

COUNCIL ASSESSMENT REPORT

SOUTHERN REGIONAL PLANNING PANEL

PANEL REFERENCE & DA NUMBER	PPSSTH-523 & DA.2025.0303
PROPOSAL	Subdivision to create 191 Torrens title lots, open spaces, associated roads and infrastructure
ADDRESS	Lot 100 DP 1316639, Lot 1 DP 1207483, Lot 2 DP 1001136 – 2 Abelia Avenue TRALEE, 223 Alderson Place TRALEE NSW 2620
APPLICANT	The Village Building Co. Limited
OWNER	The Village Building Co. Limited
DA LODGEMENT DATE	14 July 2025 (Invoice paid on 16 July 2025)
APPLICATION TYPE	Regionally significant
REGIONALLY SIGNIFICANT CRITERIA	Section 2.19(1) of <i>State Environmental Planning Policy (Planning Systems) 2021</i> identifies the proposal as regionally significant development with a CIV of more than \$30 million.
CIV	\$42,100,000 (excluding GST)
CLAUSE 4.6 REQUESTS	Nil
KEY SEPP/LEP	• <i>State Environmental Planning Policy (Planning Systems) 2021</i> (Planning Systems SEPP) • <i>State Environmental Planning Policy (Biodiversity & Conservation) 2021</i> • <i>State Environmental Planning Policy (Transport & Infrastructure) 2021</i> • <i>State Environmental Planning Policy (Resilience & Hazards) 2021</i> • <i>Queanbeyan-Palerang Regional Local Environmental Plan 2022</i> (QPRLEP 2022) • <i>South Jerrabomberra Development Control Plan 2015</i> • <i>Queanbeyan Development Control Plan 2015 (part)</i>
AGENCY REFERRALS	NSW Rural Fire Service Department of Planning – Water Transport for NSW Essential Energy Canberra Airport
KEY ISSUES	Bushfire Aboriginal Heritage

	Vegetation clearing Development above Airport OLS limits Inconsistencies with Concept Approval
DOCUMENTS SUBMITTED CONSIDERATION	FOR ATTACHMENT C - Statement of Environmental Effects (version 2, dated 22 August 2025) ATTACHMENT D - Urban Design Plans (Revision B, dated 09 July 2025) ATTACHMENT E - Civil engineering plans (Revision B, dated 09 July 2025) Civil drawing sheets CD100, CD420 (Revision C, dated 18 September 2025) ATTACHMENT F - Offset Credit Liability Report (05 August 2025) ATTACHMENT G - Aboriginal Cultural Heritage Assessment Report (08 August 2025) ATTACHMENT H - Bushfire Assessment Report (1 September 2025) ATTACHMENT I - Bushfire Management Plans (Rev A, undated) ATTACHMENT K - Landscape Plans (Revision A, dated 30 June 2025)
RECOMMENDATION	Approval
SCHEDULED MEETING DATE	Electronic Determination
PLAN VERSION	Noted above
PREPARED BY	Senior Planner – QPRC
DATE OF REPORT	24 October 2025

EXECUTIVE SUMMARY

The development application DA.2025.0303 seeks consent for a subdivision of existing land to create 191 Torrens title lots, open spaces, associated roads and infrastructure. The specific elements of the proposal are as follows:

- a. Creation of 191 residential lots
- b. Creation of 13 new public roads
- c. Creation of 2 open space lots, including a local park; and
- d. Associated infrastructure, servicing and landscaping

The proposed development (northern catchment) is sited within portions of 2 Abellie Avenue TRALEE (Lot 100 DP 1316639), hereafter referred to as the site in this report.

The site is located towards the western centre edge of Estate 2. The land is undeveloped and directly extends the development footprint of Stage 2C, and through to Stage 2B to the east both of which are currently under construction. The site is a former grazing land, and the vegetation is substantially modified and generally clear of trees with isolated high value trees scattered across the site.

A consent under DA.2021.1284 was issued on 23 February 2023 (LEC No. 2022/194981) for *Concept approval for staged subdivision of land for residential purposes including construction of Stages 1 and 2 of the residential subdivision to create 161 lots, 1 open space lot detention basin, 3 open space lots, 2 residue lots and associated roads, infrastructure and landscaping* (Estate 2).

The concept approval was subsequently modified under DA.2021.1284.A and DA.2021.1284.B for reconfiguration of approved development and renaming of stages within the overall Estate 2 subdivision. Stage 2B of subdivision was granted consent under DA.2023.0439 (local development) on 17 June 2024 for 58 Lot subdivision with associated roads and infrastructure. At the time of writing of this report, a development application is still under consideration for Stage 2E subdivision of Estate 2 (DA.2025.0270).

This application is to be determined by the Southern Regional Planning Panel as the development is '*regionally significant development*', pursuant to Clause 2 of Schedule 6 of the Planning Systems SEPP being general development with a capital investment value over \$30 million.

The subject site is Zoned R2 Low Density Residential, RE2 – Private Recreation and C2 Environmental Conservation under Queanbeyan-Palerang Local Environmental Plan 2022. The proposed development is wholly located within R2 Low Density Residential Zone. A minor portion of Abellie Avenue extension encroaches into the C2 Environmental Conservation Zone, however, this is not inconsistent with the concept approval which primarily addressed all associated biodiversity impacts. Credit obligations for this stage will be required to be met. The proposed subdivision is permissible with consent pursuant to Clause 2.6 of QPRLEP 2022.

The application was placed on public exhibition and one submission was received. The submission primarily raised concerns regarding the loss of vegetation and inconsistencies in the submitted DA documentation. This has since been addressed and the overall biodiversity impacts have previously been addressed as part of the concept approval and only relevant credit obligations are required to be met for this stage of the development.

The key issues primarily relate to bushfire, biodiversity impacts, inconsistencies with previously issued concept approval, development being sited on lands that sit above the Airport OLS limit of 720m AHD.

These issues have been appropriately addressed in the Section 4.15 assessment and are able to be overcome with the imposition of recommended conditions of consent. Assessment under Section 4.15(1) of the EP&A Act has concluded that the proposal is generally consistent with the relevant planning controls and the site is considered suitable for the development. There are unlikely to be any significant adverse impacts arising from the proposal subject to the recommended draft conditions and the proposal is considered to be in the public interest.

Accordingly, the development application is recommended for approval subject to the conditions provided at **Attachment A** of this report.



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1. BACKGROUND

1.1 Site Context

The site is located within the South Jerrabomberra urban release area, which is located southwest of Queanbeyan between the existing suburb of Jerrabomberra and the Australian Capital Territory (ACT) border. The area is located in close proximity to the existing industrial lands in the ACT (Hume industrial area) and under flight paths of Canberra Airport. The development of the area is to cater for the expected population growth given its strategic location adjacent to Canberra.

The South Jerrabomberra Urban Release Area is expected to have 1500 new dwellings, a new local centre, green spaces (including conservation areas), a high school (currently under staged construction), and a Regional Sports Complex. The Master Plan outlines the general location of land uses, having regard to aircraft and industrial noises, bushfire, biodiversity and topography (**Figure 1**).

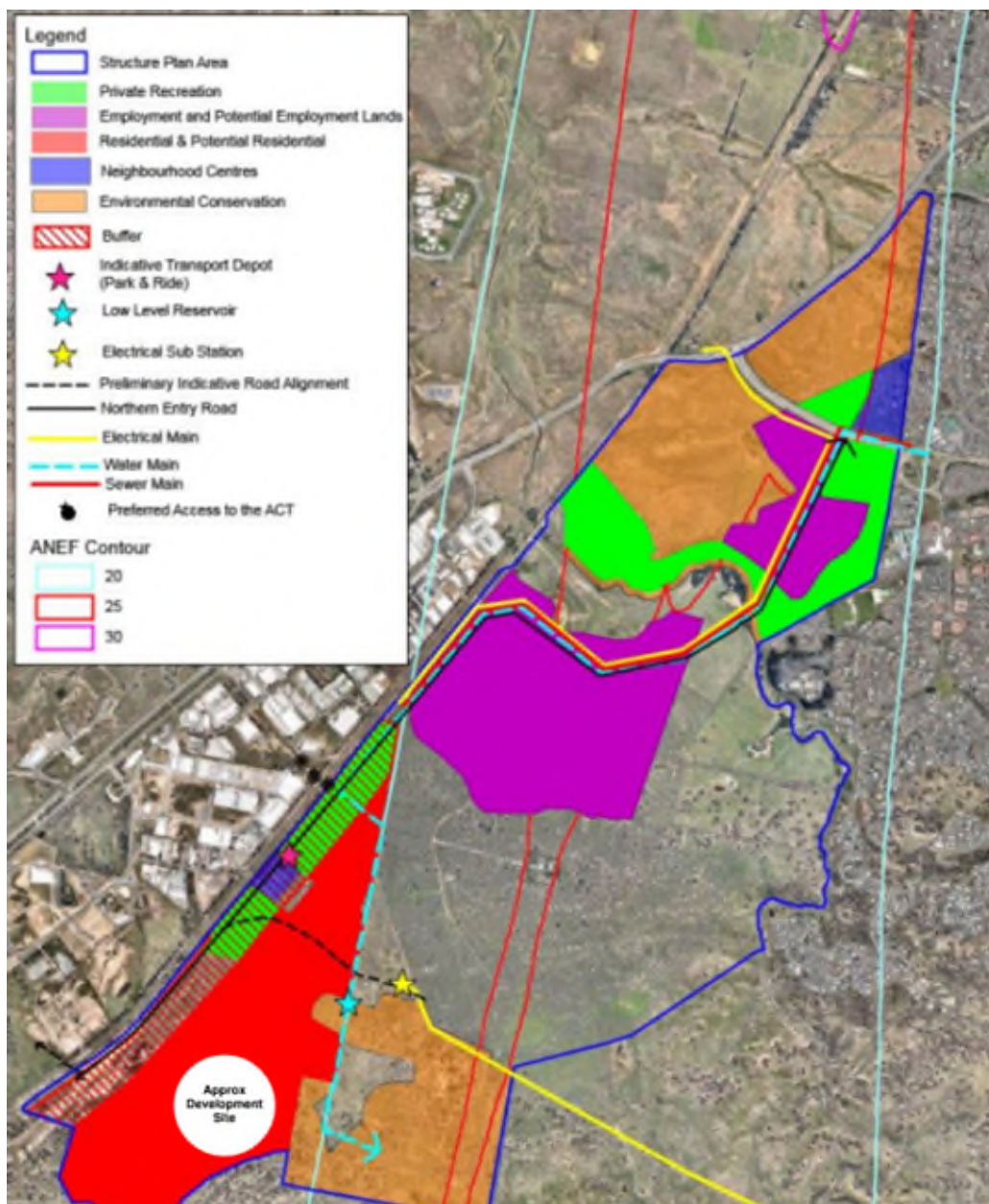


Figure 1: Site Context, Source: SJDCP

1.2 Consent History

The site has been subject to several consents and the consents that are relevant to this application are outlined below.

DA.2021.1284

Consent issued on 23 February 2023 (LEC No. 2022/194981) for *Concept approval for staged subdivision of land for residential purposes including construction of Stages 1 and 2 of the residential subdivision to create 161 lots, 1 open space lot detention basin, 3 open space lots, 2 residue lots and associated roads, infrastructure and landscaping (Figure 2).*



Figure 2: Estate 2 Concept Approval, Source: DA register

DA.2021.1284.A

Modified Consent issued on 27 June 2024 for the below changes to the original consent

1. Amendment to the concept approval of Tralee Estate 2 staged subdivision for residential purposes, and
2. Reconfiguration of approved Stages 1 and 2 of the residential subdivision to create 125 residential lots (to be known as Stages 2A and 2C), reconfiguration of associated roads, creation of 2 open space lots, including detention basin lot and 3 residue lots, infrastructure and landscaping

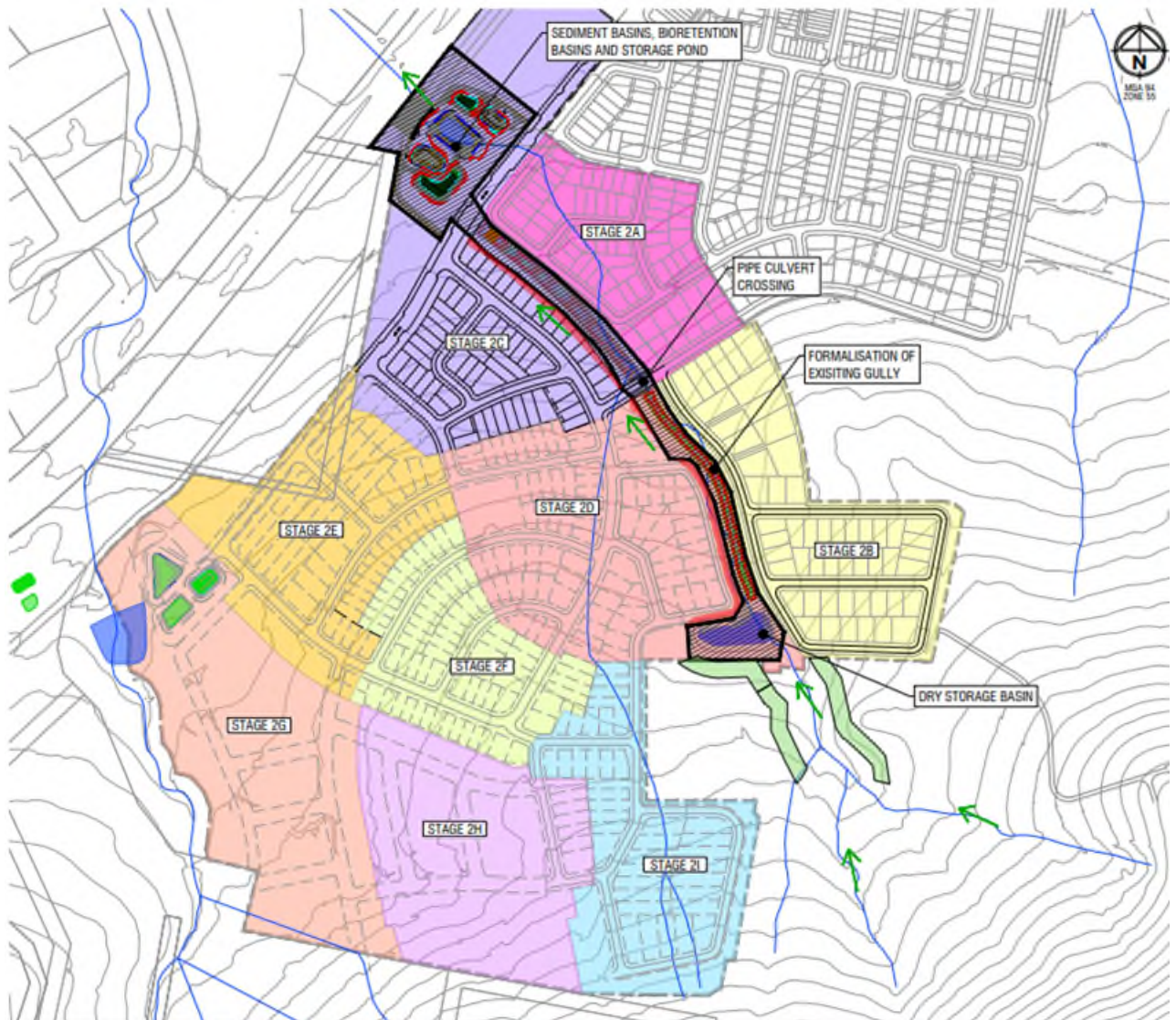


Figure 3: Staging Plan DA.2021.1284.A, Source: DA register

DA.2021.1284.B

Consent issued on 11 June 2025 for the below changes to the previous modification consent (Figure 4):

1. Amendment to the concept approval of the Tralee Estate 2 staged subdivision for residential purposes, and
2. Reconfiguration of lot layout to remove lots C217-C259 (44 lots) within Stage 2C to be replaced by 3 superlots, Increase the area of Stage 2C to include part of the future 2D stage, adjoining Road 3; Reconfiguration of the road network to remove Road 07, Road 08 and Road 10; and associated changes to landscape, servicing and infrastructure.

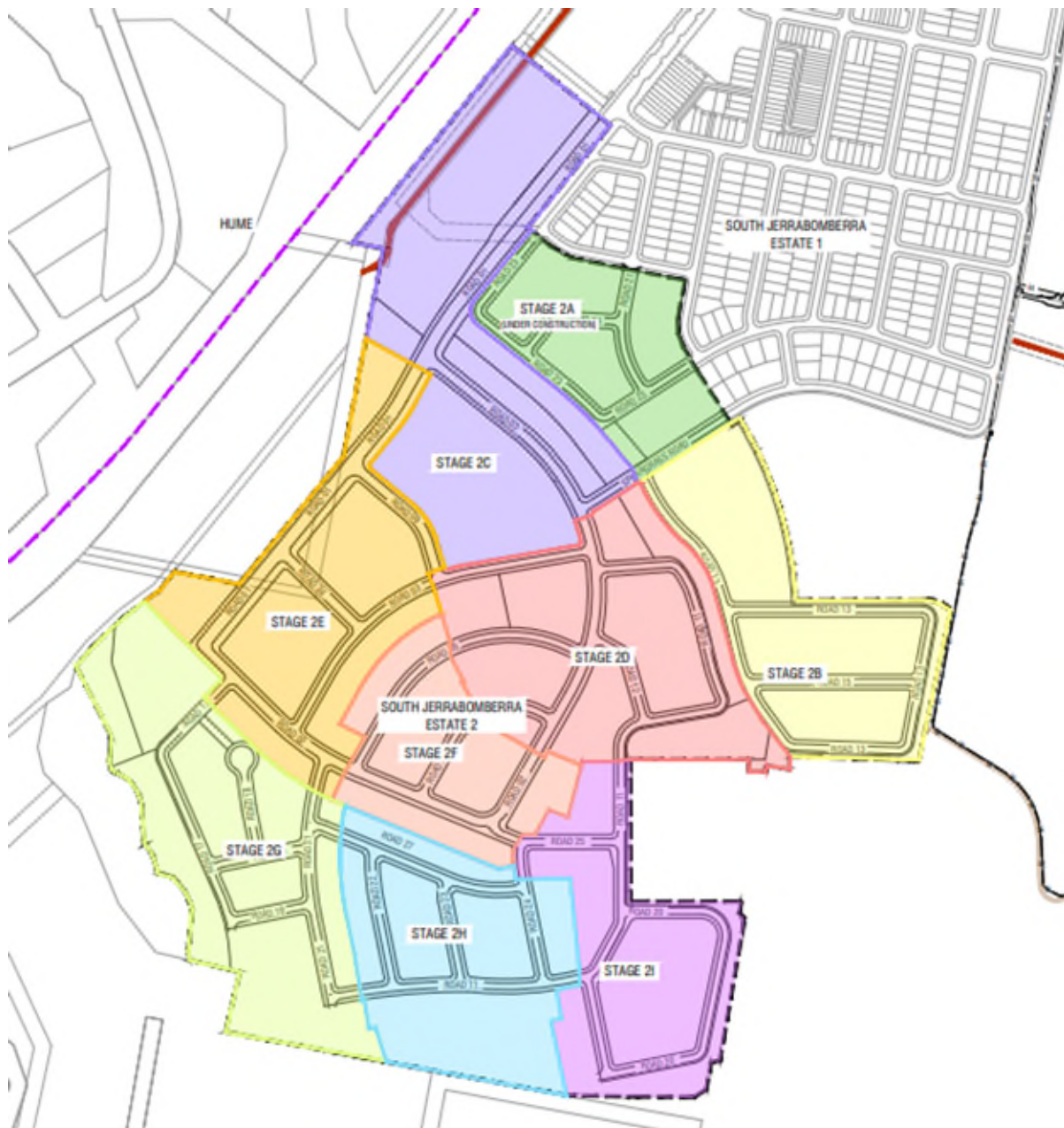


Figure 4: Staging Plan DA.2021.1284.B, Source: DA register

DA.2023.0439

Consent was issued on 17 June 2024 for 58 Lot subdivision with associated roads and infrastructure. This consent primarily relates to Stage 2B of the concept approval (**Figure 5**).

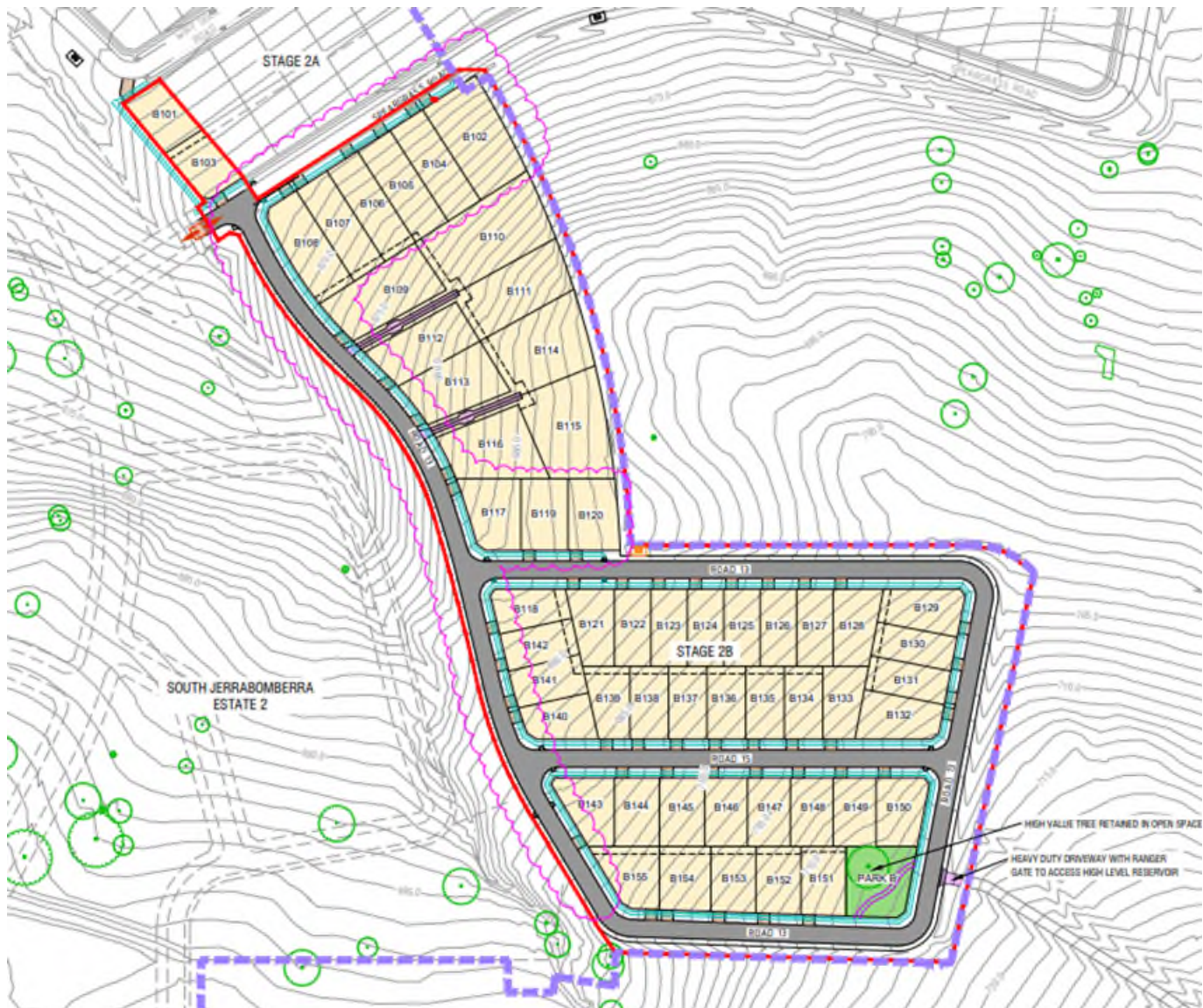


Figure 5: Stage 2B DA.2023.0439, Source: DA register

DA.2025.0270

Subdivision to create 31 Torrens Title lots, 2 superlots, 2 open space lots, associated roads, infrastructure and landscaping (**Figure 6**). At the time of writing of this report, DA.2025.0270 is currently under consideration and yet to be determined.

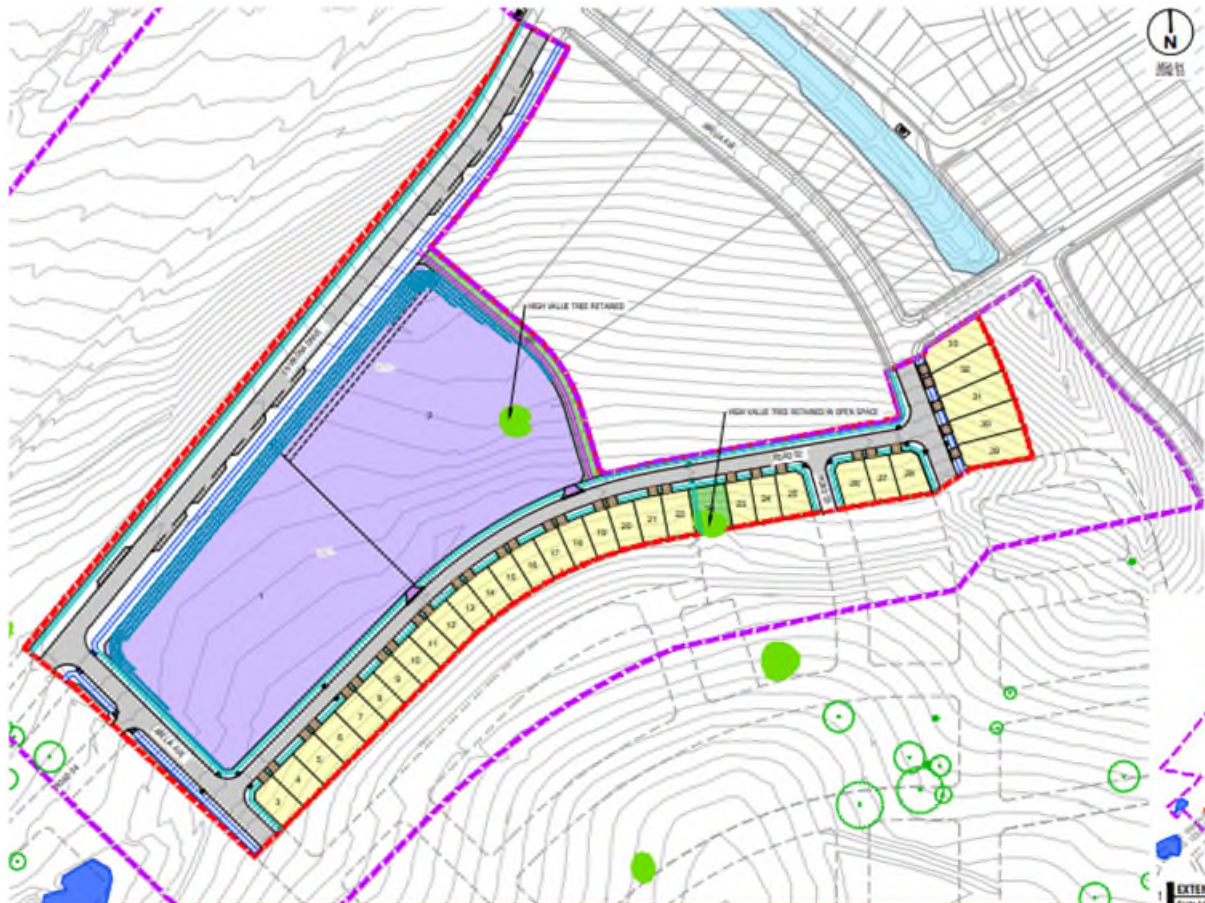


Figure 6: Stage 2E, Source: DA register

DA.2025.0272

Consent was granted by Council on 29 August 2025 for bulk earthworks associated with Stage 2E.

1.3 Inconsistencies with Concept Approval DA.2021.1284

Following the issue of consent for the concept approval, subsequent approvals have modified the concept approval and the inconsistencies between different approvals on the land has previously been addressed through amendments to the staging plans approved under the original concept approval on the land.

Specific to this application, referencing drawing titled "Staging Plan Sheet 1", numbered 323444-001CD015, Revision B, dated 09/07/2025 and the previously approved development (DA.2021.1284.B), the inconsistency is highlighted in **Figure 7** below:

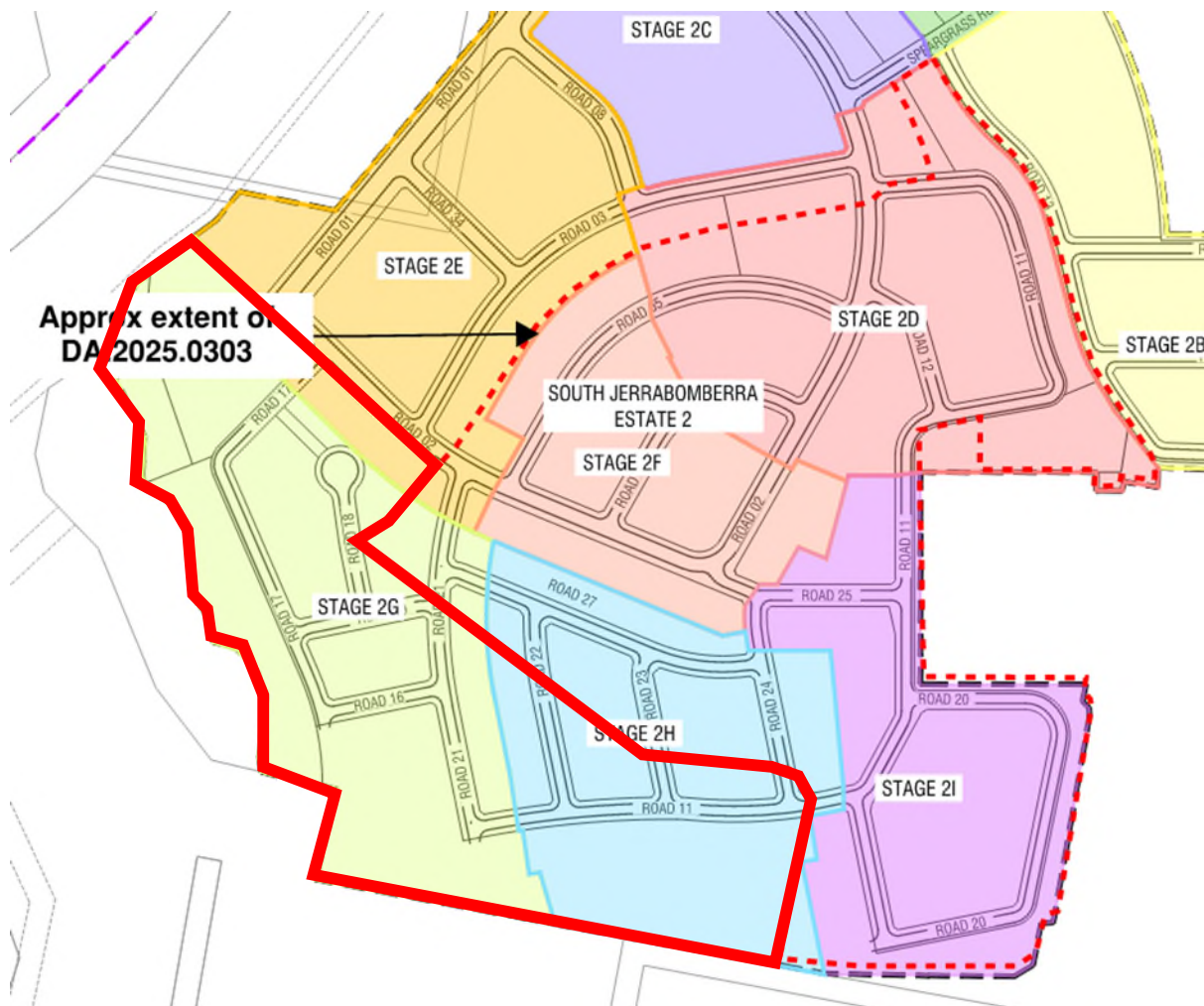


Figure 7: Development footprint over previously approved concept plan (DA.2021.1284.B)

To address the inconsistency between the proposed development and the concept approval on the land, appropriate conditions are included in the draft conditions of consent in **Attachment A** to ensure the concept approval is modified in accordance with the staging plan approved under this development application.

Despite the minor inconsistency in the staging plans, the proposed development is generally found to be consistent with other aspects of the concept approval in relation to biodiversity , aboriginal heritage, bushfire, riparian corridors can be overcome with appropriate conditions of consent. The issues identified above will be overcome with appropriate conditions of consent.

To note, Condition 7 of the concept approval requires the portion of the residual C2 Environmental Conservation land to be formalised as a "Biodiversity Stewardship Site" prior to the issue of a subdivision works certificate for the final stage of Estate 2.

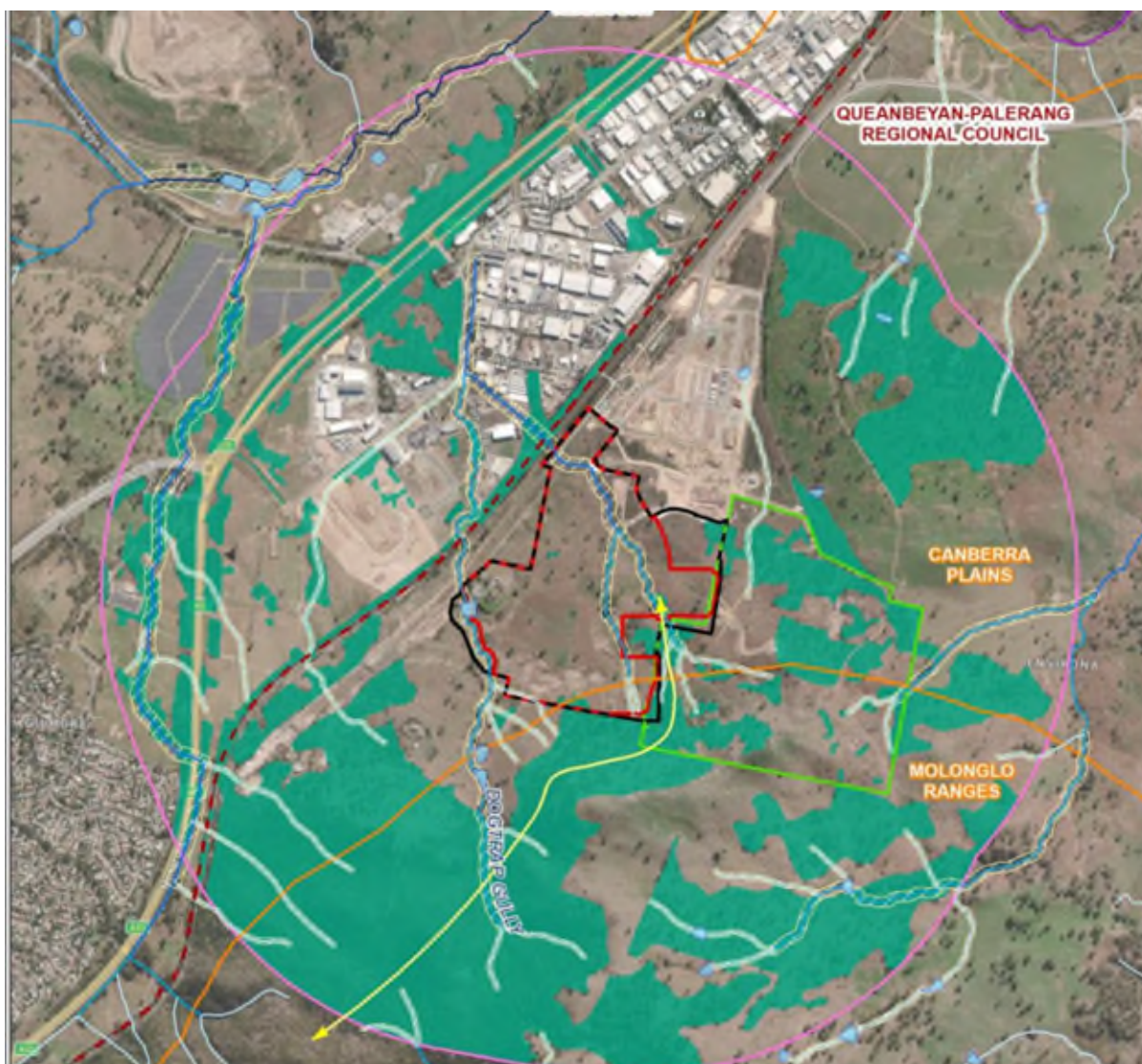


Figure 8: Snip of Biodiversity Stewardship site, Source: Approved BDAR, DA.2021.1284

This development is **not** the final stages of Estate 2 as a development application for certain portions within previously approved Stage 2G and Stage 2H are yet to be lodged.

2. THE SITE AND LOCALITY

2.1 The Site

The proposal is located within portions of 2 Abelia Avenue (Lot 100 DP 1316639) and 223 Alderson Place Tralee (Lot 2 DP 1001136 & Lot 1 DP 1207483). The development site is wholly located within 2 Abelia Avenue with a minor portion of the proposal being sited within 223 Alderson Place.

The site forms part of Estate 2 of South Jerrabomberra Urban Release Area located approximately 8km southeast of Queanbeyan CBD and approximately 18km southwest of Canberra CBD (**Figure 8**). The site is located towards the western edge of Estate 2 and is undeveloped in nature and directly extends the development footprint of Stage 2C (approved under DA.2021.1284.B) and through to Stage 2B to the east, both of which are currently under construction (**Figure 9**).

The site is gently sloping towards the northwest with the lowest points at Environa Drive. The site is former grazing land, and the vegetation has substantially been modified and generally clear of trees. High value trees are scattered across the site and are proposed to be retained within the development area.

The site is legally described as Lot 100 DP 1316639 & Lot 1 DP 1207483 & Lot 2 DP 1001136 and is commonly known as 2 Abelia Avenue and 223 Alderson Place TRALEE, respectively. The site is currently a vacant block of land. Vehicular access to the site is proposed to be via extensions of Abelia Ave and new public roads.

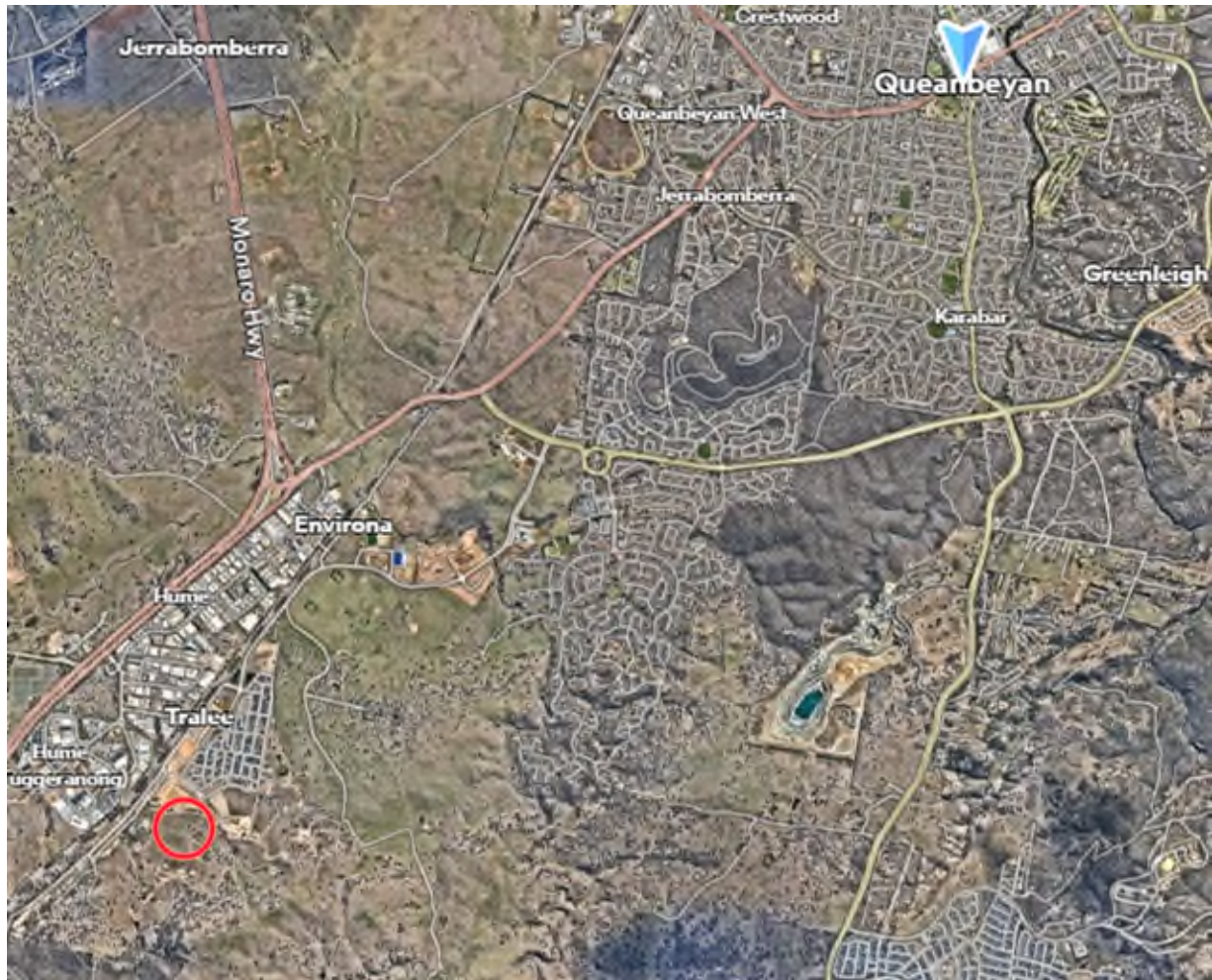


Figure 9: Site Context, Source: NearMaps

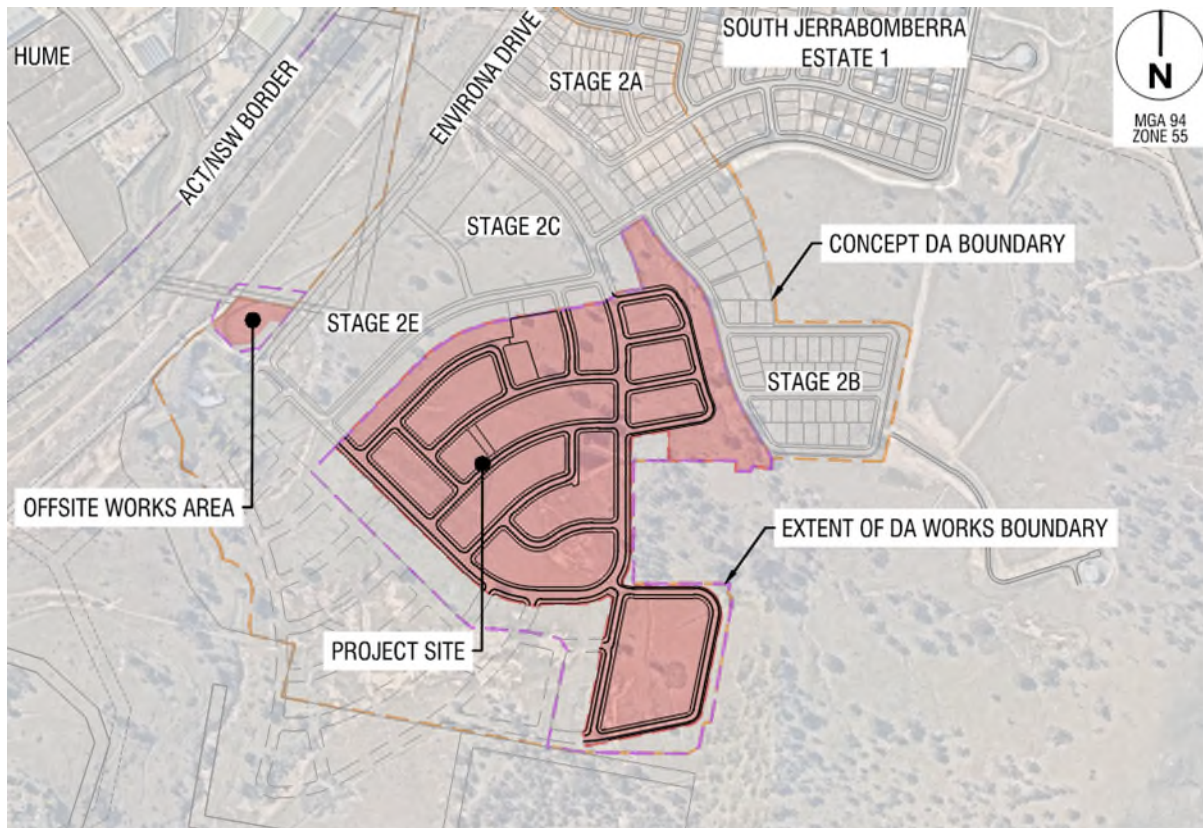


Figure 10: Locality Plan, Source: Applicants SEE



Figure 11: Location of Abelia Av Extension



Figure 12: Location of Tree within Lot 137



Figure 13: Location of Tree within Lot 184



Figure 14: East aspect across Abelia Avenue extension, Stage 2B behind vegetation



Figure 15: Looking north, Stage 2C construction in the background



Figure 16: Looking further south

2.2 The Locality

Existing development within the locality consists of mostly vacant blocks of land which have previously been approved for residential development. The locality is likely to comprise of a mix of residential housing of different typologies, scale and density.

The site is located towards the western centre edge of Estate 2. The land is undeveloped and directly extends the development footprint of Stage 2C, and through to Stage 2B to the east both of which are currently under construction.

The site is gently sloping towards the northwest, with the lowest points at Environa Drive. The site is a former grazing land, and the vegetation is substantially modified and generally clear of trees with isolated high value trees scattered across the site.

3. THE PROPOSAL

3.1 The Proposal

The application seeks consent for subdivision of land into 191 Torrens title allotments, two open space allotments, creation of public roads and extension of Abelia Avenue, landscaping, infrastructure and associated site works.

The specific elements of the proposal as per the submitted SEE are as follows:

- a. Creation of 191 residential lots
- b. Creation of 13 new public roads

- c. Creation of 2 open space lots, including a local park; and
- d. Associated infrastructure, servicing and landscaping

Table 1: Development Data

Control	Proposal
Overall Site area	Approx. 67.26 ha (including all allotments)
Development Footprint	Approx. 20.41 ha (across all allotments)
Number of residential lots	191 residential lots
Open space lots	2 open space lots, including a local park
Road works	Creation of 13 new public roads, extension of Abelia Avenue
Ancillary Works	Associated landscaping, site works
Lot sizes	109 lots (330 – 599 sqm) 63 lots (600 – 999 sqm) 19 lots (more than 1000 sqm) 2 open space lots (596 sqm & 4807 sqm)

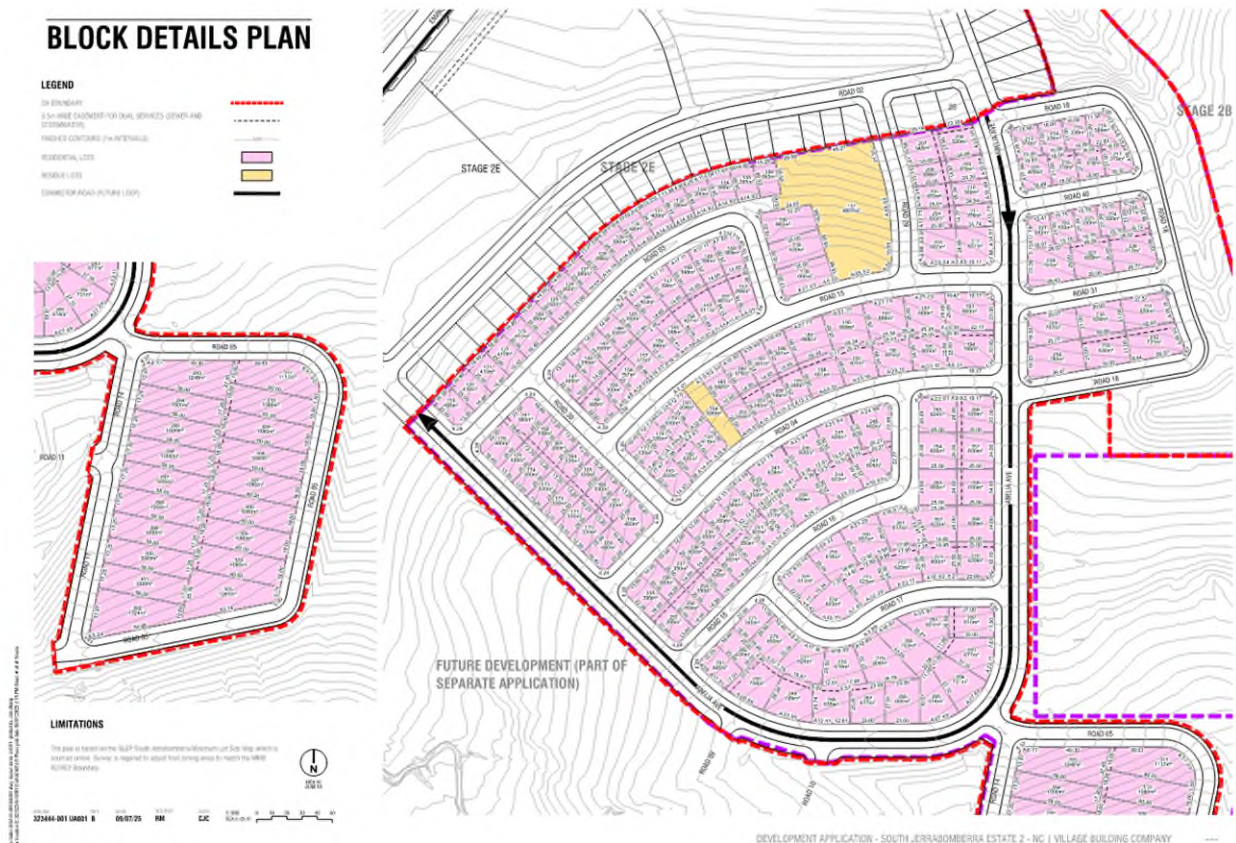


Figure 17: Proposed Block Details Plan, Source: VBC



Figure 18: Proposed Landscaping, Source: Spiire

3.2 Progress of the Development Application

The progress of the development application since lodgement in July 2025 is outlined below in **Table 2**.

Table 2: Chronology of the DA

Date	Event
14 July 2025	DA lodged
28 July 2025	DA referred to external agencies – RFS, DPE (Water), Transport for NSW, Essential Energy & Canberra Airport
31 July 2025	Exhibition of the application (until 28 August 2025)
8 August 2025	Essential Energy received – no objections

15 August 2025	General Terms of Approval received from Department of Planning and Environment (Water)
15 August 2025	Canberra Airport received – objections raised
22 August 2025	Amended SEE submitted addressing concerns raised by Canberra Airport
28 August 2025	Concurrence from TfNSW received – no objections
12 September 2025	General Terms of Approval received from NSW RFS
16 September 2025	Additional information request raised for concerns raised by Councils Development Engineer
18 September 2025	Additional Information provided addressing Engineering concerns
3 October 2025	All Internal Referral comments finalised
13 October 2025	Council Assessment Report finalised

4. STATUTORY CONSIDERATIONS

When determining a development application, the consent authority must take into consideration the matters outlined in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* (**EP&A Act**).

The matters outlined in Section 4.15 (1) is considered below. The type of development application is also considered below as well as other statutory matters.

Integrated Development

Rural Fires Act 1997 - Bushfire

The proposal is considered to be integrated development pursuant to Section 4.46(1) of the EP&A Act as it requires a Bushfire safety Authority from the NSW Rural Fire Service (**RFS**) pursuant to Section 100B(3) *Rural Fires Act 1997*.

The proposal is classified as “*subdivision of bushfire prone land that could lawfully be used for residential or rural residential purposes*” pursuant to Section 100B(1)(a) of the Rural Fires Act 1997.



Figure 19: Bushfire prone Land Map, Source: NSW Spatial Viewer

A *Bushfire Protection Assessment* prepared by Ember Consulting dated 1 September 2025 (**Bushfire Report**) has been provided with the following conclusions (**Figure 19**):

- *Due to its mostly built out setting to the north and north east except the adjoining woodland and grassland to the east and south respectively, the surrounding environment possesses a relatively low bushfire threat to the subject site. This remaining threat can be moderated given the standard suite of protection measures offered by PBP 2019 and for which the proposed development can largely comply.*
- *The future development provides good space for the establishment and maintenance of the required APZs. A 100m temporary APZ is to be established and maintained wrapping around the proposed subdivision to the southwest, south and southeast until future development is underway.*
- *Planned access and services throughout the subdivision is well provided for and given the future roads will apply the standards and specifications set out with PBP 2019 will comply with the acceptable solutions provided.*

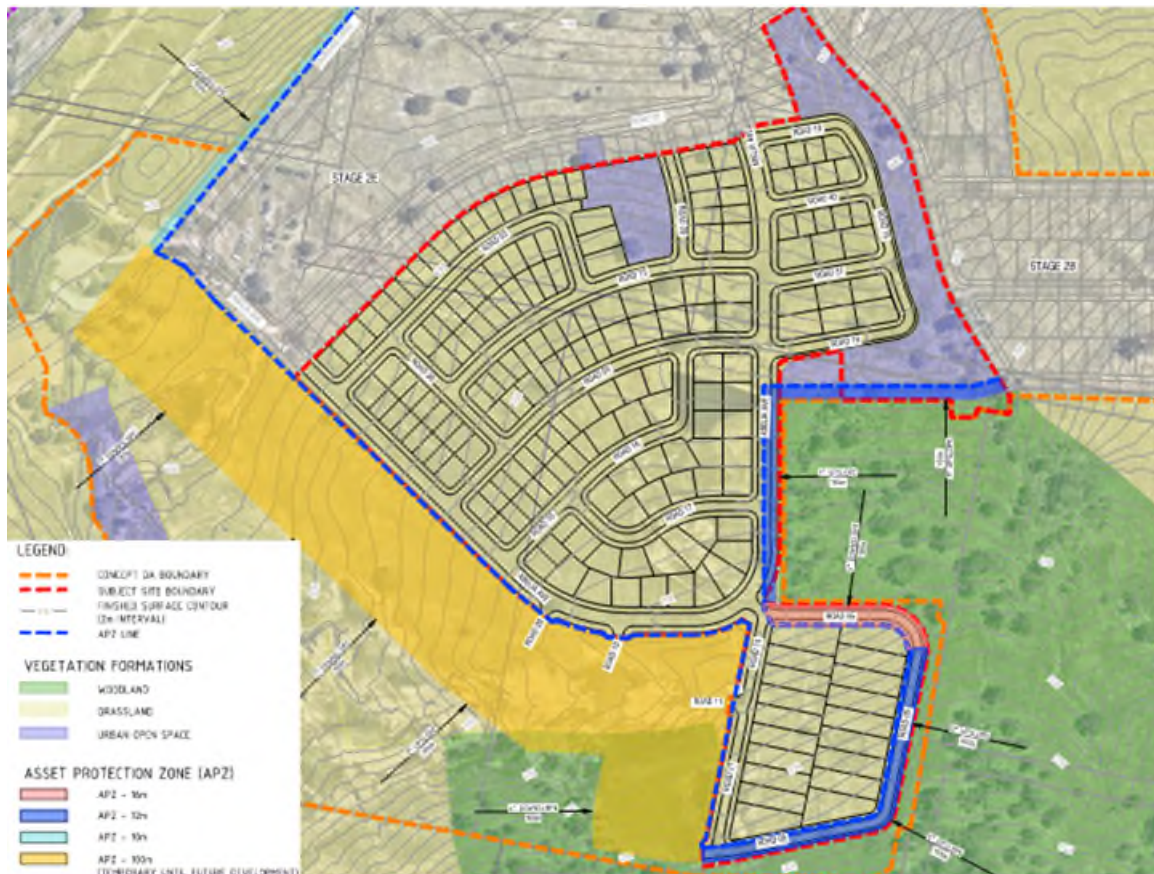


Figure 20: Bushfire Hazard Assessment (Source: Bushfire Report)

The application was referred to the RFS on 31 July 2025 and a Bushfire Safety Authority (BFSa) was provided dated 12 September 2025, subject to conditions, which are included in the recommended conditions in **Attachment A**.

Water Management Act 2000

The proposal involves works within 40 metres of a waterway and therefore a controlled activity approval is required for works on 'waterfront land'. The application was referred to DPE-Water, on 31 July 2025, pursuant to Section 90(2) and 91 of the *Water Management Act 2000*. DPE-Water offered no objections to the proposal and issued their "General Terms of Approval", in a letter dated 15 August 2025, which are included in the recommended conditions in **Attachment A**.

Impacts on Biodiversity – Biodiversity Conservation Act 2016 and Environment Protection and Biodiversity Conservation Act 1999

Section 7.7 of the *Biodiversity Conservation Act 2016* (**BC Act**) requires a biodiversity assessment for Part 4 development under the EP&A Act (except State significant development or complying development). Pursuant to Section 7.7(2) of the BC Act, if the proposed development is likely to significantly affect threatened species, the application for development consent is to be accompanied by a biodiversity development assessment report.

As part of the Concept BDAR approved under DA.2021.1284, the proponent is required to retire offset credits progressively prior to the commencement of works for each stage of the development (Condition 6 of the original consent). The Concept BDAR was based on the worst-case clearing impacts to secure in-principal approval.

Stage 1 (later modified as Stage 2A & 2C) is currently under construction and Stage 2B is under construction following the issue of consent under DA.2023.0439.

The applicant, as part of this development application, submitted a credit liability report, titled “*South Jerrabomberra Estate 2 Northern Catchment DA Boundary – Offset Credit Liability*”, dated 05 August 2025, prepared by EcoLogical Australia, which noted that an area of Stage 1 and Stage 2B is intersected by the Northern Catchment DA Boundary and credits for this overlap have already been retired and therefore are excluded from this application.

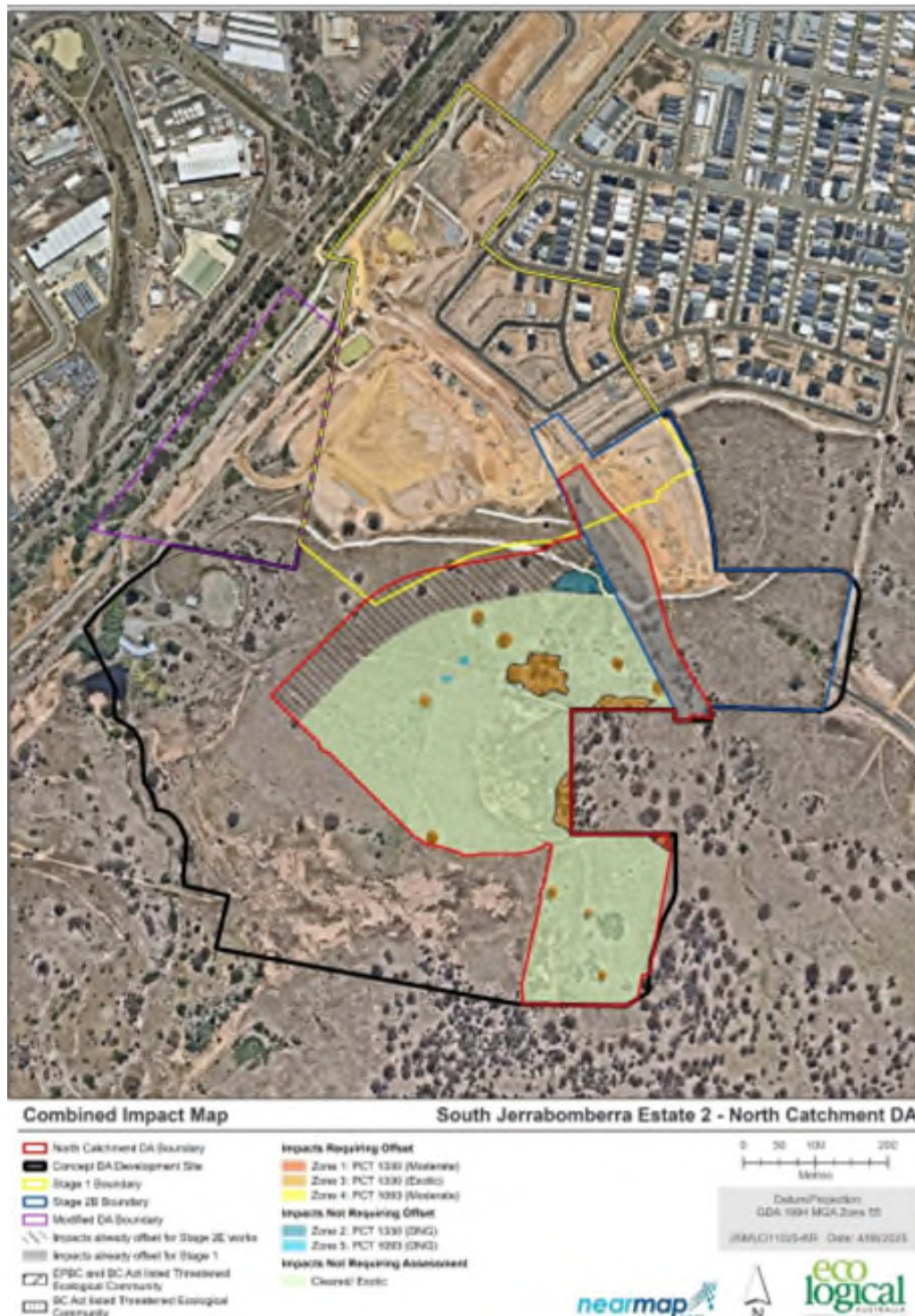


Figure 21: Extent of this DA and previous consents, Source: Applicants Credit Liability Report

This stage of the development will involve clearing of approximately 0.86 ha of native vegetation clearing (excluding the overlap areas). A total of 18 ecosystem credits is required to be retired prior to the commencement of any works on site. The remaining vegetation to be cleared (approx. 15.33 ha) is exotic/cleared land or dams which are not subject to offset requirements.

Table 1: Credit liability for impacts

Vegetation Zone	PCT ID	Total Impacts Development Site (ha)	Credits Required Development Site*	Credits per ha	Total Impacts Northern Catchment (ha)	Overlap with Stage 1 (ha)**	Overlap with Stage 2B (ha)**	Overlap with Stage 2E (ha)**	Remaining Northern Catchment area requiring offset (ha) ***	Credits required
1	1330 - Yellow Box - Blakely's Red Gum Grassy Woodland on the tablelands, South Eastern Highlands Bioregion	0.64	15	23.4	0.37	0	0.34	0.04	0.03	0.7
2	1330 - Yellow Box - Blakely's Red Gum Grassy Woodland on the tablelands, South Eastern Highlands Bioregion	2.68	0	-	0.32	-	0.08		0.19	0
3	1330 - Yellow Box - Blakely's Red Gum Grassy Woodland on the tablelands, South Eastern Highlands Bioregion	2.11	39	18.5	0.95	-	0.08		0.83	17.5
Total PCT 1330										18
4	1093 - Red Stringybark - Brittle Gum - Inland Scribbly Gum dry open forest of the tablelands, South Eastern Highlands Bioregion	0.71	16	39	0.03	-	-	0.03	0.00	0
5	1093 - Red Stringybark - Brittle Gum - Inland Scribbly Gum dry open forest of the tablelands, South Eastern Highlands Bioregion	1.26	0	-	0.67	-	-	0.65	0.02	0
Total PCT 1093										0

Appropriate conditions are included in **Attachment A** to ensure the above credits are retired prior to the commencement of works for the proposed development. No further assessment under this section is required in this instance.

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

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

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

The following Environmental Planning Instruments and Development Control Plans are relevant to this application:

- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *Queanbeyan-Palerang Regional Local Environmental Plan 2022;*
- *South Jerrabomberra Development Control Plan 2015*

A summary of the key matters for consideration arising from these Environmental Planning Instruments and Development Control Plans are outlined in **Table 3** and considered in more detail below. The jurisdictional preconditions to the granting of consent are in bold and have been satisfied.

The application is to be determined by the Southern Regional Planning Panel as the development is '*regionally significant development*', pursuant to Clause 2 of Schedule 6 of the Planning Systems SEPP being general development with a capital investment value over \$30 million.

Table 3: Summary of Applicable Environmental Planning Instruments

EPI	MATTERS FOR CONSIDERATION	COMPLY
<i>State Environmental Planning Policy (Planning Systems) 2021</i>	<u>Chapter 2: State and Regional Development</u> Section 2.19(1) declares the proposal regionally significant development – Cl 2 of Schedule 6, Capital Investment Value > \$30 million	Yes
<i>State Environmental Planning Policy (Biodiversity & Conservation) 2021</i>	<u>Chapter 4: Koala Habitat Protection 2021</u> - Section 4.4(1) - Land to which Chapter applies - Section 4.9 — no approved koala plan of management for land	Yes Yes
<i>State Environmental Planning Policy (Resilience & Hazards)</i>	<u>Chapter 4: Remediation of Land</u> Section 4.6(1) - Contamination of land	Yes
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	<u>Chapter 2: Infrastructure</u> - Section 2.48(2) (Determination of development applications—other development) – electricity transmission - the proposal is satisfactory subject to conditions. - Section 2.98 (2) and & 2.99 – Development in or adjacent to rail corridors – Proposal is satisfactory subject to concurrence issued by TfNSW	Yes Yes
<i>Queanbeyan-Palerang Regional Local Environmental Plan 2022</i>	Permissible with consent and generally consistent with the development standards and controls, including the preconditions to the grant of consent being satisfied (in bold). The relevant clauses include:	
	• Clause 1.2 – aims of the Plan	Yes
	• Clause 2.2 & 2.3 – Land Use Table	Yes
	• Clause 4.1 – Minimum lot size	Yes
	• Clause 6.2 – Public utility infrastructure	Yes
	• Clause 6.3 – Development Control Plan	Yes
	• Clause 7.1 – Earthworks	Yes
	• Clause 7.2 – Terrestrial biodiversity	Yes
	• Clause 7.4 – Riparian land and watercourses	Yes
	• Clause 7.8 – Airspace Operations	Yes
	• Clause 7.12 – Essential services	Yes
	• Clause 7.19 – Development near Hume Industrial Area and Goulburn to Bombala Railway Line	Yes
<i>South Jerrabomberra Development Control Plan</i>	- Part 3: The Master Plan - Part 4 and 5: Subdivision - Part 8 – Environmental Management	Yes Yes Yes

<i>Queanbeyan Development Control Plan</i>	• Part 2 Sections 2.1 to 2.9 of the Queanbeyan Development Control Plan 2012 are also relevant to the application	Yes
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(i) State Environmental Planning Policy (Planning Systems) 2021

The proposal is *regionally significant development* pursuant to Section 2.19(1) as it satisfies the criteria in Clause 2 of Schedule 6, with the capital value investment of more than \$30 million. Accordingly, the Southern Regional Planning Panel is the consent authority for the application.

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

State Environmental Planning Policy (Biodiversity and Conservation) 2021 ('Biodiversity & Conservation SEPP') provides controls for various environmental issues, with Chapter 4 the only relevant chapter for the current application.

Chapter 4: Koala Habitat Protection 2021

The BDAR submitted and approved under DA.2021.1284 stated that the subject land contains *Eucalyptus* species which are listed as Koala use tree species under Schedule 3 of the Policy. The BDAR, however concluded that:

- *In NSW, Koalas mainly occur on the central and north coasts, with some populations in the west of the Great Dividing Range. There are sparse and possibly disjunct populations in the Bega District and at several sites on the southern tablelands. It inhabits eucalypt woodlands and forests*
- *Subject site is degraded and is not considered to represent core koala habitat and unlikely to occur within the development site and no koalas were recorded during targeted BAM surveys.*

In light of the above, the Panel can be satisfied that the site is not Koala habitat, and it is therefore not prevented by Clause 4.9(2) of this policy from granting consent to a development application within the site.

Having reviewed the approved BDAR, it is considered that the proposal is likely to have low or no impact on koalas or koala habitat pursuant to Section 4.9(3) of the Policy and therefore consent may be granted to the development application. Further, it is considered that the site does not constitute core koala habitat and therefore the proposal also satisfies Section 4.9(5)(A)(ii) and consent can be granted.

With regards to the removal of native vegetation, this has previously been discussed under *Impacts on Biodiversity* section of the report.

A total of 18 ecosystem credits is required to be retired prior to the commencement of any works on site. The remaining vegetation to be cleared (approx. 15.33 ha) is exotic/cleared land or dams which are not subject to offset requirements.

Table 1: Credit liability for impacts

Vegetation Zone	PCT ID	Total Impacts Development Site (ha)	Credits Required Development Site*	Credits per ha	Total Impacts Northern Catchment (ha)	Overlap with Stage 1 (ha)**	Overlap with Stage 2B (ha)**	Overlap with Stage 2E (ha)**	Remaining Northern Catchment area requiring offset (ha) ***	Credits required
1	1330 - Yellow Box - Blakely's Red Gum Grassy Woodland on the tablelands, South Eastern Highlands Bioregion	0.64	15	23.4	0.37	0	0.34	0.04	0.03	0.7
2	1330 - Yellow Box - Blakely's Red Gum Grassy Woodland on the tablelands, South Eastern Highlands Bioregion	2.68	0	-	0.32	-	0.08		0.19	0
3	1330 - Yellow Box - Blakely's Red Gum Grassy Woodland on the tablelands, South Eastern Highlands Bioregion	2.11	39	18.5	0.95	-	0.08		0.83	17.5
Total PCT 1330										18
4	1093 - Red Stringybark - Brittle Gum - Inland Scribbly Gum dry open forest of the tablelands, South Eastern Highlands Bioregion	0.71	16	39	0.03	-	-	0.03	0.00	0
5	1093 - Red Stringybark - Brittle Gum - Inland Scribbly Gum dry open forest of the tablelands, South Eastern Highlands Bioregion	1.26	0	-	0.67	-	-	0.65	0.02	0
Total PCT 1093										0

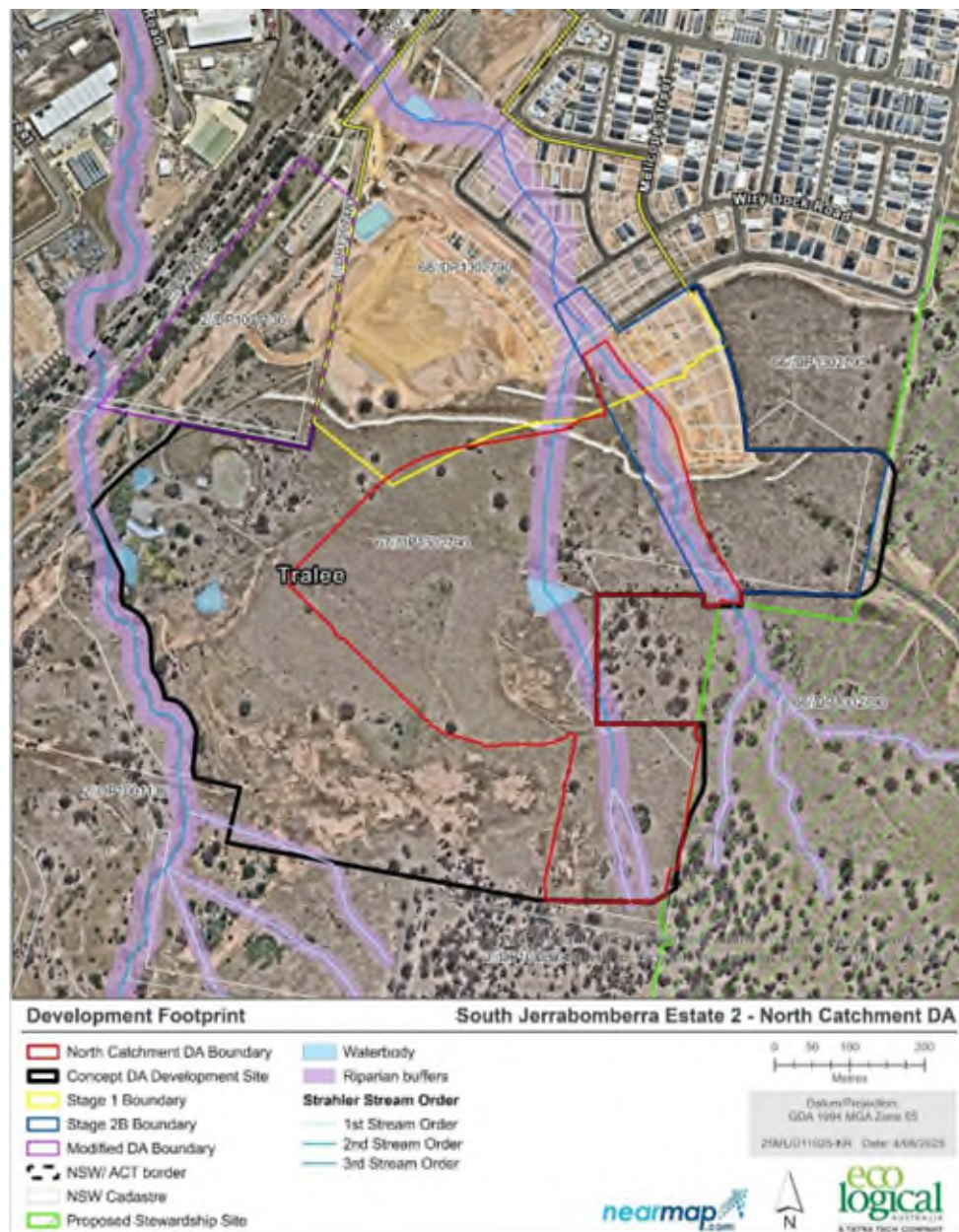


Figure 22: Intersection of Stage 1, Stage 2B, Stage 2C and North Catchment

Appropriate conditions are included in the consent to ensure the above credits are retired prior to the commencement of works for the proposed development.

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

State Environmental Planning Policy (Resilience and Hazards) 2021 provides controls relating to resilience and hazards matters, with Chapter 4 (remediation of land) relevant to the proposal, considered below.

Chapter 4: Remediation of Land

Chapter 4 aims to promote the remediation of contaminated land in order to reduce the risk of harm to human health or any other aspect of the environment. Section 4.6 requires contamination and remediation to be considered in determining a development application.

A *Preliminary Site Contamination Assessment* prepared by Douglas Partners dated 27 October 2020 (**PSI**) has been undertaken on the site, which included a review of the site history and potential sources and areas of contamination were identified on the available site information and site walkover.

The PSI concluded:

- Based on the findings of the investigation, it is considered that the likelihood for gross contamination to be present is low to moderate
- Fill placement and rubbish dumping, including the identification of ACM were identified across the site in the Robson, 2018 PSI. Any identified asbestos impacted soil or fragments of ACM should be removed by an NSW licensed asbestos removalist and validation of the removal should be completed by an NSW licensed asbestos assessor.
- It is likely that the dwelling located within the south west corner of the site would be a source of HBM contamination and would need an HBMA by a suitably qualified environment consultant before potential works around the building or demolition of the building.
- However, if the dwelling and the surrounding areas are to remain unaffected during the development of the proposed estate, an HBMA and DSI within the property boundary would not be necessary.

Appropriate conditions for remediation of land, if necessary, have previously been included under DA.2021.1284.

The application was referred to Councils Environmental Health Officer who commented on the proposal as follows:

Environmental Health supports the development application. DSI report from DA.2021.1284 states that the site is suitable for the proposed use once the anthropogenic material on the surface is removed.

Following a review of the previous consent on the land, it is considered that the site is unlikely to be contaminated, and the application has adequately addressed Section 4.6 of the Resilience and Hazards SEPP subject to the recommended consent conditions as outlined above. The proposal is considered to be consistent with Chapter 4 of the Resilience and

Hazards SEPP subject to consent conditions recommended in Attachment A regarding unexpected finds of contamination.

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

State Environmental Planning Policy (Transport and Infrastructure) outlines the controls for the provision of infrastructure and schools, among other matters. Chapter 2 (Infrastructure) is relevant to the development application.

Chapter 2: Infrastructure

The following provisions of Chapter 2 are relevant to the development application:

- *Clause 2.48 Development likely to affect an electricity transmission or distribution network* - Pursuant to Section 2.48(2), the Council consulted with Essential Energy, the electricity supply authority for the site, who raised no objections to the proposed development. Essential Energy commented on the proposal as follows:

Comments provided by Essential Energy have been placed under Advisory Notes of **Attachment A**.

- *Clause 2.98 – Development adjacent to rail corridors – other development* – This clause applies to the proposed development as the subject site is adjoined by the Goulburn Bombala Railway Line along the northwest boundary. It should be noted that while no part of the Lot 2 DP 1001136 is proposed to be used for residential purposes, it is proposed to be used for stockpiling and earthworks purposes. Therefore, in accordance with Clause 2.98 (2), TfNSW were notified of the proposed development. TfNSW offered no objections to the proposed and issued their concurrence on 27 August 2025. The matters raised by TfNSW have been considered and form relevant draft consent conditions included in **Attachment A**.
- *Clause 2.99 – Excavation in, above, below or adjacent to rail corridors* – As discussed above, while no part of Lot 2 DP 1001136 is proposed to be used for residential purposes, the lot is proposed to be used for earthworks and stockpiling purposes. Therefore, in accordance with Clause 2.99 (2), TfNSW were notified of the proposed development. TfNSW offered no objections to the proposed development and issued their concurrence on 27 August 2025. The matters raised by TfNSW have been considered and form relevant draft consent conditions included in **Attachment A**.

(iii) Queanbeyan-Palerang Regional Local Environmental Plan 2022

The relevant local environmental plan applying to the site is the *Queanbeyan-Palerang Regional Local Environmental Plan 2022 (QPRLEP 2022)* which commenced on 14 November 2022. The aims of the LEP pursuant to Clause 1.2(2) which are relevant to the proposal include:

<i>(aa)</i>	<i>to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,</i>	<i>N/A</i>
<i>(a)</i>	<i>to protect and improve the economic, environmental, social and cultural resources and prospects of the community,</i>	Yes
<i>(b)</i>	<i>to facilitate the orderly and economic use and development of land having regard to ecological sustainability principles,</i>	Yes
<i>(c)</i>	<i>to provide for a diversity of housing to meet the needs of the community into the future,</i>	Yes

(d)	<i>to provide for a hierarchy of retail, commercial and industrial land uses that encourage economic and business development that caters for the retail, commercial and service needs of the community,</i>	N/A
(e)	<i>to keep and protect important natural habitat and biodiversity,</i>	Yes
(f)	<i>to protect water quality, aquifers and waterways,</i>	Yes
(g)	<i>to keep, protect and encourage sustainable primary industry and associated commerce in rural areas,</i>	Yes
(h)	<i>to identify and protect the cultural heritage of the area, including the built heritage and the Aboriginal heritage,</i>	Yes
(i)	<i>to protect important scenic quality, views and vistas,</i>	Yes
(j)	<i>to facilitate the orderly growth of urban release areas,</i>	Yes
(k)	<i>to ensure development does not unreasonably increase the demand for public services or public facilities,</i>	Yes
(l)	<i>to identify, protect and provide areas for community health and recreational activities.</i>	Yes

The proposal is found to be generally consistent with the aims of the plan as the proposed subdivision is unlikely to result in any adverse environmental or planning impact on the locality. The proposed subdivision is considered to promote housing diversity while ensuring it protects important natural habitat and biodiversity and takes into consideration relevant environmental factors such as bushfire, vegetation and other features of the land.

Zoning and Permissibility

The subject site is Zoned R2 Low Density Residential, RE2 – Private Recreation and C2 Environmental Conservation under Queanbeyan-Palerang Local Environmental Plan 2022.

The proposed development is mostly located within the R2 Low Density Residential Zone. Development for the purposes of a subdivision is permissible with consent pursuant to Clause 2.6 of the Plan, which is assessed further below.

A minor portion of Abelia Avenue extends into C2 Conservation Area as seen below:

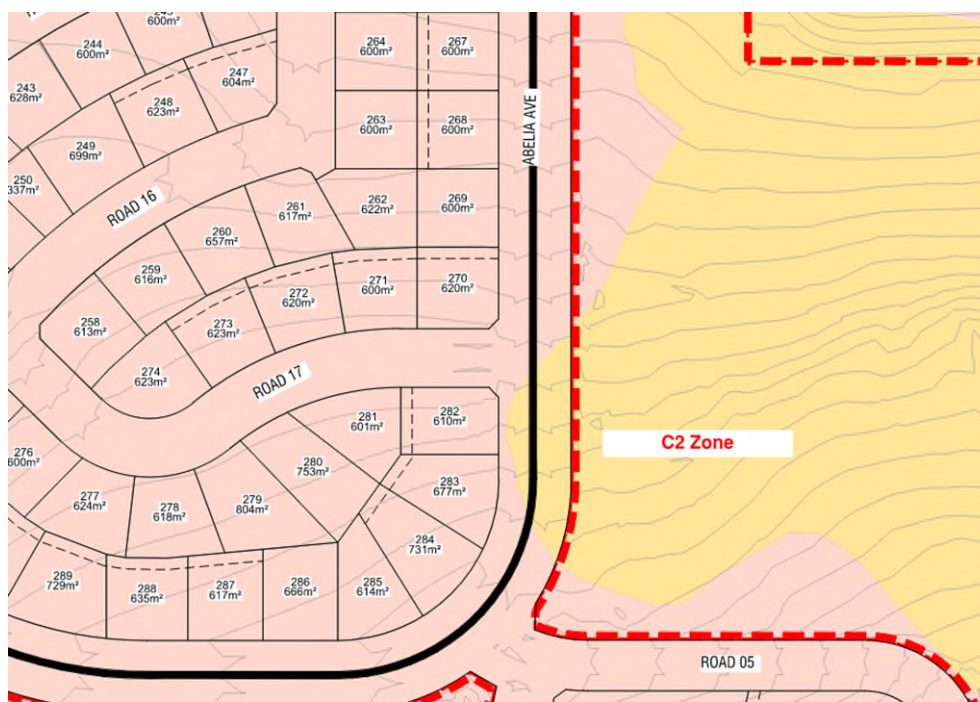


Figure 23: Encroachment into C2 Environmental Conservation

This is not inconsistent with the concept approval which primarily addressed all associated biodiversity impacts. Credit obligations for this stage will be required to be met. Proposed road works on C2 zone is permissible with consent on the zone.

The R2 zone objectives are:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure new development complements the scale, density and form of existing development.*
- *To encourage development that is consistent with the low density amenity of existing and future residents.*
- *To encourage development that is designed to recognise the bushland character of the locality, where appropriate, and to minimise the impact of urban development, particularly on the edge of the urban area.*

The proposal is found to be generally consistent with the objectives of the zone as it provides for a range of allotments within the R2 zone for residential use. The proposed subdivision results in allotments of sizes greater than 330 sqm and therefore unlikely to result in any fragmentation of residential lands. The surrounding lots on the north, south and east are zoned R2 and the lands immediately adjoining the north-west is zoned RE2 which is proposed to be used for private recreation purposes in the future. This is unlikely to result in any conflicting land uses.

RE2 Private Recreation objectives are:

- *To enable land to be used for private open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*
- *To protect and enhance the scenic and environmental resources of the land.*
- *To ensure the scale and character of development is compatible with the established land uses of the locality.*

The proposal does not impact on the ability for this land to be used for private open space or to be used for a range of recreational setting and activities.

C2 Conservation zone objectives are:

- *To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.*
- *To prevent development that could destroy, damage or otherwise have an adverse effect on those values.*
- *To encourage rehabilitation and regeneration of ecosystems.*
- *To provide for a limited range of development and land use activities that support environmental conservation outcomes.*
- *To identify and protect escarpment areas that enhance the visual amenity of Queanbeyan-Palerang Regional local government area and possess special aesthetic or conservational value.*
- *To protect water quality by preventing inappropriate development within catchment areas.*

Development for the purposes of roads is permissible with consent on this zone. The

development is unlikely to result in any adverse impacts on the larger environmental conservation zone located southeast of the development site. The proposal is generally considered to be consistent with C2 zone objectives, in that, it is unlikely to result in any adverse impacts on the environmental values and with the implementation of the conditions, any potential impacts are likely to be mitigated during construction and post-construction stages of development.

In addition to the above, the proposed development in this application is consistent with the concept approval on the land, in relation to road works on C2 zones.

Pursuant to *Clause 2.6 Subdivision – consent requirements*, development application has been submitted for subdivision of land and no secondary dwellings are located within the subject site. The site is currently a vacant block of land. Each resulting lot is more than the minimum lot size criteria of 330 sqm, 600 sqm and 1000 sqm that applies to the site. Subdivision of land is permissible with consent.

Principal Development Standards

Clause 4.1 Minimum subdivision lot size

Clause 4.1 of the QPRLEP 2022 provides requirements for the minimum lot size requirements for subdivision of land.

<i>Cl.</i>	<i>Standard</i>	<i>Controls</i>	<i>Proposed Lot sizes</i>	<i>Complies</i>
4.1	<i>Minimum Lot Size Standard</i>	330 sqm 600 sqm 1000 sqm	330 sqm – 4807 sqm	Yes

5.10 Heritage conservation

The proposed development will have minimal impact to heritage. Several heritage investigations have been conducted as part of previous consents on the land that include the area of land known as South Tralee. Aboriginal Cultural heritage Report (ACHAR) prepared by Navin Officer Heritage Consultants Pty Ltd was previously submitted in support of the original DA.2021.1284. This development does not extend the footprint outside the Estate 2 concept boundaries.

An Aboriginal Cultural Heritage Assessment Report by Navin Officer Heritage Consultants, dated August 2025 was submitted as part of this development application. The report concludes that:

- The site has been subject to historical impacts from grazing activities, with more intensive and deeper impacts
- Nine registered archaeological sites within the subject area of which is registered but destroyed
- Remaining eight sites will be wholly directly impacted and likely destroyed
- Requirement of an AHIP prior to any commencement of subdivision works.

Appropriate conditions are included in the draft conditions of consent in **Attachment A** to ensure the above recommendations are complied with and appropriate permits obtained prior to works commencing on site.

Urban Release Area

The relevant provisions contained within Part 6 of the QPRLEP 2022 are addressed below as part of this assessment:

6.2 Public Utility Infrastructure

Pursuant to sub-clause 6.2(1) Development consent must not be granted for development on land in an urban release area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required.

In this instance, adequate arrangements will be made available to all resulting allotments prior to the issue of subdivision certificate.

6.3 Development Control Plan

The South Jerrabomberra Development Control Plan (SJDCP) applies to the subject site and the proposed development. It is considered that the SJDCP provides for the matters specified in Clause 6.3 subclause (3) of QPRLEP 2022. The SJDCP provides for a staging plan outlining the timely and efficient release of urban land, transport movement, landscaping strategies, active and passive recreation areas, stormwater and water quality management, environmental hazards, urban design controls, appropriate controls for neighbourhood commercial and retail uses, and suitably located public facilities and services. Further assessment against relevant controls contained within the SJDCP is provided below.

Local Provisions

The relevant provisions contained within Part 7 of the QPRLEP 2022 are addressed below as part of this assessment:

7.1 Earthworks

Earthworks will be required for the development to form suitable road grades and satisfactory block grading. In order to mitigate any detrimental impact the development may have on the site, conditions will be included requiring sediment and controls to be put in place and any disturbed surfaces are to be rehabilitated. A Site Grading Plan and Sediment and Erosion Control Plan has been submitted for the proposed development. Additional detail will be required prior to construction works including a detailed Soil and Water Management Plan. Appropriate conditions are included within the draft conditions of consent in **Attachment A**. With the implementation of the conditions of consent, the proposed development is considered to be satisfactory against relevant objectives under this Clause of the Plan.

7.2 Terrestrial biodiversity

Clause 7.2 of the QPRLEP 2022 makes for provision for developments that impact on terrestrial biodiversity. This clause is considered relevant to the proposed development as the site is identified as "Biodiversity" on the Terrestrial Biodiversity Map. This clause has been addressed under the DA.2021.1284 and its subsequent modifications and also under Chapter 4 of this report and the associated impacts are deemed to be satisfactory in this instance.

7.4 Riparian land and watercourses

This application was referred to DPE-Water, pursuant to Section 90(2) and 91 of the Water Management Act 2000. DPE – Water offered no objections to the proposal subject to the "General Terms of Approval" issued on 15 August 2025. The GTAs issued by DPE-Water is attached under Schedule 1 of the draft conditions of consent in **Attachment A**.

7.8 Airspace operations

The subject site is restricted by an Airport OLS limit of 720m AHD. The proposed allotments 293-303 (inclusive) is sited above the 720m AHD limit. This is due to the underlying terrain of the land which is sited between 725m AHD and 740m AHD.

Any development on these allotments is likely to penetrate the OLS limit. Canberra Airport were notified of the proposed development on 31 July 2025 in accordance with Clause 7.8 (2) of this Plan.

Canberra Airport originally raised objections to the proposed development. It should be noted that this Clause only requires a notification to the Canberra Airport when developments exceed the Airport OLS limit and does not require consent authority to take into consideration matters raised by Canberra Airport. However, considering the nature and scale of development, it was deemed critical to obtain approvals from necessary agencies (*Civil Aviation Safety Authority and Airservices Australia*).

Appropriate conditions are included in the draft conditions of consent in **Attachment A**, to ensure necessary approvals are obtained prior to the issue of a subdivision works certificate.

7.12 Essential services

Clause 7.12 requires that development consent **must not be granted** to development unless the consent authority is satisfied all of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:

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

The infrastructure, which is essential for the proposed development, including electricity, water, reticulated sewerage, is available or will be made available at the site for the proposed development. Accordingly, the matters in the precondition to the granting of consent have been satisfied.

Council's Development Engineer has assessed the proposed development and confirmed that the site does have suitable vehicle access and essential services available (Refer **Attachment B – Engineering Comments**).

7.19 Development near Hume Industrial Area and Goulburn to Bombala Railway Line

The land identified as adjoining the Hume Industrial Area and the Goulburn/Bombala Railway Line will primarily be used as a buffer zone and will consist of a bio detention basin and open space (including a local park) for passive and active recreation. Essentially residential development is prevented within this space and thus the impacts from the industrial area and rail corridor are mitigated. Any future development applications may be subject to the requirements of this clause.

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

There are no applicable draft planning instruments that are or have been placed on public exhibition, to consider as part of this assessment.

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

This application has been assessed in accordance with relevant requirements of the South Jerrabomberra DCP 2015.

The following provisions of Queanbeyan DCP are adopted by SJ DCP (Section 1.7 of SJDCP).

- Part 1 Section 1.8 Public Notification of a Development Application
- Part 2 Section 2.2 Car parking, 2.3 Environmental Management, 2.4 Contaminated Land Management, 2.5 Flood Management, 2.6 Landscaping, 2.7 Erosion and Sediment Control, 2.8 Guidelines for Bushfire Prone Areas, 2.9 Safe Design

QUEANBEYAN DCP 2012		
Sec	Controls	Complies
PART 1 – ABOUT THIS DEVELOPMENT CONTROL PLAN		
1.8	Public Notification Of A Development Application The development application was notified to adjoining owners and 0 submission were received.	Yes
PART 2 – ALL ZONES		
2.2	Car Parking The proposed development does not require any car parking. The assessment of car parking requirements will be required at the DA stage for buildings on each lot.	N/A
2.3	Environmental Management This section of the DCP primarily relates to BASIX requirements. The assessment of environmental management will be required at the DA stage for buildings on each lot.	N/A
2.4	Contaminated Land Management The proposal is considered generally satisfactory with respect to SEPP (Resilience and Hazards) 2021 and therefore also with respect to DCP clause 2.4. The application was referred to Councils Health Officer who reviewed the proposal and offered no objections subject to recommended conditions of consent relating to site management and submission of site audit statements prior to release of subdivision certificate.	Yes, conditions
2.5	Flood Management The subject site is not within a flood prone area.	N/A
2.6	Landscaping A landscape plans prepared by Spiire was submitted with the application showing the proposed landscaping works for the whole estate. A mixed of native and exotic tree species and groundcovers are generally consistent with the structure plan with a selection of plant species that are drought tolerant and low maintenance. The proposed high-quality landscaping is considered to be appropriate and will make a positive contribution to the whole subdivision area and provide for attractive and vibrant streetscape.	Yes, conditions
2.7	Erosion and Sediment Control Standard conditions relating to site management is included in the conditions of consent. With the implementation of the conditions, the proposed development is generally considered to satisfy relevant requirements under this section of the DCP.	Yes, conditions
2.9	Safe Design	Yes

	The proposed development generally satisfies the relevant provisions of this clause. All lots proposed will be capable of accommodating clear access points and achieving reasonable outcomes for passive and natural surveillance.	
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SOUTH JERRABOMBERRA DCP 2015 COMMENTS		
Sec	Controls	Complies
PART 3 – THE MASTER PLAN		
	Master Plan, Staging Plan, and Neighbourhood Structure Plan <u>Master Plan</u> The Master Plan identifies five key development areas of South Jerrabomberra, which include: Poplars, Environa, North Tralee, South Tralee and the area of land further south of South Tralee. The subject site to which this application relates is South Tralee. Desired Future Character • South Tralee will be characterised by urban streetscapes and environmentally responsible development. High quality pathways, direct connections, attractive and safe streets will encourage walking and cycling. • Housing at South Tralee will comprise of a diverse range of higher density housing, affordable housing, traditional residential lots and a vibrant mixed use and neighbourhood centre precinct within a well-connected and walkable urban environment. Comments: The proposal incorporates a variety of lot sizes and shapes, which will result in providing a variety of housing types. The proposal is generally consistent with the aims and objectives of the master plan. The proposed subdivision follows the staging plans previously approved under DA.2021.1284. The proposal does not create any inconsistency with the Neighbourhood Structure Plan contained within Appendix 3 of the DCP.	Yes
PART 4 – SUBDIVISION		
4.2	Lot Size and Design <i>Controls:</i>	
	a) <i>The density of allotments should maintain and promote the residential character of the area for infill subdivisions.</i> Comments: Each allotment is sufficiently sized and maintained and this is unlikely to promote and maintain the residential character of the locality.	Yes
	b) <i>Lot sizes should be compatible with the character of the surrounding area and are to comply with the QPRLEP 2022.</i> Comments: The proposed subdivision complies with the minimum lot size requirements under Cl 4.1 of the Plan and the density of allotments varies and is generally found to be compatible with the residential character of the surrounding area.	Yes
	c) <i>Lot sizes and lot layouts in urban release areas should take account of the environmental constraints of the area and be designed to conserve agricultural productive land (where applicable) and the retention of any significant natural features of the site.</i>	Yes

	Comments: The proposed subdivision is generally found to be consistent with the overall concept DA approved under DA.2021.1284 and its subsequent modifications. The original DA was approved after taking into consideration the relevant constraints of the area and retention of any significant natural features of the site.	
	<i>d) Lot sizes and lot layouts in urban release areas which increase potential residential density shall be sited in close proximity to public transport nodes and to commercial/community facilities.</i> Comments: The proposed allotments are located in close proximity to public transport nodes and to future town centre/ community facilities. Essential services are available, or adequate arrangements have been made to make them available when required.	Yes
	<i>e) Lot size and lot layouts should reflect the servicing capacity of the area.</i> Comments: Proposed lot sizing and layouts will not impact on the capacity to serve the area. The proposed subdivision is capable of being serviced and will partly connect with existing services from Estate 1. Sewer, water, electricity gas and telecommunications are all available for connection.	Yes
4.3	Lot orientation <i>Controls:</i>	
	<i>a) Lot orientation, size and dimensions should enable dwellings to be generally sited either on an N-S or E-W orientation. Where other amenities such as views over open space are available or the topography prevents solar orientated design then alternative lot orientations can be considered.</i> Comments: The proposed lots are sufficiently large and likely to enable future dwellings to be sited either on an N-S or E-W orientation. No impacts on amenities such as views over open spaces.	Yes
	<i>b) Allowances are to be made for different lot depths and widths, depending on orientation, which may also result in increased variety to the streetscape frontage pattern.</i> Comments: The proposed residential lot sizes range from a minimum of 330 sqm to 1324 sqm (lot sizes depending on the minimum lot size plan under CI 4.1 of the Plan). Lots are generally follow a consistent sizing based on the minimum lot criteria under CI 4.1 of the Plan and respond to the topography and proposed public road network. The lot sizes are considered to take into consideration allowances for varying lot depths and widths.	Yes
	<i>c) Lot orientation and dimensions should support the provision of future dwellings having living areas with a northerly orientation as well as a private open space area with a northerly orientation that is located to the rear or side of the dwelling.</i> Comments: The proposed lots are sufficiently large to accommodate a future dwelling with a living area facing a northerly orientation as well as a private open space area facing the north.	Yes
	<i>d) E-W oriented lots should be wider to allow for a long-axis.</i> <i>e) N-S orientated lots with north to the front should be wider and/or deeper</i>	Yes

	f) <i>N-S oriented lots with north to the rear can be narrower and less deep. These lots are generally well suited to two storey development and small lot housing.</i> Comments: The subdivision layout is generally in accordance with this requirement. All lots meet lot width and lot size requirements under the LEP. The lots with a E-W orientation are generally wider and N-S oriented lots with northern frontages are wider and deeper in nature.	
4.4	Lot Size and Layout <i>Controls:</i> a) <i>Minimum lot size is to be in accordance with the QPRLEP 2022.</i> b) <i>Residential lot size must be capable of accommodating a dwelling, private open space and at least one under cover car parking space.</i> c) <i>Lot size and layout are to take into account the slope of the land, any environmental constraints and any significant natural features to create a legible and permeable neighbourhood pattern.</i> d) <i>Lots should be generally rectangular in shape and orientated to allow future dwellings to gain access off streets and where possible, public open spaces.</i> e) <i>No more than two battle axe shaped allotments should adjoin each other. The access corridor is that part of a battle axe shaped allotment which provides private access between the main part of the allotment and the public road.</i> Comments: The proposed lots comply with the minimum lot size requirement under CI 4.1 of QPRLEP 2022. The proposed lots are generously sized to allow for a dwelling, a private open space and at least one under cover car parking space to be provided in the future. The proposed subdivision considers the slope of the land and relevant environmental constraints have already been taken into consideration as part of the assessment under DA.2021.1284. The proposed residential lots are generally rectangular in shape and orientated to the proposed public roads which will allow future dwellings to gain access directly off streets. No battle axe shaped allotments is proposed. The proposed lots that range between 330 sqm – 449 sqm have a minimum lot frontage width of 11m – 16m. Lots ranging between 450 – 600 sqm have a minimum frontage 16m – 27m. Lots exceeding 600 sqm have a minimum lot frontage of 16m and lots exceeding 900 sqm meet the minimum frontage requirement of 15m.	Yes
4.6	Additional Controls for Subdivision in a Buffer Area	
4.6.1	Buffer to Hume Industrial Area and Goulburn / Bombala Railway The designated buffer area is to be used as a part of Estate 2's open space areas. The open space lot includes a bio-retention basin, walking trails, seating, landscaping. Intended use is deemed appropriate for the buffer area. No dwellings are to be located within this area. This has been addressed under CI 7.19 of the LEP.	Yes
PART 5 – ROADS AND PUBLIC PLACES		
5.2	Street Network This application involves reconfiguration of previously approved roads and footpath. The application was assessed by Development Engineer who has raised no objections to the proposal subject to recommended conditions of consent (Refer Attachment B).	Yes, conditions
5.3	Public Open Spaces and Landscaping Public open space has been provided elsewhere in the estate to satisfy this requirement. The submitted revised landscape plan is generally consistent with	Yes

	the structure plan with a selection of plant species that are drought tolerant and low maintenance, taking into consideration the landform, soil, climate, ecology and vegetation. The proposed high-quality landscaping is considered to be appropriate, and will make a positive contribution to the estate and provide for attractive and vibrant streetscape.	
5.4	Open Space and Landscaping in the Hume Industrial Buffer Area and Goulburn / Bombala Railway Buffer Area Landscaping requirement was addressed as part of the concept approval under DA.2021.1284. A revised landscape plans prepared by Spiire were submitted with the application showing the proposed landscaping works for this stage. A mixed of native and exotic tree species and groundcovers are generally consistent with the structure plan with a selection of plant species that are drought tolerant and low maintenance. The proposed high-quality landscaping is considered to be appropriate and will make a positive contribution to the whole subdivision area and provide for attractive and vibrant streetscape. It is not considered that the proposed landscaping will have adverse impact on the nearby Hume Industrial buffer area and adjoining Goulburn/ Bombala Railway buffer area.	Yes
5.5	Local Parks Stage 2A and 2C of the previously approved subdivision (originally approved under DA.2021.1284 as Stage 1 and Stage 2 local parks) generally satisfies this requirement. This application includes the inclusion of two open spaces which will likely provide for walking trails, pedestrian pathways and seating and connections to the larger public open spaces.	Yes
5.6	Civic Spaces in the Neighbourhood Centre This has been previously addressed under DA.2021.1284 and subsequent modifications. This application is a detailed subdivision layout and despite minor reconfiguration of the roads and lot layout, no impacts are anticipated on the previously approved open spaces and civic spaces.	N/A
5.7	Linear Parks and Drainage Reserves This stage of the subdivision does not include any linear parks.	N/A
5.8	Landscaping in Public Places This application includes a concept Masterplan for Stage 2E of the approved subdivision, which is found to be consistent with the structure plan and selection of plant species that are drought tolerant and low maintenance, taking into consideration the landform, soil, climate, ecology and vegetation. The proposed high-quality landscaping is considered to be appropriate and will make a positive contribution to the estate and provide for attractive and vibrant streetscape.	Yes
5.9	Landscaping Construction The submitted revised landscape plan is generally consistent with the structure plan with a selection of plant species that are drought tolerant and low maintenance, taking into consideration the landform, soil, climate, ecology and vegetation. The proposed high-quality landscaping is considered to be	Yes

	appropriate, and will make a positive contribution to the estate and provide for attractive and vibrant streetscape. It is generally orientated to optimise solar access.	
PART 8 – ENVIRONMENTAL MANAGEMENT		
8.2	Soils and Salinity The proposal will involve earthworks associated with the development, for which a separate development application has been lodged. The proposed earthworks will not have a detrimental impact on drainage patterns and soil stability or the existing and likely amenity of adjoining properties. The development application will be condition to mitigate the potential impact of soil erosion and the like during construction.	Yes, conditions
8.3	Cut and Fill Same as above.	Yes, conditions
8.7	Aboriginal Heritage Aboriginal Heritage was assessed and considered as part of the assessment under DA.2021.1284. This was also reviewed by Heritage NSW who raised no objections and issued their GTAs for DA.2021.1284. The proposed development will have minimal impact to heritage. Several heritage investigations have been conducted in recent years that include the area of land known as South Tralee. Aboriginal Cultural heritage Report (ACHAR) prepared by Navin Officer Heritage Consultants Pty Ltd was previously submitted in support of the original DA.2021.1284. This development does not extend the footprint outside the Estate 2 concept boundaries. An Aboriginal Cultural Heritage Assessment Report by Navin Officer Heritage Consultants, dated August 2025 which concludes that: - The site has been subject to historical impacts from grazing activities, with more intensive and deeper impacts - Nine registered archaeological sites within the subject area of which is registered but destroyed - <u>Remaining eight sites will be wholly directly impacted and likely destroyed</u> - Requirement of an AHIP prior to any commencement of subdivision works. Appropriate conditions are included in the consent to ensure the above recommendations are complied with and appropriate permits obtained prior to works commencing on site.	Yes, conditions
8.8	European Archaeological Heritage The subject land to which the application relates does not currently contain any items of European Heritage significance.	N/A
8.9	Development in Areas Subject to Aircraft Noise Discussed under CI 7.9 of the LEP.	N/A
8.10	Airspace Operations Discussed under CI 7.8 of the LEP.	N/A
8.12	Development Near Hume Industrial Area and Goulburn to Bombala Railway Line	Yes

	Discussed under CI 7.19 of the LEP.	
8.13	Tree Retention and Biodiversity The proposed open space lots (Lot 137 and 184) comprises of high values trees that are proposed to be retained. This is considered to be consistent with the previously approved Tree Assessment Report approved under DA.2021.1284. Trees that were identified as low value and medium value are proposed to be removed as part of this development application. The identified low value and medium value trees on drawing "Grading Plan Sheet 1", numbered 323444-001CD200, Revision B, dated 09 July 2025, are found to be consistent with the previously approved Tree Assessment Report approved under DA.2021.1284. The proposal is deemed to be satisfactory against relevant controls under this section of the DCP.	Yes
8.14	Flora and Fauna Objectives and Controls This has been addressed under Section 1.7 of the EP&A Act in this report. The proposal is deemed to be satisfactory against relevant controls under this section of the DCP.	Yes
8.15	Land Contamination Management The application was referred to Council Health Officer who offered no objections to the proposal development and advised the DSI undertaken during the original assessment found the site to be suitable and did not require any remediation action plans to be prepared or any site audit statement undertaken.	Yes
8.17	Construction Waste Appropriate conditions are included in the draft conditions of consent to ensure construction waste is appropriately handled and disposed off in accordance with relevant legislation and regulations.	Yes, conditions
8.18	Landfill / Earthworks Appropriate conditions are included in the consent to ensure VENM certified fill is used for construction purposes.	Yes, conditions
8.19	Additional Controls for Subdivision in a Buffer Area The designated buffer area is to be used as a part of Estate 2's open space areas. The open space lot includes a bio-retention basin, walking trails, seating, landscaping. Intended use is deemed appropriate for the buffer area. No dwellings are to be located within this area. This has been addressed under CI 7.19 of the LEP.	Yes

The proposal has satisfactorily addressed these matters subject to recommended consent conditions in **Attachment A**. Accordingly, the proposal is considered to be consistent with the SJDGP.

Contributions Plans

A State Planning Agreement was executed on 14 August 2018 for the delivery of 1500 dwellings at South Jerrabomberra. The agreement requires a monetary contribution per urban lot. The Developer must provide evidence that obligations under SVPA2022-28 have been fulfilled prior to the issue of Subdivision Certificate for relevant stages. Therefore, contribution charges are not required to be included in the recommended consent conditions.

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

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

- South Tralee Essential Infrastructure Planning Agreement Deed (2018)

A condition will be imposed requiring the provision of utility infrastructure to be carried out in accordance with the South Tralee Essential Infrastructure Planning Agreement Deed as executed on 19 June 2018.

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

The following matters require consideration in relation to Part 4, Division 1 of the 2021 Regulations:

- Section 61(1) - In determining a development application for the demolition of a building, the consent authority must consider the *Australian Standard AS 2601—2001: The Demolition of Structures* – No demolition is proposed as part of this application.
- Section 62 (consideration of fire safety) – This is not relevant as the site is currently a vacant block of land;
- Section 64 (consent authority may require upgrade of buildings) – This is not relevant as the proposal does not include built form.

None of the matters prescribed under the regulations are relevant to the proposed development. Accordingly, the provisions of the 2021 EP&A Regulation have been adequately considered.

4.2 Section 4.15(1)(b) - Likely Impacts of Development

The likely impacts of the development have been considered as follows:

- Context and setting – The development is in context with the surrounding locality and land uses. The land has been rezoned to facilitate the development and population growth of the Southeast & Tablelands region and in particular the South Jerrabomberra area.

The design takes into consideration constraints posed by the adjoining Hume Industrial Estate, the Goulburn/Bombala railway line, vegetation, Aboriginal Heritage, slope and bushfire threat.

The proposed development has been designed to complement the localities views and vistas and is generally consistent with the Neighbourhood Structure Plan for South Jerrabomberra.

- Access and traffic – The access and traffic issues are considered in the key issues section of this report. These matters are satisfactorily addressed subject to conditions.
- Public Domain – The proposed development provides for adequate recreational opportunities, public open spaces and pedestrian linkages for future residents.
- Utilities – All utilities are available for connection; reticulated water & sewer,

stormwater, electricity, gas and telecommunications. It is proposed to provide utilities through a shared trench for electrical, gas and telecommunications.

- Heritage – European Heritage items of significance are not present across the site. GTA's been issued by Heritage NSW for the concept DA (DA.2021.1284) which are required to be complied with. Appropriate conditions are included in the consent to ensure AHIPs are obtained prior to works commencing on site.
- Other land resources – The site is not located within or adjacent to water catchment or mining. There are some agricultural land uses in the area, however, the proposal does not affect, or is affected by, such uses.
- Water/air/soils impacts – The potential for contaminated land is considered in the assessment under the Hazards & Resilience SEPP and the site is not affected by acid sulphate soils.
- Flora and fauna impacts – The potential impact of the proposed development on biodiversity has previously been assessed under DA.2021.1284 and also elsewhere in this report. The impacts are considered satisfactory in this instance. Appropriate conditions are included in the consent to ensure relevant credits are retired prior to the issue of a subdivision works certificate.
- Natural hazards – The subject land is identified as being land declared bushfire prone by NSW RFS. The application was referred to NSW RFS who offered no objections to the proposal and provided their GTAs in a letter which is attached under Schedule 1 of the consent.
- Safety, security and crime prevention – Relevant safety, security and crime prevention have already been addressed under DA.2021.1284. The proposed subdivision is unlikely to impact the assessment undertaken under this section for DA.2021.1284.
- Social impact – The proposed development is not expected to pose adverse social impacts to the locality. The site development is an extension of Estate 2, Stage 2A, 2B, 2C & 2E. The development aims to provide logical design and layout to ensure all members of the community have access to public facilities and private open space. The area will also benefit from new schools, parks and a regional sporting complex.
- Economic impact – The proposed development is not expected to pose adverse economic impacts to the locality. Economic benefits from the proposal include employment opportunities during construction, and the addition of serviced land in providing additional housing stock and options for the local and regional markets. The local community benefits through additional open space consisting of local parks, playgrounds and an open space reserve for both passive and active recreation.
- Site design and internal design – The site design considers environmental and site constraints. Lot layout has been developed having regard to orientation, topography and road layout.
- Construction – Relevant conditions have been imposed to reduce potential construction impacts.
- Cumulative impacts – The proposal will not result in any adverse cumulative impacts as it is generally consistent with the planning controls and is considered to be in the

public interest.

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

4.3 Section 4.15(1)(c) - Suitability of the site

There are no significant constraints to the proposal from adjacent lands. The proposal provides for adequate recreational opportunities (both active and passive), has the ability to provide utility services with traffic generation manageable based on previous traffic studies. Furthermore, the proposal for this stage is a continuation from all previously approved stages.

The proposal has been designed taking into consideration topography, landscape features, heritage, flora and fauna to ensure impacts are limited.

The site is therefore suitable for the proposed subdivision which including 191 Torrens title allotments, two open space allotments, creation of public roads and extension of Abelia Avenue, landscaping, infrastructure and associated site works

4.4 Section 4.15(1)(d) - Public Submissions

The community submissions are considered in Section 5 of this report.

4.5 Section 4.15(1)(e) - Public interest

On balance the proposal is consistent and in the public interest as it will facilitate the continued development of an urban release area generally in accordance with the both the relevant statutory and policy framework which supports the regions population growth and future housing options.

The proposal is also generally consistent with the applicable planning controls as outlined in this report. The proposal is also considered to result in positive social and economic impacts as outlined above and the health and safety of the public will not be affected. Accordingly, it is considered that the proposal is consistent with the public interest.

5. REFERRALS AND SUBMISSIONS

5.1 Agency Referrals and Concurrence

The development application has been referred to various agencies for comment/concurrence/referral as required by the EP&A Act and outlined below in Table 4. There are no outstanding issues arising from these concurrence and referral requirements subject to the imposition of the recommended conditions of consent outlined in Attachment A. Table 4: Referral to external agencies

Agency/Referral Trigger	Comments (Issue Resolution, conditions)	Resolved
Integrated (s4.46 of the EP&A Act)		
NSW RFS <i>S100b of Rural Fires Act 1997</i>	A Bushfire Safety Authority has been provided subject to General Terms of Approval (GTA) from the NSW RFS. GTAs attached under Schedule 1 of the draft conditions of consent.	Yes
DPE – Water <i>S91 of Water Management Act</i>	A General Terms of Approval issued by DPE-Water. No objections raised. GTAs attached under Schedule 1 of the draft conditions of consent.	Yes

Referral/Consultation		
Essential Energy <i>CI 2.48 of SEPP (Transport & Infrastructure) 2021</i>	No objections raised by Essential Energy. Advise provided by Essential Energy is placed under Advisory Notes of the consent.	Yes
Transport for NSW <i>Section 2.98 (2) & 2.99 of SEPP (Transport & Infrastructure) 2021</i>	Comments from TfNSW have been considered in the key issues section of this report. Relevant conditions of consent have been included in the recommended consent conditions.	Yes
Canberra Airport <i>Clause 7.8 of QPRLEP 2022</i>	Concerns raised by Canberra Airport in relation to development over Airport OLS (Lot 292 – 303 inclusive sits above the Airport OLS). Appropriate conditions are included in the consent to ensure relevant agency approvals are obtained prior to issue of a subdivision works certificate.	Yes

5.2 Council Officer Referrals

The development application has been referred to various Council officers for technical review as outlined **Table 6**. The issues raised by Council officers are considered in the Key Issues section of this report (where relevant) and the required conditions have been included in the recommended consent conditions in **Attachment A**.

Table 5: Consideration of Council Referrals

OFFICER	COMMENTS	RESOLVED
Environmental Health	No objections to the proposed development.	Yes
Engineering	No objections subject to consent conditions.	Yes
LIS Officer	No objections raised subject to conditions of consent.	Yes

5.3 Community Consultation

The proposal was advertised and notified in accordance with the Council's Community Engagement and Participation Plan with a submission period from 31/07/2025 to 28/08/2025. One submission was received raising the following concern:

1. *"The DA submission is considered to address the requirements of the EPBC Act 1999" - Part 1 p. 12. - "A Biodiversity Development Assessment Report (BDAR) was prepared as part of the Estate 2 Concept DA. It identified impacts to native vegetation, including threatened ecological communities, as well as threatened species, and calculated the associated credit requirements. Accordingly, the proposed development is not considered "likely to significant affect threatened species" under section 7.2 of the BC Act" - Part 1 p. 12. - "the findings of the approved Ecological Constraints Assessment ... remain extant. Confirmation of the biodiversity credit impacts is provided as a supplementary document to the Concept DA BDAR", Part 1 p. 20. In respect of each of these statements, I have looked for a report on an ecological survey, and there is none. There is not even a link to any past survey. How can I know there is nothing to be concerned about?*

Response: A "South Jerrabomberra Estate 2 Northern Catchment DA Boundary – Offset Credit Liability", prepared by Ecological Australia, dated 05 August 2025, for the proposed development has been submitted and is generally found to be consistent with the findings and recommendations of the BDAR approved under DA.2021.1284. Appropriate conditions are

included in the consent to ensure the above credits are retired prior to the commencement of works for the proposed development. No further assessment under this section is required in this instance.

6. CONCLUSION

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

The key issues of traffic, parking, roads, earthworks, water, sewer and stormwater have been considered in detail and found to be satisfactory, subject to the recommended consent conditions. The recommended consent conditions are consistent with the applicable planning controls and consistent with the relevant objectives of the Act, Plan and DCPs.

7. RECOMMENDATION

That:

Development Application DA.2025.0303 for “Subdivision to create 191 Torrens title lots, open spaces, landscaping, associated roads and infrastructure” be **APPROVED**, pursuant to Section 4.16 (1) of the *Environmental Planning and Assessment Act 1979* subject to the conditions of consent attached to this report at Attachment A.

The following attachments are provided:

- **Attachment A:** Draft Conditions of consent
- **Attachment B:** Development Engineering Comments
- **Attachment C:** Statement of Environmental Effects
- **Attachment D:** Urban Design Plans
- **Attachment E:** Civil Engineering Plans
- **Attachment F:** Offset Credit Liability Report
- **Attachment G:** Aboriginal Cultural Heritage Assessment Report
- **Attachment H:** Bushfire Assessment Report
- **Attachment I:** Bushfire Management Plans
- **Attachment K:** Landscape Plans
- **Attachment L:** Civil Engineering Report