queanbeyan. It is recommended that opportunities are continually monitored to fund additional programs/services that the community is likely to support*
- *Provision of information on alcohol and gambling addiction services in the venue*
- *Implementation of responsible service of alcohol and responsible conduct of gaming policy*
- *Maintaining Vikings Group's gambling harm reduction policies, including an 'Ask for Andy' program that seeks to encourage patron contact with Gambling Contact Officers*
- *Separate gaming licence application processes that would assess and revise the count of gaming machines, which may mitigate gambling health and wellbeing effects and related impacts*
- *Use of bush planting to limit negative visual impacts of the proposed acoustic barrier on the eastern edge of the site*
- *Consideration of using local contractors and suppliers where possible*
- *Enabling engagement throughout any future development processes by:*
 - *Engaging with the community about the project, its impacts, and the approval process*
 - *Providing information about communications and complaints protocols to neighbouring premises prior to any works commencing*
 - *Ensuring that Tier 1 stakeholder engagement occurs through any subsequent exhibition period.*
- **Amendments to the proposal in response to Council and SRPP feedback:**
 - *Reduction in proposed building height under stage 2*
 - *Addition of a function room and reduced gaming area sizes under stages 1 and 2, with smaller initial capacity*
 - *Alteration of operational hours, including a reduction of function room operating hours*
 - *Revised design and landscaping of acoustic barrier along eastern boundary with Esmond Avenue, involving a heightened 3m barrier*
 - *Development of a revised Acoustic Environmental & Impact Assessment Report, with more stringent mitigations*
 - *Development of a revised Plan of Alcohol Management, with more stringent mitigations.*

From the report and supporting documentation it is considered that significant social impacts do not arise from either the construction or operational phase of the development subject to the implementation of the mitigation measures and operational practices described.

Economic Impacts

The proposed development will contribute towards additional employment opportunities both during the construction of the building and the ongoing operation of the premises. There is a commitment from the operator towards local employment opportunities where possible.

Environmental Impacts

The site is subject to a biodiversity certification approval under sections 130(1) and 133(1) of the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act). The approval is dated 13 September 2021 and was obtained as part of the subdivision DA which precedes this current application.

Furthermore, we note that the site is the subject of separate subdivision application (DA.2023.0348) which is currently being assessed by Council. The subdivision application is subject of a Biodiversity Certification Assessment Report (BCAR) prepared by Capital Ecology. **Figure 9** of their report indicates the extent of land proposed for Biodiversity Certification and avoided land. The entirety of the subject site is within the land to be certified.

There are trees to be removed as part of the approved subdivision DA and trees to be retained particularly in the north eastern part of the site. The proposed development does not seek to remove any further vegetation than that which is proposed in the underlying subdivision DA. Substantial planting of generally endemic vegetation is proposed as detailed in the supporting landscape plans, see **Appendix 3**.

Acoustic Impacts

The acoustic impacts particularly for the operational phase of the development have been carefully considered including the residential area to the east. During the assessment process an expert consultant was engaged to undertake a peer review of the work undertaken to date and information requested by Council, the outcomes of that review are provided at **Appendix 16**.

In support of the application is an Amended Acoustic Environmental & Impact Assessment Report (the acoustic report) that has adopted the matters raised by Council's expert during the assessment process, see **Appendix 6**. The report concludes that:

Measurements and computations presented in this report show that the noise emissions from the proposed Vikings Club at No. 37 Tompsitt St, Jerrabomberra, will not exceed the noise criteria set out in the NSW Noise Policy for Industry (2017), Section 2.2.1 of the Noise Guide for Local Government, NSW Office of Liquor, Gaming & Racing (OLGR) noise recommendations, and Queanbeyan-Palerang Regional Council requirements.

Noise control recommendations are outlined in Section 9 to ensure compliance through the operation of the proposed Vikings Club. The operation of the proposed Club will comply with the relative sections of the EPA and will not create any offensive noise.

With regard to the mitigation measures detailed in the report the following is a summary of those recommendations (refer to acoustic report for full detail):

- **9.1 Mechanical Plant Recommendations.** Addressing a range of design and siting requirements with regard to acoustic mitigation. Further assessment will be required as part of the Construction Certificate phase of the development which could be addresses by way of conditions of consent.
- **9.2 Glazing.** All proposed glazing in the Vikings Club façade and external door to achieves Rw of 35. Typically, glazing configurations that achieve Rw of 35 consist of 10.38 mm laminated glazing with acoustic seals.
- **9.3 Entry Doors.** Automatic door closers are to be installed on all external entry doors to the proposed Vikings Club, including all doors providing access from outdoor spaces to indoor areas. This will ensure no noise propagation to the residential units or nearby residential premises.
- **9.4 Outdoor Gaming Area.** Acoustic Louvres are to be used in the Outdoor Gaming Area. Fantech Sound Bar Louvre (SBL 1) or similar are to be installed.

- **9.5 Access to Outdoor Areas.** There are to be no patrons allowed in all outside areas after 10:00 pm. Patrons are to be reminded to show consideration for neighbours and not to raise their voice when these areas in use.
- **9.6 Sound Barriers.** A 3.0m high gap-free acoustic barrier is to be installed along the eastern boundary of the site and around the perimeter of the eastern parking lot as per Figure 12 – Sound Barrier Locations – Ground Floor. Acoustic barrier form of construction is any of the following:
 - 100 mm thick Hebel panels attached to a structural steel frame to suit Figure 3- Proposed Hebel Sound Barrier (*refer to report*);
 - AcoustiSorb75 sound absorbing panels attached to a structural steel frame to suit as per below detail (*refer to report*); or
 - A structure with a material with density of between 10kg/m² and 15 kg/m² such as:
 - 17 mm ply plus 9 mm fibre cement on 1st face.
 - 64mm stud with 11kg/m³ insulation.
 - 20 mm timber board on 2nd face plus
 - Echosoft 25 lining on the face fronting the Mechanical plant.

Noise modelling has been conducted with and without the above acoustic barrier, demonstrating a reduction of 8 decibels at the residential receiver boundaries with the barrier in place, thereby confirming the effectiveness of the acoustic barrier. Furthermore, the residential receivers are single-storey, minimising the potential for noise to bypass the barrier, as would be more likely with two-storey structures. In addition, 1.2m high gap-free glass balustrade is to be installed around the perimeter of the outdoor terrace area on the 1st floor as per Figure 13 – Sound Barrier Locations – 1st floor.

- **9.7 Music.** There is to be no music played in any outdoor area after 10:00pm. Amplified music played in the outdoor areas before this time is not to exceed sound pressure level (SPL) of 50 dB(A) at boundary.
- **9.8 Signs.** Signage will in place on the premises encouraging members and guests to depart in an orderly and prompt manner. Announcements will be made at regular intervals after 9:00pm asking members and guests to show consideration for neighbours and to depart in an orderly and prompt manner.
- **9.9 Loading Dock, Garbage Collection & Deliveries.** Loading dock is not to be used between 10:00pm and 7:00am. Roller door to loading dock is to be closed when loading dock is in use. Garbage collection and deliveries is to take place between the hours of 7:00 am and 10:00 pm.
- **9.10 Noise Management Plan.** A Noise Management Plan will be implemented and should include the following:
 - Install a contact number at the front of the Vikings Club so that complaints regarding the operation can be made.
 - Implement a complaint handling procedure. If a noise complaint is received the complaint should be recorded on a Complaint Form. The Complaint Form will contain the detail as outlined in the Amended Acoustic Environmental & Impact Assessment Report.

Also, a permanent register of complaints should be held on the premises, which shall be reviewed monthly by staff to ensure all complaints are being responded to. All complaints received shall be reported to management with initial action/investigation commencing within 7 days. The complaint should also be notified of the results and actions arising from the investigation.

- **9.11 Further Acoustic Assessment at CC Stage.** That a further acoustic assessment is carried out at CC stage when a more detailed Mechanical Services Plans has been prepared for the proposed Vikings Club so that a more detailed and thorough acoustic assessment can be carried out.

Traffic Impacts

The proposed development will benefit from an internal road construction through the local centre once constructed as part of the underlying subdivision. These works are proposed as part of a separate subdivision DA currently being assessed by Council.

In support of the application is a Traffic Impact Assessment report prepared by Quantum Traffic, see **Appendix 5**. The report summarises the various transport planning assessments undertaken in relation to the proposed development. This includes a detailed analysis on the impacts of the road network and intersection, a review of the internal access and car parking design and the adequacy of the required car parking. With regard to the proposed development and the impact on intersection performance the report states that:

The (inherently biased) intersection analysis indicated that while the anticipated post development traffic demands would exceed the practical capacity of the Envirova Drive / Henry Place / Tomsitt Drive intersection during both the weekday evening and Saturday peak hours (DOS 0.94 and DOS 0.90, respectively), they would do so by less than under the base scenario. The intersection analysis also indicated that, during the weekday evening peak hour, two (2) vehicle movements (on the east and north approaches) would operate at LOS F, with up to 73s average delays. Additionally, the analysis indicated that vehicle queues on the east, north and west approaches would exceed their available storage, during both the weekday PM and Saturday peak hours. As such, the intersection performance analysis demonstrates that the proposed licensed club would result in lesser traffic impacts, than even a conservatively small shop, which would otherwise likely be developed on the subject site.

With regard to matters of car parking it is noted that the proposed development does not strictly comply with Council's numerical requirements. Rather, a comparison of similar premises has been undertaken in accordance with the *Guide to Traffic Generating Developments: Issue 2.2*. The premises identified were the Chisholm Vikings, Lanyon Vikings and Plumpton Hotel. The report concludes with regard to car parking that:

Noting the critical limitations of the quantified requirement (for one (1) car parking space per 3.5m² licensed GFA), this assessment is based on a car parking requirement calculated based on the maximum rate observed at three (3) most similar sites from the case study data. As such, the proposed development requires a minimum of 94 car parking spaces under the stage 1 only development and a minimum of 143 car parking spaces under the stages 1 & 2 development.

The provision of 153 on-site car parking spaces as part of the stage 1 only development and 272 on-site car parking spaces as part of the stages 1 & 2 development comfortably satisfy the relevant requirements of on-site car parking.

Finally, a more detailed analysis was undertaken of the traffic generation from indicative developments within Poplars North and a 'base scenario', which is intended to be utilised as a baseline against which the impacts of the proposed licensed club can be assessed. This adopts a rather conservative 2,300m² of retail floor space on the subject site in place of the registered club. The assessment concludes that:

Section 3 (page 13) has been added and section 6 (page 12) updated to reflect the consideration of other indicative developments within Poplars North. The analysis indicates that the traffic demands associated with the Poplars North development are likely to exceed the practical capacity of the Envirova Drive / Henry Place / Tomsitt Drive intersection during both the weekday PM and Saturday peak hours. Furthermore, the analysis demonstrates that the proposed licensed club would be expected to result in lesser traffic demands, and hence lesser traffic impacts, compared to even a conservatively small shop, which would otherwise likely be developed on the subject site.

Building Code of Australia

A BCA Design Assessment Report was prepared by Design Confidence and is attached at **Appendix 8**. The Report assessed the design against the current requirements of the Deemed-to-Satisfy (DTS) provisions of the relevant sections of the Building Code of Australia and the applicable Building Regulations.

The BCA Report observed that the proposed design is capable of complying with the requirements of the relevant sections of the of the Environmental Planning Assessment Act 1979, the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 and the Building Code of Australia 2022 subject to resolution of the identified areas of non-compliance and compliance with the recommendations provided during development stage. Further detailed regulatory reviews will need to be progressively undertaken as designs advance and become more resolved to ensure compliance is achieved.

Accessibility

An access statement has been prepared by Eric Martin & Associates Architects which considers the design against the requirements of NCC 2022 and referenced standards particularly AS1428.1, AS 1428.4.1 and AS2890.6. The report concludes that the development is capable of complying with the access requirements of NCC 2022 and referenced standards however that a number of details will need to be developed as part of the Construction Certificate documentation.

6.7 Section 4.15 (1)(c) - The Suitability of the Site for the Development

The subject site is suitable for the proposed development as it is consistent with the aims and objectives of Queanbeyan-Palerang Regional LEP 2022 and is generally consistent with provisions of South Jerrabomberra DCP 2015. The site is suitable from an environmental perspective and the proposal has been designed having regard to the constraints affecting the site to ensure a positive and responsive development outcome.

In summary by reference to the assessment outlined by the SEE, the proposed club is considered suitable for the site in terms of the zoning, existing and proposed, the draft master plan, the nature and size of the club and its integration with the local and broader community.

6.8 Section 4.15 (1)(d) - Any submissions made

Any submissions made to Council during the notification and advertising period would be evaluated during the DA assessment phase. Knight Frank Town Planning would welcome the opportunity to be able to respond to any issues that may be raised.

6.9 Section 4.15 (1)(e) The Public Interest

The proposed registered club is in the public interest as it will deliver an appropriate use consistent with its land use zoning, the desired future character for the area and will make an important positive contribution to the wider community considering the number of expected local members. It will generate employment opportunities while stimulating economic growth in the locality. Considering the land is subject of a biodiversity certification process, the proposal will not give rise to any significant adverse ecological or environmental impacts, nor will it result in negative social or economic impacts. As such, the proposal is not inconsistent with the public interest.

7. Conclusion

The relevant matters for consideration under Section 4.15 Evaluation of the Environmental Planning and Assessment Act 1979 have been addressed in this Statement of Environmental Effects (SEE) and the proposed development has been found to be consistent with the objectives and requirements of the relevant planning provisions.

The proposed development is permitted with development consent in the B1 Neighbourhood Centre zone pursuant to the *Queanbeyan-Palerang Local Environmental Plan 2022* and is consistent with the zone objective. Furthermore, the proposal would continue to be permitted with consent in the future E1 Local Centre, which comes into effect in April 2025, zone and is consistent with those zone objectives and the desired future character for the centre.

The proposal is consistent with the strategic planning principles as contemplated within the draft South Jerrabomberra Regional Job Precinct Draft Master Plan. Located within the North Poplars Local Centres Sub-precinct the proposal will contribute towards a range of uses that will provide services to the local community and contribute towards the orderly and economic development of the locality. The assessment carried out in this SEE demonstrates that the proposed development:

- Will deliver a facility to meet the social needs of local residents while facilitating the orderly development of the locality.
- Will provide a high-quality design that will positively contribute to the desired future character of the area.
- Will appropriately protect and preserve environmental conservation land in its vicinity.
- Has been designed and will be managed to mitigate the impacts upon neighbouring properties including established residential development.
- Will remain consistent with the relevantly applicable Environmental Planning Instruments and planning policies and controls.
- Will be consistent with the objectives of the subject land use B1 Neighbourhood Centre, and the future E1 Local Centre, pursuant to the *Queanbeyan-Palerang Local Environmental Plan 2022*.

For reasons outlined in this SEE, the proposed development is considered worthy of being granted development consent.