



Ordinary Meeting of Council

AGENDA

23 October 2024

Commencing at 5:30 pm

**Council Chambers
Nellie Hamilton Centre
257 Crawford Street, Queanbeyan**

Presentations for items listed on the Agenda can be made in writing, via Zoom or in person. A live stream of the meeting can be viewed at: <http://webcast.qprc.nsw.gov.au/>

Statement of Ethical Obligations

The Mayor and Councillors are reminded that they remain bound by the Oath/Affirmation of Office made at the start of the Council term to undertake their civic duties in the best interests of the people of Queanbeyan-Palerang Regional Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the *Local Government Act 1993* or any other Act, to the best of their skill and judgement.

The Mayor and Councillors are also reminded of the requirement for disclosure of conflicts of interest in relation to items listed for consideration on the Agenda or which are considered at this meeting in accordance with the Code of Conduct and Code of Meeting Practice.

On-site Inspections - Nil

Queanbeyan-Palerang Regional Council advises that this meeting will be webcast to Council's website. Images and voices of those attending will be captured and published.

A recording of the meeting will be archived on the website.

To view webcasts or archived recordings, please go to webcast.qprc.nsw.gov.au

Webcasts of Council meetings cannot be reused or reproduced in any way and are subject to copyright under the *Copyright Act 1968*.

1	OPENING	
2	ACKNOWLEDGEMENT OF COUNTRY	
3	APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS	
4	CONFIRMATION OF MINUTES	
4.1	Minutes of the Ordinary Meeting of Council held on 9 October 2024	
5	DISCLOSURES OF INTERESTS	
6	ADJOURNMENT FOR PUBLIC FORUM	
7	MAYORAL MINUTE	
8	NOTICES OF MOTIONS OF RESCISSION	
9	REPORTS TO COUNCIL - ITEMS FOR DETERMINATION	
9.1	DA.2023.0461 - Proposed Co-living Housing Development - 95 Crawford Street, Queanbeyan	2
9.2	DA.2023.0465 - 113 Glenrock Drive Googong - Two Lot Subdivision and Development including Child Care Facility, Retail Premises, Service Station, Food and Drink Premises, Signage, Car Park, Access and Infrastructure	10
9.3	DA.2023.0313 - 4 Saltbush Parade Tralee - Multi Dwelling Housing and Strata Subdivision.....	23
9.4	Planning Proposal to Rezone Land at 7 and 15 Halfway Creek Road, Bungendore	35
9.5	Street Naming Proposal - Estate 2 Stage 2B - South Jerrabomberra Urban Release Area at Tralee	41
9.6	Feedback on Braidwood Community Plan.....	44
9.7	Renewal of Licence Agreement - Cartel Taqueria - 4-6 Trinculo Place, Queanbeyan.....	46
9.8	HoA for Proposed Lease Agreement with Amplitel Pty Ltd - 32A Severne Street, Queanbeyan	49
10	REPORTS TO COUNCIL - ITEMS FOR INFORMATION	
10.1	Response to QPRC's Proposal for Dunns Creek Road Stage 1	51
10.2	HSEQ Quarterly Report - 1 July to 30 September 2024	52

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

BUSINESS PAPER AGENDA – 23 October 2024 Page ii

11 REPORTS OF COMMITTEES

- 11.1 Local Traffic Committee Meeting Minutes - 8 October 202455
11.2 Queanbeyan Showground Advisory Committee Meeting Minutes - 12 August
2024.....56

12 NOTICES OF MOTIONS

13 REPORTS TO COUNCIL - DELEGATES REPORTS

14 QUESTIONS WITH NOTICE

15 NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION 57

Confidential - Not for Publication

16 REPORTS FOR CLOSED SESSION

- 16.1 RFT 2024-51 Insitu Stabilisation of Road Pavements - Tender Evaluation
Item 16.1 is confidential in accordance with s10(A) (c) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

17 CONCLUSION OF THE MEETING

LIST OF ATTACHMENTS

Open Attachments

- Item 9.1 DA.2023.0461 - Proposed Co-living Housing Development - 95 Crawford Street, Queanbeyan
Attachment 1 Section 4.15 Assessment - DA.2023.0461 - 95 Crawford Street Queanbeyan (Under Separate Cover)
Attachment 2 Proposal Plans - DA.2023.0461 - 95 Crawford Street Queanbeyan (Under Separate Cover)
Attachment 3 Draft Conditions of Consent - DA.2023.0461 - 95 Crawford Street Queanbeyan (Under Separate Cover)
Attachment 4 Submission - DA.2023.0461 - 95 Crawford Street Queanbeyan (Under Separate Cover)
Attachment 5 Clause 4.6 Variation request - DA.2023.0461 - 95 Crawford Street Queanbeyan (Under Separate Cover)
Attachment 6 Operational Plan of Management - DA.2023.0461 - 95 Crawford Street Queanbeyan (Under Separate Cover)
- Item 9.2 DA.2023.0465 - 113 Glenrock Drive Googong - Two Lot Subdivision and Development including Child Care Facility, Retail Premises, Service Station, Food and Drink Premises, Signage, Car Park, Access and Infrastructure
Attachment 1 S4.15 Assessment Report - DA.2023.0456 - 113 Glenrock Dr Googong (Under Separate Cover)
Attachment 2 Draft Conditions of Consent - DA.2023.0465 - 113 Glenrock Dr Googong (Under Separate Cover)
Attachment 3 Architectural Plans - DA.2023.0456 - 113 Glenrock Dr Googong (Under Separate Cover)

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

BUSINESS PAPER AGENDA – 23 October 2024 Page iii

- Attachment 4* Landscape Plans - DA.2023.0456 - 113 Glenrock Dr
Googong (Under Separate Cover)
- Attachment 5* Subdivision Plans - DA.2023.0456 - 113 Glenrock Dr
Googong (Under Separate Cover)
- Item 9.3 DA.2023.0313 - 4 Saltbush Parade Tralee - Multi Dwelling Housing and Strata Subdivision
- Attachment 1* S4.15 Assessment Report - DA.2023.0313 - 4 Saltbush
Parade Tralee - Multi Dwelling Housing (Under Separate
Cover)
- Attachment 2* Draft Conditions of Consent - DA.2023.0331 - 4 Saltbush
Parade Tralee - Multi Dwelling Housing (Under Separate
Cover)
- Attachment 3* Architectural Plans - DA.2023.0313 - 4 Saltbush Pde Tralee -
Multi Dwelling Housing (Under Separate Cover)
- Attachment 4* Landscape Plans - DA.2023.0313 - 4 Saltbush Pde Tralee -
Multi Dwelling Housing (Under Separate Cover)
- Attachment 5* Strata Plans - DA.2023.0313 - 4 Saltbush Pde Tralee - Multi
Dwelling Housing (Under Separate Cover)
- Item 9.4 Planning Proposal to Rezone Land at 7 and 15 Halfway Creek Road, Bungendore
- Attachment 1* Planning Proposal to Rezone Land at 7 and 15 Halfway
Creek Road, Bungendore (Under Separate Cover)
- Item 9.6 Feedback on Braidwood Community Plan
- Attachment 1* Feedback on Braidwood Community Plan (Under Separate
Cover)
- Attachment 2* Braidwood Community Plan October 2024 (Under Separate
Cover)
- Item 9.7 Renewal of Licence Agreement - Cartel Taqueria - 4-6 Trinculo Place, Queanbeyan
- Attachment 1* Draft Licence Agreement - Cartel Tacos - 2025 (Under
Separate Cover)
- Item 9.8 HoA for Proposed Lease Agreement with Amplitel Pty Ltd - 32A Severne Street,
Queanbeyan
- Attachment 1* Copy of Amplitel Proposed HoA (Under Separate Cover)
- Attachment 2* Overlay Showing Mapped Area (Under Separate Cover)
- Item 10.1 Response to QPRC's Proposal for Dunns Creek Road Stage 1
- Attachment 1* QPRC letter to Minister for Infrastructure, Transport,
Regional Development and Local Government re Dunns
Creek Road (Under Separate Cover)
- Attachment 2* Response from the Hon Catherine King MP, Minister for
Infrastructure, Transport, Regional Development and Local
Government (Under Separate Cover)
- Item 11.1 Local Traffic Committee Meeting Minutes - 8 October 2024
- Attachment 1* Local Traffic Committee Meeting - Minutes - 8 October 2024
(Under Separate Cover)
- Item 11.2 Queanbeyan Showground Advisory Committee Meeting Minutes - 12 August 2024
- Attachment 1* Queanbeyan Showground Advisory Committee Meeting
Minutes - 12 August 2024 (Under Separate Cover)

Closed Attachments

- Item 16.1 RFT 2024-51 Insitu Stabilisation of Road Pavements - Tender Evaluation
- Attachment 1* 2024-51 Tender Evaluation Report - Insitu Stabilisation
(Under Separate Cover)



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held via Zoom and in the Council Chambers, Nellie Hamilton Centre, 257 Crawford Street, Queanbeyan on Wednesday, 9 October 2024 commencing at 5.30pm.

ATTENDANCE

Councillors: Cr Winchester (Chairperson)

Cr Broadbent

Cr Grundy

Cr Livermore

Cr Macdonald

Cr Preston (via Zoom)

Cr Schweikert

Cr Taskovski

Cr Waterhouse

Cr Willis

Cr Wilson

Staff:

R Ryan, General Manager

M Duff, Director Infrastructure Services

J Richards, Director Community, Arts and Recreation

R Ormella, Director Development and Environment

T Sligar, A/Director Corporate Services

Also Present: L Ison (Minute Secretary)

The General Manager chaired the meeting until the election of Mayor and Deputy Mayor was completed.

1. OPENING

The meeting commenced at 5.30pm.

2. WELCOME TO COUNTRY

Dr Matilda House gave a Welcome to Country on behalf of the Traditional Custodians of the Land upon which the meeting was held.

3. APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

There were no apologies.

4. REPORTS TO COUNCIL – ADMINISTRATIVE ITEMS**4.1 Oath or Affirmation of Office for Councillors**

In accordance with Section 233A of the Local Government Act 1993, each Councillor was invited to take either the oath of office or affirmation of office, before the General Manager.

The following affirmation was declared before the General Manager on Tuesday, 1 October 2024:

Cr John Preston

- I, John Preston, solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the people of the Queanbeyan-Palerang area and the Queanbeyan-Palerang Regional Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

The following affirmations were declared before the General Manager at the Council meeting on Wednesday, 9 October 2024:

Cr Morgan Broadbent

- I, Morgan Broadbent, solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the people of the Queanbeyan-Palerang area and the Queanbeyan-Palerang Regional Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Cr Mareeta Grundy

- I, Mareeta Grundy, solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the people of the Queanbeyan-Palerang area and the Queanbeyan-Palerang Regional Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Cr Esmá Livermore

- I, Esmá Livermore, solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the people of the Queanbeyan-Palerang area and the Queanbeyan-Palerang Regional Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Cr Ross Macdonald

- I, Ross Macdonald, solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of the Queanbeyan-Palerang area and the Queanbeyan-Palerang Regional Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Cr Mark Schweikert

- I, Mark Schweikert, solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of the Queanbeyan-Palerang area and the Queanbeyan-Palerang Regional Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Cr Steve Taskovski

- I, Steve Taskovski, solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of the Queanbeyan-Palerang area and the Queanbeyan-Palerang Regional Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Cr Bill Waterhouse

- I, Bill Waterhouse, solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of the Queanbeyan-Palerang area and the Queanbeyan-Palerang Regional Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Cr Katrina Willis

- I, Katrina Willis, solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the people of the Queanbeyan-Palerang area and the Queanbeyan-Palerang Regional Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Cr Bryce Wilson

- I, Bryce Wilson, solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the people of the Queanbeyan-Palerang area and the Queanbeyan-Palerang Regional Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Cr Kenrick Winchester

- I, Kenrick Winchester, solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the people of the Queanbeyan-Palerang area and the Queanbeyan-Palerang Regional Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

454/24 **4.2 Election of Mayor for the 2024 - 2026 Term**
RESOLVED (Winchester/Macdonald)

That:

1. Council elects the Mayor of Queanbeyan-Palerang Regional Council for the 2024-2026 term.
2. The method of ballot be by open voting pursuant to Schedule 7, Part 1(3) of the Local Government (General) Regulation 2021.

The resolution was carried unanimously.

The General Manager, as Returning Officer, called for nominations for the position of Mayor for 2024-2026 term. There were two written nominations received, those of Cr Macdonald and Cr Winchester, both signed by two Councillors and consent accepted by the nominees.

The vote by way of a show of hands resulted in four votes for Cr Macdonald and seven votes for Cr Winchester.

The Returning Officer declared Cr Winchester duly elected as Mayor.

455/24 **4.3 Election of Deputy Mayor**
RESOLVED (Waterhouse/Wilson)

That:

1. Council elects a Deputy Mayor of Queanbeyan-Palerang Regional Council for the same term as the Mayor.
2. The method of ballot be by open voting pursuant to Schedule 7, Part 1(3) of the Local Government (General) Regulation 2021.

The resolution was carried unanimously.

The General Manager, as Returning Officer, called for nominations for the position of Deputy Mayor for 2024-2026 term. There were two written nominations received, those of Cr Livermore and Cr Grundy, both signed by two Councillors and consent accepted by the nominees.

The vote by way of a show of hands resulted in four votes for Cr Grundy and seven votes for Cr Livermore.

The Returning Officer declared Cr Livermore duly elected as Deputy Mayor.

The Mayor assumed the Chair.

ADJOURNMENT:

The meeting adjourned for a short recess at 5.50pm and resumed at 5.57pm.

5. CONFIRMATION OF MINUTES**5.1 Minutes of the Ordinary Meeting of Council held on 11 September 2024**

456/24

RESOLVED (Winchester/Taskovski)

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 11 September 2024 be confirmed.

The resolution was carried.

For: Crs Broadbent, Grundy, Livermore, Macdonald, Preston, Taskovski, Willis, Wilson, Waterhouse and Winchester

Against: Cr Schweikert

6. DISCLOSURES OF INTERESTS

457/24

RESOLVED (Winchester/Willis)

That Councillors and staff now disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.

The resolution was carried unanimously.

There were no disclosures.

7. ADJOURNMENT FOR PUBLIC FORUM

At this stage of the proceedings, the time being 5.58pm, Cr Winchester advised that the meeting should now adjourn for the Public Forum.

458/24

RESOLVED (Winchester/Willis)

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

ADJOURNMENT:

The meeting adjourned for the Public Forum at 5.58pm and resumed at 5.59pm.

8. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION**8.1 Utilisation of Countbacks to Fill Casual Vacancies**

459/24

RESOLVED (Wilson/Grundy)

That pursuant to section 291A(1)(b) of the Local Government Act 1993 (the Act), Queanbeyan-Palerang Regional Council declares that casual vacancies occurring in the office of a Councillor within 18 months after the last Ordinary election of Councillors for the Council on 14 September 2024 are to be filled by a countback of votes cast at that election in accordance with section 291A of the Act and directs the General Manager to notify the NSW Electoral Commissioner of Council's decision within seven days of the decision.

The resolution was carried unanimously.

460/24 **8.2 Delegations to the General Manager**
RESOLVED (Wilson/Waterhouse)

That:

1. Council delegate to the person holding the position, acting in, or performing the duties of General Manager, the powers, duties and functions set out in the attached Instrument of Delegation to the General Manager subject to the conditions and limitations specified in that Instrument.
2. The instrument of Delegation to the General Manager comes into force immediately after Council Resolution.
3. On the coming into force of the instrument all previous delegations to the General Manager are revoked.
4. The duties and functions set out in the above-mentioned instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

The resolution was carried unanimously.

461/24 **8.3 Council Meeting Schedule**
RESOLVED (Willis/Wilson)

That Council retain the current meeting schedule for this 2024-2028 term of Council as follows:

1. Ordinary Council meetings are to be held on the second and fourth Wednesday of each month, except for December and January.
2. One Ordinary Council meeting is held in each of December and January, on a Wednesday subject to the timing of public holidays.
3. Pre-meeting briefing schedules to be held on the Tuesday prior to a Council meeting.
4. Council meetings are held primarily in Queanbeyan.
5. Council establish a schedule of meetings to be held in Braidwood and Bungendore after considering an evaluation of the trial of Ordinary Council meetings held in Braidwood during 2023-24.

The resolution was carried unanimously.

462/24 **8.4 LGNSW Annual Conference 2024 - Councillor Delegates**
RESOLVED (Macdonald/Grundy)

That Council:

1. Nominate the Mayor and three Councillors to register as voting delegates to attend the 2024 LGNSW Annual Conference.
2. Register those Councillors wishing to attend as non-voting delegates to the 2024 LGNSW Annual Conference.

The resolution was carried unanimously.

Crs Grundy, Livermore, Macdonald, Preston, Schweikert and Taskovski were nominated as voting delegates to attend the conference.

ADJOURNMENT:

The meeting adjourned for a short recess to enable counting of the ballot at 6.10pm and resumed at 6.14pm.

Following the ballot, Crs Livermore, Preston and Taskovski were elected to attend the 2024 LGNSW Annual Conference as voting delegates.

Cr Schweikert was nominated to attend as a non-voting delegate.

463/24 **8.5 Councillor Member Audit, Risk and Improvement Committee (ARIC)**
RESOLVED (Waterhouse/Wilson)

That Council appoint a non-voting Councillor (and alternate) to the QPRC Audit, Risk and Improvement Committee.

The resolution was carried unanimously.

Cr Broadbent was appointed as delegate and Cr Preston as alternate delegate.

9. NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION

At this stage of the proceedings Cr Winchester advised that there were items on the Agenda that should be dealt with in Closed Session.

Cr Winchester then asked if, in accordance with Clause 59.6 of the Council's Code of Meeting Practice, there were any presentations as to why the matters listed below should not be dealt with in Closed Session.

There were no presentations.

10. REPORTS FOR CLOSED SESSION

464/24

RESOLVED (Winchester/Preston)

That pursuant to Section 10A of the *Local Government Act, 1993* the following items on the agenda for the Ordinary Council meeting be dealt with in Closed Session for the reasons specified below:

Item 10.1 QPRC v Minister for Education and Early Learning: Case Numbers 2022/3377152 and 2022/3377095

Item 10.1 is confidential in accordance with s10(A) (g) of the Local Government Act 1993 because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

The resolution was carried unanimously.

The meeting then moved into Closed Session at 6.18pm to discuss the matters listed above.

10.1 QPRC v Minister for Education and Early Learning: Case Numbers 2022/3377152 and 2022/3377095

465/24

RESOLVED (Macdonald/Broadbent)

That:

1. Council authorise the General Manager to continue negotiations regarding the compensation claim matters of QPRC v Minister for Education and Early Learning.
2. The General Manager provide an update to Council in Closed Session on a monthly basis.
3. A workshop be held as soon as possible to provide guidance for the General Manager for Heads of Agreement discussions.

The resolution was carried.

For: Crs Broadbent, Grundy, Livermore, Macdonald, Preston, Schweikert, Taskovski, Wilson, Waterhouse and Winchester

Against: Cr Willis

466/24

RESOLVED (Winchester/Macdonald)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 7.02pm.

The doors of the Chambers were opened to allow the public to enter.

In accordance with Clause 253 of the Local Government (General) Regulations 2005, the Mayor then read out the decisions of Council made in Closed Session.

11. CONCLUSION OF THE MEETING

The time being 7.03pm, the Mayor announced that the Agenda for the meeting had now been completed.

**CR KENRICK WINCHESTER
MAYOR
CHAIRPERSON**

ITEM 5 DECLARATION OF CONFLICTS/PECUNIARY INTERESTS

The provisions of Chapter 14 of the *Local Government Act, 1993* regulate the way in which Councillors and nominated staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public trust.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest must be disclosed as soon as practicable after the start of the meeting and the reasons for declaring such interest.

As members are aware, the provisions of the *Local Government Act* restrict any member who has declared a pecuniary interest in any matter from participating in the discussions, voting on that matter, and require that member to vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code also provides for a number of ways in which a member may manage non pecuniary conflicts of interest

Recommendation

That Councillors and staff disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.

9.1 DA.2023.0461 - Proposed Co-living Housing Development - 95 Crawford Street, Queanbeyan (Author: Ormella/Yeomans)

File Reference: DA.2023.0461

Recommendation

That:

1. Approval be granted to a variation to Section 69 Standard for Co-living housing of State Environmental Planning Policy Housing 2021 for minimum lot size.
 2. Approval be granted to a variation to Section 69 Standard for Co-living housing of State Environmental Planning Policy Housing 2021 for side boundary setbacks.
 3. Development application DA.2023.0461 for a Co-living housing development including demolition of existing structures on Lot 4 DP 8874, 95 Crawford Street Queanbeyan NSW 2620 be granted conditional consent.
-

Summary

Reason for Referral to Council

This application has been referred to Council because a variation of development standards is sought under the provisions of Clause 4.6 to the State Environmental Planning Policy (Housing) 2021.

Proposal:	Demolition of existing buildings and construction of Co-living housing with 19 private rooms and one Managers unit over three storeys
Applicant/Owner:	Queanbeyan One Pty Ltd
Subject Property:	Lot 4 DP 8874, 95 Crawford Street QUEANBEYAN NSW 2620
Zoning and Permissibility:	MU1 Mixed Use zone under Queanbeyan Local Environmental Plan 2012 Co-living housing is permissible under the State Environmental Planning Policy Housing 2021
Public Submissions:	One (1)
Issues Discussed:	Planning Requirements Variation to minimum lot size Variation to side boundary setback
Disclosure of Political Donations and Gifts:	Applicant Declared no Donations or Gifts to any Councillor or Staff have been made.

Background

Proposed Development

The proposal seeks approval for the construction of a three-storey Co-Living housing development and associated site works including demolition of existing structures.

9.1 DA.2023.0461 - Proposed Co-living Housing Development - 95 Crawford Street, Queanbeyan (Author: Ormella/Yeomans) (Continued)

Co-living housing are similar to Boarding Houses and are a development opportunity under the State Environmental Planning Policy (Housing) 2021. Co-living housing is characterised as:

- subject to similar built-form development standards as boarding houses,
- must provide a primary place of residence for all occupants – it may not be used for short-term tourist and visitor accommodation,
- may have as few as 6 private rooms,
- must provide indoor and outdoor communal space for residents to relax and socialise,
- must have a manager, who will be responsible for implementing the plan of management for the property. The manager does not have to be always on site but must be contactable by phone 24/7.



Figure 1: Locality plan

Subject Property

The subject site is legally described as Lot 4 DP 8874 and is commonly known as 95 Crawford Street Queanbeyan. The site is located on the western side of Crawford Street and has an area of 743m².

The site is located on a main entrance road into Queanbeyan and is within a mixed use area north of the main central business area of Queanbeyan. The site accommodates a commercial laundry.

There is a dwelling that adjoins the site to the north and the dwelling to the south appears to have been used for commercial purposes. The local area consists of a range of commercial, industrial and health services with single dwellings and multiple unit developments / Boarding houses across the rear lane and in Killard Street. Opposite Crawford Street is a motel and commercial uses.

Vehicular access is provided to the site via an existing driveway from Crawford Street.

9.1 DA.2023.0461 - Proposed Co-living Housing Development - 95 Crawford Street, Queanbeyan (Author: Ormella/Yeomans) (Continued)

Figure 2: Locality plan



Figure 3 – Existing development fronting Crawford Street

Planning Requirements

Assessment of the application has been undertaken in accordance with Section 4.15 of the Environmental Planning and Assessment Act (EPAA) 1979, as amended. The matters that are of relevance under Section 4.15 are summarised in the attached Section 4.15 Assessment Report.

9.1 DA.2023.0461 - Proposed Co-living Housing Development - 95 Crawford Street, Queanbeyan (Author: Ormella/Yeomans) (Continued)

The following planning instruments have been considered in the planning assessment of the subject development application:

1. State Environmental Planning Policy (Housing) 2021
2. State Environmental Planning Policy (Resilience and Hazards) 2021
3. Queanbeyan Palerang Regional Local Environmental Plan 2022 (LEP).
4. Queanbeyan Development Control Plan 2012 (DCP)

The development generally satisfies the requirements and achieves the objectives of these planning instruments. The significant issues relating to the proposal for Council's consideration are:

(a) Compliance with State Environmental Planning Policy (Housing) 2021**Section 67 - Co-living housing may be carried out on certain land with consent**

Development for the purposes of co-living housing may be carried out with consent on land in a zone in which—

(a) development for the purposes of co-living housing is permitted under another environmental planning instrument

Comment: The land is included in the MU1 Mixed Use Zone which can accommodate Residential Flat Buildings under the Queanbeyan Palerang Local Environmental Plan 2022.

Development consent can be granted for Co-living accommodation under the State Environmental Planning Policy (Housing) 2021 (SEPP).

Section 68 - Non-discretionary development standards

The proposal complies with the SEPP non-discretionary controls relating to floor space ratio, room numbers, communal living area, communal open space area and car parking.

Section 69 - Standards for co-living housing

The SEPP specifies the minimum lot size for this type of development in this zone at 800m². The size of the subject lot is 743m² so does not comply.

The applicant has sought a variation to this development standard through a Clause 4.6 variation request (attached).

The consent authority needs to be satisfied that despite the contravention in minimum lot size maintaining the minimum lot size is not necessary to achieve the objectives of the Housing SEPP.

The Applicant notes, which this assessment supports, that the relevant principles of the Housing SEPP are able to be achieved despite the contravention, including;

- enabling the development of diverse housing types,
- encouraging the development of housing that will meet the needs of more vulnerable members of the community,
- ensuring new housing development provides residents with a reasonable level of amenity,
- promoting the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services,
- minimising adverse climate and environmental impacts of new housing development,

9.1 DA.2023.0461 - Proposed Co-living Housing Development - 95 Crawford Street, Queanbeyan (Author: Ormella/Yeomans) (Continued)

- reinforcing the importance of designing housing in a way that reflects and enhances its locality.

The departure from the minimum lot size control does not compromise the relevant objectives of the Environmental Planning and Assessment Act. This includes optimising the use of resources for housing in an appropriate location, promoting the orderly and economic use of the land, to promote the delivery and maintenance of affordable housing and promotes residential development in an appropriate zone.

The minimum lot size is a discretionary standard. It is able to be varied after due consideration. The variation to the minimum lot size is also able to be supported.

Section 69 of the Housing SEPP also requires development to meet side boundary setback controls as set out in the Apartment Design Guide, which seeks to regulate buildings of this kind. The setbacks to the front of the site to Crawford Street at 6m complies. The setback to the rear at 3m does not strictly comply however the separation created by the Lane will achieve an adequate separation to residential development to the west.

Side boundary setbacks to the north and south do not comply. A setback to the north at 3.5m is proposed, and 3.2m to the south which is less than the 6m sought.

The applicant has argued that the proposed development meets the aims of the Apartment Design Guide despite the reduced setbacks. At between 3.2 – 4.4m the setback to the southern side property boundary achieves an appropriate level of residential amenity including visual and acoustic privacy, natural ventilation, sunlight and solar access.

The proposal includes an acoustic report which is supported by Council's Environmental Health officer and will form part of any consent. Any consent will also require ongoing compliance with an operational plan for the site. Privacy and overlooking is limited through the use of side boundary fencing and fixed privacy screens to upper floors. A solar assessment in support of the application has also confirmed private rooms will have adequate sunlight.

The assessment has also demonstrated using shadow diagrams that shade impacting the northern windows on the building to the south at 9am and 12 noon in mid-winter is the same as what is experienced now. From 12 noon onwards the proposed development will cast more shade to the rear of that adjoining site than is currently the case.

The proposed development at a height of 8.4m complies with the maximum height under the LEP of 8.5m. It is anticipated that any development on the subject site could have an impact similar to that now proposed in terms of overshadowing.

The setbacks as proposed are not anticipated to cause significant loss in residential amenity and are able to be supported.

The proposal complies in terms of room sizes, facilities, bicycle and motorbike parking and a unit for a Manager. The proposal is also supported by an Operational Plan of Management which will form part of the conditions of any consent.

Compliance with State Environmental Planning Policy – (Resilience & Hazards) 2021

The site currently accommodates a Drycleaner and an investigation into potential contaminants on site was warranted. A Preliminary Site Investigation has been provided in support of the application by Raw Earth Environmental.

9.1 DA.2023.0461 - Proposed Co-living Housing Development - 95 Crawford Street, Queanbeyan (Author: Ormella/Yeomans) (Continued)

Building debris including containing potential asbestos was observed. The assessment concluded that the site could be made fit for a residential purpose, which is supported by Council's Environmental Health officer who has suggested conditions to manage those potential impacts.

(b) Compliance with QPRLEP

The proposal is on land in the MU1 Mixed Use Zone. This zone can accommodate a Residential Flat Building which the SEPP Housing relies on for permissibility for Co-living housing.

There are no issues of non-compliance with the Queanbeyan Palerang Regional Local Environmental Plan 2022.

(c) Compliance with DCP

Part 2 of the Queanbeyan Development Control Plan 2012 applies to all development. The proposal complies with the relevant provisions of the Queanbeyan Development Control Plan 2012.

(a) Other Comments Building Surveyor's Comments

Council's Building Surveyor is able to support the proposal with conditions.

(b) Development Engineer's Comments

Council's Development Engineer is able to support the proposal with conditions.

(c) Environmental Health Comments

Council's Environmental Health Officer is able to support the proposal with conditions.

(d) Waste Officer Comments

Council's Waste Officer is able to support the proposal with conditions.

External - NSW Police

As a high density residential development the application was referred to NSW Police for comment. They have made some recommendations to assist in community safety which will be included in any consent as advice.

Financial Implications

The proposed development is able to contribute to the local housing stock within a central location in Queanbeyan.

Engagement

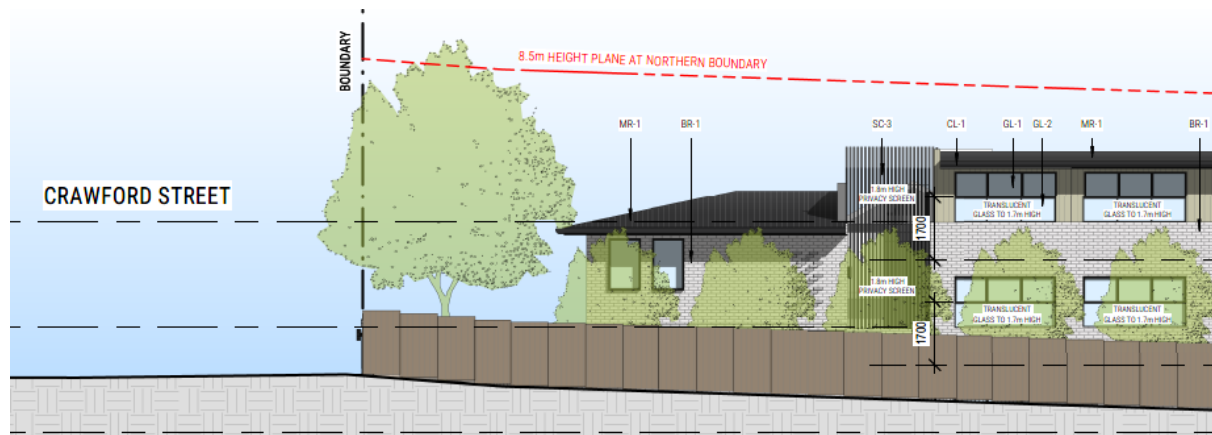
The proposal required notification under Council's Community and Participation plan. One (1) submission was received. The relevant issues raised are as follows:

Issue: Having windows facing my property at various levels impacting my privacy and peaceful living in my house.

Comment: The potential for overlooking and privacy concerns has been considered in this assessment. The proposal includes a 1.8m fence which will assist to manage impacts at ground level. The windows to the units above ground floor will be high, at 1.7m and translucent

9.1 DA.2023.0461 - Proposed Co-living Housing Development - 95 Crawford Street, Queanbeyan (Author: Ormella/Yeomans) (Continued)

glass to avoid overlooking. Circulation areas will also have fixed privacy screens to avoid the potential overlooking to adjoining properties.



The proposal has also been amended to remove the roof terrace which will reduce the potential for overlooking and potential noise from the outdoor communal space.

The submitters issue has been addressed to Council's assessment officers' satisfaction and does not warrant refusal of the application.

Compliance or Policy Implications

The proposal supports the State Environmental Planning Policy (Housing) 2021 which seeks to delivery housing opportunities in appropriate locations.

Links to QPRC/Regional Strategic Plans

The proposal promotes the Queanbeyan Palerang Regional Council's Affordable Housing Strategy and the delivery of a co-living development in an appropriate, quite central location that is well serviced and well connected.

Conclusion

The submitted proposal for a Co-living housing development including demolition of existing buildings on Lot 4 DP 8874 at 95 Crawford Street Queanbeyan is Local Development and is supported by a Statement of Environmental Effects. The proposal was notified to adjoining owner/occupiers and one (1) submission was received.







The proposal has been assessed under Section 4.15 of the Environmental Planning & Assessment Act 1979 including the relevant provisions of State Environmental Planning Policy Housing 2021, Queanbeyan Palerang Regional Environmental Plan 2022 and Queanbeyan Development Control Plan 2012.

The development satisfies the requirements and achieves the objectives of these instruments.

The proposed development is considered suitable for the site, is compatible with the neighbourhood and can be conditioned to mitigate any potential impacts.

9.1 DA.2023.0461 - Proposed Co-living Housing Development - 95 Crawford Street, Queanbeyan (Author: Ormella/Yeomans) (Continued)

Attachments

- Attachment 1  Section 4.15 Assessment - DA.2023.0461 - 95 Crawford Street Queanbeyan (*Under Separate Cover*)
- Attachment 2  Proposal Plans - DA.2023.0461 - 95 Crawford Street Queanbeyan (*Under Separate Cover*)
- Attachment 3  Draft Conditions of Consent - DA.2023.0461 - 95 Crawford Street Queanbeyan (*Under Separate Cover*)
- Attachment 4  Submission - DA.2023.0461 - 95 Crawford Street Queanbeyan (*Under Separate Cover*)
- Attachment 5  Clause 4.6 Variation request - DA.2023.0461 - 95 Crawford Street Queanbeyan (*Under Separate Cover*)
- Attachment 6  Operational Plan of Management - DA.2023.0461 - 95 Crawford Street Queanbeyan (*Under Separate Cover*)

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

- 9.2 DA.2023.0465 - 113 Glenrock Drive Googong - Two Lot Subdivision and Development including Child Care Facility, Retail Premises, Service Station, Food and Drink Premises, Signage, Car Park, Access and Infrastructure (Ref: ; Author: Ormella/Kunang)

File Reference: DA.2023.0465

Recommendation

That development application DA.2023.0465 for two lot Torrens title subdivision and construction of Centre based child care facility, specialised retail premises, food and drink premises with associated drive-thru (McDonalds and KFC), service station, signage, car park, access, landscaping, associated infrastructure and services on Lot 703 DP 1306613 (Formerly Lot 705 DP 1293040), No. 113 Glenrock Drive Googong (formerly known as 150 Wellsvale Drive Googong) be granted conditional consent.

Summary

Reason for Referral to Council

This application has been referred to Council because it is for a major development exceeding \$5 million in value.

Proposal:	Two lot Torrens title subdivision and construction of Centre based child care facility, specialised retail premises, food and drink premises with associated drive-thru (McDonalds and KFC), service station, signage, car park, access, landscaping, associated infrastructure and services
Applicant/Owner:	Stevens Land Pty Ltd / Googong Township Pty Limited
Subject Property:	Lot 703 DP 1306613 (Formerly Lot 705 DP 1293040), No. 113 Glenrock Drive Googong (Formerly known as 150 Wellsvale Drive Googong)
Zoning and Permissibility:	E1 Local Centre under Queanbeyan-Palerang Regional Local Environmental Plan 2022
Public Submissions:	One
Issues Discussed:	Planning Requirements
Disclosure of Political Donations and Gifts:	Applicant Declared no Donations or Gifts to any Councillor or Staff have been made

Background

The subject site is currently vacant. The site was created under the approved subdivision application DA123-2017 (Neighbourhood 2) for the boundary adjustment, creation of 932 residential lots, superlots and residue lots for future developments, a public recreation precinct (Googong Common and Riparian Corridor), associated subdivision works and earthworks, construction of public roads, public reserves, ancillary infrastructure and local services. The works were delivered over 15 stages. The subject site is located within the Googong Town

9.2 DA.2023.0465 - 113 Glenrock Drive Googong - Two Lot Subdivision and Development including Child Care Facility, Retail Premises, Service Station, Food and Drink Premises, Signage, Car Park, Access and Infrastructure (Ref: ; Author: Ormella/Kunang) (Continued)

Centre situated within Stage 7 of the Neighbourhood 2 subdivision. Initial bulk earthworks including grading, stormwater and drainage construction, road construction and tree removal required to prepare the land for all developments within Neighbourhood 2 including the subject site, have been approved under the Neighbourhood 2 subdivision DA 123-2017 and are currently being carried out. Further earthworks are proposed as part of this application.

The Googong Town Centre was further subdivided under DA.2022.1638 approved by Council on 10 July 2023 to create separate lots for the supermarket, pub, car parks including the subject site. The subject site is located to the south of the supermarket within the Googong Town Centre (approved under DA.2022.1637 by the SRPP), a pub (approved under DA.2023.1637 by Council), Bunyip Park and a community facility and library (current DA.2023.0636).

Proposed Development

The development application is for two lot Torrens title subdivision and the construction of a number of buildings on site to be used for centre-based child care facilities, specialised retail premises, food and drink premises with associated drive-thru (McDonalds and KFC), service station, signage, car parks, access, landscaping, associated infrastructure and services.

The specific elements of the proposal are:

Torrens title subdivision

- The proposal involves the Torrens title subdivision of the land into 2 lots as follows:

Proposed Lot	Area	Proposed Development	Car parking provided
1	8768m ²	Commercial development (specialised retail premises, service station, KFC and McDonald)	100 spaces including 5 EV charging bays and 4 disabled spaces.
2	3041m ²	Centre-based childcare facility	34 spaces including 1 disabled space.

- The intention of the subdivision is to create two separate lots for the commercial development (Specialised Retail premises, KFC and McDonalds) and service station, and a centre-based childcare facility as shown in table above. Reciprocal rights of way are proposed over the internal access road.

Centre-based child care facility

- The construction of a single storey centre-based child care facility with capacity for 134 children, associated car parking and landscaping consisting of 7 play rooms, cot room, nappy change area, kitchen, laundry, staff room/office and reception area, meeting room, bathrooms, storage and outdoor play space with shade sails.
- The proposed child care breakdown is:
 - Child Room 1 - 12 children aged 0-2 years;
 - Child Room 2 - 12 children aged between 0-2 years;
 - Child Room 3 - 20 children aged between 2-3 years;

9.2 DA.2023.0465 - 113 Glenrock Drive Googong - Two Lot Subdivision and Development including Child Care Facility, Retail Premises, Service Station, Food and Drink Premises, Signage, Car Park, Access and Infrastructure (Ref: ; Author: Ormella/Kunang) (Continued)

- Child Room 4 - 20 children aged between 2-3 years;
- Child Room 5 – 20 children aged between 2-3 years;
- Child Room 6 – 20 Children aged 3+ years;
- Child Room 7 – 30 Children aged 3+ years.
- The Centre will employ 23 staff as per email received from the applicant on 4/10/2024.
- Proposed hours of operation are from 7.00am to 6.30pm, Monday to Friday as stated in the SEE.
- Provision of 34 car parking spaces including one disabled space. 4 signs are to be installed at the vehicular entry points to the child care centre which will identify the parking spaces as “Childcare Parking Monday to Friday” to ensure these spaces are available to parents and staffs during business hours.
- Associated landscaping and construction of 1.8m high colourbond/timber fencing along the boundary as shown on the plan.

Specialised Retail Premises (Large Format Retail)

- Construction of a single storey specialised retail premises with a total floor area of 870m² plus a Back of House (BOH) with a floor area of 200m².
- Proposed hours of operation are from 8.30am to 5.00pm, Monday to Sunday as stated in the SEE.
- Entrance is facing the internal driveway and car park.
- Installation of pylon sign facing Glenrock Drive and walls signs. However no signage content has been provided. Therefore these signs will not be approved as part of this DA.
- Internal fitout involving permanent structures and reconfiguration of the room will be subject to a separate DA in the future.
- 39 car parking spaces including one disabled space and 3 EV charging bays are provided as per subdivision plan under separate DA.2024.0167.

Food and Drink Premises

➤ McDonalds

- Construction of a single storey building with a drive-thru with a total floor area of 366m² comprising of kitchen, sitting area with 56 seats, service counter area, storage, cool room, toilets, office, play area for children and waiting bays.
- Proposed hours of operation for drive-thru are 24 hours, 7 days/week.
- The restaurant will be closed between the hours of 12.00am to 5.00am to be consistent with NSW Police recommendation.
- Installation of 8.5m sign/flagpole, 3m high banner sign, 10m pylon sign and 2.3m directional sign facing Golden Way. Installation of 2.3m directional signs near drive-thru and car park.

9.2 DA.2023.0465 - 113 Glenrock Drive Googong - Two Lot Subdivision and Development including Child Care Facility, Retail Premises, Service Station, Food and Drink Premises, Signage, Car Park, Access and Infrastructure (Ref: ; Author: Ormella/Kunang) (Continued)

- Installation of business identification signs fixed to the façade/walls.
- 28 car parking spaces are provided for 56 seats and 2 bike racks are proposed in front of the building as per subdivision plan under separate DA.2024.0167.

Service Station (7 eleven) with attached KFC

➤ KFC

- Construction of a single storey building with a drive-thru with a total floor area of 257m² comprising of kitchen, siting area, service counter area, storage, cool room, and toilets.
- Proposed hours of operation are from 10.00am to 12.00am, Monday to Sunday.
- Installation of KFC directional sign near drive-thru exit.
- Installation of business identification signs fixed to the façade/walls.
- Construction of acoustic fence near the KFC drive-thru.

➤ Service station (7 Eleven)

- Construction of a single storey building attached to the KFC with a total floor area of 196m².
 - Proposed hours of operation are 24 hours, 7 days/week.
 - A payment window will operate between the hours of 12.00am to 5.00am.
 - 6 fuel pumps with canopy and underground LPG tanks.
 - Installation of business identification signs fixed to the façade/walls.
- 33 car parking spaces including 2 EV charging bays and 2 disabled spaces are provided on site for both service station and KFC as per subdivision plan under separate DA.2024.0167.
- Installation of pad mount substation.
- Installation of 10m high shared pylon sign and 1.3m high directional sign facing Golden Way and illuminated sign near the fuel pump area.

Parking and Access

- The overall development includes the provision of 134 at-grade car parking spaces, five (5) of which are accessible and 5 EV charging bays.
- Vehicular access to the development site is proposed to be gained via combined entry and exit driveways off Glenrock Drive and Golden Way as well as an exit only driveway onto Golden Way and an entry only driveway to the service station and KFC restaurant site off Golden Way.

Signage

- Business identification signage is incorporated into each proposed building and land use with the exception of specialised retail premises, in addition to a freestanding pylon

9.2 DA.2023.0465 - 113 Glenrock Drive Googong - Two Lot Subdivision and Development including Child Care Facility, Retail Premises, Service Station, Food and Drink Premises, Signage, Car Park, Access and Infrastructure (Ref: ; Author: Ormella/Kunang) (Continued)

sign for the McDonalds restaurant along the site's Golden Way frontage and a shared freestanding pylon sign for the service station and KFC restaurant at the corner of Golden Way and Wellsvale Drive.

General Information

- Service and delivery vehicle access for all developments on site is proposed to be restricted to between 7.00am and 10.00pm.
- Installation of 2.4m high timber fence between the subject site and No. 2 Observer St, along the northern and western boundaries of No. 2 Observer St.
- Installation of OSD tank.
- Installation of infrastructure and services.

Figure

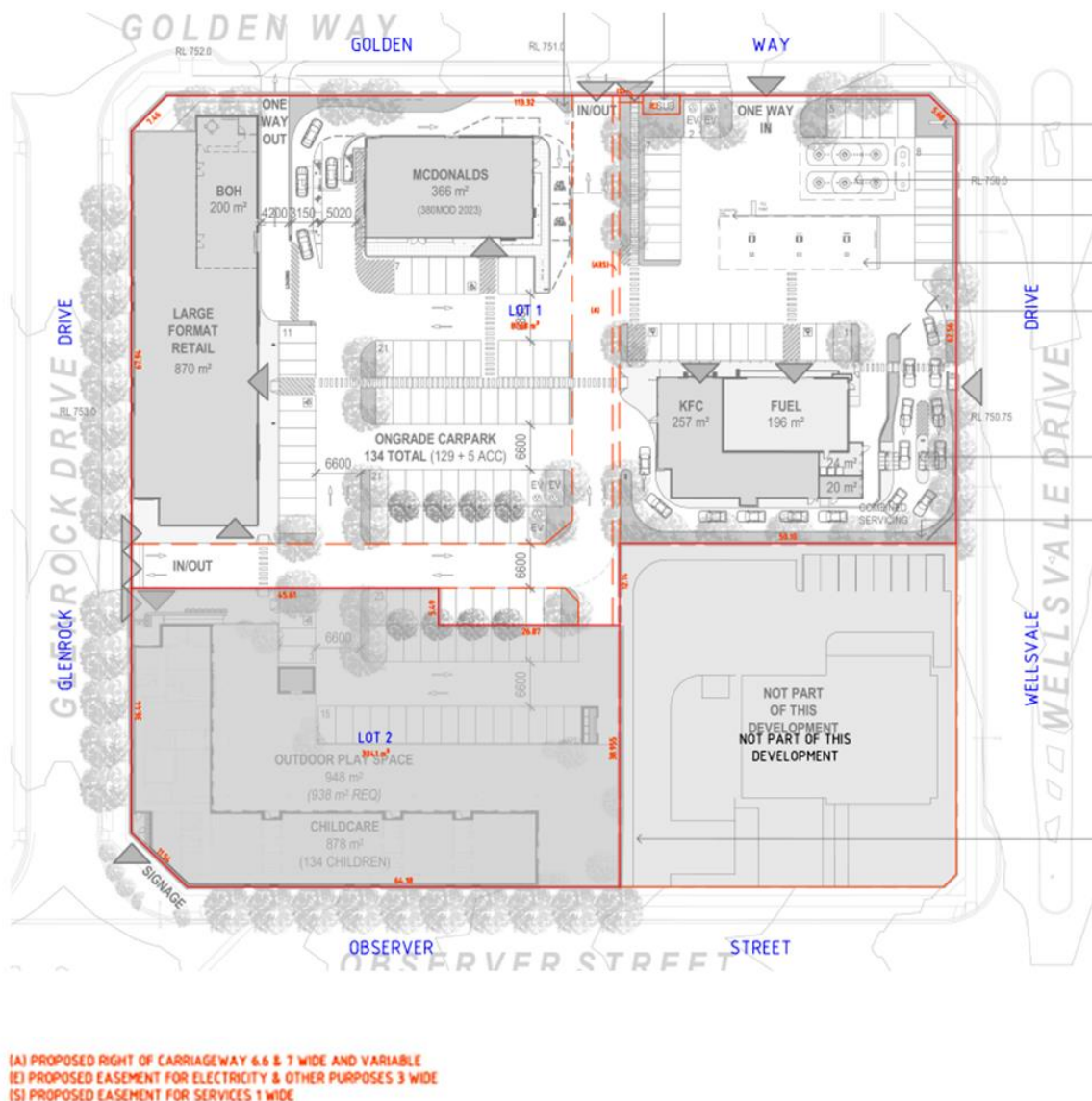


Figure 1: Proposed Subdivision Plan – 2 Torrens title lots

9.2 DA.2023.0465 - 113 Glenrock Drive Googong - Two Lot Subdivision and Development including Child Care Facility, Retail Premises, Service Station, Food and Drink Premises, Signage, Car Park, Access and Infrastructure (Ref: ; Author: Ormella/Kunang) (Continued)

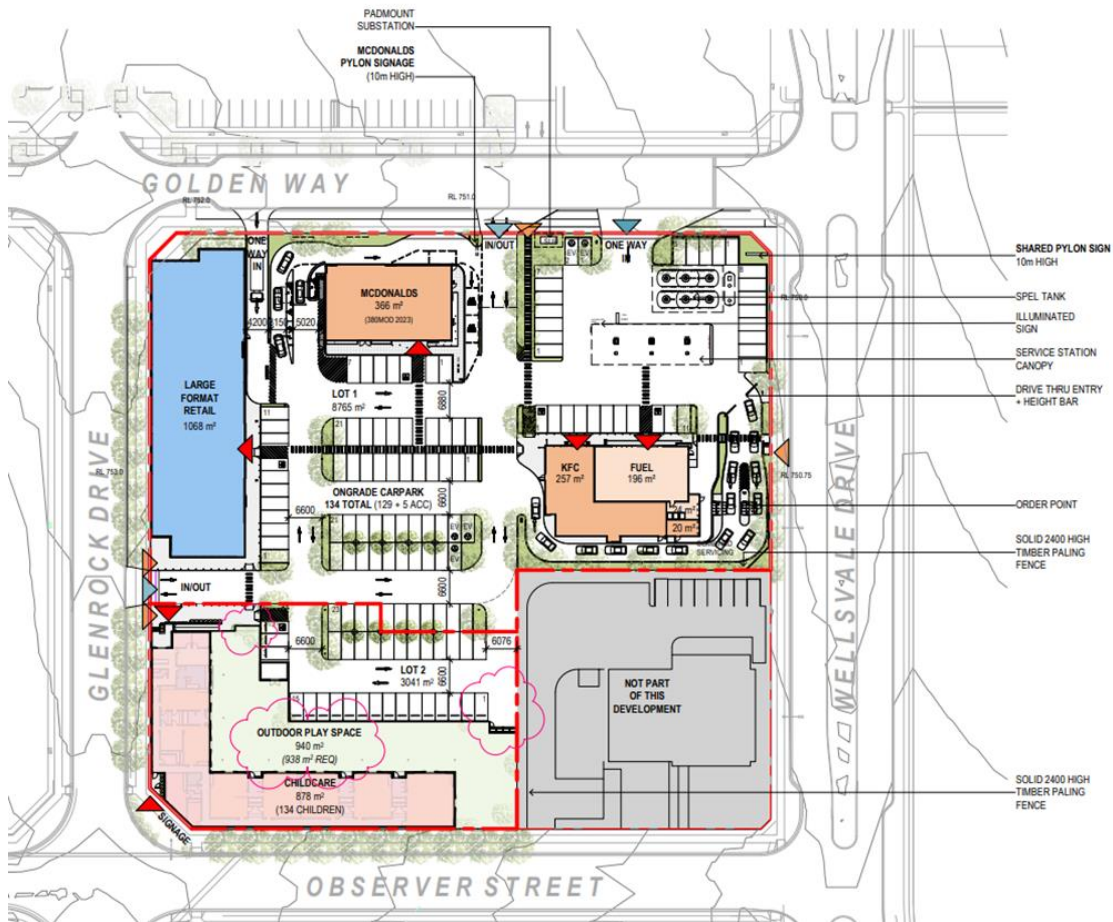


Figure 2: Proposed development on site



Figure 3 – Overall development on site

9.2 DA.2023.0465 - 113 Glenrock Drive Googong - Two Lot Subdivision and Development including Child Care Facility, Retail Premises, Service Station, Food and Drink Premises, Signage, Car Park, Access and Infrastructure (Ref: ; Author: Ormella/Kunang) (Continued)

Subject Property

Description	Assessment
Legal Description	Lot 703 DP 1306613 (Formerly Lot 705 DP 1293040)
Address	113 Glenrock Drive Googong NSW 2620 (Formerly known as 150 Wellsvale Drive Googong NSW 2620)
Location in relation to street	The site is located to the south of the approved Googong supermarket within the Googong Town Centre. The development site is bounded by Wellsvale Drive, Golden Way, Glenrock Drive and Observer Street.
Area	1.19ha.
Site slope	The subject site is generally flat to undulating.
Vegetation	The site contains no native vegetation due to the previous subdivision approval and associated bulk earthworks under DA123.2017.
Access	Vehicular access to the development site is available Glenrock Drive and Golden Way. No vehicular access is provided from Wellsvale Drive and Observer Street.
Existing development on the site	The subject site including Googong Town Centre lot is currently vacant.
Existing development within the locality	Existing development in the locality consists of low-density, medium density and high density residential developments, public reserve and sales and information centre. The Bunyip Park and future Community Centre site is located immediately north of the town centre site. The Bunyip Park is authorised to contain a lake, pedestrian walkway, play equipment, and performing stage over the water.

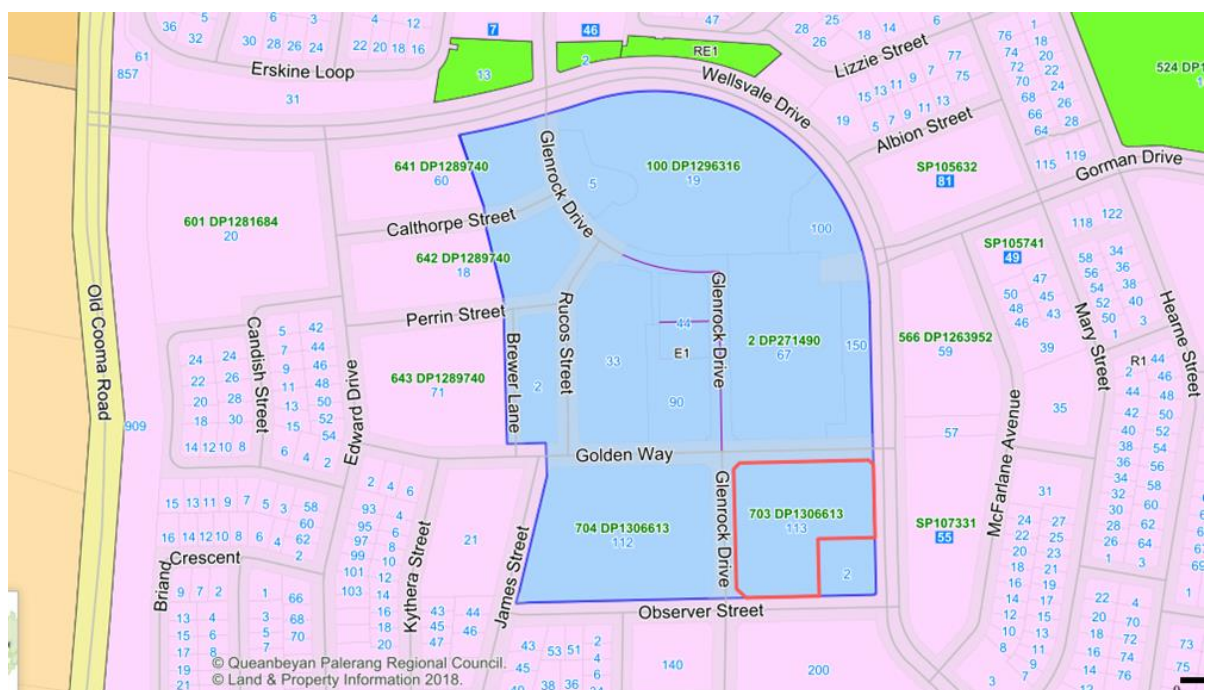


Figure 4: Locality plan

9.2 DA.2023.0465 - 113 Glenrock Drive Googong - Two Lot Subdivision and Development including Child Care Facility, Retail Premises, Service Station, Food and Drink Premises, Signage, Car Park, Access and Infrastructure (Ref: ; Author: Ormella/Kunang) (Continued)



Figure 5: Aerial photograph of the site



Figure 6: Subject site

9.2 DA.2023.0465 - 113 Glenrock Drive Googong - Two Lot Subdivision and Development including Child Care Facility, Retail Premises, Service Station, Food and Drink Premises, Signage, Car Park, Access and Infrastructure (Ref: ; Author: Ormella/Kunang) (Continued)

Planning Requirements

Assessment of the application has been undertaken in accordance with Section 4.15 of the Environmental Planning and Assessment Act (EPAA) 1979, as amended. The matters that are of relevance under Section 4.15 are summarised in the attached *Section 4.15 Table – Matters for Consideration (Attachment 1)*.

The following planning instruments have been considered in the planning assessment of the subject development application:

1. State Environmental Planning Policy (Biodiversity & Conservation) 2021
2. State Environmental Planning Policy (Resilience and Hazards) 2021
3. State Environmental Planning Policy (Transport and Infrastructure) 2021
4. State Environmental Planning Policy (Industry and employment) 2021
5. Queanbeyan-Palerang Regional Local Environmental Plan 2022 (QPRLEP 2022).
6. Queanbeyan Development Control Plan 2012 (QDCP)
7. Googong Development Control Plan 2010 (GDGP)

The development generally satisfies the requirements and achieves the objectives of these planning instruments. The significant issues relating to the proposal for the Committee's consideration are:

(a) Compliance with SEPP

The proposed development is generally consistent with the objectives and controls contained within the relevant SEPPs. (Refer to Section 4.15 Table – matters for Consideration for a detailed assessment).

(b) Compliance with LEP

The proposed development is consistent with the aims of the QPRLEP 2022 and satisfies the relevant objectives of the zone. It provides for a range of retail and business uses and other suitable land uses to serve the needs of people who live in, work in or visit the area, encourage investment in local commercial development that generates employment opportunities and economic growth, encourage development that is consistent with the character and amenity of the locality and support business development by providing parking and other civic facilities within urban release area.

Given the proximity to the Googong Town Centre, the proposal is considered suitably located within easy walking distance to public transport and facilities. The subject site is relatively unconstrained and is considered to be suitable in its current state for the purposes of the proposed development. (Refer to Section 4.15 Table – matters for Consideration for a detailed assessment).

(c) Compliance with DCP

The proposed development is generally consistent with the objectives and controls contained within the Queanbeyan DCP 2012 and Googong DCP 2010. (refer to Section 4.15 Table – matters for Consideration for a detailed assessment).

9.2 DA.2023.0465 - 113 Glenrock Drive Googong - Two Lot Subdivision and Development including Child Care Facility, Retail Premises, Service Station, Food and Drink Premises, Signage, Car Park, Access and Infrastructure (Ref: ; Author: Ormella/Kunang) (Continued)

Other Comments

Internal ReferralsThe application was referred to Council's Development Engineer, Building Surveyor, LIS Officer, Health Officer, Trade Waste Officer, Land Use Planning, Local Development Committee and Waste Officer for comments. The applicant also was referred to external agencies/departments for comment. Their comments are provided below:

(a) Building Surveyor's Comments

The DA was referred to council's Building surveyor for comment. No comment has been received to date. The BCA requirements will be addressed as part of the Construction Certificate. Relevant building conditions will be imposed as part of this DA.

(b) Development Engineer's Comments

Council's Development Engineer offered no objections to the proposal, subject to the imposition of recommended conditions of consent. Refer to s4.15 for further comment.

(c) Environmental Health's Comments

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

"Comply with the recommendations of the acoustic report.

Food businesses must register prior to OC. This will be the 3 food outlets and the childcare centre."

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

(d) Waste Officer's Comments

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

(e) LIS Officer's Comment

Council's LIS Officer offered no objections to the proposal, subject to the imposition of condition related to street addressing.

(f) Trade Waste Officer's Comments

The application was referred to Council's Trade Waste for comment. Trade Waste officer advised that C4 & C5 Trade waste applications are required to be submitted for approval prior to the issue of a Construction Certificate (Building). A condition will be imposed to reflect this.

(g) Land Use Planning's Comments

The DA was referred to the Land Use Planning section for comment who advised that the proposal is generally consistent with the Googong Neighbourhood Structure Plan.

9.2 DA.2023.0465 - 113 Glenrock Drive Googong - Two Lot Subdivision and Development including Child Care Facility, Retail Premises, Service Station, Food and Drink Premises, Signage, Car Park, Access and Infrastructure (Ref: ; Author: Ormella/Kunang) (Continued)

(h) Local Development Committee

The proposed subdivision development report was presented to the Local Development Committee meeting on 04 June 2024 for comments regarding impact on vehicular and pedestrian traffic surrounding the development.

The following comments from the Local Development Committee meeting on 04 June 2024 were received.

LDC Comments:

- *Police view this development as 'over developed' mixing a childcare centre with other retail businesses which generate high traffic flows.*
- *The exit of the KFC & McDonalds drive through's will be problematic for traffic flows due to sweep paths for light vehicles and the ability to travel both directions on exit.*
- *A pinch point will result at the intersections referred to below with minimal, if not no road markings or signs;*
- *Once traffic build up occurs here, traffic will be forced to exit and travel towards to Glenrock drive exit leading to increased movement in and around the Childcare mixing children with vehicles. Not ideal.*

The concerns raised have been considered and resolved. Development Engineer has raised no objection not the proposal subject to conditions.

External Referrals

NSW Police

The proposal was referred to the NSW Police (Monaro Police District) with a response received on 7/12/2023. NSW Police has raised no objection to the development with a recommendation will be placed on the development consent as advisory notes.

Essential Energy

The application was referred to Essential Energy in accordance with Section 2.48 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* and an email response was received on 20/12/2023 providing comments for the development; these comments will be placed on the development consent as advisory notes. Essential Energy has raised no objection to the proposal.

Transport for NSW (TfNSW)

The proposal was referred to TfNSW for comment as it was considered as a traffic generating development under S2.122 of the *SEPP Transport and Infrastructure 2021* with a response received on 3/3/2024. TfNSW stated that the proposal will have no significant impact on the state road network. No conditions have been recommended by TfNSW.

9.2 DA.2023.0465 - 113 Glenrock Drive Googong - Two Lot Subdivision and Development including Child Care Facility, Retail Premises, Service Station, Food and Drink Premises, Signage, Car Park, Access and Infrastructure (Ref: ; Author: Ormella/Kunang) (Continued)

Financial Implications

There are no financial implications to Council as a result of determining this application.

Engagement

The proposal required notification under the QPRC Community Engagement and Participation Plan from 23/11/2023 to 11/12/2023. One submission was received raising the following concerns:

Issue: A childcare centre should not be put in close to a garage due to fumes. There is a health risk.

Comment: An Air Quality Assessment prepare by Todoroski Air Sciences dated 9/4/2024 was submitted with the DA. The report stated that;

- the potential odour emissions due to the fast-food premises would not lead to any adverse odour levels at the proposed childcare centre outdoor play area.
- the potential vapour emissions from the service station would not lead to any unacceptable impacts in the area within or surrounding the Project site.
- all pollutant levels from traffic emissions at the childcare centre would be within the relevant impact assessment criteria.

The report concluded that the assessment demonstrates that the various operations at the Project can operate without exceeding the applicable air quality criteria, and hence, it is concluded that there would not be any adverse impacts above the relevant air quality criteria to arise once it is developed.

Air quality report was reviewed by Council's Health Office who has raised no objection to the proposal.

Conclusion

The submitted proposal for Two lot Torrens title subdivision and construction of Centre based child care facility, specialised retail premises, food and drink premises with associated drive-thru (McDonalds and KFC), service station, signage, car park, access, landscaping, associated infrastructure and services on Lot 703 DP 1306613, No. 113 Glenrock Drive GOOGONG NSW 2620 is a Local Development and is supported by a Statement of Environmental Effects. The proposal was notified to adjoining owner/occupiers and one submission was received.






The proposal has been assessed under Section 4.15 Environmental Planning & Assessment Act 1979 including the relevant provisions of Queanbeyan-Palerang Regional Local Environmental Plan 2022, Queanbeyan Development Control Plan 2012 and Googong Development Control Plan 2010.

The development satisfies the requirements and achieves the objectives of these instruments.

The proposed development is considered suitable for the site, is compatible with the neighbourhood and can be conditioned to mitigate any potential impacts.

9.2 DA.2023.0465 - 113 Glenrock Drive Googong - Two Lot Subdivision and Development including Child Care Facility, Retail Premises, Service Station, Food and Drink Premises, Signage, Car Park, Access and Infrastructure (Ref: ; Author: Ormella/Kunang) (Continued)

Attachments

- Attachment 1  S4.15 Assessment Report - DA.2023.0456 - 113 Glenrock Dr Googong *(Under Separate Cover)*
- Attachment 2  Draft Conditions of Consent - DA.2023.0465 - 113 Glenrock Dr Googong *(Under Separate Cover)*
- Attachment 3  Architectural Plans - DA.2023.0456 - 113 Glenrock Dr Googong *(Under Separate Cover)*
- Attachment 4  Landscape Plans - DA.2023.0456 - 113 Glenrock Dr Googong *(Under Separate Cover)*
- Attachment 5  Subdivision Plans - DA.2023.0456 - 113 Glenrock Dr Googong *(Under Separate Cover)*

9.3 DA.2023.0313 - 4 Saltbush Parade Tralee - Multi Dwelling Housing and Strata Subdivision (Ref: ; Author: Ormella/Kunang)

File Reference: DA.2023.0313

Recommendation

That:

1. Approval be granted to a variation to Clause 7.11 – Principal Private Open Space (PPOS) and Landscape Design of Part 7 of South Jerrabomberra Development Control Plan 2015 (SJDCP 2015) to allow all PPOS areas to be located forward of the building line for the following reasons:
 - (a) Siting the PPOS forward of the building line is found to have planning and environmental merit as it will have a northerly aspect and receive adequate natural sunlight during mid-winter given the orientation of the allotment, resulted from the subdivision of the parent lot. All PPOS areas comply with the size requirement, orientation and solar access mentioned above.
 - (b) The proposed PPOS areas are functional and act as an extension to the living area. Siting the PPOS behind the building line would severely restrict the usability of the PPOS as it would be surrounded by single and two storey walls thereby rendering the space unusable.
 - (c) The proposed courtyard fence surrounding the PPOS will provide security, defines the boundaries between public, private and communal land and allows casual surveillance to the street. The proposed see-through type fencing with landscaping within the courtyard areas will provide visual interest and complement the existing and desire future streetscape.
 2. Approval be granted to vary the 6m front setback control to Environa Drive (primary frontage) as prescribed under Table 2 of Part 7 of SJDCP 2015 to allow for front setbacks of Units b1-b18 between 4.38m to 4.45m for the following reasons:
 - (a) The proposed 3 storey townhouses b1-b18 are presented as attached dwellings on small lots similar to other approved small lot housing in the vicinity of the lot. The front setback applicable to the small lot housing is 3m and the approved front setback for those small lot housing was 4m or less. It is considered that the proposed 4.38m to 4.45m from Environa Drive is acceptable and is consistent with the other approved small lot housing in the locality.
 - (b) The proposed development is well articulated and will be constructed of mixed materials and colours, compatible to the existing development in the locality. Recessed walls, windows and balconies on first level add interest to the appearance of the building and reduce the bulk and scale of the whole building. It is not considered to be out of character in the area. It will not reduce the architectural quality of the development.
 - (c) The impact on the amenity of the adjoining properties and existing streetscape is considered minimal. The primary setback is facing Environa Drive, therefore no overlooking impact to neighbouring properties from windows/doors from this side.
 - (d) The variation is not considered to reflect an overdevelopment of the site and can be supported in this instance.
-

9.3 DA.2023.0313 - 4 Saltbush Parade Tralee - Multi Dwelling Housing and Strata Subdivision (Ref: ; Author: Ormella/Kunang) (Continued)

3. Approval be granted to vary the 60m maximum length of buildings containing Units b1-b18 as prescribed under Table 2 of Part 7 of SJDCP 2015 to allow for the total length of 79.82m for the rear section of the building for the following reasons:
 - (a) The proposed 3 storey units b1-b18 are presented as 2 separate buildings when viewed from Environa Drive as they are separated by a 2.6m setback between both buildings at first and upper level and 3m setback at ground level. The lengths of both buildings' façade at ground, first and upper levels facing Environa Drive is less than 60m.
 - (b) The proposed encroachment will not have an adverse impact on the existing streetscape. The rear elevation will not be visible from public roads.
 - (c) The rear elevation is well articulated and will be constructed of mixed materials and colours compatible with the desired future character of the area. Recessed walls and windows/ doors including a single storey garage will add interest to the appearance of the building and reduce the bulk and scale of the wall. The development is not considered to be out of character in the area.
 4. Approval be granted to vary the 6m gap between Units b10 and b11 as prescribed under Table 2 of Part 7 of SJDCP 2015 to allow for building separation between 2.6m - 3m for the following reasons:
 - (a) The proposed development adequately addressed the streetscape with modulated building forms, articulated facades, mixed materials and colours and suitable landscaping to ensure that it will not detract from the existing and desire future character.
 - (b) The development has been designed to allow sufficient access to natural sunlight and to reduce privacy impact between both units.
 5. Development application DA.2023.0313 for the construction of multi dwelling housing comprising of 24 dwellings, Strata Subdivision, earthworks, landscaping and associated services on Lot 314 DP 1269547, No. 4 Saltbush Parade Tralee be granted conditional consent.
-

Summary***Reason for Referral to Council***

This application has been referred to Council because it is for a major development exceeding \$5 million in value and the application involves a number of variations to a requirement in a Development Control Plan.

Proposal:	Construction of multi dwelling housing comprising of 24 dwellings, Strata Subdivision, earthworks, landscaping and associated services
Applicant/Owner:	Gvd Land Company 1 Pty Limited / Liz Densley
Subject Property:	Lot 314 DP 1269547, No. 4 Saltbush Parade TRALEE NSW 2620

9.3 DA.2023.0313 - 4 Saltbush Parade Tralee - Multi Dwelling Housing and Strata Subdivision (Ref: ; Author: Ormella/Kunang) (Continued)

Zoning and Permissibility: B4 – Mixed Use (Deferred – land use table QPRLEP 2022 December 1 2022 applies) and R2 – Low Density Residential Zone under the Queanbeyan-Palerang Regional Local Environmental Plan 2022 (QPRLEP 2022)

Public Submissions: Nil

Issues Discussed: Variations:

- Principal private open space located forward of the building line.
- Non-compliance with the 6m setback requirement.
- The length of the building exceeds 60m requirement.
- Non-compliance with the 6m gap between building.

Disclosure of Political Donations and Gifts: Applicant Declared no Donations or Gifts to any Councillor or Staff have been made.

Background

The subject site is currently vacant. The site was created under the approved subdivision application DA 395/2017, forming stage 1 of the South Jerrabomberra urban release area, approved by the Southern Regional Planning Panel on 2 August 2018. That approval allowed for the subdivision of 318 residential lots, 10 super lots (9 super lots for future residential development and 1 super lot for a future neighbourhood centre) and 6 residue lots for open space, drainage and public roads. DA 395/2017 has subsequently been modified by Council several times under DA 395/2017.A, DA 395/2017.B, DA 395/2017.C, DA 395/2017.D, DA 395/2017.E and DA 395/2017.F. Construction works in relation to DA 395/2017 are currently underway.

Proposed Development

The development application is for the construction of multi dwelling housing comprising 24 dwellings including 3 adaptable dwellings and strata subdivision of those units as follows:

- 18 x 3 storey, 4-bedroom townhouses (known as Units b1-b18).
- 2 attached single storey 4-bedroom dwellings, known as Dwellings b19 & b20.
- 2 detached single storey 4-bedroom dwellings, known as b21 and b22. Dwelling b22 will be an adaptable dwelling.
- 2 attached single storey 4-bedroom dwellings, both of which will be adaptable dwellings, known as Dwellings b23 & b24.

The specific elements of the proposal are:

- The 18 townhouses are rear loaded and have their front door, path, letterbox and gate facing Environa Drive and each unit is attached to another unit by a common wall. The design provides a strong street address and activates the street frontage. Environa Drive is the main road into the estate and an important visual corridor. The front setback to Environa Drive at ground level is 4.38 – 4.46m and are stepped back at the first and second floor levels. The setbacks provide a buffer from the main road to

9.3 DA.2023.0313 - 4 Saltbush Parade Tralee - Multi Dwelling Housing and Strata Subdivision (Ref: ; Author: Ormella/Kunang) (Continued)

minimise the impact of traffic on Environa Drive and allow landscaping zones in the front courtyards.

- The townhouses have rear loaded tandem garage and double garages with access from the internal driveway to Storksbill Terrace. Units b1, b7, b11 and b18 are provided with single garage and uncovered car space directly opposite the garages and beside Unit b18. Units b2 to b6, b8, b9 and b12 to b17 are provided with 2 car spaces within the tandem garages. Unit b10 is provided with a double garage. All Units b1-18 are provided with 2 car parking spaces.
- Each townhouse (units b1-b18) has two areas of private open space. The principal private open space (PPOS) is provided on the first floor balcony directly from the living area. The second area of private open space is at ground level in a front courtyard.
- The 3 single storey 4-bedroom dwellings known as b22, b23 and b24 located at the rear of the townhouses b1-b18 are to be delivered as accessible dwellings and are provided with the following features:
 - Each contains 4 bedrooms and two bathrooms.
 - Single level living with accessible floor plans.
 - Attached double garages with additional area within the driveway for additional parking to comply with the AS4299-1995 for adaptable car parking requirement.
 - North and north-western facing living areas.
 - North and north-western facing PPOS directly accessed from living areas
 - Rear yards with additional hard and soft landscaping and clothes drying areas.
- Two dwellings known as b19 and b20, attached via a double garage, will address Saltbush Parade with the main entrance and living room area orientated towards Saltbush Parade.
- A detached 4 bedroom dwelling b21 is addressing Storksbill Terrace with entry and living room facing Storksbill Terrace.
- All 8 visitor car parking spaces including one disabled space are centrally located within the site.
- No vehicular access is provided to any dwellings/units from Saltbush Parade or Environa Drive. Vehicular access to the whole complex is provided from Storksbill Terrace.
- Communal open space is provided through the middle of the lot which allows easy access from the whole development.
- Construction of side and rear boundaries fencing and courtyard fencing, internal driveway, communal waste enclosure, landscaping and associated services/infrastructure. The proposal also involves earthworks to accommodate the proposal.

9.3 DA.2023.0313 - 4 Saltbush Parade Tralee - Multi Dwelling Housing and Strata Subdivision (Ref: ; Author: Ormella/Kunang) (Continued)

Subject Property

Description	Assessment
Location in Relation to Street	The subject site is bounded by Environa Drive on the western side, Saltbush Pde on the northern side, Aloe Lane on south-eastern side and Storksbill Terrace on north-eastern side.
Zoning	The land is predominately zoned B4 – Mixed Use (Deferred – land use table QPRLEP 2022 December 1 2022 applies) with a small portion of the eastern corner falling within the R2 – Low Density Residential Zone (see Figure 1 below)
Area	5,675m ²
Site Slope	Gently sloping down from south-eastern corner to north-western corner of the site, towards Environa Drive.
Vegetation	The site contains no native vegetation.
Access	Vehicular access to the whole complex is provided from Storksbill Terrace. No vehicular ccess is provided from Environa Drive or Saltbush Parade.
Existing Development on the Site	The site is a vacant land.
Existing Development Within the Locality	Existing development within the locality consists of single and two storey dwellings, town park and land dedicated for South Jerrabomberra Town Centre on the western side.

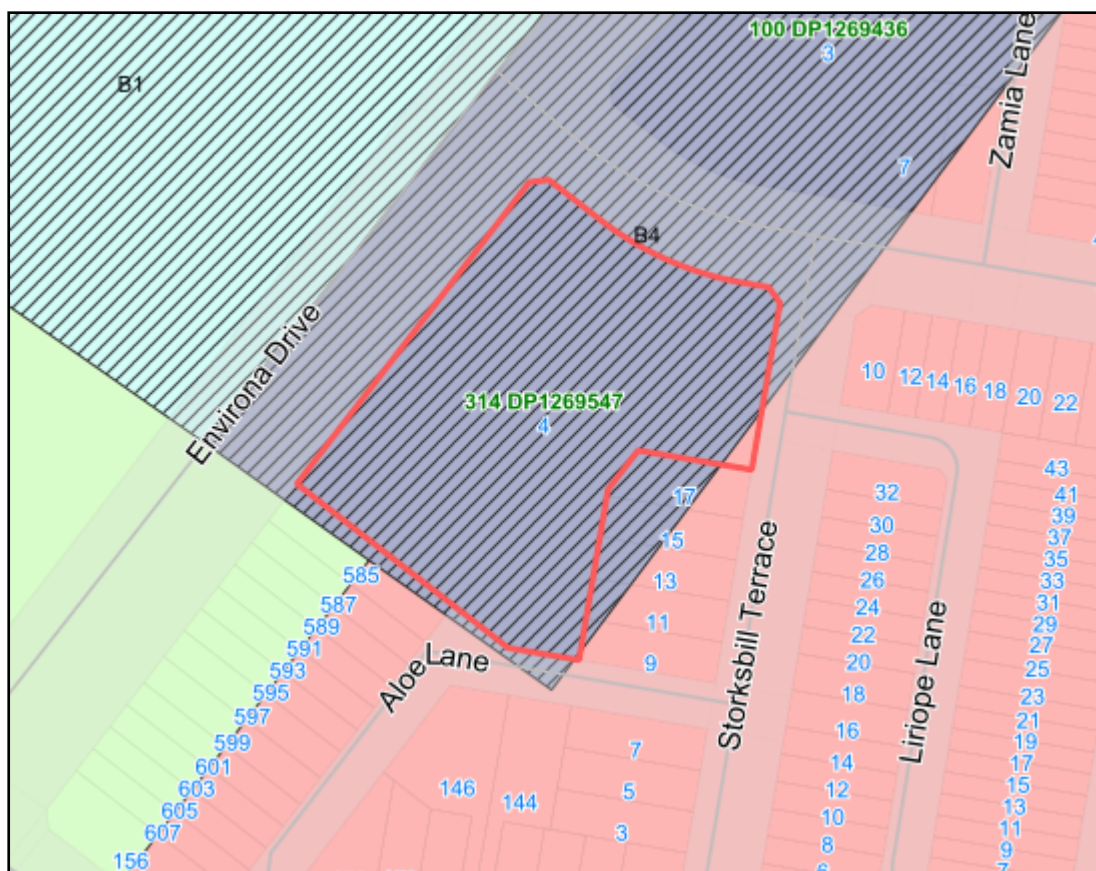


Figure 1: Locality plan

9.3 DA.2023.0313 - 4 Saltbush Parade Tralee - Multi Dwelling Housing and Strata Subdivision (Ref: ; Author: Ormella/Kunang) (Continued)



Figure 2: Aerial photograph of the subject site



9.3 DA.2023.0313 - 4 Saltbush Parade Tralee - Multi Dwelling Housing and Strata Subdivision (Ref: ; Author: Ormella/Kunang) (Continued)



Figure 3: Subject site photos

Planning Requirements

Assessment of the application has been undertaken in accordance with Section 4.15 of the Environmental Planning and Assessment Act (EPAA) 1979, as amended. The matters that are of relevance under Section 4.15 are summarised in the attached *Section 4.15 Table – Matters for Consideration (Attachment 1)*.

The following planning instruments have been considered in the planning assessment of the subject development application:

9.3 DA.2023.0313 - 4 Saltbush Parade Tralee - Multi Dwelling Housing and Strata Subdivision (Ref: ; Author: Ormella/Kunang) (Continued)

1. State Environmental Planning Policy (Biodiversity & Conservation) 2021
2. State Environmental Planning Policy (Building Sustainability Index) 2004
3. State Environmental Planning Policy (Resilience and Hazards) 2021
4. State Environmental Planning Policy (Transport and Infrastructure) 2021
5. Queanbeyan-Palerang Regional Local Environmental Plan 2022 (QPRLEP 2022).
6. Queanbeyan Development Control Plan 2012 (QDCP 2012)
7. South Jerrabomberra Development Control Plan 2015 (SJDCP 2015)

The development generally satisfies the requirements and achieves the objectives of these planning instruments. The significant issues relating to the proposal for the Council's consideration are:

(a) Compliance with QPRLEP 2022

The proposed development is consistent with the aims of the QPRLEP 2022 and satisfies the relevant objectives of the zone. The proposal provides for a diversity of housing to meet the needs of the community within the urban release areas without unreasonably increase the demand for public services or public facilities. The new dwellings have been designed to complement the character and amenity of existing development in the locality. Given the proximity to the future local centre and Town Park, the proposal is considered suitably located within easy walking distance to public transport and facilities. The subject site is relatively unconstrained and is considered to be suitable in its current state for the purposes of the proposed development.

(b) (refer to Section 4.15 Table – Matters for Consideration for a detailed assessment). Compliance with DCP

The proposed development is consistent with the general provisions of the Queanbeyan DCP 2012 except for a number of variations to a requirement in the South Jerrabomberra DCP 2015 (SJDCP 2015) as follows:

i) Principal Private Open Space (PPOS0 and Landscape Design

Under Clause 7.11 of Part 7 of SJDCP 2015, PPOS is to be provided as follows:

a) *PPOS shall be provided in accordance with Tables 1, 2 and 3.*

b) *The PPOS is to be:*

- i. *Located behind the building line.*
- ii. *Directly accessible from, and adjacent to a habitable room, other than a bedroom,*
- iii. *Located to have a northerly aspect where practical.*

All units are provided with a PPOS located forward of the building line due to design and orientation of the buildings which is a variation to the DCP, have northerly or easterly aspect and are directly accessible from living area (other than a bedroom) at ground and first level.

The applicant has submitted a written request to vary this control and provided the following justification:

“The PPOS for the attached dwellings fronting Environa Drive has been applied to balconies and the front courtyards resulting in total PPOS significantly greater than required if it were exclusively in the rear at ground level. This approach is consistent with other similar development proposals throughout the estate. Buildings 1, 10, 11 and 18 have balconies with 15m² of POS and the remaining buildings 2-9 and 12-17 have a

9.3 DA.2023.0313 - 4 Saltbush Parade Tralee - Multi Dwelling Housing and Strata Subdivision (Ref: ; Author: Ormella/Kunang) (Continued)

balcony area of 14m² directly accessible from living areas. All achieve a minimum dimension of at least 4m.

The POS on balconies is complimented by additional POS integrated into the frontage of the dwellings in yards the areas of which range from 18m² for buildings 6-9 and 12-15, 19m² for buildings 2-5 and 16-17. The relevant tables provide for the delivery of PPOS between the ground level and balconies. The proposal includes attached dwellings fronting Environa Drive which itself has a generous setback. The proposal has been designed having regard to the orientation of the lot and the intended outcome of the zones and over masterplan for South Jerrabomberra. Including the provision of private open space between the balconies and in the otherwise underutilised front courtyards satisfies the objectives of the zone in terms of accessibility and useability. The northerly aspect and internal arrangement of the dwellings both support the location of the open space areas. The quantum of open space provided is generous. The site is opposite the South Jerrabomberra Town Park and well positioned to provide additional opportunities for engagement with the outdoors. Internally, the multi dwelling housing part of the lot includes a generous private picnic area accessible to the residents.”

Assessing Officer’s Comment:

Variation to this clause in relation to the location of the principal private open space for the dwellings located forward of the building line is supported for the following reasons:

- (a) Siting the PPOS forward of the building line is found to have a planning and an environmental merit as it will have a northerly aspect and receive adequate natural sunlight during mid-winter given the orientation of the allotment, resulted from the subdivision of the parent lot. All PPOS areas comply with the size requirement, orientation and solar access mentioned above.
- (b) The proposed PPOS areas are functional and act as an extension to the living area. Siting the PPOS behind the building line would severely restrict the usability of the PPOS as it would be surrounded by single and two storey walls thereby rendering the space unusable.
- (c) The proposed courtyard fence surrounding the PPOS will provide security, defines the boundaries between public, private and communal land and allows casual surveillance to the street. The proposed see-through type fencing with landscaping within the courtyard areas will provides visual interest and complement the existing and desire future streetscape.

ii) Primary Front setback for Units b1-b18

Under Table 2 of Part 7 of SJDCP 2015, the minimum front setback requirement for the lot is 6m. The proposed units b1-b18 are facing the Environa Drive and are setback between 4.38m to 4.45m from Environa Drive. This is a variation to the DCP. The applicant has provided a written justification as follows:

“As noted above, these buildings present as attached small lot housing for the purpose for the built form. The development standard applied is that of 3m consistent with the controls for small lot housing. This approach is consistent with what has been considered elsewhere in South Jerrabomberra.”

9.3 DA.2023.0313 - 4 Saltbush Parade Tralee - Multi Dwelling Housing and Strata Subdivision (Ref: ; Author: Ormella/Kunang) (Continued)

Assessing Officer's comment"

The proposed variation is supported for the following reasons:

- (a) The proposed 3 storey townhouses b1-b18 are presented as attached dwellings on small lot similar to other approved small lot housing in the vicinity of the lot. The front setback applicable to the small lot housing is 3m and the approved front setback for those small lot housing was 4m or less. It is considered that the proposed 4.38m to 4.45m from Environa Drive is acceptable and is consistent with the other approved small lot housing in the locality.
- (b) The proposed development is well articulated and will be constructed of mixed materials and colours, compatible to the existing development in the locality. Recessed walls, windows and balconies on first level add interest to the appearance of the building and reduce the bulk and scale of the whole building. It is not considered to be out of character in the area. It will not reduce the architectural quality of the development.
- (c) The impact on the amenity of the adjoining properties and existing streetscape is considered minimal. The primary setback is facing the Environa Drive, therefore no overlooking impact to neighbouring properties from windows/doors from this side.
- (d) The variation is not considered to reflect an overdevelopment of the site and can be supported in this instance.

iii) Maximum length of multi dwelling buildings (Units b1-b18)

In accordance with the requirements under Table 2 of Part 7 of SJDGP 2015, buildings should not exceed a total length of 60m and that wall planes should not exceed 15m in length without the roof and wall design being broken. The total length for the rear section of the building containing Units b1-b18 is 79.82m which is a variation to the DCP.

The applicant has provided the following justification:

"Partially complies. The development is designed to present as individual attached dwellings rather than a single building. There are two groups for dwellings; buildings 1-10 and buildings 11-18. Buildings 1-10 is 42.66m. At the front there a separation of 3m to Building 11. The garages at the rear are attached. Buildings 11-18 is 34.17m. Similar non-compliance supported for multi-dwelling housing on superlot AK."

Assessing Officer's comment"

The proposed variation is supported for the following reasons:

- (a) The proposed 3 storey units b1-b18 are presented as 2 separate buildings when view from Environa Drive as they are separated by a 2.6m setback between both buildings at first and upper level and 3m setback at ground level. The lengths of both buildings' façade at ground, first and upper levels facing Environa Drive are less than 60m.
- (b) The proposed encroachment will not have adverse impact on the existing streetscape. The rear elevation will not visible from public roads.

9.3 DA.2023.0313 - 4 Saltbush Parade Tralee - Multi Dwelling Housing and Strata Subdivision (Ref: ; Author: Ormella/Kunang) (Continued)

- (c) The rear elevation is well articulated and will be constructed of mixed materials and colours compatible with the desire future character of the area. Recessed walls and windows/ doors including a single storey garage will add interest to the appearance of the building and reduce the bulk and scale of the wall. The development is not considered to be out of character in the area.

iv) Minimum gap between multi dwelling buildings

In accordance with the requirements under Table 2 of Part 7 of SJDCP 2015, a minimum 6m separation is to be provided between multi dwelling buildings. The proposal involves 2.6m – 3m setbacks between Units b10 and b11 which is a variation to the DCP. The applicant has submitted a written justification as follows:

“The gap is 3m between buildings as viewed from the front elevation. The variation is considered reasonable given the design outcome. Similar non-compliance supported for multi-dwelling housing on superlot AK.”

Assessing Officer’s comment:

The proposed variation is supported for the following reasons:

- (a) The proposed development adequately addressed the streetscape with modulated building forms, articulated facades, mixed materials and colours and suitable landscaping to ensure that it will not detract from the existing and desire future character.
- (b) The development has been designed to allow sufficient access to natural sunlight and to reduce privacy impact between both units.

Despite the non-compliance, the proposed development meets the relevant objectives of SJDCP 2015 and is generally found to add to the character of the area in a positive manner.

Other CommentsThe application was referred to Council’s Development Engineer, Building Surveyor, LIS Officer and Waste Officer for comments. Their comments are provided below:

(a) Building Surveyor’s Comments

Council’s Building Officer has commented on the proposal as follows:

“The proposal is likely to comply with the BCA without any significant changes to the design. Relevant conditions have been included.”

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

(b) Development Engineer’s Comments

Council’s Development Engineer offered no objections to the proposal, subject to the imposition of recommended conditions of consent. Refer to s4.15 for further comment.

(c) Waste Officer Comments

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

9.3 DA.2023.0313 - 4 Saltbush Parade Tralee - Multi Dwelling Housing and Strata Subdivision (Ref: ; Author: Ormella/Kunang) (Continued)

(d) LIS Officer Comments

Council's LIS Officer offered no objections to the proposal, subject to the imposition of condition related to street addressing.

Financial Implications

There are no financial implications to Council as a result of determining this application.

Engagement

The proposal required notification under the QPRC Community Engagement and Participation Plan from 11/08/2023 to 28/08/2023. No submissions were received.

Conclusion

The submitted proposal for the construction of multi dwelling housing comprising of 24 dwellings, Strata Subdivision, earthworks, landscaping and associated services on Lot 314 DP 1269547, No. 4 Saltbush Parade TRALEE NSW 2620 is a Local Development and is supported by a Statement of Environmental Effects. The proposal was notified to adjoining owner/occupiers and no submissions were received.

The proposal has been assessed under Section 4.15 *Environmental Planning & Assessment Act 1979* including the relevant provisions of *Queanbeyan-Palerang Regional Local Environmental Plan 2022*, *Queanbeyan Development Control Plan 2012* and *South Jerrabomberra Development Control Plan 2015*.

The development generally satisfies the requirements and achieves the objectives of these instruments.

The proposed development is considered suitable for the site, is compatible with the neighbourhood and can be conditioned to mitigate any potential impacts.

Attachments

- | | |
|--------------|--|
| Attachment 1 | S4.15 Assessment Report - DA.2023.0313 - 4 Saltbush Parade Tralee - Multi Dwelling Housing (<i>Under Separate Cover</i>) |
| Attachment 2 | Draft Conditions of Consent - DA.2023.0331 - 4 Saltbush Parade Tralee - Multi Dwelling Housing (<i>Under Separate Cover</i>) |
| Attachment 3 | Architectural Plans - DA.2023.0313 - 4 Saltbush Pde Tralee - Multi Dwelling Housing (<i>Under Separate Cover</i>) |
| Attachment 4 | Landscape Plans - DA.2023.0313 - 4 Saltbush Pde Tralee - Multi Dwelling Housing (<i>Under Separate Cover</i>) |
| Attachment 5 | Strata Plans - DA.2023.0313 - 4 Saltbush Pde Tralee - Multi Dwelling Housing (<i>Under Separate Cover</i>) |

9.4 Planning Proposal to Rezone Land at 7 and 15 Halfway Creek Road,
Bungendore (Ref: ; Author: Ormella/Kurzyniec)

File Reference: PP.2024.0007

Recommendation

That Council:

1. **Approve the progress of the draft planning proposal to amend the Queanbeyan-Palerang Regional Local Environment Plan 2022 by rezoning the following:**
 - a) **Lot 2 DP 548291, 7 Halfway Creek Road, Bungendore and the unformed public road dissecting the southern portion of this lot, from zone RE1 Public Recreation to RU1 Primary Production.**
 - b) **Council-owned community land at 15 Halfway Creek Road, Bungendore (Lot 1 DP 1262898) from zone RU1 Primary Production to RE1 Public Recreation to develop an indoor aquatic centre.**
 2. **Forward the planning proposal to the NSW Department of Planning, Housing and Infrastructure (DPHI) requesting a Gateway determination.**
 3. **Request delegation of Plan making powers, for this planning proposal.**
 4. **Undertake agency consultation and public exhibition according to any requirements of the Gateway determination.**
 5. **Should no objections be received, undertake the necessary actions to finalise the making of the Queanbeyan-Palerang Regional Local Environmental Plan 2022.**
-

Summary

The purpose of this report is to advise Council that a planning proposal has been prepared to amend the Queanbeyan-Palerang Regional Local Environmental Plan 2022 (QPRLEP 2022) by rezoning land related to the Bungendore Sports Hub and land previously reserved for the purpose. This will ensure the land use zone is consistent with the purpose of the land including ensuring an indoor aquatic centre is permissible at the Sports Hub. The draft planning proposal forms Attachment 1 to this report.

The report seeks Council endorsement to progress the planning proposal to request a Gateway determination and then to public exhibition, subject to the conditions of the Gateway determination.

Background

The 2015 Palerang Sports Needs Analysis identified a gap in the provision of sports facilities in Bungendore. Council at the time resolved to acquire land along the north side of Bungendore Road (Lot 2 DP 548291 and the unformed public road dissecting the southern portion of this lot) to develop a sports facility to cater to current and future sporting needs. The site was subsequently rezoned RE1 Public Recreation (under the former Palerang Local Environmental Plan 2014) and included on the Land Reservation (LRA) map in the Local Environmental Plan.

The Queanbeyan-Palerang Sports Facilities Strategic Plan 2017 provides for the establishment of a Sports Hub, rather than a single standalone sports field and supports the Bungendore Sports Hub concept.

9.4 Planning Proposal to Rezone Land at 7 and 15 Halfway Creek Road, Bungendore (Ref: ; Author: Ormella/Kurzyniec) (Continued)

Following the adoption of the Queanbeyan-Palerang Sports Facilities Strategic Plan 2017, staff made approaches to the property owner of Lot 2 DP 548291 on Bungendore Road with the view to negotiating the acquisition of land for the Sports Hub. As part of the negotiations, the property owner argued that Lot 2 DP 548291 was flood-prone and of high agricultural value and put forward alternative land. The property owner identified land they owned on the south side of Bungendore Road and was of the view that this land would be more suitable for the development of the Bungendore Sports Hub. This was supported by Council and led to the land being subdivided and the construction of the Bungendore Sports Hub on the allocated Lot 1 DP 1262898.

To deal with the land that was no longer needed, on 22 August 2018 (**Resolution No 272/18**) Council resolved item 2b of five items the following:

- 2 Negotiate a Deed of Agreement for the acquisition of the land and a development lease to enable works to commence as soon as possible on the development of the Sports Hub with provisions of the following elements in the Agreements:
 - a. Potential uses for residential, caravan park and service centre uses subject to normal planning and environmental assessments and reports, having regard to the Bungendore Structure Plan, and subject to formal receipt of a planning proposal from the applicant.
 - b. Investigate the rezoning of Lot 2 DP 548291 to a zoning that reflects the current use being rural and agricultural activities as part of the comprehensive review of the QPRC Local Environmental Plan.

Part of this planning proposal is to complete the above Council resolution.

Report

This planning proposal will amend the Local Environmental Plan (LEP) maps and rezone the privately owned land at 7 Halfway Creek Road, Bungendore (Lot 2 DP 548291 and the unformed public road dissecting the southern portion of this lot) from RE1 Public Recreation to RU1 Primary Production. Consequently, it will also remove the land from the land reservation (LRA) map as it is no longer needed for the Bungendore Sports Hub.

This will remove the land acquisition option from the site and return the surrounding rural zoning together with the available rural land uses and development potential.

This planning proposal will also amend the Local Environmental Plan (LEP) maps and rezone the Council-owned community land at 15 Halfway Creek Road, Bungendore (Lot 1 DP 1262898) from RU1 Primary Production to RE1 Public Recreation. This will recognise the recreational purpose of the land and also enable a wider range of recreation development, such as Recreational facilities (indoor) which includes an indoor swimming pool (aquatic centre), to be constructed on the land. Currently under the RU1 Primary Production zoning, Recreational facilities (indoor) are prohibited.

9.4 Planning Proposal to Rezone Land at 7 and 15 Halfway Creek Road, Bungendore
(Ref: ; Author: Ormella/Kurzyniec) (Continued)

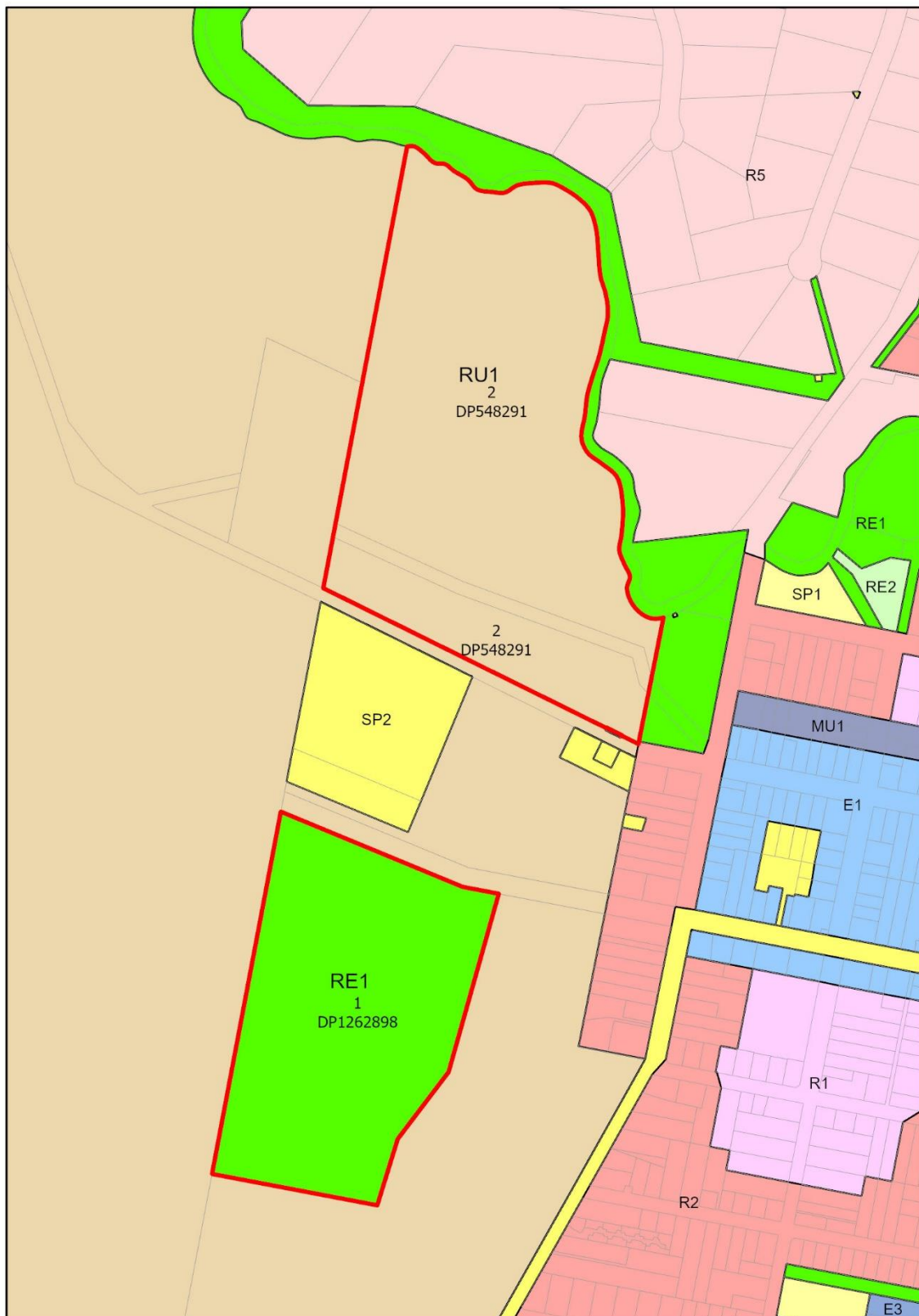


Figure 1 – Map of the proposed zoning - 7 Halfway Creek Road, Bungendore (Lot 2 DP 548291 and the unformed public road dissecting the southern portion of this lot) and 15 Halfway Creek Road, Bungendore (Lot 1 DP 1262898)

**9.4 Planning Proposal to Rezone Land at 7 and 15 Halfway Creek Road, Bungendore
(Ref: ; Author: Ormella/Kurzyniec) (Continued)**

Subject to Council's endorsement, the draft planning proposal will be submitted to the NSW Department of Planning, Housing and Infrastructure (DPHI) to seek a Gateway determination. This submission will also include the request for Council to have delegation to make the Plan. This is appropriate given the more administrative nature of this proposed amendment.

Once a Gateway determination is received from the DPHI, the proposal will be placed on public exhibition for a minimum of 28 days. Should there be any submissions received, a further report to Council will be prepared on the outcomes of the public exhibition with a recommendation as to whether the rezoning of two lots together with other associated maps should be finalised.

Where there are no submissions received, the planning proposal will be prepared for finalisation.

Risk/Policy/Legislation Considerations

The draft planning proposal has been prepared following the relevant provisions of the Environmental Planning and Assessment Act 1979 and the Environmental Planning Assessment Regulations 2021.

Financial, Budget and Resource Implications

Financial implications include the staff costs to process the planning proposal including public exhibition. The review is not identified as a project in the Delivery Program, however, is consistent with Council's ongoing obligations regarding the rezoning of Council-owned land and the management of assets.

Links to QPRC/Regional Strategic Plans

The draft planning proposal regarding the privately owned land is consistent with the Queanbeyan-Palerang Regional Council Local Strategic Planning Statement – Towards 2040 (LSPS).

Community – 4.7 Planning priority 7 – We actively promote and implement sound resource conservation and good environmental practice.

“The community applies good environment practice in their activities.”

Outcomes

- Primary production and extractive industries are protected from land-use conflict.
- Sustainable and diverse rural land uses are promoted.
- Opportunities for farming and agricultural uses of land are supported.

Actions:

- 4.7.1 – Protect primary production, and ground water and extractive industries, together with the other parts of the supply chains, including freight and logistics facilities, from surrounding land-use conflict.
- 4.7.2 – Minimise fragmentation of rural land.
- 4.7.3 – Ensure primary production and extractive industries are undertaken in a sustainable manner.
- 4.7.6 – Protect important agricultural land and when available, review the important agricultural land mapping for inclusion in reviews of LEP and DCPs.

The draft planning proposal regarding Council-owned community land is consistent with the Queanbeyan-Palerang Regional Council Local Strategic Planning Statement – Towards 2040 (LSPS).

9.4 Planning Proposal to Rezone Land at 7 and 15 Halfway Creek Road, Bungendore (Ref: ; Author: Ormella/Kurzyniec) (Continued)

Planning Actions for Bungendore - Community – 4.10 Planning Priority 10 – We Plan for and provide regional facilities which promote better social connection and access for the community.

Outcomes:

- Identify and construct parks and recreation facilities that provide for the needs of the local and regional population.

Actions:

- 4.10.2 - Zone land and construct new Sports Hub at Bungendore and the Community Strategic.

The Queanbeyan-Palerang Sports Facilities Strategic Plan 2024 states that the Bungendore Sports Hub is strongly supported as the best option for future sports and recreation planning needs for Bungendore. It also will provide for the replacement of aquatic facilities in Bungendore.

The planning proposal can facilitate the delivery of a new swimming pool for Bungendore as identified in the QPRC Aquatics Strategic Plan, by ensuring the development proposal is permissible. Planning has begun for the swimming pool and recent Council resolutions endorsing the project are below:

On 28 June 2023, Council endorsed the concept plans for the new Bungendore Pool as an enclosed aquatic facility, with an eight-lane 25m heated swimming pool, a wet play area, amenities, canteen/café area, playground and shade structures at the new Bungendore Sports Hub on Halfway Creek Road (**Resolution No 239/23**).

On 14 August 2024, Council approved the relocation of the Bungendore Aquatic Centre to its original northern site adjacent to the netball courts at the Bungendore Sports Hub (**Resolution No 384/24**). This site is above the flood zone and further away from the local creeks and watercourses.

Conclusion

The Planning Proposal for the rezoning of the privately owned land at 7 Halfway Creek Road, Bungendore (Lot 2 DP 548291 and the unformed public road dissecting the southern portion of this lot) from zone RE1 Public Recreation to RU1 Primary Production will action the Council resolution from 22 August 2018 (**Resolution No: 272/18**).

The rezoning of Council owned community land at 15 Halfway Creek Road, Bungendore (Lot 1 DP 1262898) from zone RU1 Primary Production to RE1 Public Recreation and associated maps will allow the development of recreational facilities (indoor) such as an indoor aquatic centre.

In rezoning these two parcels of land the planning proposal will also update the other consequential Local Environmental Plan maps including the Land Reservation (LRA) map, to be consistent with the proposed zoning.


The indoor aquatic centre at the Bungendore Sports Hub at 15 Halfway Creek Road, Bungendore, is supported by the Queanbeyan-Palerang Sports Facilities Strategic Plan 2024 and the draft QPRC Aquatic Strategic Plan 2023.

Accordingly, it is recommended that Council support the draft planning proposal being forwarded to the DPHI seeking a Gateway determination and requesting the delegation to

**9.4 Planning Proposal to Rezone Land at 7 and 15 Halfway Creek Road, Bungendore
(Ref: ; Author: Ormella/Kurzyniec) (Continued)**

make the plan. Subject to receipt of a Gateway determination, it is also recommended that the draft planning proposal be placed on public exhibition as per any conditions of the Gateway determination. Where there are no objections received, it is proposed to complete the necessary actions to finalise the amendment to the Queanbeyan-Palerang Regional Local Environmental Plan 2022.

Attachments

Attachment 1  Planning Proposal to Rezone Land at 7 and 15 Halfway Creek Road, Bungendore (*Under Separate Cover*)

9.5 Street Naming Proposal - Estate 2 Stage 2B - South Jerrabomberra Urban Release Area at Tralee (Ref: ; Author: Ormella/Knight)

File Reference: 26.4.1-4 Road Naming

Recommendation

That Council:

1. **Adopt in principle the following proposed names, Calathea Loop and Pandorea Way, for two new roads created within Stage 2B of Estate 2 at the South Jerrabomberra Urban Release Area.**
 2. **Exhibit the names for public comment for 28 days.**
 3. **Publish a notice in the NSW Government Gazette if no objections are received.**
-

Summary

Council has received a request from the proponents of the South Jerrabomberra Urban Release Area at Tralee to name two new streets in Stage 2B of Estate 2 of the subdivision. This report seeks to adopt the road names Calathea Loop and Pandorea Way for use in Tralee and recommends endorsement for public exhibition.

Background

Council has previously worked with the applicant's consultant and the NSW Geographical Names Board (GNB) to generate a pre-approved list of names for this development which differ from those elsewhere in the local government area and meet the criteria for road naming set down by the GNB. The developer has chosen Calathea Loop and Pandorea Way from this list of pre-approved road names to progress to approved for use.

Report

The South Jerrabomberra Urban Release Area (formerly South Tralee) was approved by the Joint Regional Planning Panel under DA 395-2017 in August 2018. Construction of the first stage of the subdivision (Estate 1) is near completion and road names have been approved and gazetted. Road naming for stages 1, 2A and 2C in Estate 2 have also been finalised and the assessment of road names for stage 2B in Estate 2 is now underway.

In accordance with Clause 6.2.2 of Council's Road Names Policy, Council has worked with the applicant's consultant and the NSW Geographical Names Board (GNB) to arrive at a list of names which differ from those elsewhere in the local government area and meet the criteria for road naming set down by the GNB. The developer has chosen to continue with Australian flora as a theme after which the two new roads within Estate 2 will be named.

The names Calathea Loop and Pandorea Way have been chosen from this list of pre-approved road names to progress to approved for use.

***Calathea* spp**, common varieties known as Prayer plant, rattlesnake plant, zebra plant, cathedral plant, peacock plant is a popular indoor plant grown for its highly decorative foliage that comes in an assortment of eye-catching patterns, colours, and shapes. These versatile plants thrive in medium to low light, making them a good choice for indoor environments.

9.5 Street Naming Proposal - Estate 2 Stage 2B - South Jerrabomberra Urban Release Area at Tralee (Ref: ; Author: Ormella/Knight) (Continued)

Though it has a reputation for being somewhat fussy, calathea plants are easy to grow when given the right conditions. In addition to being highly decorative, they are one of the best plants for cleansing indoor air of harmful pollutants.

Source: www.anbg.gov.au; www.gardendesign.com/houseplants/calathea.html

Pandorea jasminoides, commonly known as Bower of Beauty, Bower Vine or Bower Climber is an evergreen, vigorous woody climber, and member of the Bignoniaceae family. Although typically found in tropical and subtropical rainforests and warm temperate areas of eastern Queensland to northern New South Wales, it will thrive in southern Australia if provided sufficient moisture and frost protection when young. Despite being frost tender to 5°C it survives Canberra winters in sheltered areas.

Growing in most soils that are moist and well-drained (acidic soils are also suitable) it prefers full sun or part-shade. Adequate sunlight is required for good flowering and as a rainforest climber it will grow to reach for sunlight. *Pandorea jasminoides* tolerates a range of humidity conditions and due to growing well in inner urban areas it is assumed to be smog tolerant.

Source: www.anbg.gov.au/gnp/interns-2014/pandorea-jasminoides.html

Figure 1 shows the proposed road layout for the purpose of road naming.

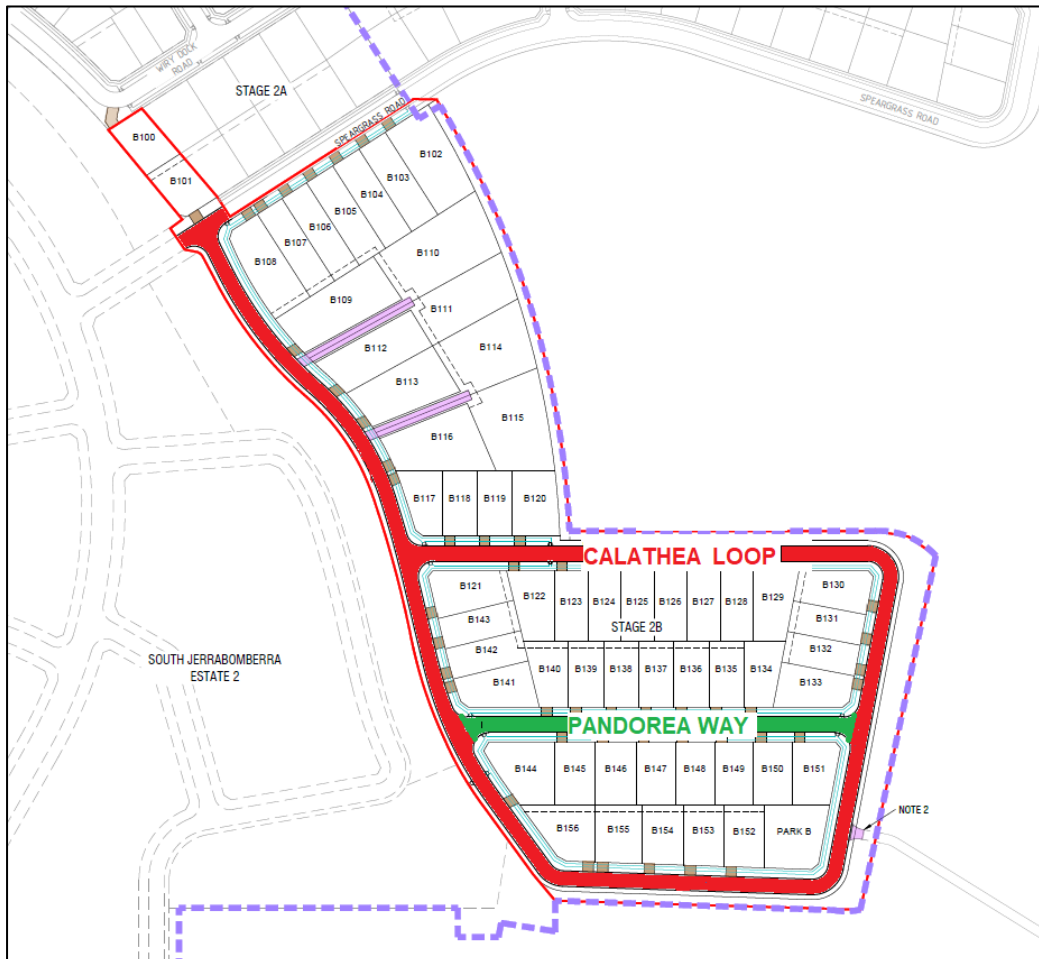


Figure 1

Consultation regarding the use of indigenous language in road naming has commenced between staff, Ngambri Local Aboriginal Land Council, QPRC’s Aboriginal Liaison Officer and other local indigenous language groups with the expectation that a proportion of new roads to be named in subsequent stages of Estate 2 will be of indigenous origin.

9.5 Street Naming Proposal - Estate 2 Stage 2B - South Jerrabomberra Urban Release Area at Tralee (Ref: ; Author: Ormella/Knight) (Continued)

Risk/Policy/Legislation Considerations

The QPRC Road Names Policy and the NSW Address Policy and User Manual apply.

The road names Calathea Loop and Pandorea Way have been assessed under these policies and meet the requirements of Clause 6.3.4 and 6.2.1(e).

QPRC Road Names Policy

Clause 6.3.4 specifies that thematic road names for new major subdivisions are strongly encouraged and should be relevant and appropriate for that location.

The criteria in clause 6.2.1 of the policy states: Community members with connections to the local government area and property developers are encouraged to submit proposed road names to Council in accordance with NSW Government guidelines as set out by the GNB for inclusion in the Register of Proposed Road Names. Criteria for proposed road names can include (but is not limited to) the following:

- (a) Promotion and recognition of local First Nations Peoples' language
- (b) Recognition of local First Nations People
- (c) Recognition of eminent persons connected to the area
- (d) Recognition of local history and events
- (e) Recognition of the natural environment
- (f) Recognition of Australian heritage

NSW Address Policy and User Manual

Names are to be unambiguous words that are easy to spell, pronounce and appropriate for the area. The recommended road names are required to be reported to Council and then advertised for public comment.

The names Calathea Loop and Pandorea Way meet the requirements of these policies.

Financial, Budget and Resource Implications

All costs associated with advertising of the road names and supply of road name plates are to be borne by the developer of the subdivision.

Links to QPRC/Regional Strategic Plans

The QPRC Road Names Policy is directly linked to Strategic Pillar 1.1 Community, our community is strengthened through connection and participation that enhances our community and cultural life.

Conclusion

Council has previously worked with the applicant's consultant and the NSW Geographical Names Board (GNB) to generate a pre-approved list of names for this development which differ from those elsewhere in the local government area and meet the criteria for road naming set down by the GNB. The names Calathea Loop and Pandorea Way have been chosen from this list of pre-approved road names to progress to approved for use in Estate 2 Stage 2B of this development.

It is recommended that Council endorse the road names and advertise for public comment and subject to no objections being received, publish the notice of the name in the NSW Government Gazette.

Attachments

Nil

9.6 Feedback on Braidwood Community Plan (Ref: ; Author: Ryan/Richards)

File Reference: 2.7.1-01

Recommendation

That Council endorse the Braidwood Community Plan.

Summary

At its meeting of 26 June, Council endorsed the Braidwood Community Plan for public exhibition and comment for 28 days (**Resolution No 288/24**).

This report provides the feedback received over this time.

Background

Given the breadth and spread of the Queanbeyan-Palerang local government area and the uniqueness of its various towns and villages, Council endorsed the proposal to facilitate the development of locality-based community plans commencing with Braidwood on 12 April 2023 (**Resolution 114/23**).

This process has been facilitated and developed by Council but led and driven by the various associations and community groups in Braidwood. In preparing the Braidwood Community Plan, workshops were held with representatives of youth groups, and business and expressions of interest were circulated to the community. In acknowledgement that there have been a range of consultations with Braidwood residents over the past few months, this plan has been developed using those consultation documents provided by:

- Braidwood Community Association
- Braidwood Life Centre
- Braidwood and Villages Business Chamber
- Braidwood and Villages Tourism

It was also informed by the Braidwood and District Resilience Plan and the consultation document developed during consultations on the Braidwood Structure Plan.

The final draft of the Braidwood Community Plan was signed off by relevant stakeholders and came to Council at its meeting of 26 June 2024.

Like the Community Strategic Plan, local plans will identify a range of projects and actions that Council can refer to when developing its Delivery Program and grant applications. The opportunity to have local level community plans as a primary source for the next iteration of the QPRC Community Strategic Plan will be beneficial and contribute significantly to the Community Engagement Strategy.

Report

At the meeting of 26 June 2024, Council endorsed the attached Braidwood Community Plan for exhibition and public comment (**Resolution 288/24**). The plan was exhibited on Your Voice from 25 June to 24 July 2024. During this time there were 129 total visits to the page with 79 people downloading the document and four people responding to the survey. Of the responses, one was in error (respondent was comment on the Property Information Fee); one was in support of the plan although they have since moved to Goulburn; one commented on

9.6 Feedback on Braidwood Community Plan (Ref: ; Author: Ryan/Richards) (Continued)

matters that are included in the plan; and one discussed burial arrangements and a mortuary for Braidwood.

Risk/Policy/Legislation Considerations

The Plan lists a range of projects and initiatives that have been identified by stakeholders as important for the Braidwood community. They have been given low, medium or long term priorities. At this point there has been no detailed assessment of what each project involves. This would need to be fully evaluated when applying or allocating funding.

Financial, Budget and Resource Implications

Projects listed in the plan will assist Council in understanding the priorities for the people of Braidwood. Each project will need to be scoped and budgeted in future QPRC Delivery and Operational plans and for funding applications.

There has been no cost in developing the plan, other than minimal printing costs of various drafts for discussion. Meetings were facilitated by the Director and staff of the Community, Arts and Recreation team as part of their general work tasks and the various Braidwood community members volunteered their time and energy.

Links to QPRC/Regional Strategic Plans

QPRC Community Strategic Plan (2042), Braidwood Vision Statement (2022) and the Braidwood Community Action Plan (2021).

Conclusion

Based on the results of community consultation and feedback, the Draft Braidwood Community Plan should be endorsed by Council as the final plan.

Attachments

Attachment 1 Feedback on Braidwood Community Plan (*Under Separate Cover*)



Attachment 2 Braidwood Community Plan October 2024 (*Under Separate Cover*)



9.7 Renewal of Licence Agreement - Cartel Taqueria - 4-6 Trinculo Place,
Queanbeyan (Ref: ; Author: Flint/Turland)

File Reference: 46.1.1-28

Recommendation

That Council renew the existing licence agreement with Cartel Taqueria in Ray Morton Park for a further five-year term for a fee of \$24,000 ex GST per annum.

Summary

There is an existing licence agreement in place between Queanbeyan-Palerang Regional Council (QPRC) and Cartel Taqueria to operate a café over part of the Council Community Land within Ray Morton Park on the eastern side of the river as shown on the map within the report.

Endorsement from Council is sought to renew the licence agreement for a further five years.

Background

In 2010, Council provided a space for the operation of a cafe within Ray Morton Park as part of the improvements to amenities and to activate the area. A licence agreement was entered into between Council and Richter House Pty in 2010. Richter House Pty Ltd operated the Riverbank Café between 2011 and 2022. In 2022 the business was sold and the licence agreement with QPRC was reassigned. Under the new ownership, the business was rebranded from the Riverbank Café to Cartel Taqueria.

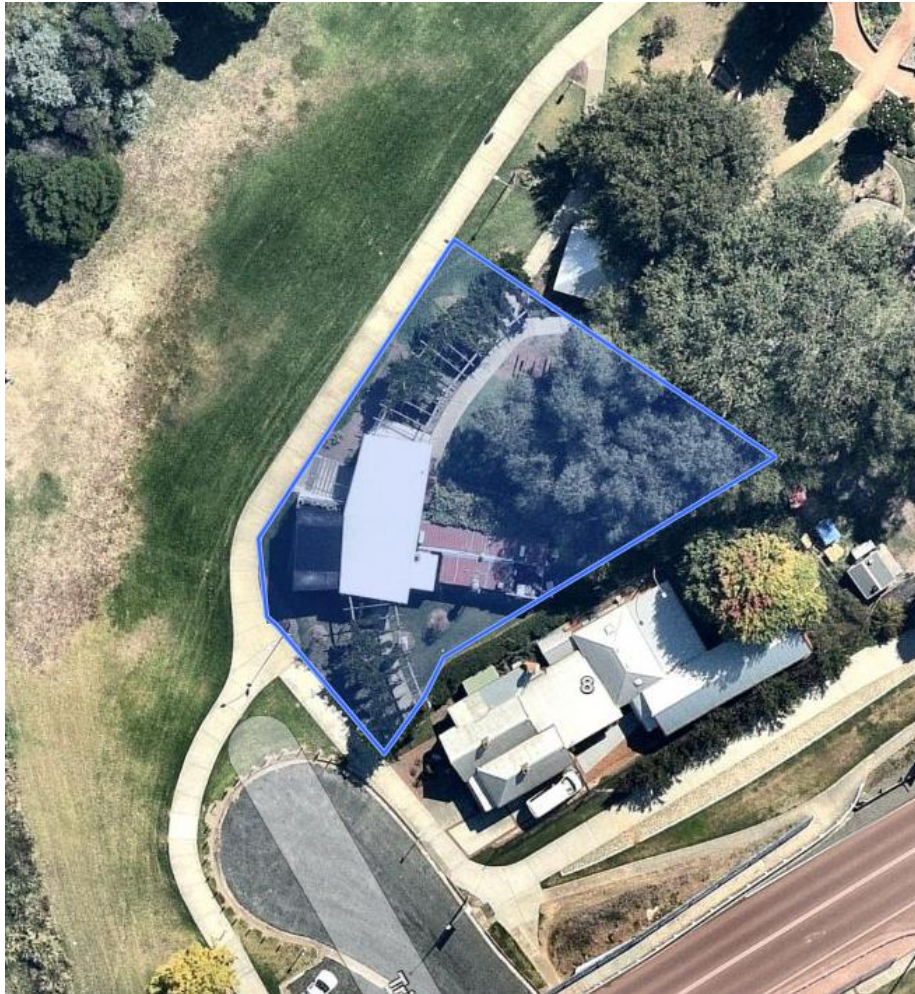
There was discussion of a new licence agreement between QPRC and Cartel Taqueria after they took over the business in 2022. However, ultimately the café made a decision to continue through under an assignment of the existing licence agreement for the remainder of its term rather than seeking a new agreement at the time.

Report

The current licence agreement is due to expire in February 2026. The owners of Cartel Taqueria have requested a new licence agreement for a further five year term in order for them to feel comfortable to continue to invest in the facility. To date, it is estimated the new licensee has spent in excess of \$100,000 in bringing the facility up to an increased standard. This work has only increased the value of Council's asset, in turn also boosting economic development to the Queanbeyan CBD area.

Council staff are supportive of the renewal and the licensee has been exemplary to deal with. The café, particularly since its change in ownership, has become a popular community attraction and as a result, the owners are soon to open an identical venue in Belconnen ACT. Its current location complements the natural areas within Ray Morton Park and draws in many outside visitors.

**9.7 Renewal of Licence Agreement - Cartel Taqueria - 4-6 Trinculo Place,
Queanbeyan (Ref: ; Author: Flint/Turland) (Continued)**

Map of proposed licence area**Risk/Policy/Legislation Considerations**

The park is classified as Council Community Land under the Local Government Act 1993.

A private business on Community Land is permissible under the Local Government Act, so long as the business is providing some form of amenity for the community and servicing the local area. Cartel Taqueria meets this criteria.

A potential risk of the outdoor dining area was identified by Councils' Tree Officer with the increased foot traffic near a heritage listed tree. The tree is adjacent to the outdoor dining area. This risk has been mitigated by requiring the licensee to commission a tree impact assessment report from a qualified arborist every six months and then comply with any recommendations from these reports. A baseline arborist report has been obtained and staff are content that the condition of the tree is good and any pedestrian movement in the nearby area is not having an adverse effect on the health of the tree.

**9.7 Renewal of Licence Agreement - Cartel Taqueria - 4-6 Trinculo Place,
Queanbeyan (Ref: ; Author: Flint/Turland) (Continued)**

Financial, Budget and Resource Implications

The fee under the current license is set at \$12,500 per annum ex GST. While this is relatively low for a commercial licence agreement, this was at the time, a reflection of the nature and condition of the building, which is a converted shipping container, as well as the fact the licensee carries out much of the repair and maintenance work on the property themselves.

The licensee has indicated they would be willing to fund an upgrade to the amenities building adjacent to the park, which will be investigated and works scoped. The amenities are public however this offer is made in acknowledgement of the fact many patrons use the facilities whilst dining at the premises.

The fee under the new licence agreement is proposed to be increased to \$24,000 per annum ex GST. This reflects the passage of time that has passed since the initial property valuation, as well as the increased use of park facilities and public amenity brought about by the popularity of the business.

Links to QPRC/Regional Strategic Plans

Supporting local a thriving and vibrant local business as well as improving the amenities available to visitors at Ray Morton Park is consistent with the objectives set out in the QPRC Regional Economic Development Strategy.

Conclusion

For the above reasons it is recommended that Council endorse the renewal of the licence agreement with Cartel Taqueria for a further five-year term.

Attachments

Attachment 1 Draft Licence Agreement - Cartel Tacos - 2025 (*Under Separate Cover*)



9.8 HoA for Proposed Lease Agreement with Amplitel Pty Ltd - 32A Severne Street, Queanbeyan (Ref: ; Author: Flint/Turland)

File Reference: 46.1.1

Recommendation

That Council endorse the proposed lease agreement with Amplitel Pty Ltd in accordance with the Heads of Agreement.

Summary

Council is asked to consider the attached Heads of Agreement (HoA) for the proposed lease with Amplitel Pty Ltd.

Background

This is a new lease agreement and the first time it has been brought before Council.

Other comparable lease agreements previously endorsed by Council include the agreement over 66 Old Mines Road, Captains Flat with Amplitel in July 2022, and the Jerrabomberra roundabout tower in June 2024 with Vodaphone.

Report

Amplitel is a mobile tower infrastructure provider with a majority share owned by Telstra. They are seeking to set up a site location in Jumping Creek in order to improve telecommunication to this growing precinct of the local government area. There have been ongoing discussions with Council in order to find a suitable location for a telecommunications tower on Council land.

The intention is to provide the best possible telecommunication coverage for the area while also seeking to minimise any impact on the local community. As a lease over Council land, there have also been other operational considerations like QPRC's own land needs and infrastructure network.

After several rounds of discussions, a suitable location has been identified on the Council Operational Land situated at 32A Severne Street, Greenleigh.

This was land originally retained by QPRC as part of the environmental offset program for the construction of the Ellerton Drive extension. However, the QPRC Projects team have confirmed that the proposed lease area is surplus to what is needed for these offsets.

After protracted discussions with Amplitel Pty Ltd over the past few months, this is the first location identified that strikes the balance between being suitable for all stakeholders whilst also minimising impact on the community. The exact location of the proposed lease area is set out in the map included as an attachment to this report.

The proposed term of the lease is 25 years, made up of five consecutive five-year terms. The longer lease term is appropriate considering the lessee is looking to invest in installing infrastructure on the land.

9.8 HoA for Proposed Lease Agreement with Amplitel Pty Ltd - 32A Severne Street, Queanbeyan (Ref: ; Author: Flint/Turland) (Continued)

If QPRC were to ever sell the land the lease would be transferred to the buyer, assuming the lease was appropriately registered against the land title.

Risk/Policy/Legislation Considerations

The land is classified as Council Operational Land under the Local Government Act 1993. There are no restrictions on land use under the Local Government Act that are applicable or would prevent Council from entering into this lease.

Financial, Budget and Resource Implications

Amplitel proposes to pay \$18,000 per annum plus GST. The rent will be increased by 3% per annum. Amplitel is to pay their own electricity costs.

Links to QPRC/Regional Strategic Plans

Improvement of telecommunication services in the area is consistent with strategic development objectives for Jumping Creek.

Conclusion

It is proposed that Council endorse entering into a lease agreement based on the attached Heads of Agreement.

Attachments

Attachment 1 Copy of Amplitel Proposed HoA (*Under Separate Cover*)



Attachment 2 Overlay Showing Mapped Area (*Under Separate Cover*)



10.1 Response to QPRC's Proposal for Dunns Creek Road Stage 1 (Ref: ; Author: Ryan/Ryan)

File Reference: 36.1

Recommendation

That the report be received for information.



Report

At the meeting of 14 August 2024, Council determined to write to the Minister for Infrastructure, Transport, Regional Development and Local Government re Dunns Creek Road seeking clarification for the scope of the Australian Government's \$65 million funding for Dunns Creek Road prior to Council committing expenditure (**Resolution No 381/24**). This was following discussions with the ACT Government, Transport for NSW (TfNSW) and the Federal Department of Infrastructure to progress the concept of a staged approach for the delivery of Dunns Creek Road.

A letter was sent to Hon Catherine King, MP Minister for Infrastructure, Transport, Regional Development and Local Government and response received on 1 October 2024.

Both letters are attached for information.

Attachments

- Attachment 1  QPRC letter to Minister for Infrastructure, Transport, Regional Development and Local Government re Dunns Creek Road (*Under Separate Cover*)
- Attachment 2  Response from the Hon Catherine King MP, Minister for Infrastructure, Transport, Regional Development and Local Government (*Under Separate Cover*)

10.2 HSEQ Quarterly Report - 1 July to 30 September 2024 (Ref: ; Author: Batman/Arnold)

File Reference: 41.9.1

Recommendation

That the report be received for information.

Report

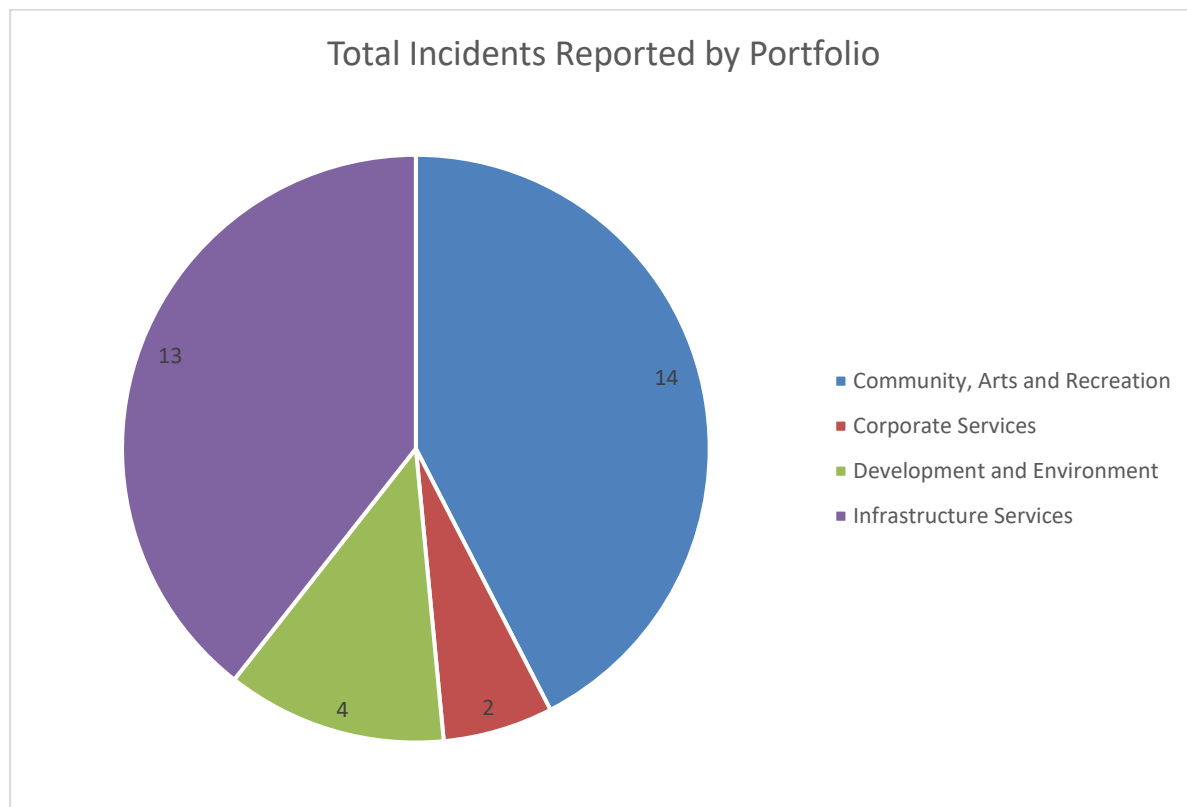
This report provides an overview of Health, Safety, Environment and Quality (HSEQ) activities and items of note for Quarter 1 (the period 1 July 2024 to 30 September 2024)

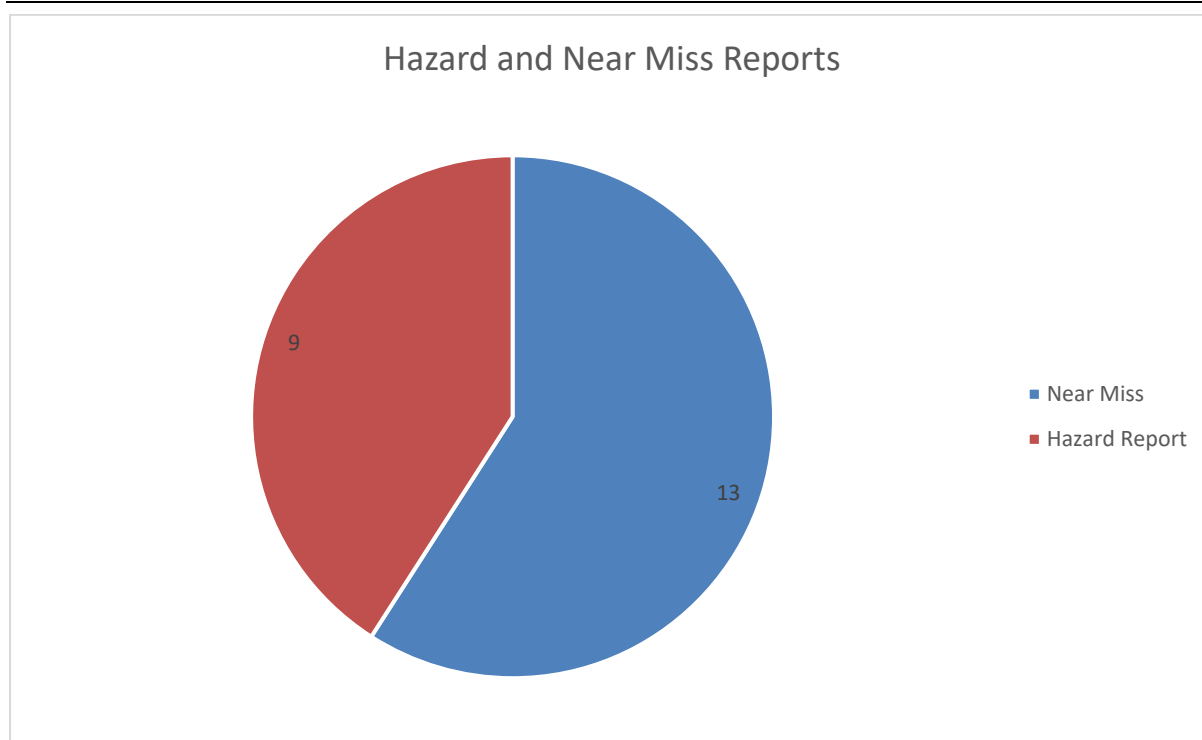
1. Notifiable Incidents
2. Worker Incidents Reported by Portfolio and Hazards/Near Miss Reports
3. Workers Compensation Claims
4. Wellbeing Initiatives

1. Notifiable Incidents

There was 1 notifiable incident reported to SafeWork NSW in this Quarter. A Contractor plant struck powerline on Boro Goulburn Road. No injuries were sustained, and power was restored quickly by the utilities service provider. Corrective actions have been put in place.

2. All Worker Incidents





- An employee suffered a personal medical event while operating plant, requiring CPR and attendance by NSW Ambulance, however sadly was not able to be revived and died at scene. External investigations are ongoing. Although this was notified to Safework NSW, it was not deemed as a notifiable incident.
- The final investigation report for the motor vehicle incident on Kings Highway involving a subcontractor and member of the public was submitted to TfNSW and recommendations approved. Corrective actions were mutually agreed and an action plan developed to ensure implementation, monitoring and review.

3. Workers Compensation Claims

Directorate	Mechanisms	Status
Infrastructure Services	Physical Psychological	5 x Suitable Duties 5 x Workers returned to normal duties normal hours
Community, Arts and Recreation	Physical Psychological	1 x No capacity 5 x Suitable Duties 1 x final clearance RTW
Development and Environment	Nil	Nil
Corporate Services	Physical	Final clearance RTW

10.2 HSEQ Quarterly Report - 1 July to 30 September 2024 (Ref: ; Author: Batman/Arnold) (Continued)

4. Wellbeing Initiatives

- Move4Life is an adult-learning program that helps participants learn options for moving with less strain in their body; at work, at home and at play. Move4Life ran over a 5 week period with a participation rate of 300+.
- RUOK day 12 September at Queanbeyan, Bungendore and Braidwood Offices and Depots were held with BBQs, morning teas and provided information assisting in asking RUOK and following up.
- STEPTEMBER was held during the month of September raising \$2,167 for cerebral Palsy. Our steppers completed 8,116,608 steps.
- GM catch-ups combined with Depot and Office meetings continue providing an opportunity for the outdoor crews and all indoor staff to ask questions and receive updates from the General Manager, People and Culture, and senior staff and ensure facilitated communication and consultation at all levels of QPRC.

Attachments

Nil

11.1 Local Traffic Committee Meeting Minutes - 8 October 2024 (Ref: ; Author: Duff/Greer)

File Reference: 31.4.1

Recommendations

That Council endorse the 8 October 2024 Local Traffic Committee draft meeting minutes and the associated recommendations as follows:

1. LTC 26/2024 – Approve the Traffic Control Devices Plan, 114 Monaro Street Queanbeyan.
2. LTC 27/2024 – Approve the Traffic Control Devices Plan, 137 Environa Drive Tralee.
3. LTC 28/2024 – Approve the 2024 Diwali Mela Lantern Festival and the subsequent traffic guidance scheme for the event.
4. LTC 29/2024 – Approve the 2024 Braidwood Community Christmas Party and the subsequent traffic guidance scheme for the event.


Summary

This report submits the minutes and recommendations arising from the Local Traffic Committee (LTC) meeting held 8 October 2024, for Councils information and consideration. The LTC is a technical review committee who advises Council on matters within its delegations, to provide an opinion or recommendation as appropriate.

Council may require this advice for certain traffic control management, traffic control devices and facilities. Matters related to state roads or functions not under Council jurisdiction must be referred directly to Transport for NSW or relevant organisation.

The LTC will only review reports that have been prepared by Council staff and submitted to the LTC in accordance with its delegations. The LTC does not undertake investigations of traffic matters or traffic design solutions. However, it can provide comment on such proposals submitted to Council.

Attachments

Attachment 1  Local Traffic Committee Meeting - Minutes - 8 October 2024 (*Under Separate Cover*)

11.2 Queanbeyan Showground Advisory Committee Meeting Minutes - 12 August 2024 (Ref: ; Author: Richards/Harris)

File Reference: 23.1.1-21

Recommendation

That Council note the minutes of the Queanbeyan Showground Advisory Committee meeting held on 12 August 2024.

Summary

The Queanbeyan Showground Advisory Committee met on 12 August 2024 with a quorum present.

The role of the Queanbeyan Showground Advisory Committee is to oversee the implementation of the Showground Plan of Management and make recommendations to Council as Crown Land Managers. There are no recommendations for Council to consider, resulting from this meeting.

The Committee is currently focused on rewriting the Plan of Management (PoM). The current PoM was first adopted in 2003 and has been reviewed a number of times over the past 20 years. It has now run its course and no longer meets the current legislative requirements.

The Committee is aiming to have a draft PoM ready for a Council workshop later in 2024.

Attachments

Attachment 1  Queanbeyan Showground Advisory Committee Meeting Minutes - 12 August 2024 (*Under Separate Cover*)

15 NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION

It is necessary for the Council to adopt a resolution to formalise its intention to deal with certain matters in Confidential Session. The reports are incorporated in the “confidential” business paper which has been circulated to Councillors.

The *Local Government Act, 1993* requires the General Manager to identify those matters listed on the business paper which may be categorised as confidential in terms of Section 10A of the *Local Government Act, 1993*.

Recommendation

That pursuant to Section 10A of the *Local Government Act, 1993* the following items on the agenda for the Ordinary Council meeting be dealt with in Closed Session for the reasons specified below:

Item 16.1 RFT 2024-51 Insitu Stabilisation of Road Pavements - Tender Evaluation

Item 16.1 is confidential in accordance with s10(A) (c) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.