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Planning Report

William Hovell Drive Duplication

Reference No. 3002750

Prepared for Infrastructure Development Partners Group on behalf of Transport Canberra and City Services

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Glossary & Abbreviations

Term & Acronym	Description
CEMP	Construction Environmental Management Plan
DAWE	Commonwealth Department of Agriculture, Water and the Environment
EIS	Environmental Impact Statement
EPBC Act	Commonwealth <i>Environmental Protection and Biodiversity Conservation Act 1999</i>
EPSDD	Environment, Planning and Sustainable Development Directorate
IDPG	Infrastructure Delivery and Partners Group
NC Act	<i>Nature Conservation Act 2014</i>
OGA	Open graded asphalt
P&D Act	<i>Planning and Development Act 2007</i>
Project	The duplication of William Hovell Drive between John Gorton Drive (formally Coppins Crossing Road) and Drake-Brockman Drive. The duplication would include about 4.5km of new road, the signalling of the intersection at Drake-Brockman Drive, the upgrade of access to Weetangera Cemetery, the upgrade of underpass for the Bicentennial National Trail and the upgrade of vehicular access for Rangers to Kama Nature Reserve.
Project Site	The area to be directly affected by the Project, in this case, the portion of land within which construction and operation would occur
SHE	Statement of Heritage Effects
SLA	Suburban Land Agency
Study Area	Project Site and surrounding area
TCCS	Transport Canberra and City Services
TEC	Threatened Ecological Community
WHD	William Hovel Drive
WSUD	Water Sensitive Urban Design

Executive Summary

SMEC has been engaged by Infrastructure Delivery Partners Group on behalf of Transport Canberra and City Services (TCCS) to undertake the detailed design of the duplication of a 4.5 km portion of William Hovell Drive between John Gorton Drive and Drake-Brockman Drive. The Infrastructure Delivery Partners Group are a part of Major Projects Canberra, the ACT Government directorate with the responsibility for directing and managing all aspects of major projects invested in by the ACT Government.

Currently William Hovell Drive operates at over 20,000 vehicles per day which significantly exceeds the capacity of a single carriageway road. The upgraded road would also be required to accommodate additional traffic generated by new residential development in the estate of Ginninderry (West Belconnen) and the new suburbs of Strathnairn and Macnamara. The Project includes:

- Duplication of 4.5km of unduplicated road
- Provision of two on-road cycle paths and a dedicated off-road shared path
- A signalised intersection at Drake-Brockman Drive
- Tie in works to the existing road at both ends of the Project
- Upgrade of access road to Old Weetangera Cemetery from Drake-Brockman Drive and associated parking facility
- Upgrade of underpass for the Bicentennial National Trail
- Upgrade of the vehicular access for ACT Rangers to Kama Nature Reserve
- Retention and upgrade works at three existing underpasses
- Retaining wall structures
- Ancillary works such as batters, drainage and safety barriers
- Relocation of utilities such as water and sewer to accommodate new intersection at Drake-Brockman Drive
- Street lighting, median works and other road furniture
- Temporary construction set down areas, compounds and stockpiles
- Retention of 90km/h posted speed limit and 100km/h design speed.

A Preliminary Environmental Assessment was prepared for the Project and identified potential significant impact on areas of Box Gum Woodland, Pink-tailed Worm-lizard and potential Golden Sun Moth habitat. The Proponent chose to refer this Project to the Commonwealth Department of Agriculture, Water and the Environment (DAWE) to determine whether the Project constitutes a Controlled Action under the *Environment Protection and Biodiversity Conservation Act 1999*. Confirmation that the Project is a Controlled Action was received on 29 July 2020.

An Environmental Impact Statement (EIS) has been prepared by SMEC providing a detailed assessment of the Project. The EIS is supported by technical chapters covering the areas of traffic impact, noise, heritage, ecology, hydrology, bushfire, waste and social impact. This Statement Against Criteria report has been structured to support the consideration of the EIS and impact track development application concurrently.

Design iterations have been undertaken throughout the optioneering and design development phases to avoid and minimise impacts on threatened species and ecological sensitive areas. After consulting with the ACT Conservator of Flora and Fauna and the Environment, Planning and Sustainable Development Directorate, modifications were made to the design to minimise the loss of mature trees between the Kama and Pinnacle Nature Reserves, as it is understood that these provide an important movement corridor for fauna. Micro-siting of the design and particularly the shared path has also reduced the impact on areas of native vegetation.

The EIS and Impact Track Development Application (DA) were initially lodged on 24 June 2021. Public notification occurred from 2 July 2021 to 30 September 2021. Additional consultation with stakeholders and the community

has also been undertaken through various platforms in parallel to the assessment process. Two key outcomes from the community consultations included modifications to the shared path, and a review of the noise assessment.

Overall, the Project has been sensitively designed to minimise impacts on adjoining land uses including the two nature reserves, residential properties, identified areas of heritage importance and biodiversity. In addition, this transport infrastructure supports active travel and significantly assists in improving safety and reducing traffic congestion for the Molonglo region. This Planning Report provides a clear, plain English assessment of the Project against the relevant statutory planning controls that apply to this Impact Track Development Application and demonstrates that the Project is capable of approval.

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1 Introduction

1.1 Overview

SMEC has been engaged by IDPG on behalf of TCCS to undertake the detailed design of the duplication of William Hovell Drive between John Gorton Drive and Drake-Brockman Drive (the Project). This Planning Report provides an assessment of the road duplication design and supporting information for a development application (DA) in the impact track to support concurrent assessment with the Project EIS in accordance with the *Planning and Development Act 2007* (the P&D Act).

1.2 Need and Justification

The Project Site is a 4.5 km section of William Hovell Drive between John Gorton Drive and Drake-Brockman Drive (the Site). It is the only remaining unduplicated section of William Hovell Drive and operates at over 20,000 vehicles per day which significantly exceeds the capacity of a single carriageway road. Congestion is anticipated to continue to increase as regions of Molonglo Valley, the estate of Ginninderry (West Belconnen) and the new suburbs of Strathnairn and Macnamara continue to be developed.

Based on a Signalised & unsignalised Intersection Design and Research Aid (SIDRA) analysis undertaken for the Project, the intersection of William Hovell Drive and Drake-Brockman Drive in its current form is expected to fail in 2031, with some movements operating at a very high delay in the AM and PM peak periods and as such the overall average performance of the intersection falls below the required level of service. This resulting congestion also creates road safety concerns. The duplication of the road and provision for future delivery of a safe active travel route is expected to reduce congestion and resulting crashes. A Transport Impact Assessment is provided in Appendix H as part of the application.

The Project would also support active travel and sustainable transport. The Project retains the existing alignment of the Bicentennial National Trail and provides an off-road shared path for the length of the upgrade. Two additional on-road cycle paths would also be provided. Improved access to the Weetangera Cemetery and maintenance access to Kama Nature Reserve are also provided as part of this Project. In addition, increased arterial capacity is expected to reduce the likelihood of east-west rat-running through Hawker, Weetangera, Cook, and Aranda.

1.3 Purpose and Structure of this Report

This Planning Report provides a statutory assessment of the concept road design and supporting information for a DA to be lodged under the impact track.

This report provides consideration under the *P&D Act*, which includes:

- Project background and justification
- Site context including zoning and applicable overlays
- Details of Project consultation
- A comprehensive planning assessment for the Project against the relevant *Territory Plan*
- Evidence of compliance with the Project and reasons for approval.

This report is supported by and should be read in conjunction with the documentation submitted as part of the DA, which has been listed in Table 1-1 below.

Table 1-1 | Supporting documentation

Document Type	Prepared by / Consultant	Appendix
Engineering Concept Design	SMEC	Appendix A
Landscape Plan	Enviro links Design	Appendix B
Biodiversity Assessment	SMEC	Appendix C
Noise Impact Assessment	SLR Consulting	Appendix D
Sediment and Erosion Control	SMEC	Appendix E
Water Sensitive Urban Design	SMEC	Appendix F
Updated Aboriginal and Historic Cultural Heritage Assessment	Past Traces Heritage Consultants	Appendix G
Traffic Impact Assessment	SMEC	Appendix H
Stakeholder Engagement Report	SMEC	Appendix I

1.4 Location of Works

The Project is to be completely contained to the road reserve extending from John Gorton Drive to Drake-Brockman Drive. This Site is unleased Territory land, with TCCS – Roads ACT as the custodian. Therefore, no designated block or section is available for the Site. To assist in identifying the subject location, the Project is lodged referring to the next closest leased land, Blocks 1385 and 1565.

The Site is zoned TSZ1 – Transport under the Territory Plan, and runs adjacent to parcels of leased rural land, nature reserves and existing and future urban areas. Figure 1-1 provides a map of the area and identifies the uses of the surrounding land.



Figure 1-1 | Locality Map

1.5 Description of Works

The proposed duplication of William Hovell Drive would occur along the 4.5 km stretch of road between John Gorton Drive and Drake-Brockman Drive in the districts of Molonglo Valley and Belconnen, which is the only remaining unduplicated section of William Hovell Drive. The objectives for this duplication works are:

- To improve the overall road condition and safety
- To reduce the rate of vehicular crashes
- To relieve the morning and afternoon congestion from West Belconnen
- To promote active travel and support sustainable transport.

The Project comprises the following:

- Duplication of 4.5km of unduplicated road
- Provision of two onroad cycle paths and a dedicated offroad shared path
- A signalised intersection at Drake-Brockman Drive
- Tie in works to the existing road at both ends of the Project
- Upgrade of access road to Old Weetangera Cemetery from Drake-Brockman Drive and associated parking facility
- Upgrade of underpass for the Bicentennial National Trail
- Upgrade of the vehicular access for Rangers to Kama Nature Reserve
- Retention and upgrade works at three existing underpasses
- Retaining wall structures
- Ancillary works such as batters, drainage and safety barriers
- Relocation of utilities such as water and sewer to accommodate new intersection at Drake-Brockman Drive
- Street lighting, median works and other road furniture
- Temporary construction set down areas, compounds and stockpiles
- Retention of 90km/h posted speed limit and 100km/h design speed.

The environmental footprint of the Project is approximately 31.9 ha (including 8 ha of the existing road). This has been derived by adopting a 10 m construction buffer around the Project.

A general arrangement plan of the proposed road duplication is provided in Appendix A and is reproduced in Figure 1-2 below.

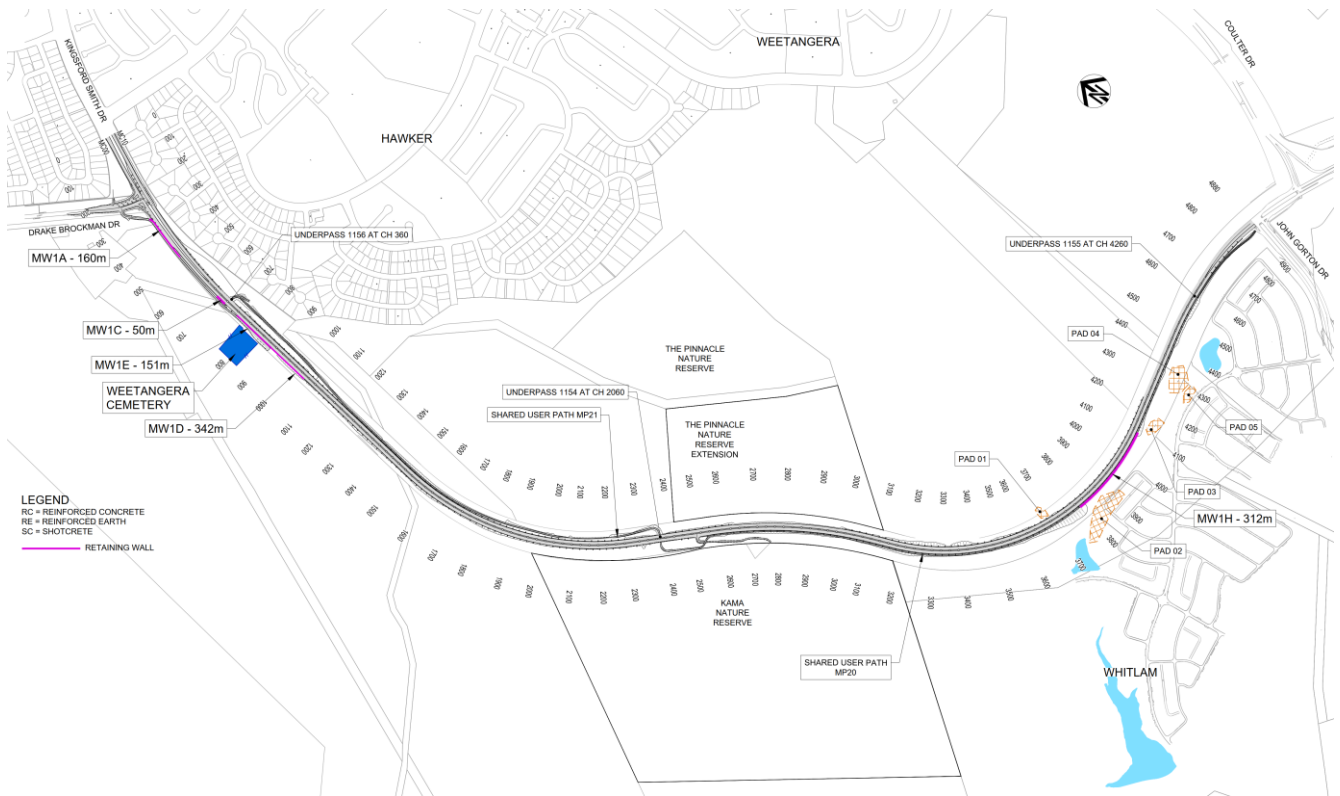


Figure 1-2 | General Overview of the William Hovell Drive Road Duplication Project

1.6 Pre-Application Meetings

The Project Team has been consulting closely with the Environment, Planning and Sustainable Development Directorate (EPSDD) Impact Team and the office of the Conservator of Flora and Fauna since project initiation in early 2020. The intent of early and consistent consultation was to create a collaborative approach between the Project team and key stakeholders, and to guide the design team with the objective of avoiding and minimising impact.

SMEC has also consulted closely with utility owners within the Project Site throughout the Project, these stakeholders include ICON-GNS, Icon Water, Evo Energy, Jemena and various communication services (Optus, iiNet/TGP, Telstra). Provision has been made to ensure the alignment and associated infrastructure considers the future anticipated needs of these utility providers, as well as relocation, reconnection and protection of assets.

2 Project Context

2.1 Site Context

The Project Site crosses a hillside that sweeps to the south of The Pinnacle Extension Nature Reserve and to the north of the Kama Nature Reserve. From the intersection with John Gorton Drive, William Hovell Drive declines slightly and then steadily increases in gradient toward the Kama and Pinnacle Extension Nature Reserves. The road turns slightly to the north and continues to increase in gradient with the highest point located near the Old Weetangera Cemetery.

Centrally through the alignment, the embankment on the south-western side of William Hovell Drive becomes relatively steep, with views from the road reserve over rural rolling hills toward development in the Molonglo Valley. Mounds of fill from the previous construction of William Hovell Drive are located along the north-eastern side of the alignment and generally obscure views from the road.

Photographs of the Site and surrounding landscape are provided in Figure 2-1 to Figure 2-3 below.



Figure 2-1 | Photograph taken looking south-east, adjacent to Whitlam and looking toward John Gorton Drive



Figure 2-2 | Photograph taken looking north-west along William Hovell Drive, to the north of Whitlam



Figure 2-3 | Photograph taken from top of fill mound looking south-west over rural hills toward development in the Molonglo Valley

2.2 Vegetation

A Biodiversity Assessment was undertaken by SMEC for the Project and is provided in Appendix C. The assessment included desktop and ecology field survey, interpretation of findings, and preparation of a series of mitigation measures where impacts are unavoidable.

The following seven broad vegetation communities have been mapped by the Biodiversity Assessment as being within the Study Area:

- Grassy Woodland
- Native Grassland
- Native Riparian Sedgeland
- Planted River She-oak Riparian Forest
- Planted Native
- Exotic Riparian Woodland
- Exotic Grassland.

The Biodiversity Assessment (refer to Appendix C) confirms that the Project has been designed to avoid and minimise impacts where possible. Offsetting of impacts to Box Gum Woodland is proposed for consideration under the EIS as follows:

Provide an offset against the loss of Box Gum Woodland TEC habitat by protection of land to the west of Kama NR which will preserve nesting habitat for Superb Parrot and retain old growth trees and native grassland understorey, as well as provide a wildfire and invasive species buffer to the west of Kama Nature Reserve.

The location and size of an appropriate offset is being developed concurrently with the assessment of the Revised EIS and DA. The Offset Strategy will be presented to the Offsets Working Group. Once a preferred strategy is endorsed, the offset site will be secured by the Territory and an Offset Management Plan will be developed. Should the Project be approved, it is expected that a condition of consent would be included requiring an Offset Management Plan to be developed.

The Biodiversity Assessment suggests the following mitigation measures which would be appropriate for inclusion in DA conditions of consent:

- Preparation of a Flora and Fauna Management Plan as part of the Construction Environmental Management Plan (CEMP), including:
 - A Tree Management Plan (to be determined by the Conservator of Flora and Fauna)
 - Plans showing areas to be cleared and areas to be protected, including exclusion zones, protected habitat features and potential revegetation areas
 - Pre-clearing survey requirements
 - Procedures for unexpected threatened species finds and fauna handling
 - Protocols to manage weeds and Pathogens
 - Procedure for stockpiling materials including topsoils and subsoils to be stockpiled separately to avoid mixing in a manner that would facilitate the return of soils to the location of the original source and tracking and treatment of stockpiles
 - Rubbish removal is to be undertaken prior to construction and throughout construction in retained areas of vegetation in the road reserve

- Site inductions would be mandatory for all personnel working and visiting the Project Site. The site induction would include information on threatened species and ecological communities, identify exclusion zones and the unexpected finds procedure for threatened species. Personnel involved in vegetation clearing and clearing of threatened species habitat would have a more detailed toolbox to ensure all personnel are clear on the clearing procedure and sensitive ecological features of the area to be cleared for that day
- An offset area to mitigate against the loss of Box Gum Woodland Threatened Ecological Community (TEC) habitat, and to preserve the nesting habitat of Superb Parrot, old growth trees and native grassland understorey
- Exclusion zones to be established prior to construction and remain in place until construction is completed.
- Pre-clearance protocols, particularly for tree removal
- Measures to further minimise the construction footprint and native vegetation/habitat removal
- Relocation of rocky Pink Tailed Worm Lizard habitat where possible and pre-clearance surveys
- Revegetation requirements at the conclusion of construction, including planting along the edges of adjoining paddocks to close any vegetation gaps
- Unexpected Finds Protocol
- Reuse of habitat features such as hollow bearing trees
- Fauna exclusion fencing to prevent wildlife from accessing the road and guide fauna to the underpasses
- Redesign of the southernmost stock crossing (underpass) to encourage macropod movement and direct fauna movements using fencing
- Provide rope bridges and/or glider poles to allow for arboreal fauna to cross the road in key biodiversity corridor areas
- Any connectivity structures should be monitored by remote sensor cameras for a period of three years after construction
- Monitoring of weeds during construction and establishment
- Minimise intrusive lighting in key wildlife corridors, though shorter light poles and shading device
- Fauna identification road signs.

2.2.1. ACT registered trees

One registered tree was identified as occurring north of the Study Area, in the reserve of William Hovell Drive, to the north of the intersection with Drake-Brockman Drive. In the ACT Tree Register, this tree is identified as Tree Number PTR081. Further details recorded for the tree are provided in Table 2-1 below.

Under the *Tree Protection Act 2005* the following criteria apply to tree PTR081:

(2) Landscape and aesthetic value

The object of this value is to identify trees that are of particular importance to the community due to their substantial contribution to the surrounding landscape. A tree may be considered to be of landscape and aesthetic value if it is situated in a prominent location when viewed from a public place and it:

(a) contributes significantly to the surrounding landscape based on its overall form, structure, vigour and aesthetic values; or

(b) represents an outstanding example of the species, including age, size or habit; or

(c) is an exceptional example of a locally native species that reached maturity prior to urban development in its immediate vicinity.

Table 2-1 | Details of registered tree

Tree identification	PTR081
Species name	<i>Eucalyptus blakelyi</i> (Red Gum)
Street address	William Hovell Drive, Higgins
Description	Four trunks and crown radii ranging from 9-12m
Statement against the Criteria for nomination	<i>This Eucalyptus blakelyi is an exceptional example of a local native species that reached maturity prior to urban development. The tree is being nominated for inclusion to the ACT Tree Register due to its outstanding landscape contribution. This tree is located on urban open space next to William Hovell Drive in Belconnen. The tree contributes significantly to the surrounding landscape due to its large well-balanced spreading crown and low branching habit. The tree is in a very prominent location and easily seen from the street.</i>

The registered tree is located north of the Drake-Brockman Drive intersection in Higgins. Minor pruning to the canopy of the registered tree may be required to accommodate construction activities. It is requested that a condition of consent be included in the consent requiring an arborist to monitor this tree throughout construction activities and ensure sufficient tree protection measures are in place. If required, minor pruning should be permitted to be undertaken to maintain the health of this tree during the course of construction.

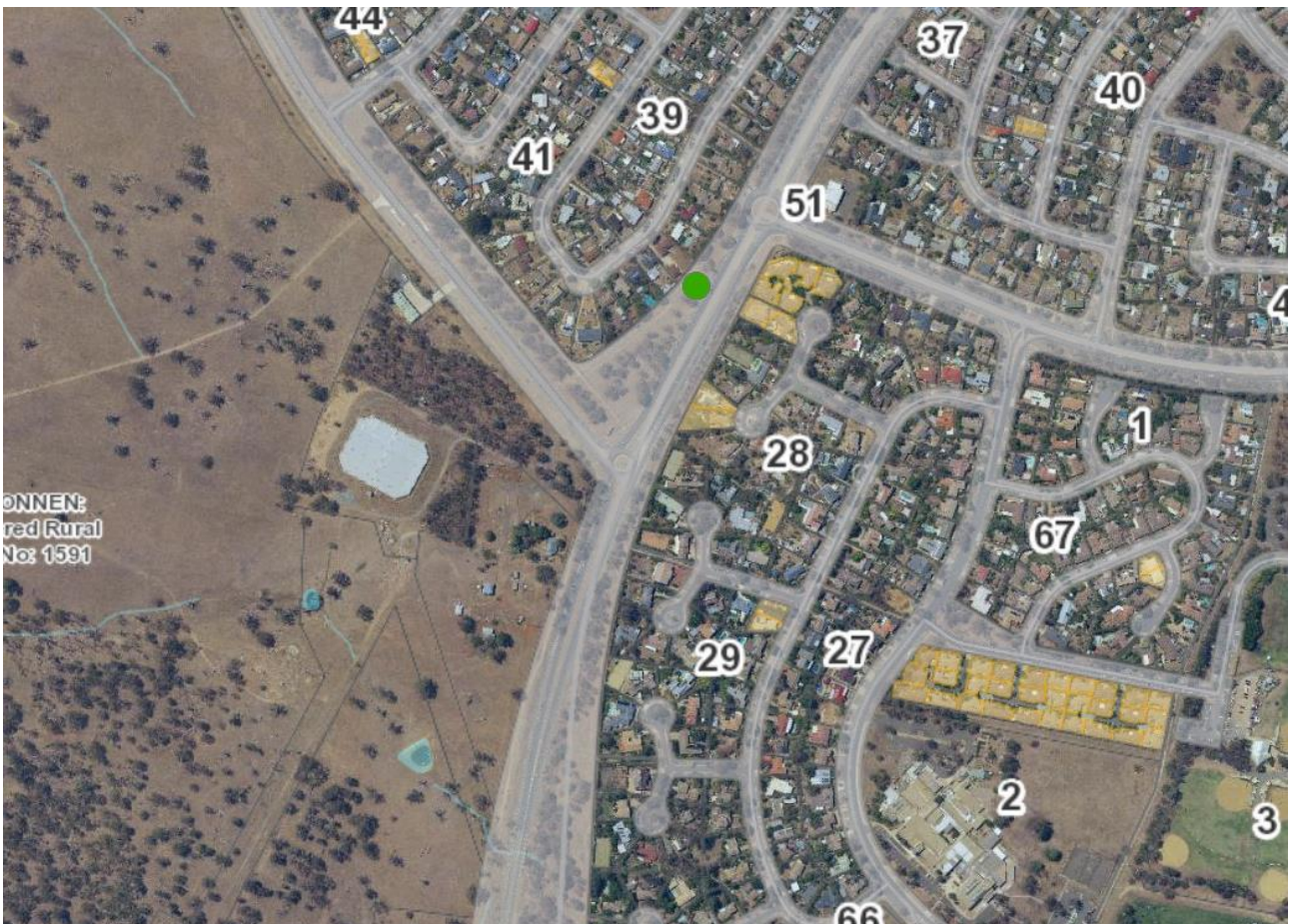


Figure 2-4 | Location of Registered Tree (PTR081) annotated with the green dot (source: ACTmapi, 2021)

2.3 Noise and vibration

SLR Consultants Pty Ltd have prepared an operational noise assessment of the Project in accordance with the *Roads ACT Noise Management Guidelines*. The Noise Impact Assessment, presented in Appendix D, considers existing and predicted traffic noise levels at adjacent buildings (current and proposed), and includes an assessment based on the predicted maximum traffic flow.

The Noise Assessment identified 34 sensitive residential receivers along the Project alignment. These dwellings are in the new suburb of Whitlam and the existing suburb of Hawker (Florina Place, Kurundi Place, Mainoru Place, Eley Place and Dungowan Place). Current noise levels were measured between 64dB(A) and 69.8dB(A).

The noise model produced by SLR established existing noise levels (2020), target noise levels in accordance with the *Roads ACT Noise Management Guidelines* and predicted maximum noise levels (2031). The Noise Assessment found non-compliances at three noise sensitive receptors (refer to Table 2-2 below).

Table 2-2 | Future traffic noise levels

Receptor	Address	Target Noise Level dBA L _{Aeq} (15 hour)	2031 Predicted Noise Level dB(A) L _{Aeq} (15 hour)		
			Barrier Option 1	Barrier Option 2	Open Graded Asphalt Road Surface
01	12 Florina Place, Hawker	60	60	60	60
02	14 Florina Place, Hawker	62	62	62	62
04	17 Florina Place, Hawker	60	60	60	58
05	15 Florina Place, Hawker	60	60	60	58
06	13 Florina Place, Hawker	60	60	60	60
07	10 Kurindi Place, Hawker	60	59	59	58
08	12 Kurundi Place, Hawker	60	59	59	59
09	14 Kurindi Place, Hawker	60	60	59	58
13	14 Mainoru Place, Hawker	60	60	60	60
34	Whitlam Estate	60	60	60	59

It is noted that these predicted increases in noise levels would occur incrementally as traffic volumes gradually increase on William Hovell Drive. The 'predicted increase' is representative of the maximum traffic volume (at 2031) and not at the immediate commencement of road operation (expected in 2022). It is accepted that a difference of up to 2dB(A) is within the range of noise modelling accuracy and is not noticeable to the human ear. A peer review assessment of the Road Traffic Noise Assessment prepared by SLR Consulting Australia Pty Ltd (SLR) has been undertaken by WSP Australia Pty Limited (WSP) as a separate engagement to TCCS, to respond to concerns raised by residents in Hawker. The updated SLR noise assessment (Appendix D) and the WSP peer review are generally consistent, noting there are ten properties between Drake-Brockman Drive and 600 m south of this intersection, that are predicted to have a noise level in excess (up to 2 dB(A)) with mitigation measures over the threshold in 2031. Both the original assessment and the peer review provide a consistent recommendation to incorporate a noise reducing pavement surfacing to reduce the noise levels to within the threshold limit.

Given the context of the project, and distance to existing receivers, construction and operational vibration impacts are not considered to be significant. Isolated construction activities may result in minor vibration impacts which are either barely perceptible or not perceptible for nearby receivers.

Nearby residents would be notified of the works prior to the commencement of construction. Any potential noise impacts are expected to be minor and short-term in duration. Nonetheless, construction work outside of the recommended standard hours would not be undertaken without prior agreement with the ACT EPA and notification/consultation with affected residents.

The Noise Assessment and peer review considered various mitigation treatments to reduce road traffic noise at these sensitive receivers, including changes to the road pavement surface and acoustic noise barriers. The preferred mitigation measure is the installation of the Open Graded Asphalt (OGA) road pavement surface on the following sections:

The pavement mitigation methods from both noise assessment and peer review have been combined into three sections of OGA surface as follows:

- A section of approximately 1,410 m OGA surface from John Gorton Drive to the west for both carriageways to reduce the noise impact on Whitlam estate.
- A section of approximately 700 m OGA surface from the Drake-Brockman Drive intersection to the south for both carriageways to reduce the noise impact on the residential properties along the northern portion of William Hovell Drive.
- A section of approximately 240 m OGA surface from Drake-Brockman Drive intersection to the north for both carriageways to reduce the noise impact on the residential properties along the southern portion of Kingsford Smith Drive.

Refer to Figure 2-5 for the Location of Open Graded Asphalt surface.

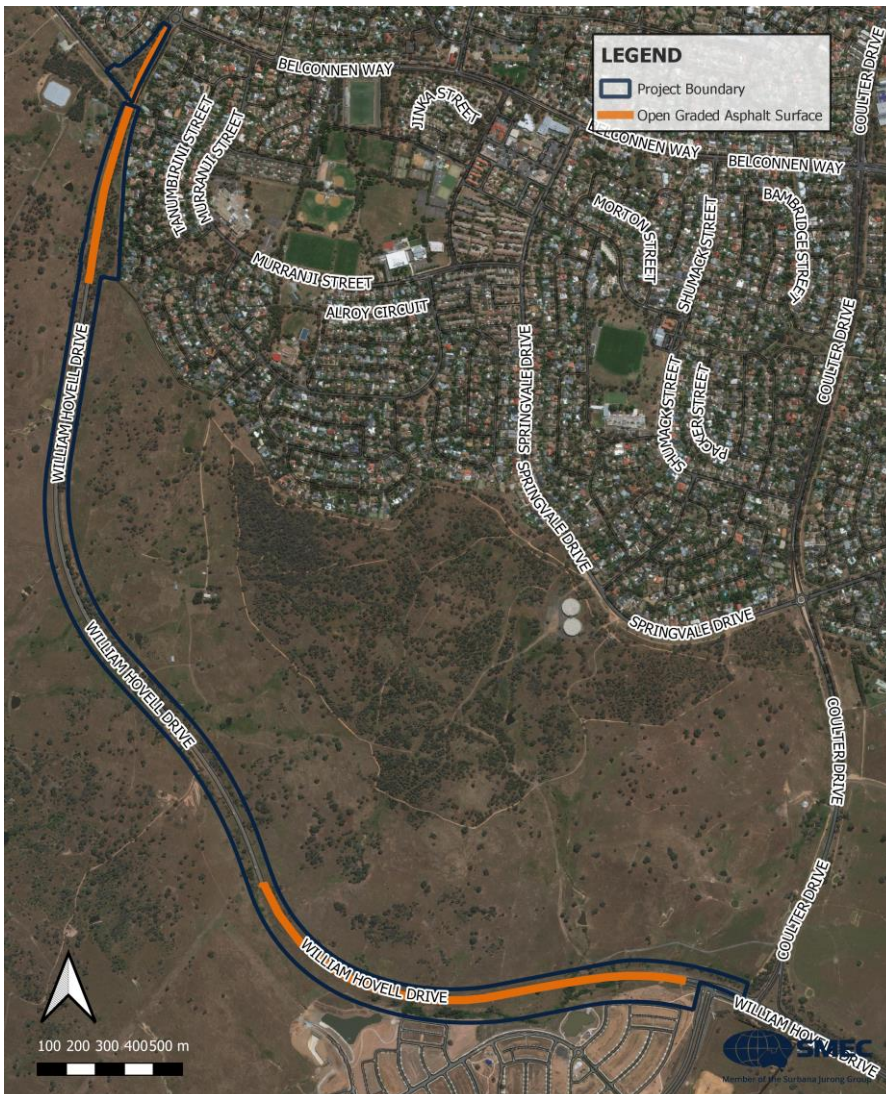


Figure 2-5 | Location of Open Graded Asphalt surface

The OGA road pavement surface approach is considered an effective method of noise reduction from road traffic. It is expected to result in a minimum of 2 dB(A) reduction in road traffic noise. Specific maintenance treatments including grinding or machining may be required after a five-year operation while the life cycle of the OGA surface is generally 10-year. The specification and design of OGA road pavement surface are not included in this stage of the project (DA phase) and will be finalised during the remaining design phase and issued with the Document Readiness designs.

2.4 Existing Land Use

The Project is contained within the road reserve extending from John Gorton Drive in the south to Drake-Brockman Drive in the north. The Project would tie into the existing dual carriageway to the east of John Gorton Drive and includes a signalised intersection at Drake-Brockman Drive. The Project Site currently contains a two-way road on the northern side and a one-way road on the southern side, with 90 kmph speed limit and a designated on-road cycle lane in each direction.

Surrounding land uses include rural leases, suburban areas and nature reserves. The new suburb of Whitlam (Stage 1 is now finished) is currently under construction by the Suburban Land Agency (SLA) on the parcel of land extending west of John Gorton Drive and south of the Project, to the eastern edge of the Kama Nature Reserve.

The Whitlam concept master plan is provided in Figure 2-6 below. The Whitlam master plan includes the Deep Creek Water Quality Control Pond which would follow the existing alignment of Deep Creek and accept runoff from the new residential area in accordance with the Water Sensitive Urban Design (WSUD) General Code.

Development on the northern side of William Hovell Drive comprises rural leases and the Pinnacle Extension Nature



Figure 2-6 | Masterplan of the new suburb of Whitlam. Project Site outlined in blue

Reserve. Towards the intersection with Drake-Brockman Drive, the rear of residential properties in Hawker are visible from the road reserve.

Together, the Pinnacle Nature Reserve and Kama Nature Reserve form a regional ecological link or biodiversity corridor. These nature reserves facilitate the movement of species through habitat patches existing in the landscape. Retaining connectivity is a key consideration of this Project, as it is critical to facilitating the movement of genes, individuals, species and populations, and to mitigate the isolation of species and the loss of biodiversity.

The Kama Nature reserve is a 155 ha parcel of land, sharing its northern boundary with William Hovell Drive and extending from the western side of the new suburb of Whitlam. The Kama Nature Reserve was established as a nature reserve in 2008 and was listed on the ACT Heritage Register in 2012 for its natural heritage values. According to the Molonglo River Reserve: Kama Operational Plan 2014 (ACT Government) “Kama is part of a key corridor between the Molonglo River and the Belconnen Woodlands.” Kama Nature Reserve is identified as an offset site under The Molonglo Valley Plan for the Protection of Matters of National Environmental Significance (2011; the NES Plan).

The Pinnacle Nature Reserve adjoins the rear of parcels of residential development in Hawker and Weetangera. The 2016 Pinnacle Extension (an offset area under the NES Plan) runs between the western boundary of the Pinnacle Nature Reserve and the north-eastern side of William Hovell Drive. The Pinnacle Extension Nature Reserve is directly north of the Kama Nature Reserve, and together these areas provide an important ecological corridor.

The western side of the Kama Nature Reserve adjoins rural properties (Belconnen Block 1596 and Block 1593) which are provided with a heritage overlay. These properties contain the Old Weetangera Cemetery and the former location of the Weetangera Methodist Church.

Land along the north-eastern side of William Hovell Drive comprises leased rural land and the Pinnacle Extension Nature Reserve (partial Belconnen Block 1616). Land east of the Pinnacle Extension Nature Reserve is designated land under the National Capital Plan and the Territory Plan.

The southern extent of the Project Site supports a semi-permanent second order stream, Deep Creek that drains into the Molonglo River. A sedge land, occurring within the western portion of the Project Site near Kama Nature reserve, also drains to Molonglo River.

2.5 Zoning

The Project is located within TSZ1 – Transport under the *Territory Plan* as indicated in Figure 2-7 below. To the north of the Site are Approved Rural lands which are subjected to the National Capital Authority’s designated areas, to the south of the Site is the new suburb of Whitlam which is mostly zoned RZ1 – Suburban with remaining lands zoned RZ3 - Urban Residential, PRZ1 – Urban Open Space and FUA – Future Urban Area (in transition to be uplifted).



Figure 2-7 | Zoning map (source: ACTmapi, 2021)

2.6 Overlays

The north-western portion of the Site is mapped with Public Land – Line overlay zone. No additional overlay zones are applicable under the *Overlays and Clearance Zone Policies*.

2.7 Land Custodianship

The entire area of the Site is currently unleased land under the custodianship of Roads ACT, which acts as an agency of TCCS.

3 Consultation

3.1 Notification of concurrent applications

The public exhibition of the DA and associated EIS provides the community and stakeholders an opportunity to consider the project in its entirety and provide submissions. The planning approval process included an initial 87-day public exhibition of this project which commenced on 5 July 2021 and closed on 30 September 2021. An additional period of community consultation was held from 8 November to 19 December 2021. Throughout this period, documentation submitted in support of the DA and EIS was made publically available through the ACT Government's development applications and assessment portal.

It is understood that this DA and the associated EIS will likely be accessible to the public again during the exhibition of the updated design.

3.2 Stakeholders consultation

Initial consultation has been undertaken by TCCS throughout the PSP Design Stage (January to November 2020) with relevant stakeholders and government agencies to inform the development of the Project, including ACT Equestrian, ACT Pedal Power, Friends of the Pinnacle Nature Reserve (FOTPN) the Uniting Church, the Conservator of Flora and Fauna (Liaison Officer), EPSDD Impact Team, SLA and Parks and Conservation Service. Consultation has also been ongoing throughout the preliminary design with ICON-GNS, Icon Water, Evo Energy, Jemena and various communication services (Optus, iiNet/TGP, Telstra).

3.3 Community consultation

The broader community engagement undertaken for the EIS and DA exhibition included a '**YourSay Conversations**' webpage about the project, targeted and general letters to residents of adjacent and nearby suburbs, onsite meeting with residents, popup information sessions at Kippax and Hawker, and presentation to the October Belconnen community council meeting.

3.4 Post-consultation response

Following the community consultations and initial statutory assessment of EIS and DA documentation, two key activities took place to respond to comments received from the community:

- **The realignment of the shared user path at the northern end of the project**

The realignment of the shared user path sees the path move to the western side of WHD from the underpass near the Old Weetangera Cemetery to Drake-Brockman Drive.

- **Peer review of the noise assessment**

A peer review was undertaken to identify some minor issues for SLR to update the project noise assessment. Both peer review and the updated noise assessment are now consistent in identifying the number of affected properties and nominating the appropriate mitigation measures. Refer to Section 2.3 for details.

The community and stakeholder consultations undertaken to date have been summarised in the SMEC's Stakeholder Engagement Report (Appendix I).

4 Legislative Context

The P&D Act sets out the requirements for obtaining development approval for works (development) proposed to be undertaken, unless the works are specifically exempt from requiring such approval.

The Project Site is located within TSZ1 – Transport zone under the *Territory Plan*. Development is subject to the requirements of the Transport and Services Zone Development Code and the relevant Precinct Codes, Development and General Codes as detailed in Table 4-1 below.

Table 4-1 | Assessment of Applicable Codes

Territory Plan	Relevance
Overlays and Clearance Zone Policies	Applicable, refer to Section 4.3.
Precinct Code	
Molonglo Valley District Precinct Map	Applicable, refer to Section 4.1.
Objectives and Development Tables	
TSZ1 Transport Zone	Applicable, refer to Section 4.2.
Development Code	
Transport and Services Zones Development Code	Applicable, refer to Section 4.4.
General Codes	
Parking and Vehicular Access General Code	Not applicable.
Bicycle Parking General Code	Not applicable.
Access and Mobility General Code	Not applicable.
Crime Prevention through Environmental Design General Code	Applicable, refer to Section 4.5.
Community and Recreation Facilities Location Guidelines General Code	Not applicable.
Communication Facilities and Associated Infrastructure General Code	Not applicable.
Signs General Code	Applicable, refer to Section 4.6.
Water Use and Catchment General Code	Not applicable.
Home Business General Code	Not applicable.

Territory Plan	Relevance
Waterways: Water Sensitive Urban Design General Code	Applicable, refer to Section 4.7.
Planning for Bushfire Risk Mitigation General Code	Applicable, refer to Section 4.8.
Residential Boundary Fences General Code	Not applicable.
Lease Variation General Code	Not applicable.

4.1 Molonglo Valley District Precinct Map

No additional provisions apply to the Site under the Molonglo Valley District Precinct Map.

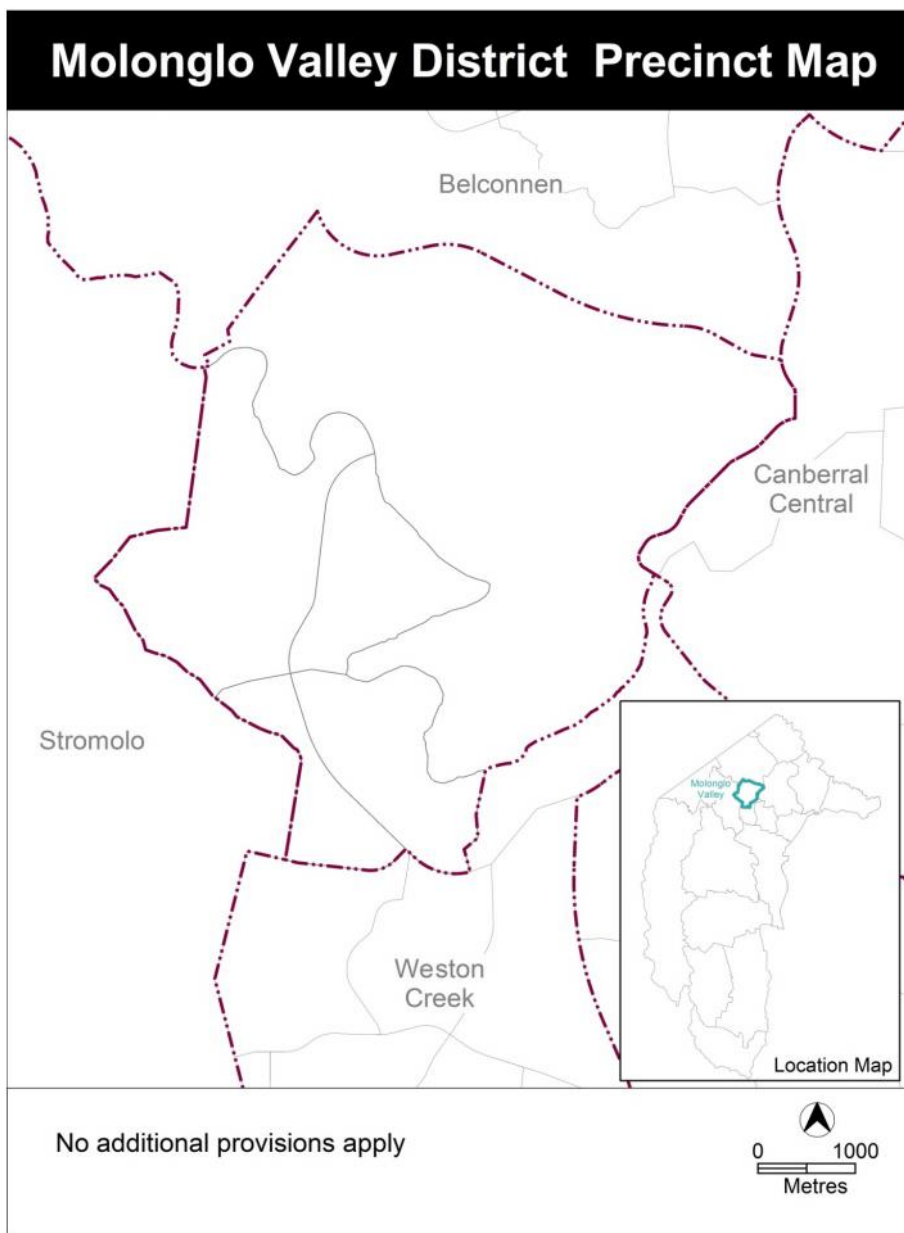


Figure 4-1 | Molonglo Valley District Precinct Map (source: Territory Plan, 2021)

4.2 Objectives and Development Tables

TSZ1 – Transport Zone Objectives

- a) *Make provision for a transport network that can provide for the efficient, safe and convenient movement of people and goods*
- b) *Ensure that major roads, light rail and transport infrastructure are developed in a comprehensive manner, including the provision of appropriate landscaping, street furniture and lighting, traffic control devices, and noise attenuation measures*
- c) *Provide for active travel and public transport.*

The Project meets the objectives of the TSZ1 – Transport Zone Objectives by providing an efficient, safe and convenient movement of road users. The duplication of William Hovell Drive would improve the existing road network with the provision of a duplicated road with additional capacity, a new shared path, upgraded pedestrian underpasses, new drainage, signalised intersection to Drake-Brockman Drive, street lighting, new road furniture and upgraded landscaping.

The Project is for duplication and upgrade works of a '**road reserve**' or '**public road**' that is not listed as a prohibited use in the TSZ1 Transport Zone Development Table. The Project is specified in Schedule 4 of the P&D Act as requiring impact track assessment.

Part 4.2 and 4.3 of the P&D Act detail the activities, areas and processes when an EIS is required. These are detailed in Table 4-2 and Table 4-3 below. The Project requires the preparation of an EIS as it is likely to have a significant impact on species listed under the *Nature Conservation Act 2014* (NC Act) and the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Due to this significant impact, an EIS is required to be prepared for the Project under the P&D Act. It is noted that an EIS application (EIS 202000014) has been lodged with the EPSDD concurrently as the lodgement of this development application.

Table 4-2 | Schedule 4 Planning and Development Act EIS Triggers – Activities

Item	Development Proposal	Comment
1	<p>Proposal for construction of a transport corridor including a major road, a dedicated bus way, a railway, or a light rail corridor, on any land, other than on land designated under the territory plan as a future urban area or in a transport and services zone, if the proposal is likely to have a significant adverse environmental impact on—</p> <ol style="list-style-type: none"> (a) air quality so as to be detrimental to the health of persons in an adjoining residential, commercial or community facility zone; or (b) ambient noise or vibration so as to be detrimental to the health of persons in an adjoining residential, commercial or community facility zone 	N/A – the Project would not have significant detrimental air quality, noise or vibration impact on adjoining zones. There may be some localised impacts during construction, however these are not expected to be significant or long-lasting.
2	<p>Proposal that involves —</p> <ol style="list-style-type: none"> (a) electricity transmission line construction, including additions or realignment works, outside an existing easement or exceeding 500m in length, that are intended to carry underground or above ground transmission lines with a voltage of 132kV or more; or (b) a coal electricity generating station; or (c) an electricity generating station (other than a coal electricity generating station) including gas, wind, 	N/A

Item	Development Proposal	Comment
	<p>hydroelectric, geothermal, bio-material, solar power or co-generation—</p> <ul style="list-style-type: none"> i. that is capable of supplying— <ul style="list-style-type: none"> A. the amount of electrical power prescribed by regulation; or B. if no amount is prescribed— 4MW or more of electrical power; or ii. in a location or of a kind or nature prescribed by regulation; or <p>(d) an electricity generating station if the temperature of water released from the station into a body of water (other than an artificial body of water) is likely to vary by more than 2°C from the ambient temperature of the body of water</p>	
3	<p>Proposal for construction of a water storage dam —</p> <ul style="list-style-type: none"> (a) that will be at least 15m high when measured from the lowest point of the general foundations to the crest of the dam; or (b) that will be at least 10m high when measured from the lowest point of the general foundations to the crest of the dam if— <ul style="list-style-type: none"> (i) the crest is not less than 500m in length; or (ii) the water storage capacity of the reservoir formed by the dam at normal operating level is at least 1 000 000 m³; or (iii) the recommended design flood discharge dealt with by the dam is at least 2000m³ per second; or (c) in the river corridor zone under the territory plan unless the conservator of flora and fauna produces an environmental significance opinion that the proposal is not likely to have a significant adverse environmental impact; or (d) on a continuously flowing river in a non-urban zone under the territory plan unless the conservator of flora and fauna produces an environmental significance opinion that the proposal is not likely to have a significant adverse environmental impact 	N/A
4	<p>Proposal for construction of an airport or airfield (other than a helicopter landing facility used exclusively for emergency services purposes, including medical evacuation, fire fighting, retrieval or rescue)</p>	N/A
5	<p>Proposal for construction of a wastewater treatment plant (including a plant for the treatment of sewage or other effluent) that—</p> <ul style="list-style-type: none"> (a) will be less than 1km from the boundary of a residential block or unit in a residential or commercial zone; or (b) will be able to treat each day more than — <ul style="list-style-type: none"> (i) 2 500 people equivalent capacity; or (ii) 750kL; or (c) will have capacity to store more than 1kt of sewage, sludge or effluent; or 	N/A

Item	Development Proposal	Comment
	(d) will incinerate sewage or sewage products; or (e) will have a capacity to treat more than 100ML of wastewater (excluding stormwater) each year; but (f) is not — (i) a plant for the treatment of stormwater; or (ii) a small-scale wastewater treatment plant (including a plant for the treatment of sewage or other effluent but not including a small-scale plant prescribed by regulation); or (iii) a residential on-site wastewater treatment system (including a septic tank)	
6	Proposal for construction of a petroleum storage facility with a storage capacity greater than 500kL of petroleum products at 1 time	N/A
7	Proposal for construction of a permanent venue for the conduct of motor racing events	N/A
8	Proposal for use of land for a commercial landfill facility, other than for the disposal of virgin excavated natural material (or other earth and rock fill that is inert waste) if— (a) the intended capacity of the facility is more than 5kt each year, or 20kt in total; or (b) the facility will be— (i) in an area with a high water table, highly permeable soils, sodic soils or saline soils; or (ii) less than 2km from the boundary of a residential block or unit in a residential or commercial zone	N/A
9	Proposal for the construction of a waste management facility that is— (a) an incineration facility for the destruction by thermal oxidation of waste including biological, veterinary, medical, clinical, dental, quarantine and municipal waste; or (b) for the sterilisation of clinical waste; or (c) for the storage, treatment, disposal, processing, recycling, recovery, use or reuse of regulated waste	N/A
10	Proposal for a waste transfer station or recycling facility that sorts, consolidates or temporarily stores solid waste (including municipal waste) for transfer to another site for disposal, storage, reprocessing, recycling, use or reuse, if the transfer station — (a) is intended to handle more than 30kt of waste each year; or will be less than 1km from the boundary of a residential block or unit in a residential or commercial zone; but (b) is not a small-scale waste management facility, on or near a residential block or near a residential unit, consisting of wheelie bins, small hoppers, or other small	N/A

Item	Development Proposal	Comment
	waste management bins or enclosures for the use of people living on the residential block or in the residential unit	
11	Proposal that involves storage of the placard quantity of a Schedule 11 hazardous chemical on land, or in a building or structure on the land, that, immediately before the commencement day, was not registered as premises in the placard quantity register, unless the authority produces an environmental significance opinion indicating that the proposal is not likely to have a significant adverse environmental impact.	N/A

Table 4-3 | Schedule 4 Planning and Development Act EIS Triggers – Areas and Processes

Item	Development Proposal	Comment
1	<p>Proposal that is likely to have a significant adverse environmental impact on 1 or more of the following, unless the conservator of flora and fauna provides an environmental significance opinion indicating that the proposal is not likely to have a significant adverse environmental impact:</p> <ul style="list-style-type: none"> (a) a critically endangered species; (b) an endangered species; (c) a vulnerable species; (d) a conservation dependent species; (e) a regionally threatened species; (f) a regionally conservation dependent species; (g) a provisionally listed threatened species; (h) a listed migratory species; (i) a threatened ecological community; (j) a protected native species; (k) a Ramsar wetland; (l) any other protected matter 	Yes – the Project has the potential to impact listed species. This has been confirmed through the referral of the Project under the EPBC Act (refer to Appendix C).
2	<p>Proposal involving —</p> <ul style="list-style-type: none"> (a) the clearing of more than 0.5ha of native vegetation in a native vegetation area, other than on land that is designated as a future urban area under the territory plan, unless the conservator of flora and fauna produces an environmental significance opinion that the clearing is not likely to have a significant adverse environmental impact; or (b) the clearing of more than 5.0ha of native vegetation in a native vegetation area, on land that is designated as a future urban area under the territory plan, unless the conservator of flora and fauna produces an environmental significance opinion that the clearing is not likely to have a significant adverse environmental impact 	Yes – the Project would require clearing of more than 0.5 ha of native vegetation. Refer to Appendix C.
3	Proposal for development in a reserve, unless—	N/A – the Project does not involve works in a reserve.

Item	Development Proposal	Comment
	<ul style="list-style-type: none"> (a) the conservator of flora and fauna produces an environmental significance opinion that the proposal is not likely to have a significant adverse environmental impact; or (b) the proposal is for minor public works to be carried out by or for the Territory in accordance with a minor public works code approved by the conservator of flora and fauna under the Nature Conservation Act 2014, section 318A 	
4	<p>Proposal that is likely to have a significant adverse environmental impact on —</p> <ul style="list-style-type: none"> (a) a domestic water supply catchment; or (b) a water use purpose mentioned in the territory plan (water use and catchment general code); or (c) a prescribed environmental value mentioned in the territory plan (water use catchment general code) of a natural waterway or aquifer 	N/A
5	<p>Proposal that is likely to result in environmentally significant water extraction or consumption, other than a proposal for an urban lake, pond or retardation basin or a wastewater reuse scheme—</p> <ul style="list-style-type: none"> (a) in an existing urban area or on land that has been designated as a future urban area; and (b) that is designed in accordance with the water sensitive urban design general code under the territory plan 	N/A
6	<p>Proposal that is likely to have a significant adverse impact on the heritage significance of a place or object registered under the Heritage Act 2004, unless—</p> <ul style="list-style-type: none"> (a) the heritage council produces an environmental significance opinion that the proposal is not likely to have a significant adverse impact; or (b) the proposal is the demolition of a building that is affected residential premises, and the heritage council has approved a statement of heritage effect in relation to the proposal <p>Note 1 Affected residential premises—see the dictionary.</p> <p>Note 2 Statement of heritage effect—see the Heritage Act 2004, s 61G.</p>	No, the current design would avoid impact and provide a buffer to identified places of heritage significance. Refer to the Updated Aboriginal and Historic Cultural Heritage Assessment in Appendix G.
7	<p>Proposal involving land included on the register of contaminated sites under the Environment Protection Act 1997 unless the authority produces an environmental significance opinion indicating that the proposal is not likely to have a significant adverse environmental impact</p>	N/A
8	<p>Proposal, other than on land in an existing urban area or land that is designated under the territory plan as a future urban area,</p>	N/A

Item	Development Proposal	Comment
	with the potential to adversely affect the integrity of a site where significant environmental or ecological scientific research is being conducted by a government entity, a university or another entity prescribed by regulation	

An assessment against the Transport and Services Zone Development Code has been conducted and provided within this report, refer to Table 4-4 in Section 4.3 below.

4.3 Overlays and Clearance Zone Policies

The *Overlays and Clearance Zone Policies* outline the ‘*purposes for which public land is reserved is indicated on the Map by a houndstooth border and by a map code*’. The north-western portion of the Site is mapped with Public Land – Line overlay zone.

A Letter of Authorisation signed by the Land Custodian – Roads ACT is submitted as part of the DA.

4.4 Transport and Services Zone Development Code

Table 4-4 | Assessment against the Transport and Services Zone Development Code (Effective: 21 February 2020)

Rules	Criteria	Compliance
Part A – Zone Specific Controls		
TSZ1 – Transport Zone		
Element 1: Restrictions on Use		
1.1 Use and Form		
Not Applicable		
TSZ2 – Services Zone		
Element 2: Building and Site Controls		
2.3 Earthworks	<p>C5</p> <p>Any work carried out by service authorities incorporates restoration work to return all natural features to the condition existing before the work commenced.</p>	A Sedimentation and Erosion Control Plan and report is provided in Appendix E. The site would be stabilised and revegetated as works are finalised.
Part B – General Development Controls		
Element 1: Restrictions on Use		
1.1 Plans of Management		

Rules	Criteria	Compliance
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Not Applicable

Element 2: Building and Site Controls

2.1 Subdivision

Not Applicable

2.2 Demolition

R9

In accordance with section 148 of the Planning and Development Act 2007, the application is accompanied by a Statement of Endorsement from utilities provider (including Water, Sewerage, Stormwater, Electricity and Gas) stating that:

- a) All network infrastructure on or immediately adjacent the site has been identified on the plan
- b) All potentially hazardous substances and conditions (associated with or resulting from the demolition process) that may constitute a risk to utility services have been identified
- c) All required network disconnections have been identified and the disconnection works comply with utility requirements
- d) All works associated with the demolition comply with and are in accordance with

C9

If a Statement of Endorsement is not provided the application will be referred to relevant utilities provider in accordance with the requirements of the P&D Act.

Consistent with C9

Utility Endorsements were granted by Evoenergy and Jemena for electricity and gas during the agency referral process. Icon Water has also provided in-principal support to the development application submitted to them.

It is understood that the DA had been referred to the relevant utilities providers for comment, and that a response to comments received had been included in Section 3.4.1 of the Stakeholder Engagement Report (Appendix I). A response to any additional comments received during the second referral may be required prior to the determination of the DA.

Rules	Criteria	Compliance
utility asset access and protection requirements.		
2.3 National Capital Plan		
There is no applicable rule.	<p>C10</p> <p>Where a development is subject to Special Requirements under the National Capital Plan, or any relevant Development Control Plan prepared under the National Capital Plan, the development is not inconsistent with the Special Requirements or Development Control Plan. Where any provision of this code is inconsistent with Special Requirements under the National Capital Plan, or any relevant Development Control Plan prepared under the National Capital Plan, that provision has no effect.</p>	Not Applicable
ELEMENT 3: Built Form		
Not Applicable		
The development is for road duplication work which does not present any built form.		
ELEMENT 4: Parking and Site Access		
4.1 Traffic Generation		
There is no applicable rule.	C15	Not Applicable

Rules	Criteria	Compliance
	<p>The existing road network can accommodate the amount of traffic that is likely to be generated by the development.</p>	<p>Currently William Hovell Drive operates at over 20,000 vehicles per day which significantly exceeds the capacity of a single carriageway road.</p> <p>The Project is for road duplication and upgrades work to accommodate additional traffic generated by new residential development in the surrounding estate of Ginninderry (West Belconnen) and the new suburbs of Strathnairn and Macnamara.</p> <p>Overall, the proposed development will not generate any traffic according to the traditional traffic generation methodologies. However, the upgrade will result in a redistribution of traffic across the Canberra road network and may also lead to a small increase in traffic volumes due to the relatively lower congestion and easier road travel. This increase in traffic should be accompanied by a reduction in traffic volumes across other arterial and lower order roads in Belconnen. Refer to Appendix H – Transport Impact Assessment for details.</p>
<p>4.2 Vehicle Access and Parking</p>		
<p>There is no applicable rule.</p>	<p>C16</p> <p>Vehicle access and parking complies with the requirements of the Parking and Vehicular Access General Code.</p>	<p>Not Applicable</p>
<p>4.3 Bicycle Parking</p>		

Rules	Criteria	Compliance
There is no applicable rule.	C17 Bicycle Parking complies with the requirements of the Bicycle Parking General Code.	Not Applicable
4.4 Pedestrian Movement		
There is no applicable rule.	C18 Safe and convenient movement of public transport passengers, pedestrians and cyclists is provided.	Consistent with C18 Road safety measures have been included (safety barrier, regulatory and warning signage, and line marking) to ensure the safe and convenient movement of vehicles. The Project also includes signifncat upgrade to off-road cycle facilities within the road corridor. A future proposed shared path (subject to separate approval), connecting to the existing shared path adjacent to Coulter Drive to Bindubi Street is currently in preliminary design. This would offer users a safe, direct connection to Civic and the trunk cycle network around Lake Burley Griffin. Allowing the site to be connected to this active transport infrastructure could encourage broader use and less reliance on private vehicles.
ELEMENT 5: Amenity		
5.1 Lighting		
R19	C19	Complies with R19

Rules	Criteria	Compliance
<p>External lighting is provided to building frontages, all pathways, roads, laneways and car-parking areas in accordance with Australian Standard AS1158.3.1 <i>Pedestrian Lighting</i>.</p>	<p>External lighting is provided in accordance with the Crime Prevention Through Environmental Design General Code.</p>	<p>The proposed new lighting for the Project has been designed to meet the requirements of Category V3 in accordance with Australian Standard AS/NZS 1158.1.1:2005. The V3 category has been applied as William Hovell Drive is an arterial road, and this category is in line with the requirements of TCCS.</p> <p>The new shared user pathway lighting has been designed to meet the requirements of Category PP5 in accordance with Australian Standard AS/NZS 1158.3.1:2020. The PP5 category has been applied for the shared user path, as it is the most similar to category P4 in the superseded version of AS/NZS 1158.3.1. Category P4 has been applied to numerous pathways throughout Canberra.</p> <p>It is noted that new lighting has been designed to minimise light spill to the surrounding nature reserve by using shorter light poles.</p> <p>Refer to Street lighting plans Dwg No. 120114-E200 prepared by ACOR Rudds Consultants Pty Ltd within Appendix A.</p>
<p>R20</p> <p>All external lighting provided is in accordance with <i>AS 4282 Control of the Obtrusive Effects of Outdoor Lighting</i>.</p>	<p>C20</p> <p>All outdoor lighting, including security and car park lighting, is designed and sited to minimise light spill.</p>	<p>Not Applicable</p> <p>The proposed lighting is not classified as outdoor lighting under Australian Standard <i>AS 4282 Control of the Obtrusive Effects of Outdoor Lighting</i>. Whilst the Project includes upgraded access to the Weetangera Cemetery carparking, however, existing lightings are not proposed.</p>

Rules	Criteria	Compliance
5.2 Signs		
There is no applicable rule.	<p>C21</p> <p>Signs comply with the Signs General Code.</p>	<p>Consistent with C21</p> <p>Refer to Section 4.6 of this report for details.</p>
ELEMENT 6: Environment		
6.1 Assessment of Environmental Effects		
There is no applicable rule.	<p>C22</p> <p>The development application is accompanied by an Assessment of Environmental Effects that addresses the following:</p> <ul style="list-style-type: none"> a) appropriate measures to soften the impact of development on the landscape b) impacts on the character and appearance of any building, area of architectural, historic, aesthetic or scientific interest, or other object or place of special cultural or , value c) impacts on public health and safety, including crime prevention d) whether public transport services are necessary and, if so, whether they are available and adequate e) impacts on the likely accessibility to facilities and services for users and consumers 	<p>Consistent with C22</p> <p>A Preliminary Environmental Assessment was prepared for the Project and identified potential significant impact on areas of Box Gum Woodland, Pink-tailed Worm-lizard and potential Golden Sun Moth habitat. The Proponent chose to refer this Project to DAWE to determine whether the Project constitutes a Controlled Action under the Environment Protection and Biodiversity Conservation Act 1999. Confirmation that the Project is a Controlled Action was received on 29 July 2020. It is noted that a full environmental assessment and an EIS have been prepared concurrently to enable the Project to be considered under the bi-lateral agreement with the Commonwealth, and to permit concurrent notification and assessment of the EIS and Impact Track DA.</p>

Rules	Criteria	Compliance
	<ul style="list-style-type: none"> f) any significant short or long-term effect, that the relevant authority considers the use or development may have on the environment, including social and economic effects and potential cumulative effects g) impacts on the watercourses and drainage characteristics of the area, including water quality h) impacts on the amenity of surrounding land uses, including impacts on air quality, noise, overshadowing, privacy, and the level of wind turbulence generated. 	
6.5 Heritage		
<p>R27</p> <p>In accordance with section 148 of the <i>Planning and Development Act 2007</i>, applications for development on land or buildings subject to interim or full heritage registration are to be accompanied by advice from the Heritage Council stating that the development meets the requirements of the <i>Heritage Act 2004</i>.</p>	<p>C27</p> <p>If advice from the Heritage Council is required, but not provided, then the application will be referred to the Heritage Council in accordance with the requirements of the P&D Act.</p>	<p>Consistent with C27</p> <p>Both the Weetangera Methodist Cemetery and Kama Woodlands are currently registered to the ACT Heritage Register as holding high heritage significance and Impacts can be avoided by design at all heritage sites and areas of potential other than the Kama Woodlands listing. As heritage impacts would occur, there are known heritage impacts from the proposed project. As a result, submission of the updated Statement of Heritage Effects (SHE) for approval to the ACT Heritage Council is conducted and the updated SHE is provided within Appendix G.</p> <p>The areas of identified Potential Archeological Deposits (PAD) have been avoided in the design of the Project and would be fenced during construction</p>

Rules	Criteria	Compliance
		<p>to ensure accidental impact does not occur. For further information refer to the Cultural Heritage Assessment in Appendix G – Updated Aboriginal and Historic Cultural Heritage Assessment.</p> <p>It is understood that the DA had been referred to the Heritage Council for comment, and that a response to comments received had also been included in Section 3.4.1 of the Stakeholder Engagement Report (Appendix I). A response to any additional comments received during the second referral may be required prior to the determination of the DA.</p>
6.6 Contamination		
<p>R28</p> <p>A statement is provided that the potential for land contamination has been assessed in accordance with the <i>ACT Government Strategic Plan – Contaminated Sites Management 1995</i> and the <i>ACT Environment Protection Authority Contaminated Sites Environmental Protection Policy 2000</i>, and it is demonstrated that the land is suitable for the proposed development.</p>	<p>C28</p> <p>If a statement that the site has been assessed is not provided, the application will be referred to the relevant agency in accordance with the requirements of the P&D Act.</p>	<p>Consistent with C28</p> <p>Potential contamination sources along the alignment and within surrounding areas have been identified. Refer to <i>William Hovell Drive Duplication – Detailed Design: Contamination Assessment</i> (SMEC, 2020) submitted with the EIS for further detail.</p> <p>It is understood that the DA has been referred to the relevant EPA for comment, and that a response to comments received is included in Section 3.4.1 of the Stakeholder Engagement Report (Appendix I). A response to any additional comments received during the second referral may be required prior to the determination of the DA.</p>
6.7 Trees		

Rules	Criteria	Compliance
<p>R29</p> <p>This rule applies to a development that has one or more of the following characteristics:</p> <ul style="list-style-type: none"> a) requires groundwork within the tree protection zone of a <i>protected tree</i> b) is likely to cause damage to or removal of any <i>protected trees</i> <p>The authority shall refer the development application to the Conservator of Flora and Fauna.</p> <p>Notes:</p> <ol style="list-style-type: none"> 1. Under the <i>Planning and Development Regulation 2008</i> a development application for a <i>declared site</i> under the <i>Tree Protection Act 2005</i>, must be referred to the Conservator of Flora and Fauna. 2. The authority will consider any advice from the Conservator of Flora and Fauna before determining the application in accordance with the <i>Planning and Development Act 2007</i>. 3. <i>Protected tree</i> and <i>declared site</i> are defined under the <i>Tree Protection Act 2005</i>. 	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>Complies with R29</p> <p>A Tree Management Plan is submitted as part of the DA package. The Project would be undertaken in accordance with the requirements of the Tree Management Plan.</p> <p>Refer to Appendix B for the Tree Removal and Retention plans prepared by Envirolinks Design.</p>
<p>6.8 Erosion and Sediment Control</p>		
<p>R30</p> <p>For sites less than 0.3 of a hectare, a plan is provided to demonstrate that the development complies with</p>	<p>C30</p>	<p>Not Applicable</p> <p>The Site is larger than 0.3 of a hectare.</p>

Rules	Criteria	Compliance
<p>the ACT Environment Protection Authority, Environment Protection Guidelines for Construction and Land Development in the ACT, August 2007.</p>	<p>If a plan is not provided, the application will be referred to the relevant agency in accordance with the requirements of the P&D Act.</p>	
<p>R31</p> <p>For development on a site greater than 0.3 of a hectare, the application is accompanied by an Erosion and Sediment Control Plan endorsed by the ACT Environment Protection Authority</p>	<p>C31</p> <p>If an endorsed Sediment and Erosion Control Plan is not provided the application will be referred to the relevant agency in accordance with the requirements of the P&D Act.</p>	<p>Complies with R31</p> <p>A Sedimentation and Erosion Control Plan and report is provided in Appendix E.</p>
<p>6.9 Hazardous Materials</p>		
<p>R32</p> <p>For the demolition of single dwelling housing (including garages and carports) constructed* prior to 1985, a Hazardous Materials Survey (including an asbestos survey) is carried out and signed by an appropriately licensed person.</p> <p>The Survey is provided and covers the disposal of hazardous materials, showing that:</p> <ul style="list-style-type: none"> a) Hazardous material disposal (including asbestos) is to be at a licensed disposal facility in the ACT b) If hazardous materials are to be transported for disposal interstate, approval from the Environment Protection Authority is obtained prior to removal of material from the site 	<p>C32</p> <p>If an endorsed Sediment and Erosion Control Plan is not provided the application will be referred to the relevant agency in accordance with the requirements of the P&D Act.</p>	<p>Not Applicable</p> <p>No single dwelling housing is included in this application.</p>

Rules	Criteria	Compliance
<p>c) An appropriately licensed contractor is engaged for the removal and transport of all hazardous materials (including asbestos) present at the site</p> <p>* Construction date means the date when the Certificate of Occupancy was issued.</p>		
ELEMENT 7: Services		
7.1 Waste Management		
<p>R33</p> <p>In accordance with section 148 of the <i>Planning and Development Act 2007</i>, the application is accompanied by a Statement of Compliance from the Department of Territory and Municipal Services stating that the waste facilities and management associated with the development are in accordance with the current version of the <i>Development Control Code for Best Practice Waste Management in the ACT</i>.</p>	<p>C33</p> <p>If a Statement of Compliance is not provided the application will be referred to the Department of Territory and Municipal Services in accordance with the requirements of the P&D Act.</p>	<p>Consistent with C33</p> <p>Waste associated with construction would be appropriately managed, classified (as necessary) and lawfully disposed of.</p> <p>Safeguards would be implemented through the CEMP to avoid and minimise disturbance to the environment as a result of the construction of the Project.</p> <p>It is understood that the DA was referred to the relevant relevant entities for comment during the initial assessment. A response to comments received is included in Section 3.4.1 of the Stakeholder Engagement Report (Appendix I). A response to any additional comments received during the second referral may be required prior to the determination of the DA.</p>
7.2 Waste Water		

Rules	Criteria	Compliance
<p>R34</p> <p>Subject to ACTEWAGL approval, all under cover areas drain to the sewer.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>Noted</p>
<p>7.3 Utilities</p>		
<p>R35</p> <p>A Statement of Compliance from each relevant utility provider (for water, sewerage, stormwater, electricity and gas) is provided, which confirms that the location and nature of earthworks, utility connections, proposed buildings, pavements and landscape features comply with utility standards, access provisions and asset clearance zones. Note: Where there is a conflict between planning and utility requirements, the utility requirements take precedence over other provisions of this Code.</p>	<p>C35</p> <p>If a Statement of Compliance is not provided the application will be referred to the Department of Territory and Municipal Services in accordance with the requirements of the P&D Act.</p>	<p>Consistent with C35</p> <p>Utility Endorsements were granted by Evoenergy and Jemena for electricity and gas during the agency referral process. Icon Water has also provided in-principal support to the development application submitted to them.</p> <p>It is understood that the DA was referred to the relevant relevant entities for comment during the initial assessment. A response to comments received is included in Section 3.4.1 of the Stakeholder Engagement Report (Appendix I). A response to any additional comments received during the second referral may be required prior to the determination of the DA.</p>
<p>7.4 Storage</p>		
<p>R36</p> <p>Outdoor storage areas are located behind the building line and screened from view from any road or other public area.</p>	<p>C36</p> <p>Where the proposed use of the site requires open areas for storage of goods and materials, adequate provision is included in the design layout of the site.</p>	<p>Not Applicable</p> <p>No outdoor storage is proposed.</p>

Rules	Criteria	Compliance
<p>R37</p> <p>Outdoor storage areas do not encroach on required car-parking spaces, driveways exclusively required for vehicular circulation or landscape areas</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>Not Applicable</p> <p>No outdoor storage is proposed.</p>
<p>7.5 Servicing and Site Management</p>		
<p>R38</p> <p>In accordance with section 148 of the <i>Planning and Development Act 2007</i>, the application is accompanied by a Statement of Endorsement from the relevant agency stating that the waste facilities and management associated with the development are in accordance with the <i>Design Standards for Urban Infrastructure</i>.</p>	<p>C38</p> <p>If a Statement of Compliance is not provided the application will be referred to the Department of Territory and Municipal Services in accordance with the requirements of the P&D Act.</p>	<p>Consistent with C38</p> <p>Waste associated with construction would be appropriately managed, classified (as necessary) and disposed of. Safeguards would be implemented through the CEMP to avoid and minimise disturbance to the environment as a result of the construction of the Project.</p> <p>It is understood that the DA was referred to the relevant relevant entities for comment during the initial assessment. A response to comments received is included in Section 3.4.1 of the Stakeholder Engagement Report (Appendix I). A response to any additional comments received during the second referral may be required prior to the determination of the DA.</p>

4.5 Crime Prevention Through Environmental Design General Code

Table 4-5 | Assessment against the Crime Prevention Through Environmental Design General Code (Effective: 16 December 2011)

Rules	Criteria	Compliance
1.1 Neighbourhood Design		
There is no applicable rule.	C1 Design is in accordance with the recommendations of a crime risk assessment as outlined in the ACT Crime Prevention and Urban Design Resource Manual.	Not Applicable
2.1 General Code		
There is no applicable rule.	C2 The development described in Table 1 meet the Crime Prevention Through Environmental Design General Code.	Consistent with C2 An assessment is required as the Project is for a "Road" under Table 1 and includes a shared path with pedestrian/cyclist underpasses.
3.1 Open Space and Community (Shared) Areas - Not Applicable		
3.2 Children's Play Areas – Not applicable		
3.3 Lighting		

Rules	Criteria	Compliance
<p>There is no rule applicable.</p>	<p>C10</p> <p>Provide a schedule of lighting showing that lighting complies with each of the following:</p> <ul style="list-style-type: none"> a) Australian Standard AS1158 Lighting for Roads and Public Spaces Part 3.1: Pedestrian Area (Category P) Lighting – Performance and Design Requirements b) Australian Standard AS1158: Lighting for Roads and Public Spaces Part 2: Computer Procedures for the Calculations of Light Technical Parameters for Category V and Category P Lighting c) Australian Standard AS4282: The Control of Obtrusive Effects of Outdoor Lighting, in the case of security lighting. 	<p>Consistent with C10</p> <p>The proposed new lighting for the Project has been designed to meet the requirements of Category V3 in accordance with Australian Standard AS/NZS 1158.1.1:2005. The V3 category has been applied as William Hovell Drive is an arterial road, and this category is in line with the requirements of TCCS.</p> <p>There has been a need to avoid excessive lighting in the key wildlife corridors between Kama Nature Reserve and the Pinacles Nature Reserv. Lighting has the potential to act as a physical "barrier" to movement and can create a road kill hotspot at either end where animals move around it to access nearby habitat.</p> <p>Shading and artificial light impact on biodiversity will be minimised through detailed design. Lighting will be designed in accordance with AS 4282-1997 Control of the obtrusive effects of outdoor lighting.</p> <p>Refer to Street lighting plans Dwg No. 120114-E200 prepared by ACOR Rudds Consultants Pty Ltd within Appendix A.</p>

Rules	Criteria	Compliance
There is no rule applicable.	<p>C11</p> <p>Legitimate users and activities at night are encouraged by lighting:</p> <ul style="list-style-type: none"> a) spaces evenly and consistently (except where accent/feature lighting is necessary) b) inset spaces, entries/exits and paths c) to reduce the casting of shadows that could hide intruders d) directional signage e) building entries f) exterior to interior spaces evenly to allow for surveillance. 	<p>Consistent with C11</p> <p>Lighting of underpasses will remain on for the same duration as the road/pathway lighting for consistency.</p> <p>Lighting of intersections with ample escape routes through the limited use of barriers within several hundred meters (either on road edges or central median strips).</p> <p>Where there is no fencing, it is recommended that regular roadside maintenance would be needed to deter herbivores from this area, whilst also providing good lighting and line of sight.</p>
There is no rule applicable.	<p>C12</p> <p>Areas that are not intended for night time are not lit and are closed off to pedestrians.</p>	<p>Not Applicable</p> <p>The Project is within the public domain.</p>
There is no rule applicable.	<p>C13</p> <p>Damage to light fixtures are minimised by selecting vandal-resistant, high mounted light fixtures. All light bulbs are protected with a suitable lantern bowl.</p>	<p>Consistent with C13</p> <p>External lighting would be mounted at appropriate heights and would be fixed to negate opportunities for vandalism. Refer to plans for specifications.</p>
<p>3.4 Signs</p>		

Rules	Criteria	Compliance
<p>R14</p> <p>A statement is provided that all directional signage will comply with the requirements of <i>AS1742.10</i> (1991) Manual of Uniform Traffic Control Devices – Pedestrian Control and Protection</p>	<p>This is a mandatory rule. There are no criteria.</p>	<p>Complies with R14</p> <p>Directional signage is detailed in Appendix A - Package 15 “Traffic Control Devices.”</p>
<p>There is no rule applicable</p>	<p>C15</p> <p>Locate signs so that they comply with each of the following:</p> <ul style="list-style-type: none"> a) they are clearly visible from a distance at all times b) they are not likely to be obscured by growing vegetation c) they are strategically placed at entrances and near activity centres including bus stops, taxi rank and public facilities. 	<p>Consistent with C15</p> <p>Signage is detailed in Appendix A - Package 15 “Traffic Control Devices.”</p>
<p>There is no rule applicable.</p>	<p>C16</p> <p>Provide legible signs for all users:</p> <ul style="list-style-type: none"> a) specify signs of high contrast, with light lettering on dark backgrounds with nonreflective surfaces; b) signs should be developed as a system with a consistent pattern, based on a hierarchy of most important messages. 	<p>Consistent with C16</p> <p>Signage would be clear and legible.</p>

4.6 Signs General Code

Regulatory and warning signages are proposed as part of this application. The selected type of signage is a pole sign.

The Signs General Code is applicable to the design, content and positioning of the proposed signs as detailed in Package 15 of Appendix A “Traffic Control Devices”. An assessment of the Signs General Code is included in Table 4-6 below.

Table 4-6 | Assessment against the Signs General Code (Effective: 31 March 2008)

Rules	Criteria	Compliance
PART A – GENERAL DEVELOPMENT CONTROLS		
ELEMENT 1: USE		
1.1 Permissible Signs		
R1 The sign type and location comply with Table 1. Signs Permissible in Zones	C1 The Sign meets the requirements of C4.	Complies with R1 The proposed signs are Pole Signs and are permitted under ‘Other’ zones identified in Table 1. It is understood the proposed signs are subject to individual assessment.
1.2 Content of Sign		
R2 The sign content and sign location comply with Table 2. Allowable Signage Content and Location	C2 The Sign meets the requirements of C4.	Not Applicable The types of signage proposed are not specified in Table 2.
1.3 Licensing		
R3	C3	Consistent with C3.

Rules	Criteria	Compliance
A fixed Sign that is designed or located so that it encroaches on, over, or into unleased Territory land, has a valid licence agreement with the Territory for the sign that has been issued under Part 9.11 of the <i>Planning and Development Act 2007</i> .	If development approval is granted for a fixed Sign that is designed or located so that it encroaches on, over, or into unleased Territory Land a condition of approval will be imposed requiring the applicant to enter into a licence agreement with the Territory prior to the approval of the encroaching signage taking effect.	All proposed signage is on unleased Territory Land under the land custodianship of Roads ACT and may be subject to the requirement for a license agreement. This can be addressed by way of a condition of consent.

ELEMENT 2: BUILT FORM

2.1-2.5 Awning Fascia Sign, Blind Sign, Business Plates, Canopy Sign, Changeable Message Sign

Not Applicable

2.6 Construction Site Fence Sign

<p>R22</p> <p>Maximum Surface Area: A 1m x 1m square for each metre of length of the fence.</p>	<p>C22</p> <p>The Sign meets the requirements of C4.</p>	<p>Noted</p>
<p>R23</p> <p>Illumination: Not illuminated.</p>	<p>C23</p> <p>The Sign meets the requirements of C4 and the illumination of the sign:</p> <ul style="list-style-type: none"> a) minimises the spill effects or escape of light into the night sky; and b) eliminates shadows and promotes the safety of adjoining public areas; and 	<p>Complies with R23</p> <p>All proposed signs are not illuminated.</p>

Rules	Criteria	Compliance
	c) the intensity of lighting and hours of illumination do not unreasonable impact on any residential properties.	
2.7-2.17 Display Home or Development Site Sales Sign, Event Sign, Fence Sign, Flag Pole Sign, Ground Sign, Hamper Sign, High Rise Building Sign, Inflatable Sign, Information Sign, Lantern Sign, Mobile Sign		

Not Applicable

2.18 Pole Sign		
R73 Maximum number: One two-sided pole sign per site.	C73 The Sign meets the requirements of C4.	Complies with R73 Regulatory and warning signage has been shown on design drawings in accordance with TCCS Municipal Infrastructure Technical Specifications, Austroads guides and AS1742. Only one-sided pole signs are proposed.
R74 Maximum surface area: 4.5 square metres per side, for a maximum of two sides.	C74 The Sign meets the requirements of C4.	Complies with R74 Each proposed sign has a surface area of less than 4.5m ² .
R75 Maximum height above ground: 4.5 metres.	C75 The Sign meets the requirements of C4.	Complies with R75 All proposed signs do not exceed 4.5m in height Refer to dwg no's. 3002750-TCD-1831 to 1848.
R76 Minimum setback from side boundary: 3 metres.	C76 The Sign meets the requirements of C4.	Not Applicable

Rules	Criteria	Compliance
<p>R77</p> <p>Content: Name signs of development estates must include the suburb name.</p>	<p>This is a mandatory rule. There are no criteria.</p>	<p>Not Applicable</p>
<p>R78</p> <p>Illumination: Not illuminated.</p>	<p>C78</p> <p>The Sign meets the requirements of C4 and the illumination of the sign:</p> <ul style="list-style-type: none"> a) minimises the spill effects or escape of light into the night sky; and b) eliminates shadows and promotes the safety of adjoining public areas; and c) the intensity of lighting and hours of illumination do not unreasonable impact on any residential properties. 	<p>Complies with R78</p> <p>All proposed signs are not illuminated.</p>
<p>R79</p> <p>Minimum setback of 1200mm from the sign to the road kerb/shoulder.</p>	<p>This is a mandatory rule. There are no criteria.</p>	<p>Complies with R79</p> <p>All proposed signs are setback at least 1.2m from road kerb or shoulder.</p> <p>Refer to Drawings 3002750-TCD-1831 to 1848.</p>
<p>2.19-2.22 Project Sign, Pylon/Column Sign, Roof Sign, Stallboard Sign</p>		

Not Applicable

2.23 Territory Sign

<p>R104</p>	<p>C104</p>	<p>Complies with R104</p>
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Rules	Criteria	Compliance
The sign meets the specific sign type requirements contained in this code and are constructed by or on behalf of the Territory.	The Sign meets the requirements of C4 and are constructed by or on behalf of the Territory.	This project includes the design and construction of signs on behalf of the Territory.
R105 a) Within road reservations and on unleased Territory land signage content is limited to the message requirements of the Territory Government and traffic control; and b) Content is to relate to directional information for identifying locations, buildings, services and events; and c) Commercial business names or logos are not permitted.	C105 The Sign meets the requirements of C4.	Complies with R105 a) All proposed signs are located within road reservations and the content is for the purpose of traffic control only b) Only traffic-related and directional content will be included. c) No commercial business names or logos are included.

2.24-2.28 Under Awning Sign, Vertical Banner Building Sign, Vertical Banner Freestanding Sign, Wall Sign, Window Sign

Not Applicable

ELEMENT 3: Sign Construction

3.1 Traffic Safety

R132 A sign must not:	This is a mandatory rule. There are no criteria.	Complies with R132 All signs have been designed in accordance with TCCS Municipal Infrastructure Technical Specifications, Austroads guides and AS1742 to ensure they would not:
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Rules	Criteria	Compliance
<p>a) Obstruct pedestrians' view of traffic, or vehicle drivers' view of pedestrians, other traffic, or the road ahead; or</p> <p>b) Create confusion for drivers at critical locations, (such as intersections, traffic signals, or merging and weaving situations), due to the design, message/pictures, colours and location of the sign.</p>		<p>a) Obstruct pedestrians' view of traffic, or vehicle drivers' view of pedestrians, other traffic, or the road ahead; or</p> <p>b) Create confusion for drivers at critical locations, (such as intersections, traffic signals, or merging and weaving situations), due to the design, message/pictures, colours and location of the sign.</p> <p>Refer to Drawings 3002750-TCD-1831 to 1848 within Appendix A.</p>
3.2 Installation fixings		
<p>R133</p> <p>No support, fixing, suspension or other systems required for the installation of a sign are exposed, unless designed as an integral feature of the sign.</p>	<p>C133</p> <p>Conduits, wiring, switches or the mounting of other apparatus are discreetly placed and out of general view.</p>	<p>Noted</p>
<p>R134</p> <p>A sign must not be nailed or similarly fixed to a tree.</p>	<p>This is a mandatory rule. There are no criteria.</p>	<p>Complies with R134</p> <p>No proposed sign is nailed or similarly fixed to any tree.</p> <p>Refer to Drawings 3002750-TCD-1831 to 1848 within Appendix A.</p>
3.3 Animated or flashing signs		
<p>R135</p> <p>Signs do not contain animated or flashing elements.</p>	<p>C135</p> <p>The sign meets the requirements of C4.</p>	<p>Complies with R135</p> <p>No animated or flashing signage is proposed.</p>

Rules	Criteria	Compliance
ELEMENT 4: ENVIRONMENT		
4.1 National Capital Plan		
<p>R136</p> <p>There are no National Capital Plan requirements that apply to the development.</p>	<p>C136</p> <p>Where a development is subject to Special Requirements under the National Capital Plan (including any relevant Development Control Plan) the development is not inconsistent with the Special Requirements.</p>	<p>Comply with R136</p> <p>No National Capital Plan requirements apply to the proposal.</p>
4.2 Heritage		
<p>R137</p> <p>In accordance with section 145(2) of the <i>Planning and Development Act 2007</i>, applications for development on land or buildings subject to interim or full heritage registration are to be accompanied by advice from the Heritage Council stating that the development meets the requirements of the <i>Heritage Act 2004</i>.</p>	<p>C137</p> <p>If advice from the Heritage Council is required, but not provided, then the application will be referred to the Heritage Council in accordance with the requirements of the P&D Act.</p>	<p>Consistent with C137</p> <p>Consultation with the Heritage Council has occurred throughout the preparation of the PSP design. The Project has been designed to avoid identified PAD areas. As a result, submission of the updated Statement of Heritage Effects (SHE) for approval to the ACT Heritage Council has been undertaken and the updated SHE is provided within Appendix G.</p> <p>It is understood that the DA was referred to the relevant relevant entities for comment during the initial assessment. A response to comments received is included in Section 3.4.1 of the Stakeholder Engagement Report (Appendix I). A response to any additional comments received during the second referral may be required prior to the determination of the DA.</p>

Rules	Criteria	Compliance
4.3 Trees		
<p>R138</p> <p>In accordance with section 145(2) of the <i>Planning and Development Act 2007</i>, where the development proposal requires groundwork within the tree protection zone of a protected tree, or is likely to cause damage to or removal of, any protected trees, the application must be accompanied by a Tree Management Plan approved under the <i>Tree Protection Act 2005</i>.</p> <p>Note: "Protected tree" is defined under the <i>Tree Protection Act 2005</i>.</p>	<p>C138</p> <p>If an approved Tree Management Plan is required, but not provided, then a draft Tree Management Plan is to accompany the application. The draft Tree Management Plan will be referred to the relevant agency in accordance with the requirements of the P&D Act.</p>	<p>Consistent with C138</p> <p>Refer to landscape plans prepared by Envirolinks Design which include detail of trees to be removed/retained in Appendix B.</p>
4.4 Environmental Control		
<p>R139</p> <p>A sign must not be nailed or similarly fixed to a tree.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>Complies with R139</p> <p>No signage is proposed to be fixed to a tree.</p>

4.7 Waterways: Water Sensitive Urban Design General Code

Table 4-7 | Assessment against the Waterways: Water Sensitive Urban Design General Code (Effective: 21 February 2020)

Rules	Criteria	Compliance
Element 1: Mains water use reduction		
1.1 Mains Water Use Reduction Target		
<p>R1</p> <p>This rule applies to all development currently connected or intended to be connected to mains water supply except any of the following:</p> <ul style="list-style-type: none"> a) development subject to the estate development code b) development for minor alterations or extensions involving 50% or less of the existing floor area. <p>Development achieves a minimum 40% reduction in mains water consumption compared to an equivalent development constructed in 2003.</p> <p>Note: Compliance with this rule is demonstrated through a report from a suitably qualified person consistent with the methods specified in the ACT Practice Guidelines for Water Sensitive Urban Design.</p>	<p>This is a mandatory requirement. There is no applicable criterion.</p>	<p>Not Applicable</p> <p>The development is for a major road duplication and no water consumption is proposed.</p>
Element 2: Stormwater Quantity		
2.1 On-site stormwater retention		

Rules	Criteria	Compliance
<p>R2</p> <p>This rule applies to development for at least one of the following:</p> <ul style="list-style-type: none"> a) development on sites greater than 2,000m² involving works that have the potential to alter the stormwater regime of the site, including sites subject to the estate development code b) development within existing urban areas which increases impervious area by 100m². <p>This rule does not apply to any of the following:</p> <ul style="list-style-type: none"> a) development of major roads b) sites identified in a precinct code that stormwater retention requirements for the site have been fully dealt with through an estate development plan. <p>Development complies with at least one of the following:</p> <ul style="list-style-type: none"> a) stormwater retention management measures are provided and achieve all of the following: <ul style="list-style-type: none"> i). Stormwater storage capacity of 1.4kL per 100m² of the total impervious area of the site is provided specifically to retain and reuse stormwater generated on site as a whole 	<p>C2</p> <p>Development complies with all of the following:</p> <ul style="list-style-type: none"> a) It is demonstrated that stormwater retention measures can be more successfully met offsite b) development complies with at least one of the following stormwater retention management measures: <ul style="list-style-type: none"> i). An equivalent volume of stormwater is stored and used at an offsite location within the same catchment or a catchment in proximity to the site as part of a stormwater offset agreement ii). If it is demonstrated that the above stormwater retention measures are unable to be provided, then a contribution to the construction of offsite measures within the same catchment or a catchment in proximity to the site as a means of offset may be approved by the Planning and Land Authority. <p>For this criterion, the meaning of a stormwater offset agreement as defined and detailed in the ACT Practice Guidelines for Water Sensitive Urban Design.</p> <p>Note: Compliance with this criterion is demonstrated through a report from a suitably qualified person consistent with the methods specified in the ACT Practice Guidelines for Water Sensitive Urban Design.</p>	<p>Not Applicable</p> <p>The development is for a major road duplication and no water consumption is proposed.</p>

Rules	Criteria	Compliance
<p>ii). Retained stormwater is used on site</p> <p>b) development captures, stores and uses the first 15mm of rainfall falling on the site.</p> <p>For this rule, on-site stormwater retention is defined as the storage and use of stormwater on site.</p> <p>Note: Compliance with this rule is demonstrated through a report from a suitably qualified person consistent with the methods specified in the ACT Practice Guidelines for Water Sensitive Urban Design.</p> <p>Note: ACT Practice Guidelines for Water Sensitive Urban Design defines acceptable uses of stormwater on site.</p> <p>Note: Any site specific stormwater retention requirements for new estates must be nominated on planning control plans submitted with the estate development plan.</p>		
<p>2.2 On-site stormwater detention</p>		
<p>R3</p> <p>This rule applies to development for at least one of the following:</p> <p>a) development on sites greater than 2,000m² involving works that have the potential to alter the stormwater regime of the site, including sites subject to the estate development code</p> <p>b) development within existing urban areas which increases impervious area by 100m²</p>	<p>C3</p> <p>Stormwater detention measures are provided and achieve all of the following:</p> <p>a) ensure that the peak rate of stormwater runoff from the site does not exceed the peak rate of runoff from an unmitigated (rural) site of the same area for the 1 Exceedance per Year (1EY)</p> <p>b) A maximum of 30% of the runoff from the site may bypass the onsite stormwater detention system where it can be</p>	<p>Not Applicable</p> <p>The development is for a major road duplication and no water consumption is proposed.</p>

Rules	Criteria	Compliance
<p>This rule does not apply to any of the following:</p> <ul style="list-style-type: none"> a) development of major road b) sites identified in a precinct code indicating that stormwater detention requirements have been fully met. <p>Stormwater detention measures are provided and achieve all of the following:</p> <ul style="list-style-type: none"> a) capture and direct runoff from the entire site b) Stormwater storage capacity of 1kL per 100m² of impervious area is provided to specifically detain stormwater generated on site c) The detained stormwater is designed to be released over a period of 6 hours after the storm event. <p>For this rule on-site stormwater detention is defined as the short term storage and release downstream of stormwater runoff.</p> <p>Note: Compliance with this rule is demonstrated through a report from a suitably qualified person consistent with the methods specified in the ACT Practice Guidelines for Water Sensitive Urban Design.</p> <p>Note: Calculating on-site detention can include 50% of the volume of rainwater tanks where stormwater is used on-site.</p> <p>Note: For new estates any stormwater detention must be nominated on planning control plans submitted with the</p>	<p>demonstrated that at least one of the following circumstances applies:</p> <ul style="list-style-type: none"> i). Difficult ground levels ii). The nature of the receiving drainage system cannot receive runoff from the entire site iii). The need to retain significant trees or vegetation iv). Other demonstrated circumstances. <p>Note: Compliance with this criterion is demonstrated through a report from a suitably qualified person consistent with the methods specified in the ACT Practice Guidelines for Water Sensitive Urban Design.</p> <p>Note: where an estate development plan has partially achieved the stormwater detention measures, this can be taken into account for the detention measures on individual sites.</p>	

Rules	Criteria	Compliance
<p>estate development plan. In particular, where an estate development plan has partially achieved the stormwater detention measures, this can be taken into account for the detention measures on individual sites.</p>		
<p>2.3 Stormwater quantity for major road on sites over 2000m²</p>		
<p>R4</p> <p>This rule applies to development of major roads involving sites greater than 2000m².</p> <p>Development complies will all of the following:</p> <ul style="list-style-type: none"> a) The capacity of existing pipe (minor) stormwater connection to the site is not exceeded in the 1 in 10 year storm event b) The capacity of the existing overland (major) stormwater system to the site is not exceeded in the 1 in 100 year storm event 	<p>C4</p> <p>Development for major roads on sites greater than 2000m² complies with at least one of the following:</p> <ul style="list-style-type: none"> a) A reduction of the 1 in 5 year and 1 in 100 year stormwater peak run off flow to predevelopment levels b) The capacity of the downstream piped stormwater system to its outlet with an open channel is not exceeded in the 1 in 10 year storm event. <p>Note: Compliance with this criterion is demonstrated through a report from a suitably qualified person consistent with the methods specified in the ACT Practice Guidelines for Water Sensitive Urban Design.</p>	<p>Complies with R4</p> <p>R4 applies as the development is for a major road duplication involving sites greater than 2,000m². The drainage is configured to ensure the duplication of William Hovell Drive does not place unnecessary pressure on existing stormwater infrastructure.</p> <p>There are 23 culvert crossings within the proposed upgraded section of the road, however these are generally within non-residential areas and capture flows into the nature reserves and open rural areas.</p> <p>The existing transverse drainage lines have been retained to provide consistency with the current drainage arrangement and minimise impact to flora, fauna and nature reserves.</p> <p>The proposed drainage catchments would reflect the existing drainage catchment scenario where practically possible. The main catchment characteristics is dense grass with sparse tress. WHD also contains three existing underpasses which help provide some additional relief for the transverse culverts during the 1 in 100 year storm event.</p>

Rules	Criteria	Compliance
2.4 On-site stormwater detention for estate development plans		
<p>There is no applicable rule.</p>	<p>C5</p> <p>This criterion applies to estate development plans.</p> <p>Stormwater detention measures are provided and the peak rate of stormwater runoff from the estate does not exceed the peak rate of runoff from an unmitigated (rural) site of the same area for minor and major storms.</p> <p>Note: Compliance with this criterion is demonstrated through a report from a suitably qualified person consistent with the methods specified in the ACT Practice Guidelines for Water Sensitive Urban Design.</p> <p>Note: The Major (1% Annual Exceedance Probability (AEP)) and Minor storms are as defined by TCCS or the agency responsible for stormwater management.</p> <p>Note: Stormwater detention measures required for each individual block may contribute toward meeting the overall detention requirements for the estate as demonstrated in an estate development plan. Note: Any site specific stormwater detention must be nominated on planning control plans submitted with the estate development plan.</p>	<p>Not Applicable</p> <p>The development is not for an EDP.</p>
Element 3: Stormwater Quality		
3.1 Stormwater Quality Target – sites greater than 2000m²		

Rules	Criteria	Compliance
<p>R6</p> <p>This rule applies to development for all of the following:</p> <ul style="list-style-type: none"> a) where the development site is greater than 2,000m² b) where development involves works that have potential to alter the stormwater regime for the site. <p>This rule does not apply to development of major roads.</p> <p>The average annual stormwater pollutant export is reduced when compared with an urban catchment of the same area with no water quality management controls for all of the following:</p> <ul style="list-style-type: none"> a) gross pollutants by at least 90% b) suspended solids by at least 60% c) total phosphorous by at least 45% d) total nitrogen by at least 40%. <p>Note: Compliance with this rule is consistent with the ACT Practice Guidelines for Water Sensitive Urban Design and is demonstrated by a report by a suitably qualified person, using the MUSIC model. If a tool other than the MUSIC model is used then a report by an independent suitably qualified person must be submitted demonstrating and confirming compliance with the rule. If parameters that are non-compliant are used then a report must also be</p>	<p>C6</p> <p>It is demonstrated that at least one of the following applies:</p> <ul style="list-style-type: none"> a) stormwater quality measures can be more successfully met offsite b) a sensitive downstream environment will be negatively impacted. <p>Development complies with at least one of the following:</p> <ul style="list-style-type: none"> a) an equivalent load of pollutants is captured at an offsite location as part of a stormwater offset agreement b) if the above stormwater quality measures are unable to be provided, then a contribution to the construction of offsite measures as a means of offset may be approved by the Planning and Land Authority. <p>For this criterion a stormwater offset agreement is defined as detailed in the ACT Practice Guidelines for Water Sensitive Urban Design.</p> <p>Note: Compliance with this criterion is consistent with the ACT Practice Guidelines for Water Sensitive Urban Design and is demonstrated by a report by a suitably qualified person, using the MUSIC model. If a tool other than the MUSIC model is used then a report by an independent suitably qualified person must be submitted demonstrating and confirming compliance with the criterion. If parameters that are non-compliant are used then a report must also be</p>	<p>Not Applicable</p> <p>The development is for a major road duplication and no water consumption is proposed.</p>

Rules	Criteria	Compliance
submitted by an independent suitably qualified person stating how and why the parameters are appropriate.	submitted by an independent suitably qualified person stating how and why the parameters are appropriate.	
3.2 Stormwater quality Target – major roads		
<p>R7</p> <p>This rule applies to development of major roads, including the duplication of an existing major road in full or in part.</p> <p>The average annual stormwater pollutant export is reduced when compared with a road catchment of the same area with no water quality management controls for all of the following:</p> <ul style="list-style-type: none"> a) gross pollutants by at least 90% b) suspended solids by at least 60% c) total phosphorous by at least 45% d) total nitrogen by at least 40%. <p>Note: Compliance with this rule is consistent with the ACT Practice Guidelines for Water Sensitive Urban Design and is demonstrated by a report by a suitably qualified person, using the MUSIC model. If a tool other than the MUSIC model is used then a report by an independent suitably qualified person must be submitted demonstrating and confirming compliance with the rule. If parameters that are non-compliant are used then a report must also be submitted by an independent suitably qualified person stating how and why the parameters are appropriate.</p>	<p>C7</p> <p>If it can be demonstrated that the stormwater quality measures specified in the rule are unable to be provided, then a contribution to the construction of offsite measures as a means of offset may be approved by the Planning and Land Authority.</p> <p>Note: Compliance with this criterion is consistent with the ACT Practice Guidelines for Water Sensitive Urban Design and is demonstrated by a report by a suitably qualified person, using the MUSIC model. If a tool other than the MUSIC model is used then a report by an independent suitably qualified person must be submitted demonstrating and confirming compliance with the criterion. If parameters that are non-compliant are used then a report must also be submitted by an independent suitably qualified person stating how and why the parameters are appropriate.</p>	<p>Complies with R7</p> <p>Vegetated swales are to be provided within the road reserve on both sides of the road to collect runoff and remove pollutant particles and sediment. Where kerb and gutter are provided, surface water is collected and discharged to vegetated swales.</p> <p>For the portion of the duplication within the Deep Creek catchment, runoff is directed to vegetated swales before being discharged to Deep Creek.</p> <p>A MUSIC model was prepared for the road upgrade to determine if the proposed water quality measures meet the reduction targets.</p> <p>The detailed design exceeds the water quality targets as follows:</p> <ul style="list-style-type: none"> a) gross pollutants by at least 100% b) suspended solids by at least 96.5% c) total phosphorous by at least 81.3% d) total nitrogen by at least 40.4%. <p>As shown above, the Project achieves reasonable compliance with the water quality targets for the WSUD General Code.</p>

Rules	Criteria	Compliance
		Refer to Appendix F for the WSUD MUSIC Model and further discussion in the accompanying EIS.
Element 4: Climate change adaptation		
4.1 Nuisance flooding – sites greater than 2000m²		
<p>There is no applicable rule.</p>	<p>C8</p> <p>This criterion applies to development on sites greater than 2,000m² involving works that have potential to alter the existing drainage and overland flow regime for the site.</p> <p>Overland flow paths are provided and achieve all of the following:</p> <ul style="list-style-type: none"> a) accommodate overland stormwater flows up to the 1%AEP b) reduce nuisance flooding. <p>Note: Compliance with this criterion is demonstrated through a report from a suitably qualified person consistent with the methods specified in the ACT Practice Guidelines for Water Sensitive Urban Design.</p>	<p>Consistent with C8</p> <p>As a result of the duplicated road, the area of hardstand would increase and there would be an associated minor increase in peak stormwater runoff. The Project would increase the stormwater drainage to manage the increased surface water for events up to the 1% AEP, while also providing additional protection during and following major storm events. As such, there should be no change with regard to the risk for erosion and scour at the stormwater discharge points or potential for sediment discharge and pollution.</p> <p>The existing transverse drainage systems under the proposed upgrade would be retained where practically possible. There would only be a minor change in flow attenuation between the present day and post-construction. The drainage plans provide the details and locations of the proposed culverts to protect the road from flooding for events up to 1% AEP. Refer to Appendix F for the WSUD MUSIC Model for details.</p>
4.2 Green/living infrastructure		

Rules	Criteria	Compliance
<p>R9</p> <p>This rule applies to at least one of the following developments:</p> <ul style="list-style-type: none"> a) Development on sites greater than 2000m² involving works that have potential to alter the stormwater regime for the site b) Development within existing urban areas that increase the impervious area of the site by 100m² or more. <p>Development achieves a minimum of 20% of the site area to be permeable.</p> <p>Note: Compliance with this rule is demonstrated through a report from a suitably qualified person consistent with the methods specified in the ACT Practice Guidelines for Water Sensitive Urban Design.</p>	<p>C9</p> <p>It is demonstrated that the development achieves all of the following:</p> <ul style="list-style-type: none"> a) Increases permeable surfaces and living infrastructure through green spaces b) Plants that require irrigation are supported by sustainable water systems such as onsite stormwater harvesting to achieve microclimate benefits c) Promotes evapotranspiration to mitigate extreme temperatures, improve air humidity and overall human comfort. <p>Note: Compliance with this criterion is demonstrated through a report from a suitably qualified person consistent with the methods specified in the ACT Practice Guidelines for Water Sensitive Urban Design.</p>	<p>Not Applicable</p> <p>The development is for a major road duplication and it would not alter the stormwater regime for the Site. The EIS chapter on Water Quality and Hydrology (Section 6.7.5) details the approach to stormwater management in the Project. The use of vegetated swales provides an acceptable level of permeable surfaces in the road reserve to help manage stormwater flows and the water quality of runoff.</p>
<p>Element 5: Entity (Government agency) Endorsement</p>		
<p>5.1 Water infrastructure</p>		
<p>There is no applicable rule.</p>	<p>C10</p> <p>This criterion applies to development that will result in municipal water sensitive urban design infrastructure being handed to the ACT Government.</p> <p>An operation and maintenance plan is to be endorsed by the ACT Government for the water sensitive urban</p>	<p>Noted</p> <p>An Operation and Maintenance Plan would be prepared and endorsed by the EPA during the construction period. This would detail the vegetated swales proposed throughout the Project.</p>

Rules	Criteria	Compliance
	<p>design assets that are to be handed to the ACT Government.</p> <p>Note: Compliance with this criterion is demonstrated through a report from a suitably qualified person consistent with the methods specified in the ACT Practice Guidelines for Water Sensitive Urban Design.</p>	

4.8 Planning for Bushfire Risk Mitigation General Code

The ACT Strategic Bushfire Management Plan (SBMP) version 4 (ESA, 2019) is based on the risk assessment process used across the ACT. This bushfire risk assessment process has been used to map bushfire prone areas (BPA) across the ACT that have a high bushfire risk. The Bushfire Prone Areas map defines areas of the ACT that are assessed as being high risk to life and property due to bushfires. Rural areas and areas adjacent to the forest and/or grassland are identified as bushfire prone. The Site is identified as designated BPA and the Planning for Bushfire Risk Mitigation General Code is applicable to the Project as shown in Figure 4-2 below.



Figure 4-2 | Bushfire Prone Areas

The construction compounds for the Project would be placed in cleared areas within the alignment. It is likely that a northern and southern compound would be provided to enable the works to be staged. A CEMP would be prepared for the Project and would include standard mitigation methods to manage hot works, chemical stage, plants, and equipment, particularly on fire-ban days.

Additionally, appropriate asset protection zones would be established around the construction compounds in accordance with ACT Bushfire Management Standards (ACT Emergency Services Commissioner, 2014). Such matters should be imposed as conditions in the notice of decision for the Project.

5 Conclusion

As reflected in this Planning Report, the Project is consistent with all relevant statutory planning requirements and capable of approval by the ACT Planning Authority. In particular, the Project has been assessed against and satisfied all relevant matters under the P&D Act and relevant codes within the *Territory Plan*.

Currently William Hovell Drive operates at over 20,000 vehicles per day which significantly exceeds the capacity of a single carriageway road. The Project seeks approval for the road duplication and upgrades work for this section of William Hovell Drive to accommodate additional traffic generated by new residential development in the estate of Ginninderry (West Belconnen) and the new suburbs of Strathnairn and Macnamara.

Overall, it is considered that the Project delivers a significant contribution to the growth of the Molonglo region and presents a positive outcome for the broader community within the ACT. Therefore, it is requested that the Development Application be granted approval.

Appendix A **Civil Engineering Plans**

Appendix B Landscape Plans

Appendix C **Biodiversity Impact Assessment: William Hovell Drive Duplication**

Appendix D **William Hovell Drive Duplication: Road Traffic Noise Assessment**

Appendix E Sediment and Erosion Control Plans

Appendix F **Water Sensitive Urban Design**

Appendix G Updated Aboriginal and Historic Cultural Heritage Assessment

Appendix H **Transport Impact Assessment**

Appendix I Stakeholder Engagement Report

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