



Ordinary Meeting of Council

12 November 2025

**UNDER SEPARATE COVER
ATTACHMENTS**

ITEM 9.2

**QUEANBEYAN-PALERANG REGIONAL COUNCIL
ORDINARY MEETING OF COUNCIL**

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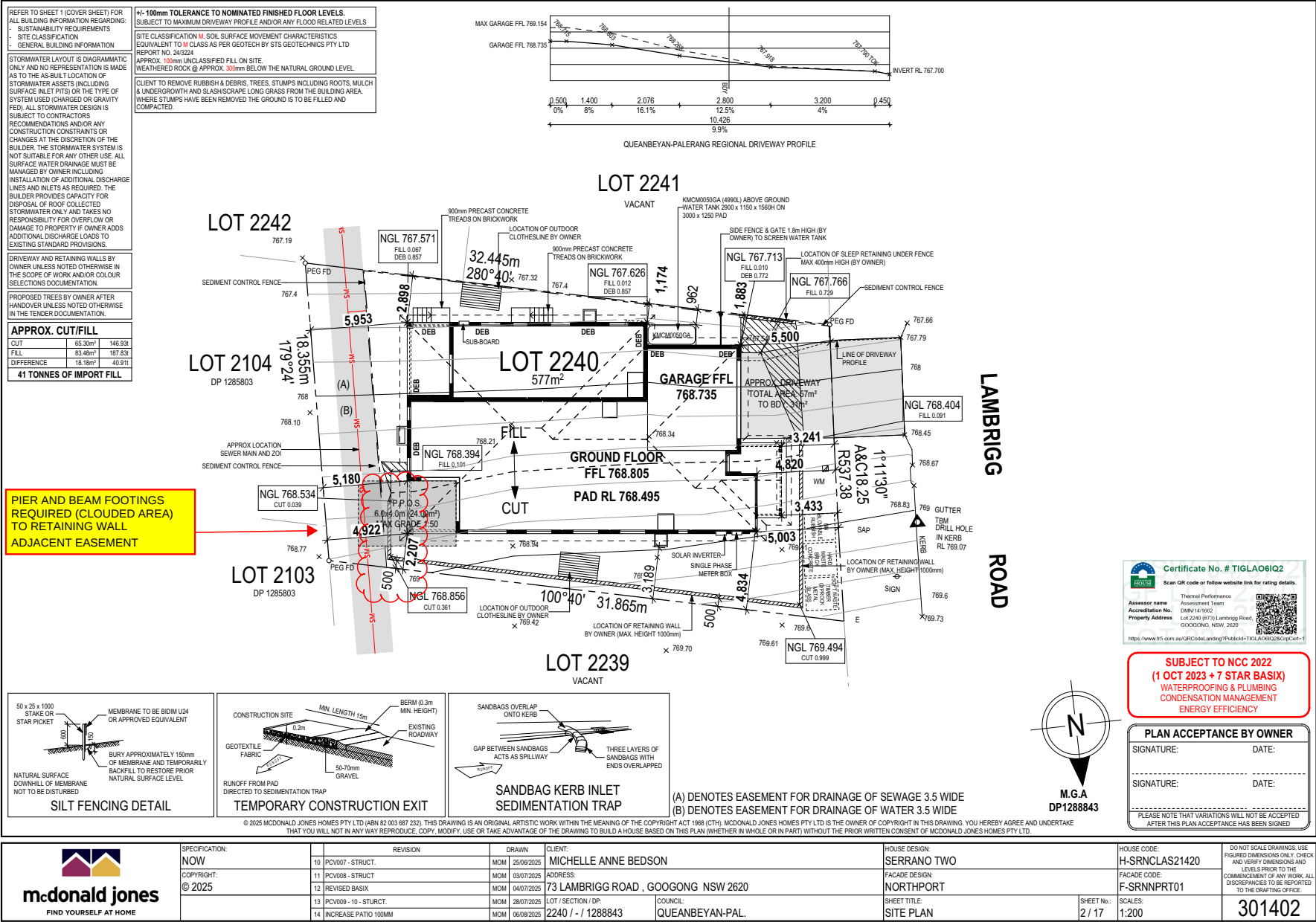
QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

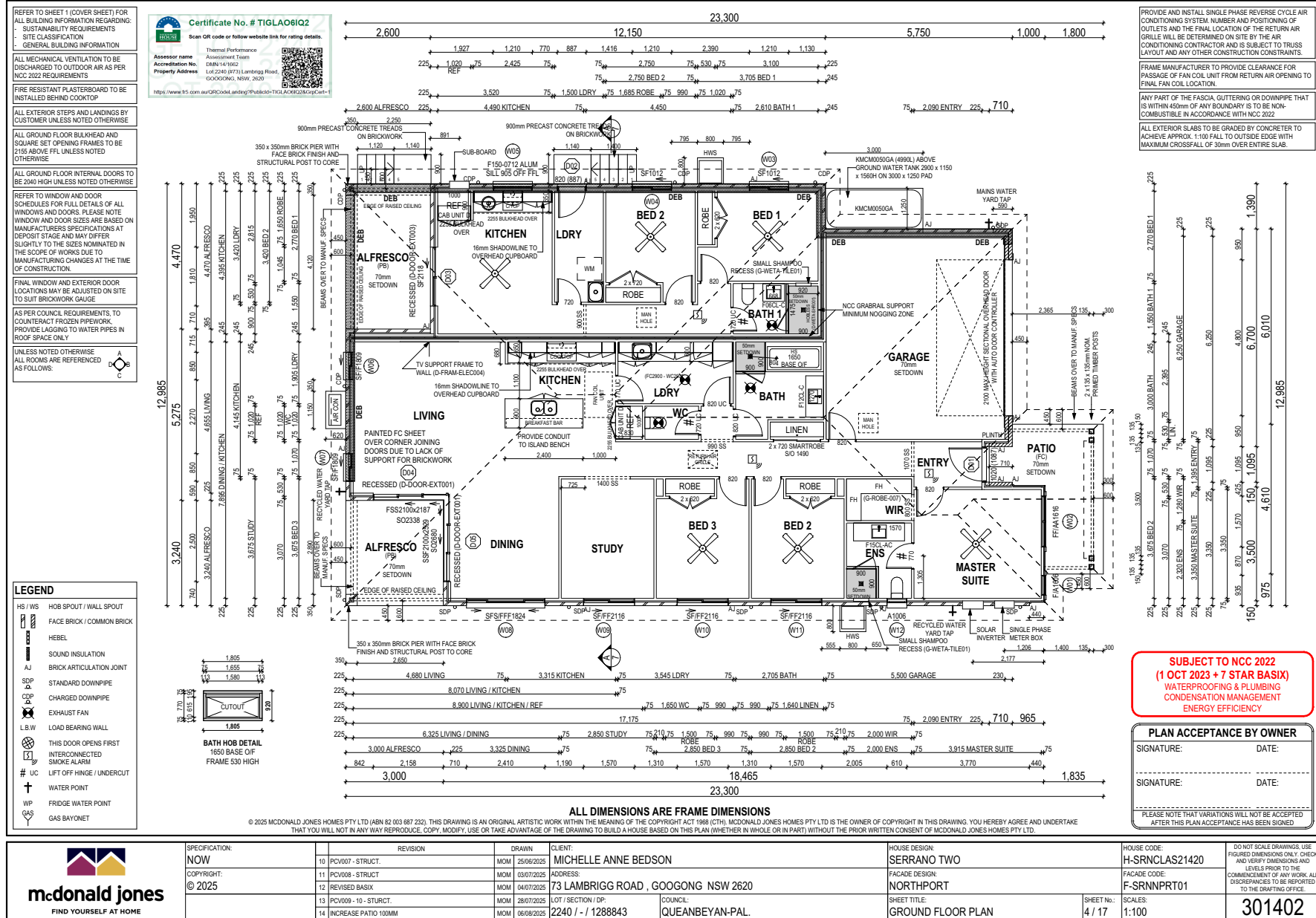
12 NOVEMBER 2025

ITEM 9.2 DA.2025.0375 - CONSTRUCTION OF DWELLING HOUSE AND
 ATTACHED SECONDARY DWELLING - 73 LAMBRIGG
 ROAD, GOOGONG

ATTACHMENT 1 ARCHITECTURAL PLANS - DA.2025.0375 - 73 LAMBRIGG
 ROAD, GOOGONG



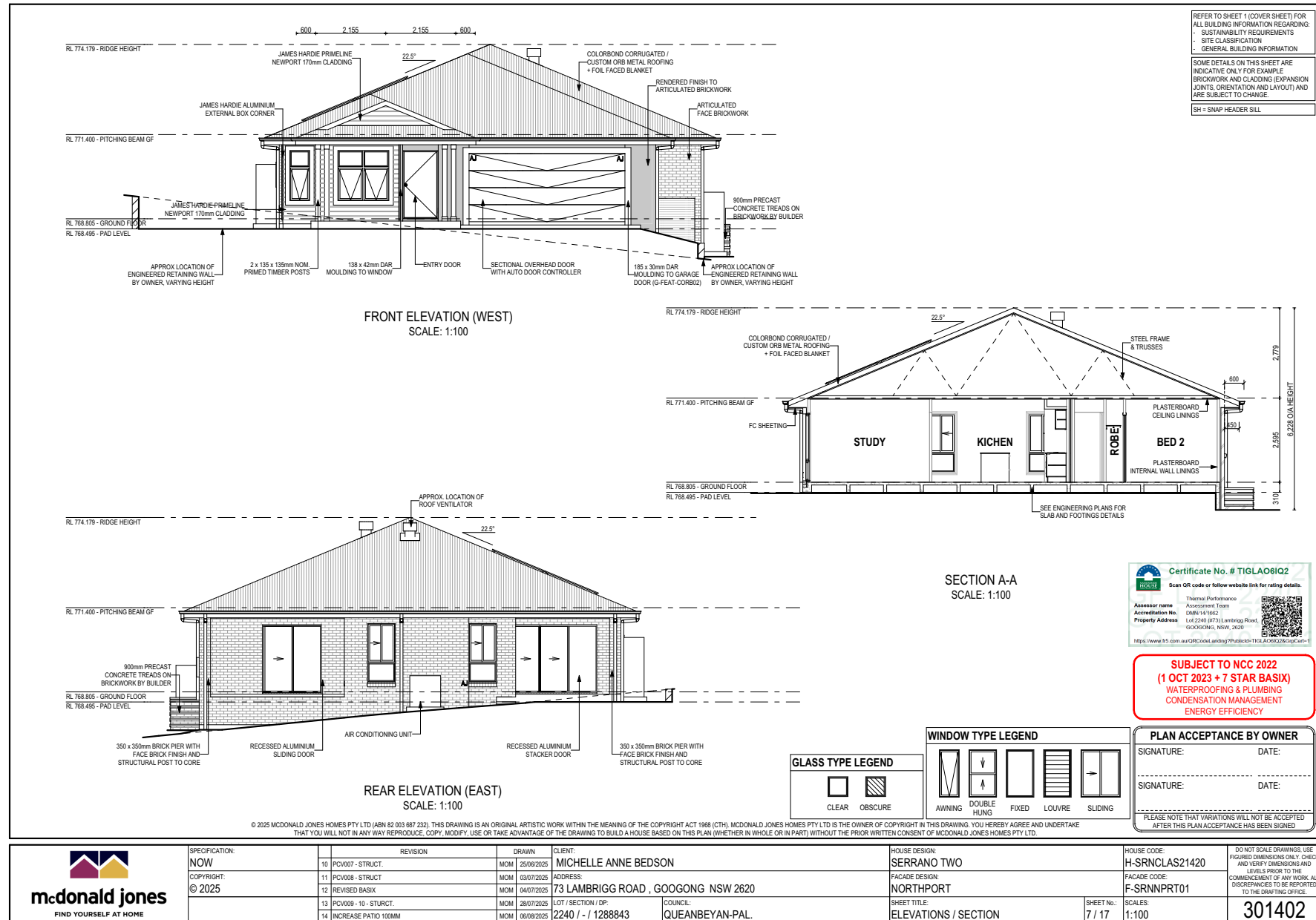
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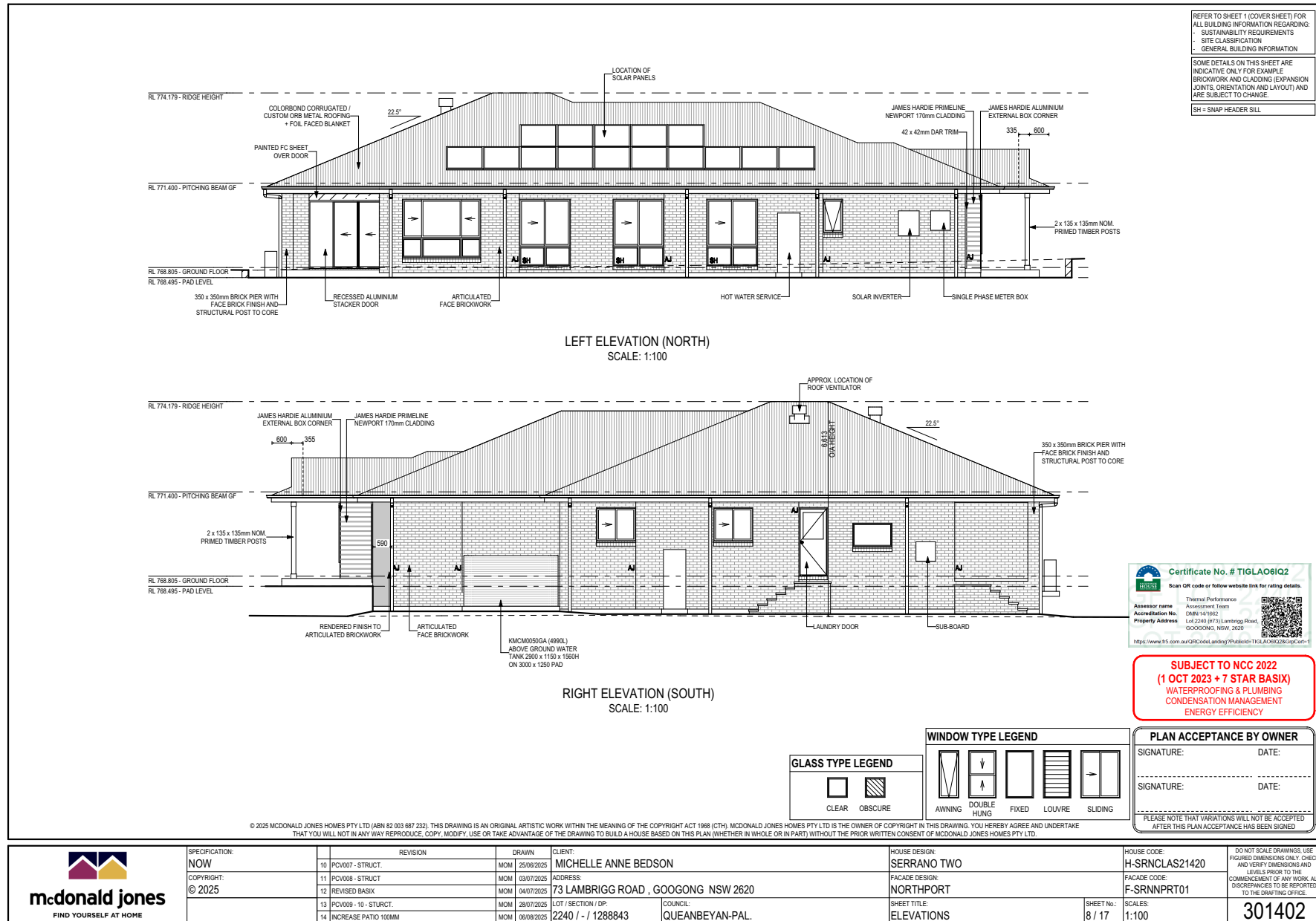
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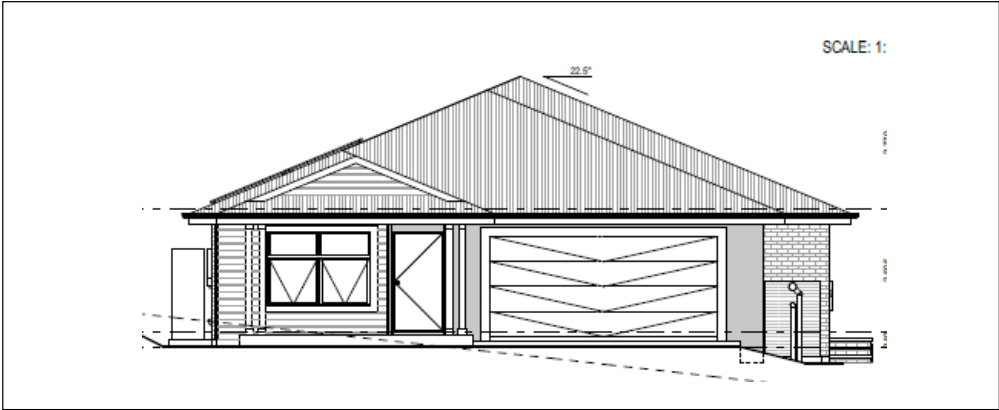


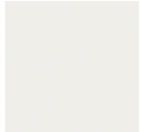
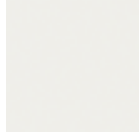
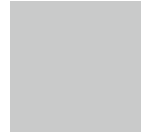
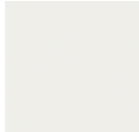
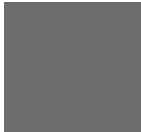
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External Palette

Job Number and Surname: 301402 Bedson
MyChoice Style: Coastal



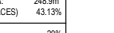
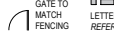
	
Austral Wilderness Silver Birch Ironed Joint, Off White Mortar	Colorbond Basalt Roof & Gutter
	
White Pearl Windows	Colorbond Dover White Fascia
	
Taubmans Shadow Wizard Render to Façade	Taubmans Hailstone DAR Trims & Posts
	
Colorbond Basalt Garage Door, Ranch	Taubmans Shadow Wizard Cladding

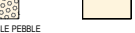
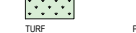
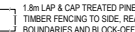
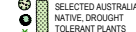

mcDonald jones
FIND YOURSELF AT HOME



9.2 DA.2025.0375 - Construction of Dwelling House and Attached Secondary Dwelling - 73 Lambrigg Road, Googong
Attachment 1 - Architectural Plans - DA.2025.0375 - 73 Lambrigg Road, Googong (Continued)

LEGEND:





LANDSCAPE PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE QUEANBEYAN-PALERANG: Googong DCP - Part 6 - General Residential - Single Dwellings, Alterations/Additions

LANDSCAPED AREA	
TOTAL SITE AREA:	577.0m ²
TOTAL LANDSCAPE AREA:	248.9m ²
(EXCLUDES HARD SURFACES)	43.13%
MIN. REQUIRED:	20%

*LANDSCAPED AREA > 1500mm WIDE

LANDSCAPED AREA FRONT OF BUILDING LINE	
TOTAL AREA:	90.12m ²
TOTAL LANDSCAPE AREA:	53.31m ²
(EXCLUDES HARD SURFACES)	59.15%
MIN. REQUIRED:	25%

NATIVE PLANT SCHEDULE:

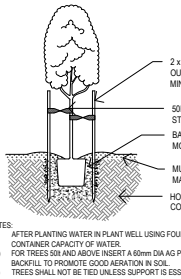
CODE	BOTANICAL NAME	COMMON NAME	No.	POT SIZE	MATURE HEIGHT
TREES					
PC	<i>Pyrus calleryana</i> 'Cleveland Select'	Ornamental Pear	2	75L	6m
SHURBS					
WJG	<i>Westringia fruticosa</i> 'Jervis Gem'	Coastal rosemary	11	250mm	1.0m
GROUND COVERS & GRASSES					
BMB	<i>Brachyscome multifida</i> 'Break of day'	Rock Daisy	58	140mm	0.3m
TURF					
	<i>Stenotaphrum secundatum</i> 'Sir Walter'	Sir Walter Buffalo Turf			

MAINTENANCE PROCEDURES

- 1) LAWN TO BE FERTILISED TWICE A YEAR IN THE WARM MONTHS, MOWING WEEKLY IN SUMMER MONTHS AND FORTNIGHTLY OR MONTHLY AS REQUIRED IN THE WINTER MONTHS.
- 2) PLANTS TO BE FERTILISED A MINIMUM OF TWICE A YEAR AT THE SAME TIME OF PRUNING. TO DO THIS USE A COMPLETE FERTILISER. KEEP MULCH CLEAR OF TREE TRUNK AREA. AFTER PLANT/SHURBS AND TREES ARE PLANTED CONTINUE TO WATER WELL ONCE A WEEK.
- 3) PRUNE HEDGE PLANTS A MINIMUM OF 2 - 3 TIMES A YEAR. IN THE WARMER MONTHS, WAIT FOR AT LEAST 10MM OF NEW GROWTH BEFORE PRUNING AGAIN TO PROMOTE HEALTHY NEW GROWTH.

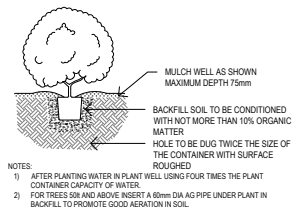
NOTES:

- 1) SIDE & REAR BOUNDARY FENCING SHOULD BE TREATED PINE TIMBER LAP AND CAP PALING FENCE. GATES TO MATCH FENCE MATERIALS.
- 2) LETTERBOX PROVIDED TO AUSTRALIA POST REQUIREMENTS CLEARLY DISPLAYING HOUSE NUMBER.
- 3) ALL LANDSCAPED AREAS TO HAVE A MINIMUM 1:100 FALL TOWARDS STORM WATER DRAINS, OR AWAY FROM THE BUILDING FOR POSSIBLE OVERLAND WATER DRAINAGE.
- 4) A TREE PROTECTION ZONE (TPZ) SHALL BE ESTABLISHED FOR THE DURATION OF ANY WORKS NEAR ANY EXISTING TREES, AS PER THE METHOD OUTLINED IN THE CURRENT AS4970:2009. PERMISSION FROM THE COUNCIL ARBORIST IS REQUIRED FOR ACTIVITIES THAT DO NOT COMPLY WITH THE CURRENT AUSTRALIAN STANDARDS.
- 5) DRIVEWAY LAYOUT TO BE CONSTRUCTED FROM ARCHITECTURAL CONSTRUCTION DRAWINGS.
- 6) RETAINING WALLS ALONG SIDE BOUNDARIES BETWEEN LOTS TO BE FINALISED ON SITE AFTER BENCHING.
- 7) ALL RETAINING WALLS VISIBLE FROM THE STREET TO BE MASONRY WITH COLOURS MATCHING THOSE ON THE FRONT FACADE OF THE DWELLING.
- 8) ALL IMPORTED SOIL TO GARDEN AREAS TO BE OF PREMIUM GARDEN MIX STANDARD AT 300MM DEPTH.
- 9) TURF TO BE LAID ON A 150MM MINIMUM BASE OF 80% SAND 20% SOIL MIX. REFER TO DETAIL.
- 10) ALL GARDEN AREAS TO BE COVERED WITH A MINIMUM OF 75MM OF 14MM PINE BARK MULCH.
- 11) GARDEN EDGING IS TO BE INSTALLED BETWEEN ALL ADJOINING SOFT LANDSCAPE FINISHES. REFER TO DETAIL.
- 12) ALL TREES AND SHURBS ARE TO BE SELECTED AND PLANTED IN ACCORDANCE WITH THE PLANTING SCHEDULE. SUBSTITUTES REQUIRED DUE TO AVAILABILITY OR QUALITY MUST BE CONSISTENT WITH THE DESIGN INTENT.



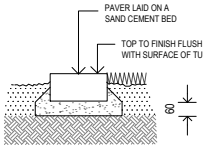
- NOTES:
- 1) AFTER PLANTING WATER IN PLANT WELL USING FOUR TIMES THE PLANT CONTAINER CAPACITY OF WATER.
 - 2) FOR TREES 50mm AND ABOVE INSERT A 60mm DIA AG PIPE UNDER PLANT IN BACKFILL TO PROMOTE GOOD AERATION IN SOIL.
 - 3) TREES SHALL NOT BE TIED UNLESS SUPPORT IS ESSENTIAL.

TYPICAL TREE PLANTING DETAIL
SCALE: N.T.S.

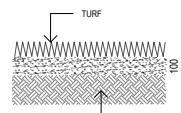


- NOTES:
- 1) AFTER PLANTING WATER IN PLANT WELL USING FOUR TIMES THE PLANT CONTAINER CAPACITY OF WATER.
 - 2) FOR TREES 50mm AND ABOVE INSERT A 60mm DIA AG PIPE UNDER PLANT IN BACKFILL TO PROMOTE GOOD AERATION IN SOIL.

TYPICAL SHRUB PLANTING DETAIL
SCALE: N.T.S. Tube, 150mm, 200mm, 250mm Pot Size



BRICK GARDEN EDGE DETAIL
SCALE: N.T.S.



TURF DETAIL
SCALE: N.T.S.



REV	ISSUE / DESCRIPTION	DATE	CHECKED
A	Initial design for DA	23.07.25	KR

myard
LANDSCAPE DESIGN

MYARD PTY LTD
ABN 83 602 735 777
info@myard.com.au
www.myard.com.au
P 02 8801 1825
Unit 2, 43 Glendinning Road,
Glendinning NSW 2781

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GENERAL NOTES:

Prior to being used for construction, the Principal Contractor must ensure that they are in possession of a Construction Certificate and all other required Council approvals. All works are to comply with B.C.A. Statutory Authorities and relevant Australian Standards.

Contractors must verify all dimensions on site before commencing fabrication or preparation of workshop drawings, and verify all errors and omissions with the Architect. Use figured dimensions only. Do not scale from drawings. Position of all services on site to be confirmed prior to commencement of construction.

PLAN DRAWINGS PREPARED FOR DEVELOPMENT APPLICATION ONLY. PLAN IS NOT TO BE USED FOR CONSTRUCTION PURPOSES

SCALE: 1:200@A3	DRAWING NO. LP-26701
CLIENT NO: 301402	COUNCIL: QUEANBEYAN-PALERANG
DRAWN: AVS	PAGE NO: 1/1

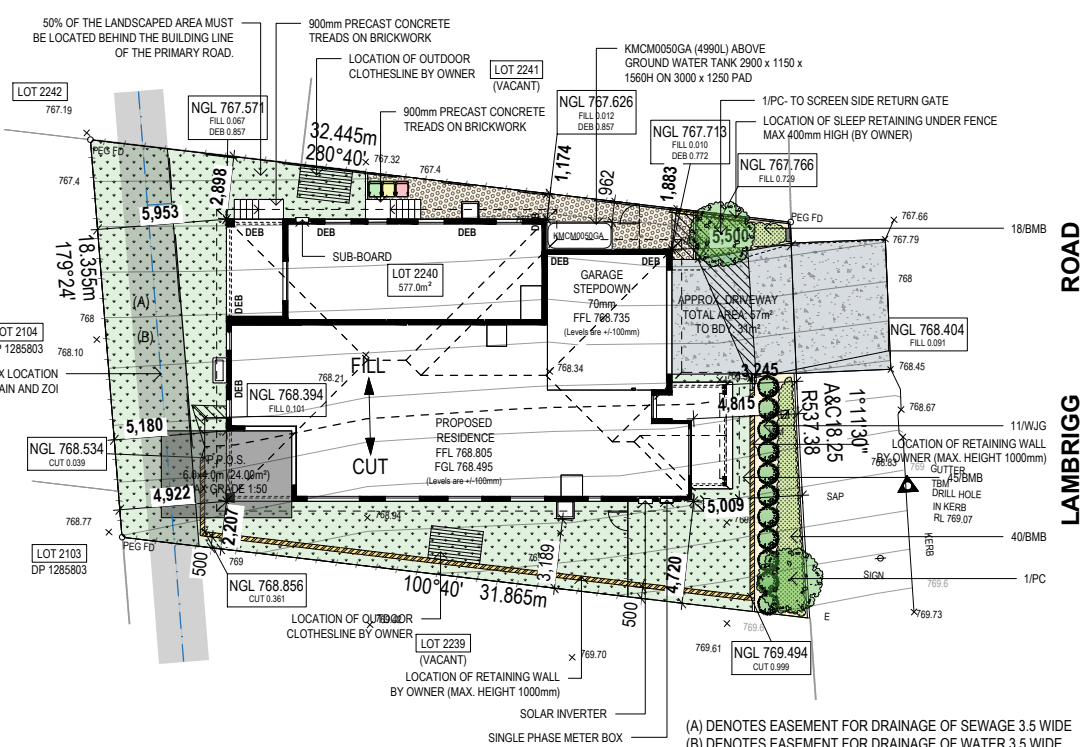
REVISION
A

NORTH

DRAWING TITLE:
DA LANDSCAPE PLAN

CLIENT:
MCDONALD JONES HOMES

ADDRESS:
LOT 2240, DP 1288843, NO.73 LAMBRIGG ROAD, GOOGONG NSW 2620



QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

12 NOVEMBER 2025

ITEM 9.2 DA.2025.0375 - CONSTRUCTION OF DWELLING HOUSE AND
ATTACHED SECONDARY DWELLING - 73 LAMBRIGG
ROAD, GOOGONG

ATTACHMENT 2 SECTION 4.15 ASSESSMENT - DA.2025.0375 - 73 LAMBRIGG
ROAD, GOOGONG

Planning Report - 4.15 Assessment Report



DA No.	DA.2025.0375
Proposal	Construction of dwelling house and attached secondary dwelling
Address	73 Lambrigg Road GOOGONG NSW 2620
Property description	Lot 2240 DP 1288843
Applicant	Mcdonald Jones Homes Pty Ltd
Owner	Michelle Anne Bedson
Assessment officer	Belinda McManus
Date of lodgement	13/08/2025

Conflict of interest declaration

I have considered the potential for a conflict of interest under the Code of Conduct and to the best of my knowledge no pecuniary and/or significant non-pecuniary conflict of interest exists.

Name: Belinda McManus

Date: 30 October 2025

1 APPLICATION OVERVIEW

1.1 EXECUTIVE SUMMARY

Proposal

The application seeks Council approval for the construction of dwelling house and attached secondary dwelling.

Permissibility

The proposed is a permissible use in the R1 General Residential zone.

Integrated Development

No

Notification and submissions

The application was notified from 22/08/2025 to 08/09/2025 and from 28/08/2025 to 15/09/2025 and no submissions were received.

Likely impacts

There are not expected to be adverse environmental impacts on either the natural or built environments or any adverse social or economic impacts in the locality.

Recommendation

It is recommended that the application be approved subject to conditions of consent.

1.2 DETAILED DESCRIPTION OF PROPOSAL

The proposal comprises the following:

Site preparation

- Earthworks associated with the construction of the dwelling.



Planning Report - 4.15 Assessment Report

Works / Construction / building details

- Construction of single storey 3 bedroom (plus study) dwelling house with an attached garage, alfresco and patio.
- Construction of an attached single storey 2 bedroom secondary dwelling and alfresco.

Traffic, parking and servicing

- Access via driveway and crossover to Lambrigg Road,
- Servicing provided to site.

1.3 BACKGROUND

Site History and Previous Approvals

The site is currently vacant.

Pre-lodgement discussion

No formal pre-lodgement meeting was held for the proposal.

Compliance actions

There are no outstanding customer service requests of relevance to the development.

1.4 SITE DESCRIPTION

The site is located at 73 Lambrigg Road, Googong and the title reference is Lot 2240 DP 1288843. The site is zoned R1 General Residential and is a parallelogram shaped lot with mainly disturbed vegetation. The site slopes down to the south and has an area of 577m². Access to the site is from Lambrigg Road.

Adjoining development is as follows:

- North: Residential Dwellings/vacant land,
- East: Residential Dwellings/vacant land,
- South: Residential Dwellings/vacant land,
- West: Residential Dwellings/vacant land,

The locality is characterised by single and two storey residential development.

Property constraints

- Deposited Plan and 88B Instrument - Easement: The site has a 3.5m wide combined sewer and stormwater easement on the rear (Eastern) boundary.

Councils Development Engineer has provided conditions of consent to ensure that the proposed development will not impact on the easement and existing services.

Planning Report - 4.15 Assessment Report



Figure 1: Aerial photograph



Figure 2: QPRLEP 2022 zoning map

Planning Report - 4.15 Assessment Report



Figures 3 and 4: Site photos

1.5 SUBMISSIONS

The application was notified in accordance with QPRC Community Engagement and Participation Plan from **22/08/2025** to **08/09/2025** and from **28/08/2025** to **15/09/2025**, with **no** submissions received.

1.6 CONSULTATION

1.6.1 EXTERNAL CONSULTATION

1.6.1.1 Integrated Referrals

Fisheries Management Act 1994	No	Heritage Act 1977	No
Mine Subsidence Compensation Act 1961	No	National Parks & Wildlife Act 1974	No
Protection of the Environment Operations Act 1997	No	Roads Act 1993	No
Rural Fires Act 1997	No	Water Management Act 2000	No

1.6.1.2 Other External Referrals

Not applicable

1.6.2 INTERNAL CONSULTATION

Development Engineer

Council's Development Engineer has commented on the proposal as follows:

Sewer Available: _____ Yes

Driveway: Vehicle Crossing Only

Water Available: _____ Yes

Kerb and Gutter: _____ Yes

Flood Category: _____ N/A

Footway Width: _____ 5m (no path)

Natural Water Course: _____ No

Footway Grade: _____ 2 – 4%

Planning Report - 4.15 Assessment Report



Drainage Easements: ☒ existing easement over adjoining land

☐ easement required over property or adjoining land

Hydraulics: ☒ attached ☐ unavailable at time of assessment ☐ irrelevant

Is Construction Certificate – Subdivision required: ☐ Yes ☒ No

Water:

20mm water services for both potable and recycled water are provided to the Lot and are clearly marked on site.

Refer to Figure 5 “Tie and Depth” information diagram.

There are no water service easements affected by this development.

Sewer:

A Sewer tie is provided to this Lot, however, is not clearly marked on site.

Refer to Figure 5 “Tie and Depth” information diagram.

A 3.5m wide combined sewer and stormwater easement exists on this Lot running along the Rear (Eastern) boundary of this Lot.

Refer to Figure 5 “Tie and Depth” information diagram.

The proposed residence is situated away from this and will not impact on the zone of influence of the easement or services within; however, the Retaining Wall adjacent the Easement will impact on the zone of influence and services within.

The Retaining Wall adjacent the easement will need to implement pier and beam footings that have been designed and certified by a qualified structural engineer.

Based on WAE records of existing services within the easement, the piers will need to extend (at a minimum) to RL of approximately 767.16m AHD to ensure there is no impact on the easement and existing services within.

Structural plans are to be provided to Council, as the water and sewer authority, for concurrence prior to the issue of a Construction Certificate (Condition DA.06.14).

Hence (Conditions DA.05.23 and DA.06.14 are required).

Planning Report - 4.15 Assessment Report

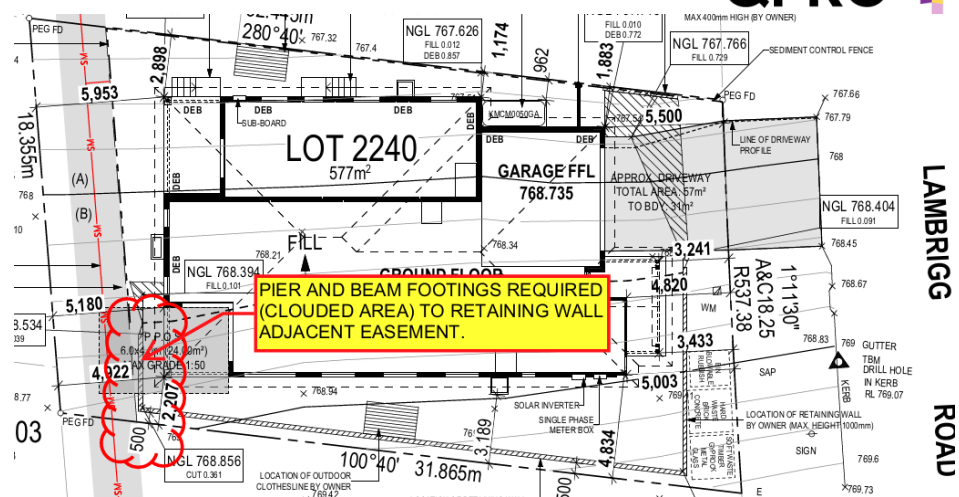


Figure 2 – Easement Protection required.

Stormwater:

A Stormwater tie is provided to this Lot, however, is not clearly marked on site.

Refer to Figure 5 “Tie and Depth” information diagram.

A 3.5m wide combined sewer and stormwater easement exists on this Lot running along the Rear (Eastern) boundary of this Lot.

Refer to Figure 5 “Tie and Depth” information diagram.

The proposed residence is situated away from this and will not impact on the zone of influence of the easement or services within; however, the Retaining Wall adjacent the Easement will impact on the zone of influence and services within.

Refer to “Sewer” above.

Traffic and Parking:

A double garage is shown on the provided plans with clear opening width of 4.8m and 0.3m side clearances and depth in excess of 5.5m within the garage. The plan area complies with requirements of AS.2890.1

Access:

Driveway alignment over Council verge is shown on provided plans is in accordance with Council’s Design Specification D.13 (Vehicular Access Design Specification).

Based on levels shown on provided plans, we have assessed the driveway will be steep (average grade warping approximately between 6.1% and 21.4%) with transitions required to comply with requirements of AS.2890.1 and Council’s Design Specification D.13 (Vehicular Access Design Specification).

Planning Report - 4.15 Assessment Report

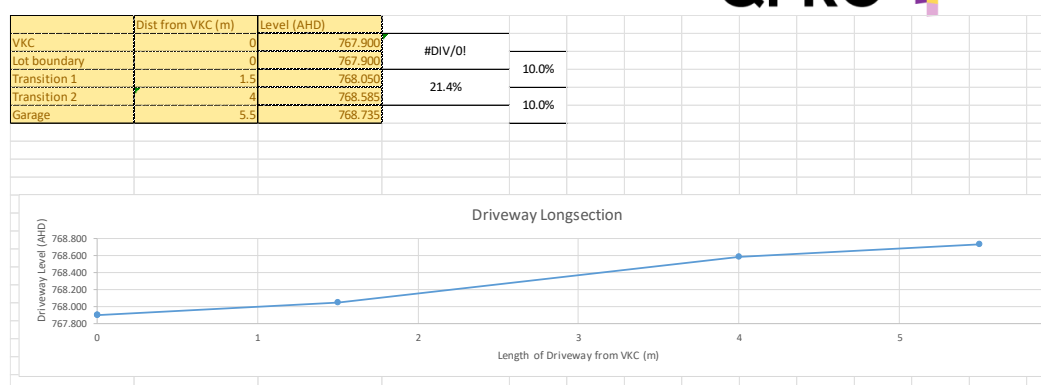


Figure 4 – Driveway grade assessment.

Flooding:

N/A.

Section 64 Contributions (added 17 March 2025)

Contributions were paid by developer at the time of subdivision approval, which credit 1 E.T to the subject lot. The primary dwelling on the lot will utilise the 1 E.T credit, while the secondary dwelling on the lot will increase demand on Councils Sewer and water infrastructure beyond the 1 E.T credit to the lot. Therefore, contributions under Sections 64 will apply.

For the secondary dwelling, Water and Sewer E.T are calculated in accordance with Water Directorate Guidelines as 'Units – 2 Bedroom' which calculates 0.6 E.T for Water and 0.75 E.T for Sewer. Planner to assess and charge accordingly.

Development Contributions Sec 7.11 (added 17 March 2025)

The development is unlikely to generate more than 1vpd and it is expected that the roads surrounding the development will be able to accommodate the additional demand.

Any other Engineering comments:

Nil.

Council's Development Engineer offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

LIS Comments

Council's LIS Officer has commented on the proposal as follows:

Upon the issuing of an approved Occupation Certificate, the following addressing will apply:

Main Dwelling House - 73 Lambrigg Road Googong NSW 2620
Secondary Dwelling - 73A Lambrigg Road Googong NSW 2620

Council's LIS Officer offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

Planning Report - 4.15 Assessment Report



2 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 – 4.15 EVALUATION

2.1 APPLICATION OF PART 7 OF BIODIVERSITY CONSERVATION ACT 2016 AND PART 7A OF FISHERIES MANAGEMENT

Section 7.2 of BC Act 2016

The proposed development will not require the removal of any native vegetation; it is therefore considered that the proposed development is unlikely to have any adverse impacts on threatened species.

Section 7.3 of BC Act 2016

A five-part test was not required to be undertaken as the proposed development will not significantly affect any threatened species, population, or ecological community, or their habitat.

2.2 SECTION 4.14 CONSULTATION AND DEVELOPMENT CONSENT—CERTAIN BUSH FIRE PRONE LAND

The lot is not classified as fire prone land.

2.3 SECTION 4.15(1)(A)(1) ANY ENVIRONMENTAL PLANNING INSTRUMENT

2.3.1 STATE ENVIRONMENTAL PLANNING POLICIES

STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

Preliminary investigations of the subject land were carried out in accordance with the contaminated land planning guidelines. Following remediation of the site at the subdivision stage, relevant Site Audit Statement Reports state that the site is suitable in its current state for the proposed development and no further investigation/remediation works is required. It is considered that the relevant provisions of the SEPP have been satisfied.

The subject lot was approved as part of a residential subdivision and does not require further consideration of contamination.

2.3.2 QUEANBEYAN PALERANG LOCAL ENVIRONMENTAL PLAN 2022

Part 1.2 Aims of the Plan

The aims of the LEP are as follows:

Cl. 1.2(2)	Aims
(aa)	<i>To protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,</i>
(a)	<i>To protect and improve the economic, environmental, social and cultural resources and prospects of the community,</i>
(b)	<i>To facilitate the orderly and economic use and development of land having regard to ecological sustainability principles,</i>
(c)	<i>To provide for a diversity of housing to meet the needs of the community into the future,</i>
(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>
(e)	<i>To keep and protect important natural habitat and biodiversity,</i>
(f)	<i>To protect water quality, aquifers and waterways,</i>
(g)	<i>To keep, protect and encourage sustainable primary industry and associated commerce in rural areas,</i>

Planning Report - 4.15 Assessment Report



(h)	To identify and protect the cultural heritage of the area, including the built heritage and the Aboriginal heritage,
(i)	To protect important scenic quality, views and vistas,
(j)	To facilitate the orderly growth of urban release areas,
(k)	To ensure development does not unreasonably increase the demand for public services or public facilities,
(l)	To identify, protect and provide areas for community health and recreational activities.

Comments: The proposed development is generally consistent with the broad aims of the QPRLEP 2022.

Clause 1.4 Definitions

“dwelling house means a building containing only one dwelling.”

“secondary dwelling means a self-contained dwelling that—

- (a) is established in conjunction with another dwelling (the **principal dwelling**), and
- (b) is on the same lot of land as the principal dwelling, and
- (c) is located within, or is attached to, or is separate from, the principal dwelling.

Note—

See clauses 5.4 and 5.5 for controls relating to the total floor area of secondary dwellings.

Secondary dwellings are a type of **residential accommodation**—see the definition of that term in this Dictionary.”

Secondary Dwelling and Dual Occupancy Map means the [Queanbeyan-Palerang Regional Local Environmental Plan 2022 Secondary Dwelling and Dual Occupancy Map](#).

Part 2 Permitted or prohibited development

Clause 2.2 – zoning of land to which Plan applies

The zoning map identifies the land as being zoned R1 General Residential.

Clause 2.3 – Zone objectives and land use table

The objectives of the zone are as follows:

Zone R1 General Residential

An assessment of the proposal against the objectives of the R1 General Residential zone is included below:

Objectives	Complies
• To provide for the housing needs of the community.	Yes
• To provide for a variety of housing types and densities.	Yes
• To enable other land uses that provide facilities or services to meet the day to day needs of residents.	Yes
• To ensure development complements the character and amenity of the locality.	Yes
• To ensure buildings with non-residential uses have a bulk and scale that is compatible with the zone’s predominantly residential character.	Yes

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Comments: The proposal is considered to be consistent with the objectives of the General Residential Zone because the development is of a residential type, allows for services and facilities to delivered to residents and the development compliments the scale, density and form of the existing development in the area.

The land use table permits the following uses in the zone.

Attached dwellings; Backpackers' accommodation; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Home-based child care; Home industries; Hostels; Hotel or motel accommodation; Information and education facilities; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Residential flat buildings; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Serviced apartments; Shop top housing; Tank-based aquaculture; Veterinary hospitals; Water supply systems

The proposal is categorised as a *dwelling house and a secondary dwelling* as defined and is permissible in the zone with development consent.

Clause 2.6 Subdivision—consent requirements

The proposed development does not include subdivision.

Clause 2.7 Demolition

The proposed development does not include any demolition.

Part 4 Principal development standards

An assessment of the proposal against the relevant provisions contained within Part 4 of the QPRLEP 2022 is provided below:

4.1C Minimum lot sizes for dual occupancies and secondary dwellings

The subject lot is 577m² and does not meet the required lot size of 600m² for a secondary dwelling.

The applicant has submitted a request to vary a development standard pursuant to Clause 4.6 of the *Queanbeyan-Palerang Regional Local Environmental Plan 2022*.

4.2A Erection of dwelling houses on land in certain rural, residential, mixed use and conservation zones

The proposed dwelling is consistent with Clause 4.2A as the lot was also created as part of an approved Council subdivision. The lot also exceeds the minimum lot size of 330m² (577m²).

Clause 4.3 Height of buildings

The site has a height limit of 8.5m where the development is proposed.

The development has a maximum building height of 6.59m which is under the maximum height limit.

Clause 4.6 Exceptions to Development Standards

Under Clause 4.6 of the QPRLEP 2022, the consent authority may consider a variation, where that variation would achieve a better outcome.

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The subject site is zoned R1 General Residential zone and the minimum lot size required under the *Queanbeyan-Palerang Regional Local Environmental Plan 2022* for a secondary dwelling is 600m².

The applicant has submitted a request to vary a development standard pursuant to clause 4.6 of the *Queanbeyan-Palerang Regional Local Environmental Plan 2022*. The standard to be varied is Clause 4.1C *Minimum lot sizes for dual occupancies and secondary dwellings*.

The area of non-compliance is the minimum lot size requirement of 600m², the subject site is 577m² which would result in a variation of 3.9%.

Clause 4.6 of the QPR LEP 2022 sets out the following criteria for assessment of a variation to a development standard:

(1) *The objectives of this clause are as follows—*

(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,

(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

(2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

(3) Development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that—

(a) compliance with the development standard is unreasonable or unnecessary in the circumstances, and

(b) there are sufficient environmental planning grounds to justify the contravention of the development standard.

The applicant has provided a written request that seeks to justify the proposed contravention of the development standard on the following grounds:

NSW Land and Environment Case Law

In order to clarify the extent of the matters required to be addressed within a request for a variation under Clause 4.6, consideration has been given to the following case law:

Wehbe v Pittwater [2007] NSWLEC827

Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC90

Randwick City Council v Micaul Holdings Pty LTD [2016] NSWLEC7

Initial Action Pty Ltd v Woollahra Municipal Council [2018] NSW LEC118

Review of these cases indicates that a request for a variation under the provisions of Clause 4.6 is more onerous than previously required under SEPP 1. The case of Randwick v Micaul indicates that Council, as the consent authority, maintains a high level of discretion with regard to the level of justification required in order to support a variation request.

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The following request provides an assessment of the proposed variation to the minimum landscaped area with respect to the test methodology and requirements outlined within the relevant Case Law and requirements of NSW Councils.

Introduction and Description of the development standard to be varied The Environmental Planning Instrument that applies to the land is Queanbeyan-Palerang Local Environmental Plan 2022. The subject site is zoned R1 Low Density Residential and a variation is sought to 'Clause 4.1C Minimum lot sizes for dual occupancies and secondary dwellings', specifically subclause (3) which states:

(3) Development consent must not be granted for the purposes of dual occupancies or secondary dwellings unless the lot is at least the size shown on the Secondary Dwelling and Dual Occupancy Map for the land.

The Clause in question permits secondary dwellings on land which has a minimum lot size of 600sqm, as per the map. The total land area of the subject allotment is 577sqm, requiring a variation to Councils control.

The proposed variation of 23sqm to the minimum required lot size results in a percentage variation of 3.9%. The development is more than capable of being appropriately sited on the allotment, with minimal to no impacts as a result of the reduction in land size.

In this instance, the variation to the development standard is considered reasonable and as there is no likely impact as a result of the development on the streetscape, amenity of surrounding properties or the residential density of the area, the minor variation is requested to be considered by Council.

What are the objectives of the development standard to be varied?

4.1C Minimum lot sizes for dual occupancies and secondary dwellings (1) The objective of this clause is to achieve planned residential density.

Compliance with the objectives of the development standard

The proposed development on a lot size that does not meet the minimum does not prevent the development being able to achieve the objectives of the zone or the objectives of the development standard. The proposal is considered to remain consistent with the streetscape and will not have any detrimental impact upon the dwelling seeing suitably accommodated on the sites, or the amenity of adjoining properties.

(1) The objective of this clause is to achieve planned residential density.

The residential density of the area is not likely to be detrimentally impacted upon as a result of the proposed secondary dwelling on an allotment that does not meet the minimum requirement. The minimum lot size mapped is 330sqm, which would accommodate a standard two storey residential dwelling with usually four bedrooms. The subject allotment size of 577sqm allows for a single storey development and attached secondary dwelling to be easily accommodated on the site. Secondary dwellings are usually reserved for elderly parents or young adults who may be ready to move out of home but cannot afford to. Its anticipated that the provision of a secondary dwelling on the subject allotment is unlikely to result in increased residential density for the area and will maintain appropriate amenity and streetscape character for the area.

The proposal is easily accommodated on site, with no variations to the setback, site coverage or landscaped area controls. This ensures the development achieves spatial separation and has a reasonable bulk and scale for the area.

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The proposal is considered to maintain the objective of the clause in this instance.

Compliance with the objectives of the zone

The objectives of the R1 Zone are:

- *To provide for the housing needs of the community.*

The proposed secondary dwelling readily accommodates for the housing needs within the community through the provision of more affordable housing options.

- *To provide for a variety of housing types and densities.*

The provision of an attached secondary dwelling provides for variety in housing options, providing smaller more affordable options within the area.

- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The development is not anticipated to impact upon the provision of facilities or services to meet the requirements of residents. Residents will still be able to carry out a range of activities, without affecting adjoining properties.

- *To ensure development complements the character and amenity of the locality.*

The attached secondary dwelling remains single storey in height and is located behind the building line of the primary dwelling. As viewed from the street, the development will maintain an appropriate character and will not interrupt upon the amenity of the area.

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

The proposed secondary dwelling will not have any detrimental impact upon surrounding dwellings or the streetscape. The development has been designed to retain a high level of amenity for adjoining residents and the streetscape, and the high quality design will ensure the development maintains the character and amenity of the area. The single storey design of the development will ensure there is no impact upon privacy or amenity of the adjoining properties.

As the development remains able to meet the requirements for low density residential living without any detrimental impact on the amenity of the surrounding sites, the development is found to achieve the objectives of the R1 General Residential Zone.

Is compliance with the development standard unreasonable or unnecessary in the circumstances of the case?

The requested variation to the minimum lot width provisions is considered to be a reasonable and appropriate outcome for the following reasons:

- *The development standard objectives and zone objectives are able to be maintained despite contravention to the numerical requirement.*
- *The variation to the lot size is considered reasonable and the development is capable of being appropriately sited despite the variation. Strict enforcement of the control will not result in a better outcome for housing options.*
 - *The reduced lot size does not stop the development from providing suitable setbacks, site coverage and landscaped areas that will ensure the development maintains the streetscape and landscape qualities of the area.*

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- The proposed development will not have any detrimental impact upon the streetscape or adjoining properties and is considered to result in an appropriate outcome for the site.
- The development meets with the Councils permitted site coverage, landscaping and maximum height provisions, ensuring the development will not be excessive on the site.
- The subject site continues to allow for a high level of amenity to the dwellings on the adjoining properties. The amenity of the adjoining properties will not be impacted upon as a result of the provision of a secondary dwelling on an allotment with a slightly reduced lot size.
- The amenity of the proposed dwellings are considered to be of a high standard despite the variation. The rear POS areas are highly functional and will receive a high degree of solar access throughout the day.
- The General Residential zone is intended to provide for variation in housing choice while maintaining a suitable residential density environment. The proposed development achieves these objectives and complements the surrounds.
- The development has been designed and sited in a manner that will not result in any impact beyond that of a compliant proposal.

The lot size is considered reasonable in this instance as the proposed development does not result in any impact upon the planned density of the area through appropriate design of the development. The site still easily accommodates the development, without having any detrimental impact upon the amenity of surrounding properties or excessive impact upon the bulk and scale of the streetscape.

Sufficient environmental planning grounds that are particular to the circumstances of the proposed development

There are sufficient environmental planning grounds in these circumstances to justify contravening the lot width development standard. The development is not considered to be overdevelopment of the site and sufficient grounds for the variation are provided below:

- The proposed development is able to maintain the objectives of the R1 General Residential Zone, as well as the objective of the development standard.
- The variation to the lot width does not result in the development being unable to comply with any other control relating to the site. The development maintains the development standards required (LEP and DCP) and does not result in any excessive visual bulk or scale.
- The proposal is compliant with regards to key DCP requirements such as landscaping, setbacks, private open space and solar access. Additionally, the proposal does not have any detrimental impact upon the amenity of adjoining properties.
- The proposal is a well considered, high quality design solution that sensitively responds to the site context and character and scale of the surrounding built form to ensure the privacy, view sharing and solar access of the subject site and surrounding properties is maintained.

In determining if there are sufficient environmental planning grounds the Initial Action judgment considers that it is appropriate to apply the Objectives of Section 1.3 of the EP&A Act in order to demonstrate that the grounds exist to warrant a variation.

The objectives of 1.3 are listed along with a comment with respect to compliance in the table below.

Objective	Comment
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<i>(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources.</i>	<i>This object is not relevant to this development.</i>
<i>(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment.</i>	<i>The proposal will facilitate an ecologically sustained development given that no negative impact on environmental and social considerations are present. This in turn will serve to offer the ongoing sustainment of the economic health of the area.</i>
<i>(c) to promote the orderly and economic use and development of land.</i>	<i>The proposed development will maintain the orderly and economic use of the land by providing a development and land use that is consistent with that envisaged by Council through zoning.</i>
<i>(d) to promote the delivery and maintenance of affordable housing.</i>	<i>This object is not relevant to this development.</i>
<i>(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats.</i>	<i>There is no anticipated impact upon any threatened species of ecological communities.</i>
<i>(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage).</i>	<i>This object is not relevant to this development.</i>
<i>(g) to promote good design and amenity of the built environment.</i>	<i>The proposed development is a high quality design that remains within the a suitable built form and scale to be aesthetically appropriate. The proposed development is considered to appropriately respond to the established and changing character of the development identified within both the immediate and broader context. The development maintains the amenity of the area through a suitable design.</i>
<i>(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants.</i>	<i>The proposed development will comply with all relevant BCA codes and will promote the health and safety of occupants.</i>
<i>(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State.</i>	<i>This object is not relevant to this development.</i>
<i>(j) to provide increased opportunity for community participation in environmental planning and assessment.</i>	<i>The proposed development has been publicly notified to meet with this objective.</i>

Based on the above, the consent authority can be satisfied that the proposed development remains consistent with the Objects of the Act despite the variation to the minor height breach.

Does the development remain within the public interest?

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There is overall public benefit in maintaining the development standards, however, there is also benefit to providing flexibility in specific circumstances. Strict compliance with the development standards would waive the opportunity to provide a superior design outcome that is in keeping with the height, scale and character of the surrounding built form.

On balance, the proposed minor variation to the lot size in order to accommodate suitable residential development is considered to be an appropriate use of the provisions of Clause 4.6.

Conclusion

The contravention of the development standard in this case will not raise any issues of State or regional planning significance as it relates to local and contextual site conditions. The proposed works will provide for the housing needs of future residents by providing a suitable functionality and amenity of the development while retaining the character of the built form within the streetscape, which will in turn assist in meeting local housing demand.

Variations under the provisions of Clause 4.6 are understood to be permitted in circumstances where the non-compliant development is found to be able to meet with the objectives of the zone, but does not expressly need to result in a better outcome than a compliant proposal. In this case, the variation to the lot width to allow a dual occupancy results in a suitable outcome where the development can be accommodated on the site despite a minor departure from the control. The development is considered to meet with the objectives of the zone.

Numerical provisions such as the minimum lot width are considered to be in force as a guide to achieve the objectives of the control. In this instance the objective of maintaining residential density in the R1 zone is achieved through the appropriate design and siting of the development. The variation is not anticipated to result in any detrimental impact to surrounding properties.

It is requested that Council consider this variation due to the minimal impact upon the surrounding properties and the public places. The development is considered to be an ideal outcome for the site, resulting in a high quality development that makes best use of the available areas. The proposed development is considered to result in an improved outcome for the site that provides a variety in housing options and provides a suitable development despite the numerical non-compliance with Council's current control.

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The proposal is considered to be consistent with the objectives of the development standard in that:

- The development is of a residential type and will provide for a variety of housing type,
- The development is a permissible use and is consistent with the desired character and amenity of the locality,
- The variation does not adversely affect the streetscape and compliments the scale, density and form of the existing development in the area,
- The dwellings will have sufficient private open space and solar access,
- The development generally complies with the development controls including site coverage,
- The development complies with the LEP requirements for height and floor area for a secondary dwelling.

In conclusion, the applicant's written request to justify the contravention of the minimum lot sizes for dual occupancies and secondary dwellings development standard is considered to be well founded in that the applicant has satisfactorily demonstrated that compliance with the standard is unnecessary or unreasonable in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.

Part 5 Miscellaneous provisions

The relevant provisions contained within Part 5 of the QPRLEP 2022 are addressed below as part of this assessment:

Clause 5.4 Controls relating to miscellaneous permissible uses

The proposal is consistent with Clause 5.4 (9) as the secondary dwelling does not exceed 60 square meters; the secondary dwelling is proposed to have a floor area of 57.69m².

Part 7: Additional local provisions

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

Clause 7.1 Earthworks

Clause 7.1 of the QPRLEP 2022 establishes a number of matters requiring consideration for development involving earthworks. Earthworks associated with the development are proposed and form part of this application. 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.

Clause 7.8 Airspace operations

Clause 7.8 of the QPRLEP 2022 makes provisions for developments located in areas that are affected by airspace operations. The proposed development penetrates the 720.00AHD level on the Obstacle Limitations Surface (OLS) Map for the Canberra Airport. This is because the existing ground level of the majority of land within Googong Township is above 720.00AHD. The Commonwealth department responsible for assessing intrusions into the OLS has issued Controlled Activity approval for the construction of dwellings in Neighbourhoods 1A and 1B, Neighbourhood 2 (as per advice for DA 123-2017 dated 12 October 2017), Neighbourhoods 3, 4 and 5 (as per advice for DA.2021.1549 dated 21 January 2022). The approvals are subject to

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structures not exceeding a maximum height of 822m AHD or 20m AGL inclusive of vents, chimneys, aerial, antennas (of whatever type) lightning rods etc.

The highest contour level at the site is 769.6 and with a maximum building height of 6.59m, the proposed development is within the approved height restrictions.

Clause 7.12 Essential services

Clause 7.12 of the QPRLEP 2022 requires satisfactory arrangements to be made for water supply, stormwater drainage, solid domestic waste, sewage, and the treatment and disposal of effluent. Along with the supply of electricity and suitable vehicle access.

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

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

Council's Development Engineer has assessed the proposed development and confirmed that the site **does** have suitable vehicle access and adequate services are available.

2.4 SECTION 4.15(1)(A)(II) ANY PROPOSED INSTRUMENT

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

2.5 SECTION 4.15(1)(A)(III) ANY DEVELOPMENT CONTROL PLAN

2.5.1 QUEANBEYAN DEVELOPMENT CONTROL PLAN 2010

Part 1

Controls/objectives	Comment	Compliance
1.8 Public Notification of Development Application Notification to be undertaken in accordance with requirements of Table 1.8.1	No submissions were received.	Yes

Part 2 – All Zones

Controls/objectives	Comment	Compliance
2.2 Car Parking		
2 off street car parking spaces to be provided	Two car parking spaces provided.	Yes
2.3 Environmental Management		
New Dwellings to comply with SEPP Building Sustainability Index: BASIX 2004.	A BASIX certificate has been submitted.	Yes

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2.4 Contaminated Land Management		
a) All development involving contaminated land must be undertaken consistent with the requirements of <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> and the <i>QPRLEP 2022</i> Clause 7.1 - Earthworks. b) In determining all rezoning, subdivision and development applications, Council must consider the possibility of land contamination and the implications it has for any proposed or permissible future uses of the land.	Refer to SEPP (Resilience and Hazards) 2021 assessment	Yes
2.6 Landscaping		
In Googong landscape plans are to be submitted.	A landscape plan has been provided – See further discussion in Section 6.8 of this report.	Yes
2.7 Soil, Water and Vegetation Management Plans		
Sediment and erosion controls to be installed prior to work commencing and be maintained throughout the course of construction.	A condition of consent will be imposed to control any potential soil erosion during construction	Yes
2.9 Safe Design		
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. b) Pedestrians and cycle thoroughfares are reinforced as safe routes through: i) appropriate lighting ii) casual surveillance from the street iii) minimised opportunities for concealment	The proposed development is for residential use and will generally satisfies the relevant provisions of this clause.	Yes

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iv) landscaping which allows clear sight-lines between buildings and the street v) avoidance of blind corners c) Site planning, buildings, fences, landscaping and other features clearly define public, common, semi-private and private space.		
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2.5.2 GOOGONG DEVELOPMENT CONTROL PLAN 2010

Part 6 – General Residential - Single Dwellings, Alterations/Additions

Section A: Streetscape and Urban Character

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
6.2 Streetscape		
a) To create an attractive and cohesive streetscape through the use of a mix of compatible materials including masonry, timber and glass and the provision of simple and articulated building and roof forms.	Refer to assessment against Table 1.	Yes
b) New buildings shall adhere to the minimum building setbacks as set out in Table 1.	Refer to assessment against Table 1.	Yes
c) Any building with walls on the boundary shall adhere to the zero lot line requirements set out in Table 1.	Not applicable	N/A
d) Corner sites are developed as visually significant elements in order to promote a strong and legible character, while maintaining sight lines for the safety of pedestrians and vehicles. Façade treatment should address both street frontages.	Not applicable	N/A
e) There is to be a clear distinction between private and public space and to encourage casual surveillance of the street.	The principal dwelling will have frontage to a public road with clear pedestrian access. Future landscaping will also aid in defining both private and public areas.	Yes
f) Where a rear lane is provided to a dwelling house, vehicular	Not applicable	N/A

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access to the front of the dwelling house shall be denied.		
g) Where a rear laneway is not provided to a dwelling house, garages facing a street shall comply with the maximum garage to house frontage requirements set out in Table 1.	Refer to assessment against Table 1.	Yes
h) Where a rear laneway is not provided garage doors are adhere to the requirements set out in Table 1.	Refer to assessment against Table 1.	Yes
i) Elements such as fences, walls, hedges, level changes and landscaping or a combination of these elements are to define the front boundary.	Future landscaping will aid in defining private and public areas.	Yes
j) Retaining walls forward of the building line are to be no greater than 1.0m in height.	The height of the proposed retaining wall will not exceed 1m.	Yes
k) Fences – forward of the building line to the primary and secondary road frontage as per Table 1.	Refer to assessment against Table 1.	Yes
6.4 Building Form and Design		
a) Building form shall be modulated with articulated facades to avoid a heavy bulky appearance.	The proposed dwelling adequately addresses the streetscape with articulated facades.	Yes
b) Development is to exhibit a high degree of design quality and provide attractive street frontages by ensuring that all dwellings have a main element to address the street.	The frontage of the proposed dwelling incorporates a mix of brick and Colourbond to create an attractive and cohesive streetscape.	Yes
c) The facade of a dwelling on a corner lot is to address both streets and is to be appropriately articulated.	Not applicable.	N/A
d) Articulation zones shall be designed to adhere to the requirements set out in Table 1.	Refer to assessment against Table 1.	Minor variation acceptable
e) The 'Articulation zone' consists of architectural elements which address the street frontage and assist in creating a character in an area. Elements permitted in the articulation zone include the following: Entry feature or portico, awnings or other features over windows	The articulation consists of a patio entrance with frontage to the street.	Yes

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and sun shading, balcony (roofed or unroofed) or window box treatment to any first floor element, recessing or projecting architectural elements, open verandahs, bay windows or similar features.		
f) Building designs are to allow an adequate level of sunlight to be provided to the private open space of neighbouring properties.	It is considered that the proposed development will not result in any adverse overshadowing impacts on adjoining properties; the dwelling is single storey and exceeds the minimum setbacks.	Yes
6.5 Height and Site Coverage		
a) The maximum height for buildings shall be 8.5m, as per the <i>Queanbeyan-Palerang Regional Local Environmental Plan 2022 (QPRLEP 2022)</i> . b) The building height is taken as the vertical distance between ground level (existing) and the highest point of the building, as per <i>QPRLEP 2022</i> .	The maximum building height of 6.59m	Yes
c) New buildings shall adhere to the maximum site coverage set out in Table 1. d) Site Coverage is defined under the <i>QPRLEP 2022</i> as meaning the proportion of a site covered by buildings. However, the following are not included for the purpose of calculating site coverage: - Any basement, - Any part of an awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary, - Any eaves, Unenclosed balconies, decks, pergolas and the like.	Refer to assessment against Table 1.	Yes
6.6 Privacy and View Sharing and Acoustic Controls		
Visual Privacy Controls a) Windows of upper-level habitable rooms and balconies are to be designed to avoid overlooking of the private open	The proposed single storey dwelling does not have an excessive high floor level in the habitable rooms or proposed balconies that	Yes

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space of neighbouring properties. b) Appropriate screening, which is permanent, fixed and durable, is to be provided in cases where overlooking cannot be prevented. <i>Note:</i> Windows in habitable rooms other than bedrooms where the floor level is more than 1 metre above ground level and less than 3m from the side/rear boundary may require privacy screens or other suitable privacy measures.	would potentially impact the POS of neighbouring properties.	
View Sharing Controls c) Development is to be designed to minimise loss of views from neighbouring properties. Significant views within Googong such as the hilltops, Googong Common and the surrounding farmlands are to be valued and shared.	The proposed single storey dwelling-house will not reduce views from neighbouring properties or impact on significant views. It is below the permissible height limit and complies with the required building setbacks.	Yes
Acoustic Privacy Controls d) Noise sources such as air conditioners, exhaust fans and the like shall be sound insulated or located away from noise sensitive areas such as bedrooms.	Plans indicate that the air conditioning unit will be located on the rear elevation of the dwelling. The unit will be clear of bedrooms windows and over 4m to the adjoining rear boundary.	Yes
6.7 Safety and Security		
a) Design buildings and landscaping in accordance with Section 2.9 of the <i>Queanbeyan Development Control Plan 2012</i> – Safe Design.	The proposed development is for residential use and will generally satisfies the relevant provisions of this clause.	Yes

Section B: Site Amenity

Controls/objectives	Comment	Compliance
6.8 Private Open Space and Landscape Design		
a) Landscaping to comply with Table 1 b) Each dwelling is required to be provided with private open space adhering to the requirements set out in Table 1.	Refer to assessment against Table 1.	Yes

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c) Open space is not to be generated by left-over spaces resulting from building siting and location but shall be attractive, useable spaces. d) The principal private open space is to be: i. Located behind the building line to the main street frontage. ii. Directly accessible from, and adjacent to, a habitable room, other than a bedroom. Located to have a northerly aspect, where possible.	Alfresco and private open space areas are accessible from the living spaces and located in the rear of the yard.	Yes
e) A landscape plan is to be prepared and submitted and must incorporate: i. Front gardens to include at least 2 'small' trees appropriate for the size of the front garden. ii. Rear yards shall be capable of accommodating grassed areas, or open space with other soft, permeable ground cover, with good solar access. iii. Rear yards of allotment greater than 900m² shall accommodate at least one large tree, 8m to 15m high at maturity, to establish a natural canopy above the site. iv. Clothes drying areas are to be concealed from view from the street.	The landscape plan identifies 2 feature trees within front yard and the areas within the rear yard are capable of accommodating grassed areas or other soft permeable ground covers.	Yes
6.9 Car Parking and Garages		
Parking Controls a) All on-site parking is to be provided in accordance with Table 1.	Refer Table 1 for detailed assessment of these matters.	Yes
b) Parking may be provided in tandem.	Not applicable	N/A

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c) All off street parking shall be designed in accordance with AS 2890.1-2004 – <i>Parking Facilities, Part 1: Off Street car parking.</i>	Not applicable	N/A
d) Garage doors of single dwelling developments are to be set back at least: i. 1m behind the front facade of the building and a minimum of 5.5m from the front boundary to allow another car to park on site in driveway if necessary.	The double garage has an opening width of 4.8m and 0.3m side clearances and depth in excess of 5.5m within the garage. Councils Development Engineer has advised that the plan area complies with requirements of AS.2890.1.	Yes
e) Garage door widths are to adhere to the requirements of Table 1.	Refer to assessment against Table 1.	Yes
f) Garages are to be treated as an important element of the dwelling façade and are to be integrated with and complementary, in terms of design and material, to the dwelling design.	It is considered that the garage will not have any significant impacts on the prevailing streetscape. A section of the garage is to be located behind porch which will provide articulation and reduce the bulk of the garage to the street.	Yes
g) When facing the street, the maximum total width of a garage, carport or covered car parking space is to comply with the maximum garage to house frontage requirements as set out in Table 1.	Refer to assessment against Table 1.	Yes
h) Garages, carports and covered parking spaces with a column or structure on one or both sides shall be at a minimum: i. Single garage or carport – 3.0m wide, 5.5m in length and with a garage door opening of 2.4m. ii. Double garage or carport – 5.4m wide, 5.5m in length and a garage door opening of 4.8m.	Complies.	Yes
i) The maximum width of a driveway at the property boundary shall be 4.5m.	Councils Development Engineer has advised that the driveway alignment over Council verge is shown on provided plans is in accordance with Council's Design Specification D.13 (Vehicular Access Design Specification).	No – Minor variation acceptable

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j) Any proposed car parking spaces located within a front or rear setback shall remain uncovered and shall have a minimum length of 5.5m.	Not applicable.	N/A
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Table 6.3 Single dwelling requirements

Lot Size	450 < 600m²	Compliance
Lot width (min) 12m	Complies – 18.25m	Yes
Site coverage max 50%	Complies – 47%	Yes
Building height As per QPRLEP 2022 8.5m	Complies – 6.59m	Yes
Front setback min (excluding garages, carports and covered car parking spaces) 4.0m	Complies – 4.82m	Yes
Garage, carport and covered car parking space setback to front boundary 1.0m behind the front façade and a minimum of 5.5m from the front boundary	Complies – 5.5m from front setback and 1m behind front of dwelling.	Yes
Garage to house frontage (front facade only) 50%	Complies – 4.8m garage door	Yes
Articulation Zone may encroach within front setback Measured from the minimum setback of the lot, 1.5m encroachment for 45% of the total width of the dwelling on the side at which the articulation zone is proposed	The patio (entrance) will encroach 1.835m exceeding the required 1.5m. The variation is considered suitable as the patio will not have a significant impact on the prevailing streetscape and will provide suitable articulation to the front façade. The encroachment is also less than the permitted width of the dwelling at 39.6%.	Minor variation acceptable
Side setback min 0.9m (0m for zero lot line – single storey only on one side only)	Complies – 1.174m and 2.2m	Yes

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Rear setback minimum where there is no rear laneway for building wall height up to 4.5m 3.0m for building height up to 4.5m	Complies - 4.922m	Yes
Landscaped area minimum requirements (Permeable area, grasses, trees and the like) 20% of the area of the lot must be landscaped with a minimum width of 1.5m. 25% of the area forward of the building line to the primary road must be landscaped. 50% of the landscaped area must be located behind the building line of the primary road.	The site has sufficient area to meet the minimum landscaped area requirements.	Yes
Principal private open space (PPOS) Minimum area 24m ² with a minimum width of 3m	Complies	Yes
Principal private open space - location requirements Private open space is to be: ▪ Located behind the building line to main street frontage ▪ Directly accessible from, and adjacent to, a habitable room, other than a bedroom ▪ Located to have a northerly aspect, where practical	Complies	Yes
Car parking spaces minimum number 2 spaces required per dwelling in a double garage. No allocated spaces should be forward of the building line	Complies.	Yes
Garage door width (front façade only) Total width of all garage doors must not exceed: ▪ 3.2m on lots 8m to 12m wide measured at the building line, or	Complies.	Yes

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▪ 6m if the lot is greater than 12m wide measured at the building line		
Earthworks 1.5m Maximum cut and fill	Complies	Yes
Privacy Privacy considerations must be determined on merit. As a guide windows in habitable rooms, other than bedrooms, that the floor level is more than 1m above ground level and less than 3m from the side and rear boundary may require privacy screens	It is considered that the proposed development will not result in any adverse impacts on the visual privacy of the dwellings or adjoining owners.	Yes
Fences and retaining walls Forward of the building line – Be no more than 1.2m above ground level (existing) and be open style for at least 50% of the upper 2/3 of the area of the fence, except for corner lots (see diagram under 6.2) Behind the building line – Be no more than 1.8m above ground level (existing) For sloping sites – at each step – 1.6m above ground level forward of the building line and 2.2m above ground level behind the building line	No fencing is shown to be forward of the building line and boundary fencing is not shown and can be undertaken in accordance with the exempt development code. A side gate to a height of 1.8m is proposed behind the building line.	Yes
Clothes drying Provide an area capable of accommodating an open air clothes drying area screened from public street	Clothes drying areas are provided along the side boundaries behind the building line.	Yes
Garbage area Locate behind building line Area must accommodate a minimum of 3 waste bins	The site has sufficient area to accommodate waste bins behind the building line.	Yes

Section C: Energy Efficiency, Waste and Water Conservation

Controls/objectives	Comment	Compliance
6.10 Thermal performance		

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Building Performance Controls a) All dwellings within the Googong township are to comply with the relevant energy efficiency requirements of <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i>. A BASIX Certificate is to accompany all development applications for new dwellings and for alterations and additions to existing dwellings having an estimated construction cost of \$50,000 or more.	The proposal was supported by a BASIX certificate. The proposal is satisfactory in this regard.	Yes
6.11 Solar Access		
a) Buildings shall be sited and designed to maximise sunlight to north facing windows and private open space.	The building has been designed to access north for the family, dining and alfresco areas.	Yes
b) Buildings shall be designed to take advantage of energy saving technology such as solar panels.	The BASIX certificate includes a number of energy saving mechanisms; solar panels are also indicated on the roof plan.	Yes
c) Windows are to be protected from direct summer sun with appropriate shading devices such as hoods, eaves and louvres.	The dwellings contain eaves which aid in limiting the amount of direct sunlight to windows.	Yes
d) Living areas are to generally have a northern orientation and be directly accessible to private open space areas.	Alfresco and private open space areas are accessible from the living spaces.	Yes
6.12 Energy and Natural Ventilation		
a) Buildings shall be designed and orientated to take optimal advantage of passive solar access and prevailing breezes.	The building is designed to take into account a northerly aspect and capable of accessing prevailing breezes.	Yes
b) To reduce energy consumed by clothes drying machines, all dwellings are to be provided with secure, open air clothes drying facilities.	Outdoor clothes drying areas are provided.	Yes
c) Where feasible make use of solar energy and solar hot water.	Solar panels are indicated on the roof plan.	Yes

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d) Ventilation of residential buildings can be achieved by permanent openings, windows, doors or other devices.	The building is designed to access prevailing breezes.	Yes
6.13 Waste Management		
a) A storage area capable of accommodating a minimum of three waste bins is to be located behind the front building line.	The site has areas capable of accommodating waste bins behind the building.	Yes
6.14 Water Conservation		
a) All dwellings are to be connected to the Googong reticulated alternate water supply system. This is to be done by connecting to the toilets and at least two outside taps with a minimum of one to the front and rear of the dwelling. b) Water conservation measures identified in any BASIX certificate must be incorporated into the development. c) Water storage tanks are to be provided and must be connected to the cold water tap that supplies each clothes washer.	The proposed dwellings appear capable of being connected to the Googong reticulated alternative water supply system. Ensuring the system is connected to the appropriate fixtures will form part of the water plumbing inspection.	Yes

Section D: Environmental Management

Controls/objectives	Comment	Compliance
6.15 Soil and Salinity		
a) All sediment and erosion controls are to be installed prior to the commencement of any construction works and maintained throughout the course of construction until disturbed areas have been stabilised.	A condition of consent will be imposed to control any potential soil erosion during construction.	Yes
6.16 Excavation 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.	Complies – 1m (maximum).	Yes
b) The maximum height of retaining walls shall be 1.5m.	Complies – 1m (maximum).	Yes

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c) Where terraced walls are proposed the minimum distance between each step is 0.5m.	Not applicable.	N/A
d) Batters shall be limited to a maximum gradient of 1 vertical: 4 horizontal.	Conditioned to comply.	Yes
e) Proposed excavation or fill in the vicinity of sewer and stormwater mains must comply with Council's Development Adjacent to Water, Sewer and Stormwater Mains Policy.	Councils Development Engineer has provided conditions of consent to ensure that the proposed development will not impact on the easement and existing services.	Yes
6.17 Stormwater Management and Flooding		
a) All stormwater generated on site is to discharge to Council stormwater system.	Conditioned to comply.	Yes
b) Water storage tanks to be provided where BASIX certificates requires such items.	Conditioned to comply.	Yes

2.5.3 CONTRIBUTIONS PLANS

Section 64 of the Local Government Act 1993.	Section 64 Contributions are applicable to the proposed development. Contributions were paid by developer at the time of subdivision approval, which credit 1 E.T to the subject lot. The primary dwelling on the lot will utilise the 1 E.T credit, while the secondary dwelling on the lot will increase demand on Councils Sewer and water infrastructure beyond the 1 E.T credit to the lot. Therefore, contributions under Sections 64 will apply. For the secondary dwelling, Water and Sewer E.T are calculated in accordance with Water Directorate Guidelines as 'Units – 2 Bedroom' which calculates 0.6 E.T for Water and 0.75 E.T for Sewer.
Section 7.11 of the Environmental Planning & Assessment Act 1979.	Section 7.11 Contributions are not applicable to the proposed development.
Section 7.12 of the Environmental Planning & Assessment Act 1979.	Section 7.12 Contributions are not applicable to the proposed development.

2.6 SECTION 4.15(1)(A)(IIIA) ANY PLANNING AGREEMENT THAT HAS BEEN ENTERED INTO UNDER SECTION 7.4, OR ANY DRAFT PLANNING AGREEMENT THAT A DEVELOPER HAS OFFERED TO ENTER INTO UNDER SECTION 7.4

There are no planning agreements entered into or any draft agreement offered to enter into under S7.4 which affect the development.

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2.7 SECTION 4.15(1)(A)(IV) THE REGULATIONS (TO THE EXTENT THAT THEY PRESCRIBE MATTERS FOR THE PURPOSES OF THIS PARAGRAPH)

61 What additional matters must a consent authority take into consideration in determining a development application?

None required.

62 Consideration of fire safety

None required.

64 Consent authority may require buildings to be upgraded

None required.

2.8 SECTION 4.15(1)(B) THE LIKELY IMPACTS OF DEVELOPMENT

There are not expected to be adverse environmental impacts on either the natural or built environments. There are also not expected to be any adverse social or economic impacts in the locality.

This is demonstrated through the following:

- The proposal is satisfactory with regard to the applicable planning controls as detailed in the body of this report.
- No submissions were received following notification.
- Internal and external referrals are satisfactory subject to appropriate conditions of consent

2.9 SECTION 4.15(1)(C) THE SUITABILITY OF THE SITE FOR DEVELOPMENT

Does the proposal fit in the locality?

The proposal is considered appropriate with regard to the zoning of the site and is not expected to have any negative impacts on the amenity of the locality or adjoining developments.

Are the site attributes conducive to development?

There are no site constraints that would prevent the proposal.

2.10 SECTION 4.15(1)(D) ANY SUBMISSIONS MADE IN ACCORDANCE WITH THIS ACT OR THE REGULATIONS

See section 1.5 of this report.

2.11 SECTION 4.15(1)(E) THE PUBLIC INTEREST

The application is not expected to have any unreasonable impacts on the environment or the amenity of the locality. It is considered appropriate with consideration to the zoning and the character of the area and is therefore considered to be in the public interest.

3 RECOMMENDATION

This application has been assessed as satisfactory having regard to the Heads of Consideration under Section S4.15(1) of the Environmental Planning and Assessment Act 1979, the provisions of *Queanbeyan-Palerang Local Environmental Plan 2022* and all relevant Council DCPs, Codes and Policies.

Recommendation is for conditional consent.

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

12 NOVEMBER 2025

ITEM 9.2 DA.2025.0375 - CONSTRUCTION OF DWELLING HOUSE AND
ATTACHED SECONDARY DWELLING - 73 LAMBRIGG
ROAD, GOOGONG

ATTACHMENT 3 RECOMMENDED CONDITIONS OF CONSENT - DA.2025.0375 -
73 LAMBRIGG ROAD, GOOGONG

APPROVED DEVELOPMENT AND PLANS

1. Plans and documents

The development referred to in the application is to be carried out in accordance with the approved plans and documents including the following:

Title / Description	Prepared by	Issue/Revision & Date	Date received by Council
Site Plan (2/17)	McDonald Jones	06/08/2025	13/08/2025
Floor Plan (4/17)	McDonald Jones	06/08/2025	13/08/2025
Roof Plan (5/17)	McDonald Jones	06/08/2025	13/08/2025
Elevations/Sections (7/17)	McDonald Jones	06/08/2025	13/08/2025
Elevations (8/17)	McDonald Jones	06/08/2025	13/08/2025
External Palette (301402)	My Choice Design Studio		13/08/2025
Landscape Plan (LP-26701)	mYard Landscape Design	23/07/2025	13/08/2025

except as modified by any of the following conditions of consent.

In the event of any inconsistency between conditions of this consent and the drawings / documents referred to above, the conditions of this consent prevail.

Reason: Development is undertaken in accordance with this consent & is used for the approved purpose only.

GENERAL CONDITIONS

2. Obtain Construction Certificate (Building)

Obtain a construction certificate from Queanbeyan-Palerang Regional Council or an appropriately accredited private certifier before undertaking any work. Forward a copy of any construction certificate issued by a private certifier to Queanbeyan-Palerang Regional Council at least 2 days before undertaking any work in accordance with that construction certificate.

Reason: Work is undertaken in accordance this consent & relevant construction standards.

3. Obtain Occupation Certificate

Do not occupy or use the premises until an occupation certificate has been issued by Queanbeyan-Palerang Regional Council or an appropriately accredited private certifier. Provide a copy of any occupation certificate, issued by a private certifier, to Queanbeyan-Palerang Regional Council no later than 2 days after the occupation certificate is issued.

Reason: Ensure that the building complies with relevant standards.

4. Comply with the Building Code of Australia

All work is to comply with the current edition of the Building Code of Australia.

Reason: All building work is carried out in accordance with relevant construction standards.

5. Construction within Boundaries

The development including but not limited to footings, walls, roof barges and guttering must be constructed wholly within the boundary of the premises. No portion of the proposed

structure shall encroach onto the adjoining properties. Gates must be installed so they do not open onto any footpath or adjoining land.

Reason: Approved works are to be contained wholly within the subject site.

6. Retaining Walls

All excavations, backfilling and other activities associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards. Excavations or fill extending to within 1m of boundary must be supported by retaining wall/s. Retaining wall/s that exceed 600mm in height are required to be certified by a structural engineer and included in any construction certificate application for the site.

Reason: Retaining walls are structurally strong enough to bear the loads put on them.

7. Batters

No batter is to have a gradient greater than 1:4. Batters greater than 1:4 must be retained.

Reason: Prevent soil erosion, water pollution and the discharge of loose sediment on surrounding land.

8. Siting of retaining wall/s

Retaining walls are to be located such that the entire retaining wall, associated footings and drainage materials are located wholly within the site boundaries.

Reason: To ensure that there is clarity over the ownership of retaining walls and adequate provision is made for the construction of dividing fences.

9. Sequence of construction for retaining wall/s

Where retaining walls are required along a property boundary, they are to be constructed and inspected prior to any other construction works commencing.

Reason: To ensure that excavated or backfilled areas are adequately retained and that neighbouring properties are not impacted by the earthworks on this site.

10. Imported Fill

Any fill delivered to site has to be certified Virgin Excavated Natural Material (VENM).

Reason: Only clean and non-contaminated fill is used on site.

11. Protection of Sewer and Stormwater Mains

Council's sewer/stormwater main affected by the development must be protected by extending footings of the Retaining Wall adjacent the Easement along Rear (Eastern) boundary of this Lot below the invert of the main (RL767.16m AHD) and implementing pier and beam construction that has been designed and certified by a practising structural engineer.

Reason: To ensure that public services are not damaged or otherwise impacted on by the development.

12. Unauthorised Use of Public Land

No building materials are to be stored or construction activities undertaken on public or adjoining land without prior written approval from Council.

Reason: To prevent unnecessary disturbance to public land.

13. Work on Adjoining Land Is Limited

The verge and other adjoining lands must not be used for storage of materials, trade/construction vehicle parking or disturbed by construction activities with the exception of;

- a. Installation of a temporary, stabilised construction access across the verge,
- b. Installation of services,
- c. Construction of an approved permanent verge crossing.

Reason: To minimise interference with the verge and its accessibility by pedestrians.

CONDITIONS TO BE SATISFIED PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

14. Protection of Council Sewer/Stormwater Easements

Prior to the issuing of a Construction Certificate (Building) structural plans must be provided to Council for concurrence as the sewer and water authority. The plans are to demonstrate that the footings of the structure will not be located within the zone of influence of Council's sewer and stormwater easements.

Reason: To allow for safe access and maintenance of services within the easements by Council personnel.

15. Water & Sewer Compliance Certificate of Compliance - Design

Prior to the release of a Construction Certificate, a Certificate of Compliance in accordance with the Water Management Act 2000 must be obtained from Council.

Under Section 306 of the Water Management Act 2000 Council, as the case requires, may, as a precondition to the issuing a Certificate of Compliance, impose a requirement that a payment is made or works are carried out, or both, towards the provision of water supply and sewerage under Section 64 of the Local Government Act 1993 and as specified in Schedule 1 of this consent.

Section 64 contributions shall be indexed in accordance with the respective plans and CPI All Groups - Sydney annually.

Reason: To ensure that supply is available, and/or the hydraulic design is in accordance with the relevant specifications.

CONDITIONS TO BE SATISFIED PRIOR TO COMMENCEMENT OF WORKS

16. Appoint PCA (Building)

Appoint a principal certifying authority before any work is undertaken. Provide details of the appointed principal certifying authority (if not Queanbeyan-Palerang Regional Council) to Queanbeyan-Palerang Regional Council at least two (2) days prior to any work being undertaken.

Reason: To provide for supervision of the building works.

17. Site Identification

The site where building work, subdivision work, or demolition work are proposed to be carried out shall be identified by a sign sited in a visually prominent position containing the following information;

- the development application number,
- name, address and telephone number of the principal certifying authority,
- name of the principal contractor (if any) and 24 hour contact telephone number, and
- a statement that “unauthorised entry to the work site is prohibited”.

Reason: To satisfy the provisions of Clause 70 of the Environmental Planning and Assessment Regulation 2021.

18. Home Building Act Requirements

Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the council) has given Council written notice of the following information:

- (a) In the case of work for which a principal contractor is required to be appointed:
 - (i) The name and licence number of the principal contractor.
 - (ii) The name of the insurer by which the work is insured under Part 6 of that Act.
- (b) In the case of work to be done by an owner-builder:
 - (i) The name of the owner-builder.
 - (ii) If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

Reason: This is a prescribed condition under the provisions of clause 71 of the Environmental Planning and Assessment Regulation 2021.

19. Sediment and Erosion Control Plan

Erosion and sediment controls are to be in place before the disturbance of any soils on the site, and are to be maintained during the works and for as long as necessary after the completion to prevent sediment and dirty water leaving the site and/or entering the surface water system outside of the site.

Reason: To minimise environmental impact associated with any works & to prevent soil erosion/water pollution.

20. Driveway Application Form

A driveway application form must be submitted to and approved by Council prior to commencement of driveway works and construction of the driveway across Council's verge footway area must be undertaken by a suitably qualified concrete contractor, at no cost to Council.

Reason: To ensure the construction of the driveway on public land meets Council's requirements.

CONDITIONS TO BE SATISFIED DURING DEMOLITION AND/OR BUILDING WORKS

21. Hours of Operation for Works

All works associated with the construction and/or demolition of this development must be carried out between the following hours unless Queanbeyan-Palerang Regional Council agrees in writing. A written application shall be made to Queanbeyan-Palerang Regional Council if a variation of hours is required.

Weekdays: 7.00am to 6.00pm

Saturdays: 8.00am to 4.00pm
Sundays and Public Holidays: NIL

Reason: To reduce the chance of offensive noise being created and to minimise the impacts of the development in its locality.

22. Approval Documents

Keep a copy of all stamped approved plans, specifications and documents on site while work is being undertaken.

Reason: Relevant documentation is available for perusal on site by a council officer, for compliance check.

23. Construction Facilities

Toilet facilities are to be provided at the work site on which work involved in the erection or demolition of a building is being carried out.

Reason: To provide adequate facilities to the work site.

24. Unexpected Finds

The development is to proceed with caution. If any Aboriginal objects are found, works should stop and DECCW notified. If human remains are found work is to stop, the site is to be secured and the NSW Police and NSW Office of Environment and Heritage are to be notified.

Reason: To ensure objects discovered during construction are protected and notified in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales.

25. All Works to Be Confined to the Site

All demolition, excavation, backfilling, construction and other activities associated with the development must:-

- a) Be carried out entirely within the allotment boundaries unless otherwise approved by Council.
- b) Comply with the requirements of AS 2601-2001 - The demolition of structures.
- c) If within one metre of the verge, the site must be protected by a hoarding which must be erected prior to the commencement of the demolition works.
- d) Be kept clear of stormwater, sewer manholes and service easements on the site.
- e) Any gates must be installed so they do not open onto any footpath or adjoining land.

Reason: To ensure that all development activity associated with the development does not pose a hazard to life or property and that the effectiveness of public services is not impaired.

26. Construction Waste Management

All waste materials generated on-site during construction are to be stored in enclosed containers and deposited in an approved landfill at regular periods.

Reason: To ensure adequate waste management practices are in place during the construction phase.

27. Protection of Adjoining Structures

If any excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on adjoining land, the person causing the excavation to be made:

- (a) must preserve and protect the building from damage, and
- (b) if necessary, must underpin and support the building in an appropriate manner, and
- (c) must, at least seven days before excavating, give notice of intention to do so to the owner of the adjoining and furnish particulars of the excavation to the owner of the building being erected or demolished, and
- (d) satisfy the requirements of SafeWork.

The owner of the adjoining land is not to be liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

Reason: Excavations relating to building work do not pose a hazard to adjoining properties.

28. Excavation and Backfilling

All excavations and backfilling associated with the erection or demolition of a building must be executed in accordance with the requirements of SafeWork.

Reason: To ensure excavation does not impact on adjoining property and compliance with SafeWork requirements.

29. Maintenance of Erosion Control Measures

All measures to control erosion and sediment transport are to be maintained during the works in accordance with the NSW Landcom publication *Managing Urban Stormwater - Soils and Construction* (4th Edition 2004- "Blue Book") and for as long as necessary after the completion to prevent sediment and dirty water leaving the site and/or entering the surface water system outside of the site.

Reason: To minimise environmental impact associated with any works & to prevent soil erosion/water pollution.

30. Works Sites to Be Fenced

A fence must be erected between the development site and public places before commencement of any other work.

Reason: To ensure that an effective barrier is provided to preserve the safety of people and property in public places.

31. Temporary Vehicle Access

Temporary vehicle access to the site must be stabilised to prevent the tracking of sediment onto the roads and footpath. Soil, earth, mud or similar materials must be removed from the roadway by sweeping, shovelling, or a means other than washing, on a daily basis or as required. Soil washings from wheels must be collected and disposed of in a manner that does not pollute waters.

Reason: To minimise transfer of soil from the site onto the road pavement.

32. Submit Survey Plan Showing Boundary Setbacks

The building must be set out by a Registered Surveyor in accordance with the datum shown on the approved plans. A survey plan that identifies the location of the building in relation to the allotment boundaries must be prepared upon completion and then be submitted to the

Principal Certifying Authority.

Reason: To ensure building has been sited in accordance with the approved plans.

33. Driveway Requirements

The development must include the construction of a residential type driveway over Council's footway at the location shown on the approved plans.

The driveway must be:

- a. Constructed by a suitably qualified concrete contractor, at no cost to the Council.
- b. Constructed using plain concrete, or 3% black oxide coloured concrete.
- c. Constructed with a 2% grade falling to the gutter.
- d. At minimum distance of one metre away from any electrical, Telstra, post box installation, other service or tree within the footway area.
- e. Constructed to the width of the existing Vehicle Kerb Crossing.
- f. On a modified layback kerb the driveway shall be a minimum of 3.0m for a single car garage or up to 6.0m for a double garage.
- g. In all urban, village and heritage areas where existing footpaths and/or kerb and gutter are concrete, the driveway cross-over shall be finished in concrete.
- h. In accordance with Council's Development Design Specification D13.

Reason: To ensure the construction of the driveway on public lands meets Council's requirements.

34. Accordance with Driveway Longsection

The driveway within the property and across Council's footway must be constructed in accordance with the approved driveway long section.

Reason: To provide an adequate standard of vehicle access.

35. Driveway Location from Water Meter, Sewer and Stormwater Connections

The driveway within the property must maintain a clearance not less than one metre (1.0m) from the water meter.

The driveway verge cross-over is not permitted to be constructed over the water service, sewer tie point connection or stormwater tie point connection.

Reason: To ensure such service is not damaged by vehicle movements or difficult to access.

36. Dust Management

Immediately undertake all measures as appropriate, and/or respond to any Council direction to provide dust suppression on roads leading to, adjacent to and within the site in the event that weather conditions, construction activities and associated traffic to and from the site are giving rise to abnormal generation of dust.

Reason: To ensure that local residents and activities are not disadvantaged by dust during hours of operation.

CONDITIONS TO BE SATISFIED PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

37. Occupation Certificate

The occupation certificate must not be issued until all conditions of consent have been satisfactorily complied with and all mandatory stage/required plumbing inspections undertaken. Plumbing and drainage must be inspected by Queanbeyan-Palerang Regional Council at the relevant stages of construction in accordance with the attached inspection schedule and a final plumbing certificate obtained prior to issue of any occupation certificate.

Reason: Development is safe & appropriate for occupation, and is completed in accordance with the consent.

38. BASIX Commitments

Comply with all commitments listed on BASIX Certificate No. 1800291M_02, or any subsequent modifications, before occupying the premises.

Reason: To ensure compliance with the requirements of the NSW BASIX certification process.

39. Colours and Material Finishes

The building is to be finished in materials that have a low reflectivity (no Zinalume materials).

Reason: The building is not visually intrusive in the landscape and does not cause glare.

40. Stormwater Disposal Requirements

Overflow from the rainwater tank and all other stormwater generated within the property must be trapped and piped to the stormwater tie in the lot.

Reason: To provide a satisfactory standard of stormwater disposal.

41. Power Supply

The building shall be connected to a suitable power supply.

Reason: To allow for a power supply to be available.

42. Street Numbering for Secondary Dwelling

The property must be clearly identified by a street number. The primary property address is 73 Lambrigg Road, Googong. The secondary dwelling address is 73A Lambrigg Road Googong.

The landowner or the person acting on this consent shall notify Council's LIS team after the Occupation Certificate is issued so that the secondary dwelling's address can be activated.

Reason: To ensure that buildings are clearly identified, and secondary dwelling address is activated within Council's LIS database.

43. Repair Damaged Public and Private Property

All damage caused to public and private property during the construction operations and associated activities must be repaired or reinstated prior to Council accepting any Certificate of Completion.

Reason: To ensure that all public and neighbouring private property in the vicinity of the development is maintained in its pre-development condition.

44. Street Numbering

Prior to occupation certificate, apply to Queanbeyan-Palerang Regional Council to determine

the street number and display the approved street number in accordance with Council's requirements.

Reason: Adequate property identification for the public and for emergency services.

45. Landscaping Works Completed in Accordance with Approved Plans

All landscaping must be completed by a suitably qualified landscape contractor in accordance with approved landscape plan bearing the Council approval stamp.

Reason: To help ensure a high standard of landscape works.

46. Landscaping Requirements

Landscaping must be extended to include the levelling, topsoiling and turfing or grass seeded hydro mulching of the footway between the property boundary and the street kerb and gutter.

Landscaping between the dwelling house and the street boundary is to be completed in accordance with the approved landscape plan.

Reason: To ensure that areas to the street frontage provide an attractive urban landscape.

47. Installation of Water Meters

Prior to the issue of any Occupation Certificate the 20mm potable and recycled water meters issued to the property shall be installed at no cost to the Council and the completed installation inspected and approved by Council as the Water and Sewer Authority.

The meters must be located in an easily accessible position at or near the property boundary, or other accessible position approved by Council.

Reason: To ensure that an appropriate metered water supply is available for the development and to ensure that meters can be easily read and maintained by Council.

48. Fibre-Ready Facilities

Prior to the issue of any Occupation Certificate satisfactory arrangements are to be made for the provision of fibre-ready facilities to enable fibre to be readily connected to the premises.

Reason: To satisfy relevant utility authority requirements.

Note: Under the Telecommunications Act 1997 fibre-ready facilities for an individual premise includes ducting from the street pit to the proposed location at the premises of the network termination device.

CONDITIONS TO BE SATISFIED DURING THE ONGOING USE OF THE PREMISES

49. Surface Water

Do not re-direct surface water onto adjoining private land. Alterations to the surface contours must not impede or divert natural surface water run-off, so as to cause a nuisance to adjoining property owners or create an erosion or sediment problem.

Reason: Stormwater disposal does not impact on the building or neighbouring properties.

ACTIVITY APPROVAL - SECTION 68 OF LOCAL GOVERNMENT ACT 1993

50. Required Council Inspections

Council is the sole approval authority for water plumbing, sanitary plumbing and drainage

and on-site sewerage management systems. Should a private sector accredited certifier be used for the building Council will require inspections in accordance with the schedule below:

- a) External sanitary drainage lines prior to backfilling with bedding materials in place
- b) Internal sanitary drainage prior to backfilling
- c) Water plumbing prior to sheeting walls
- d) At the completion of works and prior to occupation of use of the building

Reason: To ensure compliance with the inspection requirements of Plumbing and Drainage Regulation 2017 and Council's inspection schedule.

Council requires a minimum of 48 hours' notice for inspections.

To book inspections please contact Council on 1300 735 025.

WHEN BOOKING INSPECTIONS PLEASE QUOTE YOUR ADDRESS AND APPLICATION NUMBER.

51. Plumbing and Drainage Installation Regulations

Plumbing and drainage work must be carried out in accordance with the requirements of the Local Government (General) Regulation 2021, the Plumbing and Drainage Act 2011 and Regulations under that Act and with the Plumbing Code of Australia. Such work must be carried out by a person licensed by the NSW Department of Fair Trading.

Reason: This is a mandatory condition under the provisions of the Local Government (General) Regulation 2021.

52. Inspection of Plumbing and Drainage

Plumbing and Drainage must be inspected by Council at the relevant stages of construction in accordance with Council's inspection schedule.

Reason: To ensure compliance with the inspection requirements of Plumbing and Drainage Regulation 2017 and Council's inspection schedule below.

53. Floor Level to Be 150mm Above Yard Gully

The floor level of areas with fixtures connected to sewer must be at least 150mm above overflow level of the yard gully and surface water must be prevented from entering the yard gully.

Reason: To ensure any sewage surcharges occur outside the building and to prevent surface water from entering the sewerage system.

54. Relocate Overflow Relief Gully

The overflow relief gully must be relocated to the outside of the building footprint.

Reason: To ensure the overflow relief gully remains in the open and is easily sighted.

55. Heated Water Not To Exceed 50 Degrees C

All new heated water installations, must deliver hot water at the outlet of all sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding 50° Celsius.

Reason: To prevent accidental scalding.

56. Insulate Heated and Cold Water Service Pipes

Heated and cold water service pipes installed in the following areas of the building must be insulated in accordance with the requirements of AS 3500: Plumbing and Drainage:

- a) unheated roof spaces

- b) locations near windows, ventilators and external doors where cold draughts are likely to occur
- c) locations in contact with cold surfaces such as metal roof and external metal cladding materials.

Reason: To prevent the water service being damaged by water freezing within the pipes due to local climatic conditions.

SCHEDULE 1

NOTICE OF CONTRIBUTIONS & CHARGES ASSOCIATED WITH DEVELOPMENT

PROJECT ADDRESS	73 LAMBRIGG ROAD GOOGONG NSW 2620 Lot 2240 DP 1288843
PROJECT DESCRIPTION	Construction of dwelling house and attached secondary dwelling
APPLICATION NO	DA.2025.0375
NAME OF APPLICANT	Mcdonald Jones Homes Pty Ltd

Important

The following contribution rates are those that apply at the date of issue of this consent. Rates are reviewed quarterly. Contributions will only be accepted at the rate applying at the date of payment. Council's Development and Environment section should be contacted to receive a current contribution notice of charges.

Fee Description	Fee Due
Section 64 Water and Sewer Contributions	
Sewer	\$6327.39
Water	\$1322.62

Total Contributions Payable **\$7650.01**

Relevant Criteria on which these calculations were made:

Date Generated: 30 October 2025

Per : _____