



Planning and Strategy Committee of the Whole

AGENDA

14 March 2018

Commencing at 5:30pm

**Council Chambers
253 Crawford St, Queanbeyan**

On-site Inspections - Nil

Council at its meeting of 23 November 2016 resolved (M/N 295/16) as follows:

The Planning and Strategy Committee of the Whole be delegated authority in accordance with Section 377 of the *Local Government Act 1993* to determine matters pursuant to the:

- *Environmental Planning and Assessment Act 1979*
- *Local Government Act 1993*
- *Swimming Pools Act 1992*
- *Roads Act 1993*
- *Public Health Act 2010*
- *Heritage Act 1977*
- *Protection of the Environment Operations Act 1997*

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Nil

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Nil

LIST OF ATTACHMENTS –

(Copies available from CEO/General Manager's Office on request)

Open Attachments

- Item 4.1 Development Application 1-2018 - Cinema - 30 Morisset Street, Queanbeyan
- Attachment 1 Section 79C Report - 30 Morisset Street Queanbeyan (Under Separate Cover)*
 - Attachment 2 Architectural Plans - 30 Morisset Steet Queanbeyan (Under Separate Cover)*
 - Attachment 3 Architectural Montage - 30 Morisset Street (Under Separate Cover)*
 - Attachment 4 Submission - DA 1-2018 - 30 Morisset Street - Proposed Cinema (Under Separate Cover)*
 - Attachment 5 Condition Printout - 30 Morisset Street, QUEANBEYAN NSW 2620 - 1-2018 (Under Separate Cover)*
- Item 4.2 Amendment No 2 (Minor Amendment) - Exhibition of Local Infrastructure Contributions Plan No 11 For the Provision of Public Off-street Car Parking at Bungendore
- Attachment 1 Exhibition Version - Amendment 2 of Section 94 Plan No 11 - Off-street Car Parking Bungendore (Under Separate Cover)*
- Item 4.4 Road Naming of Unnamed Roads in Bendoura, Wyanbene, Marlowe and Durran Durra
- Attachment 1 Attachment 1 - Road 1027 - Extent Map (Under Separate Cover)*
 - Attachment 2 Attachment 2 - Road 1025 - Extent Map (Under Separate Cover)*
 - Attachment 3 Attachment 3 - Road 1026 - Extent Map (Under Separate Cover)*
 - Attachment 4 Attachment 4 - Road 1030 - Extent Map (Under Separate Cover)*
 - Attachment 5 Attachment 5 - Road 1028 - Extent Map (Under Separate Cover)*
 - Attachment 10 Attachment 10 - Feedback from Geographic Names Board on Street Naming (Under Separate Cover)*
- Item 6.1 Strategies and Plans Adopted during QPRC Administration
- Attachment 1 List of strategies and plans adopted during administration (Under Separate Cover)*
- Item 7.3 Outcome of Delivery Program - Stage 1 community engagement
- Attachment 1 Notes on QPRC Sports Council Delivery Program Workshop (Under Separate Cover)*
 - Attachment 2 Notes on Queanbeyan Delivery Program Workshop (Under Separate Cover)*
 - Attachment 3 Notes on Braidwood Delivery Program workshop (Under Separate Cover)*
 - Attachment 4 Notes on Bungendore Delivery Program workshop (Under Separate Cover)*

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- Item 4.4 Road Naming of Unnamed Roads in Bendoura, Wyanbene, Marlowe and Durran Durra
- Attachment 6 Attachment 6 - Road Naming Responses - Road 1027
(Under Separate Cover)*
- Attachment 7 Attachment 7 - Road Naming Response - Road 1025 &
Road 1026 - AgriWealth Pty Ltd - 7 December 2017 (Under
Separate Cover)*
- Attachment 8 Attachment 8 - Road Naming Responses - Road 1030
(Under Separate Cover)*
- Attachment 9 Attachment 9 - Road Naming Responses - Road 1028
(Under Separate Cover)*

ITEM 3 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.

4.1 Development Application 1-2018 - Cinema - 30 Morisset Street, Queanbeyan
(Ref: C188646; Author: Thompson/Glouftsis)

Summary

Reason for Referral to Council

This Development Application has been referred to Council because it is for a major development exceeding \$5 million in value and incorporates a major variation to the Queanbeyan Development Control Plan 2012.

Proposal:	Cinema (incorporating nine screens, licensed bar and arcade)
Applicant/Owner:	Sandran Pty Ltd./ Sandran Pty. Ltd.
Subject Property:	Lot 1 DP 556476, No. 30 Morisset Street Queanbeyan.
Zoning and Permissibility:	B3 Commercial Core under Queanbeyan Local Environmental Plan 2012/Entertainment Facility permissible with consent.
Public Submissions:	1 Submission Received
Issues Discussed:	Planning Requirements - Car Parking and Architectural Character
Disclosure of Political Donations and Gifts:	Applicant Declared no Donations or Gifts to any Councillor or Staff have been made.

Recommendation

1. That approval be granted to a variation to Part 2 of Queanbeyan Development Control Plan 2012 to allow a variation to the car parking requirements from 96 parking spaces to 17 parking spaces for the following reasons:
 - i. Council's DCP – Parking, Clause 2.2 permits a variation to parking standards where justified by a Traffic and Parking Impact Study. The applicant has submitted a consultants Traffic and Parking Statement giving their reasons why a variation of the DCP is warranted.
 - ii. There is sufficient car parking for the proposed development in existing car parking areas within the Queanbeyan Central Business District, which are within a reasonable walking distance to the subject site.
 - iii. The primary hours of use for the proposed development and peak demand for car parking is not consistent with other businesses, which operate during regular business hours Monday to Friday.
 - iv. The sites proposed use of providing a highly desirable facility in Queanbeyan, the establishment of which, has been supported by the general community for many years.
 - v. The use of a site in a prominent position in the CBD particularly outside business hours.
 - vi. Council's long term promotion of active businesses in the CBD through its planning controls and community business support forums particularly where development encourages more people in the shopping centre during business hours and particularly at night.
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- vii. Council's DCP Clause 7.3.3 - Change of Use provisions encourage continued use and reuse of existing commercial premises in the CBD to make it more financially viable for landowners, purchasers and lessees to establish their proposed business and promote continued commercial uses, to avoid empty premises and encourage establishment of a vibrant Queanbeyan commercial centre.
2. That development application DA 1-2018 for alterations to an existing commercial building for the purposes of constructing a Cinema on Lot 1 DP 556476, 30 Morisset Street, Queanbeyan, be granted conditional approval including the following conditions:
- In lieu of providing an additional 17 car parking spaces a Section 94 Contribution charge for a total of \$199,799.71 be levied, covering the shortfall of parking during peak usage times.
 - Prior to the issue of the Construction Certificate the applicant shall lodge and have endorsed by Council revised plans showing improved articulation and/or material variation treatments on the eastern façade of the building.
-

Background***Proposed Development***

The Development Application (DA) is for alterations and additions to the existing commercial building located on 30 Morisset Street and a change of use of the first floor commercial office to an Entertainment Facility. The Entertainment Facility incorporates a cinema, licensed bar and arcade. Specifically the proposal comprises:

- A nine screen cinema complex (total seating capacity of 1,315 patrons)
- Increased building height from 10m to 20.58 metres.
- A licensed bar and lounge area and associated facilities including: ticket office, candy bar, kitchen, staff room, manager's office, bio box and post-mix room and;
- External business identification and advertising signage.

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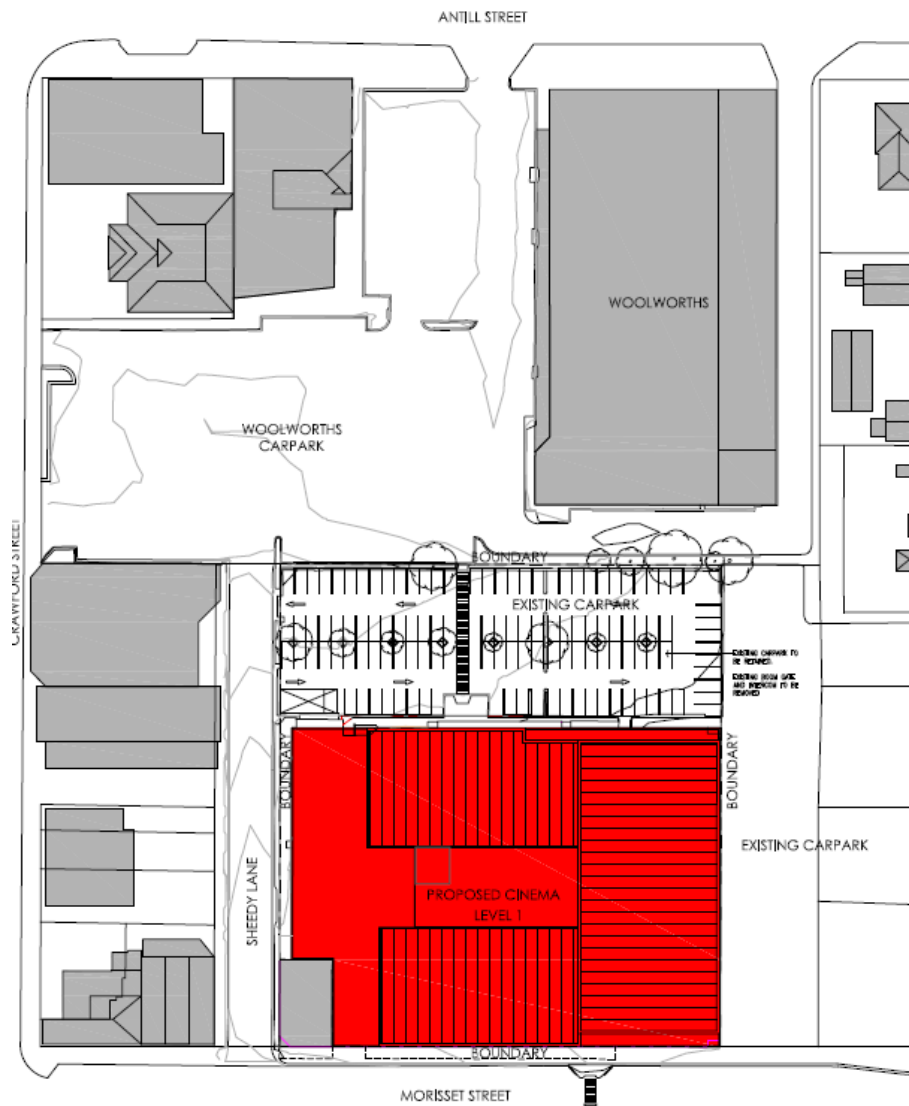


Figure 1 – Site Plan (Source: MM Atelier Architects)

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In essence the majority of the existing first floor office area will be demolished and replaced with the new cinema with little alteration to the existing K-Mart store on the ground floor.

Subject Property

The subject site is located at 30 Morisset Street, Queanbeyan and has a legal description of Lot 1 DP 556476. The subject site is located within the Queanbeyan Central Business District and within the vicinity of the Riverside Plaza Shopping Centre, Woolworths Supermarket, K-Mart and Crawford Street. The site's primary frontage faces Morisset Street, with additional frontages facing the Woolworths and K-Mart car parking area to the north. The site is currently occupied by a two-storey commercial building, which incorporates a ground floor retail component, which is currently tenanted by K-Mart. The first floor is reserved as office space and was previously tenanted by Essential Energy. Figure 2 below provides an overview of the site and adjoining properties. The site area is approximately 9,135 square metres and rectangular in shape.

The streetscape is generally characterised by a mix of uses, with predominant commercial buildings such as the adjoining Riverside Plaza and Woolworths Supermarket. The streetscape also includes residential buildings, heritage items and a number of car parking lots that are both public and private.

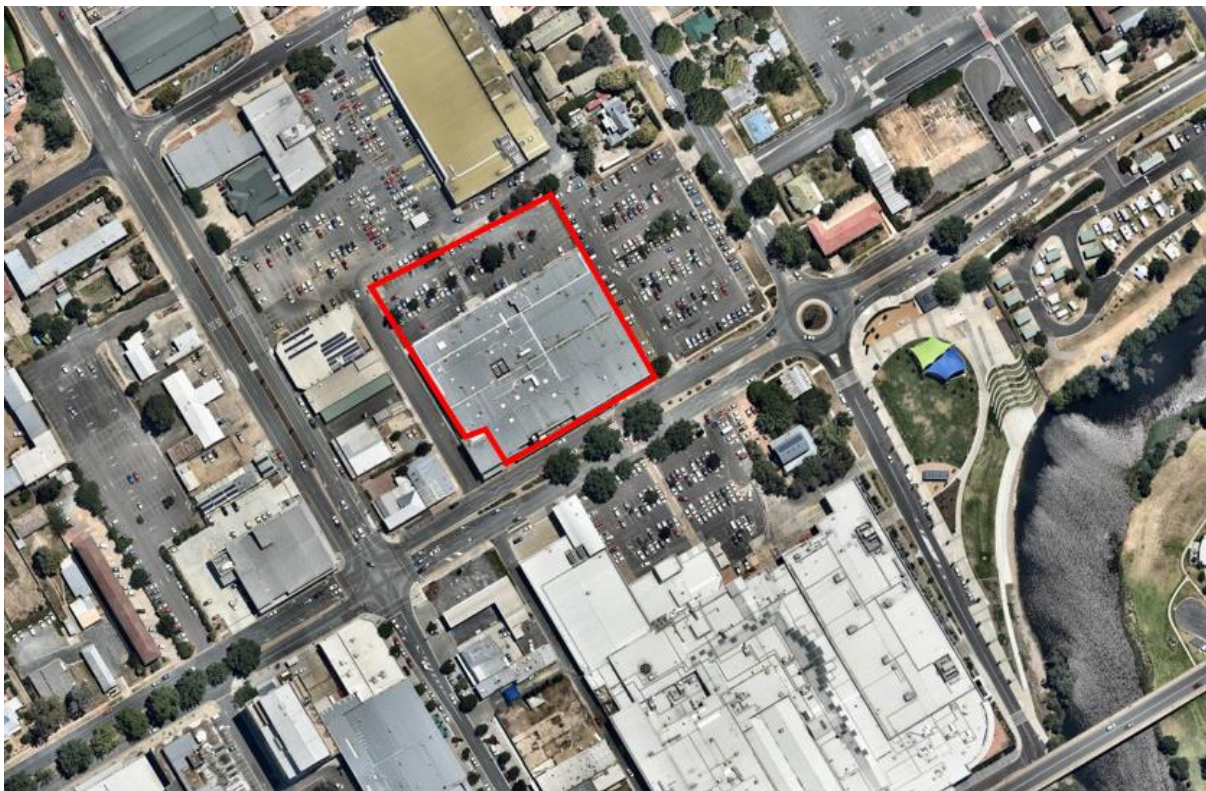


Figure 2: Subject Site (Source: NearMap)

Planning Requirements

Assessment of the application has been undertaken in accordance with Section 79C(1) of the Environmental Planning and Assessment Act (EP&AA) 1979, as amended. The matters that are of relevance under Section 79C(1) are summarised in the attached *Section 79C(1) Table – Matters for Consideration*.

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

1. State Environmental Planning Policy No. 64 Advertising and Signage
2. Queanbeyan Local Environmental Plan 2012 (LEP).
3. 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 the Council's consideration are the building's architectural character and a variation to Part 2 of Council's Development Control Plan, specifically relating to the provision of car parking, which has been detailed below.

(a) Compliance with LEP

The proposed development is consistent with the requirements of the *Queanbeyan Local Environmental Plan 2012*. For an assessment of the *Queanbeyan Local Environmental Plan 2012* see the attached Section 79C(1) Table – Matters for Consideration. **(b) Compliance with DCP**

The application has been assessed against the relevant parts of the Queanbeyan Development Control Plan 2012. To view the detailed assessment of the Queanbeyan Development Control Plan 2012 please see the attached Section 79C(1) Table – Matters for Consideration. The two main issues for Council's consideration are shown below.

1. Architectural Character

Part 7 of the QDCP 2012 requires new or infill development to be modern and contemporary and provide visual interest through articulation of the façade with architectural treatment. Though the proposal is essentially acceptable for the location it is considered the development has missed an opportunity to modernise the site and create a more architecturally interesting building. In particular the façade treatment on the eastern elevation, which incorporates the highest vertical wall in the building requires additional treatment either by articulation or variation in materials or both. With this in mind it is recommended that the eastern façade be reconsidered and amended plans submitted to Council for endorsement before a Construction Certificate is issued. This will form a condition of consent.

2. Car Parking Variation

The proposal seeks to vary the number of car parking spaces required for the development under the Queanbeyan Development Control Plan 2012 (QDCP 2012).

The relevant controls for variations and compliance to car parking under Part 2.2.4 of the QDCP 2012 are:

- a) *Onsite parking will be required in accordance with the standards of this plan except where good cause can be shown as to why strict compliance is unnecessary.*
- b) *Compliance with the provisions of this plan will not necessarily constitute sufficient reason for consenting to a development application. Each application must be treated on its individual merits in relation to the general principles and the Heads of Consideration under Section 79C of the Environmental Planning and Assessment Act 1979.*

The main objective of Part 2.2.4 'Variations and Compliance' of the QDCP 2012 is, 'to provide alternative options for the provision of car parking where the general standards cannot be met on the site'. In this instance provision of additional car parking for the development in accordance with the DCP would result in substantial additional costs to

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the developer, as the site is constrained and would only be able to provide additional parking underground or above the building. Provision of additional car parking for the cinema will detract from the amenity of the area and inhibit opportunities to increase density within the Queanbeyan Central Business District.

Additionally, there is underutilised public parking spaces within 300-500m of the site acknowledging that adjacent private carparks are likely to be utilised in the first instance without permission (Figure 3).

The car parking generation rates for a Cinema are not specified under Part 2 of the QDCP 2012. The closest specified use is an Entertainment Facility which requires 1 space per 60m² of gross floor area (GFA). Based on the proposed GFA of 5833m² an Entertainment Facility would require the equivalent of an additional 96 car parking spaces under the QDCP 2012.

It is considered that this parking requirement is unreasonable in this circumstance and an assessment of car parking should therefore be based on merit. In this regard the applicant was requested to prepare a Traffic and Parking Impact Assessment that specifically addressed the parking impacts for this development in its proposed location. This fits within part 2.2.4d) of the QDCP 2012 which states that 'requests for variation' must be supported by information and data to substantiate that an alternative standard is appropriate.

A Traffic and Parking Impact Assessment was prepared by McLaren Traffic Engineering and Road Safety Consultants on behalf of the proponent requesting a variation to the car parking control.

In summary the Traffic and Parking Impact Assessment incorporates a peak parking demand occurring on Saturdays when it is calculated that a shortfall of 12 car parking spaces will occur in the existing carpark. This number includes a discount for trips incorporating alternative transport modes and dual usage patterns (patrons incorporating different activities in the same trip).

The study concludes that the existing car park does not provide sufficient on-site parking for the peak demand. However, it recommends that there is sufficient available parking within the surrounding public car parks and on-street parking to satisfy the shortfall.

Council does not agree that the shortfall can be met by on-street parking. A detailed analysis of car parking requirements is provided in the Development Engineering Comments below. It concludes that, not only should the idea of accommodating the shortfall using on-street parking not be supported but that a more reasonable calculation of the parking shortfall is 17 spaces rather than 12.

The results of the Traffic and Parking Impact Assessment and the associated demand study, as well as the assessment undertaken under Section 79C of the *Act* concludes that there is a shortfall of 17 spaces at peak periods of operation of the cinema.

The variation to the car parking requirement for the proposed development is supported despite the shortfall of car parking. In this instance the developer can be charged Section 94 Contributions in lieu of the shortfall of car parking. This is documented and supported within the Development Engineer's comments below.

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Figure 3 – Public and Private car parking within 200m of the site (Source: NearMap)

(a) Development Engineer’s Comments

Parking

Previous Developments Approvals

The existing building located on the subject site was completed in the late 1970s and has been subject to several Development Applications and approvals, which have each included an assessment of parking requirements.

The most recent application, which examined parking in significant detail was for the fit-out of the ground floor portion of the existing building to a retail outlet (currently K-mart) Development Application (DA) 238-2010. Based on RMS parking rates for the existing ground floor development at that time, the assessment concluded that the difference in parking demand from the previous use to the proposed use (K-Mart) was an additional 17 car parking spaces. Two spaces were subsequently removed from the available parking on site, thus Section 94 Contributions for the shortfall of 19 spaces were required for that DA.

It should be noted that the calculated parking demand at the time did not include the existing demand for the first floor offices and condition 24 of Development Consent 238-2010 required 121 parking spaces. Four spaces were subsequently subsumed to allow for manoeuvring of delivery vehicles so there are now 117 existing spaces available.

In effect, K-Mart accounts for all of the available parking at the site, leaving no available parking spaces for further development.

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DCP Requirements

Table 1 in Section 2.2.6 of the Queanbeyan Development Control Plan 2012 stipulates that for entertainment facilities within the CBD, the generic CBD parking rate of 1 space per 60m² be applied to developments categorised as entertainment facilities. The floor area of the development is 5,833m², which would require a total of 96 additional car parking spaces. Whilst this rate of parking is not considered to be a real reflection of the potential parking generation of the development, which comprises a 1,300 seat cinema, Council has previously made a conscious decision to “discount” the parking requirements within the CBD in order to promote development.

In order to gain a better appreciation for how parking and traffic would be specifically impacted at this site Council required the applicant to prepare a traffic and parking assessment for the proposed development. This assessment was undertaken by McLaren Traffic Engineering and Road Safety Consultants (MTE). The report examines the existing performance of surrounding intersections, the existing on-site parking as well as available off-site parking in the immediate surrounds to the development site and completed a parking demand study.

Data for the study was collected from 29-30 September 2017, which unfortunately fell on a long weekend in the ACT, the week prior to the NSW/ACT Labour Day long weekend, during school holidays. Thus traffic volumes within the Council area would have been considerably lower than usual, as the local population often travel to the coast for the beginning of the summer/start of warmer season – Council’s evidence from road safety campaigns on the Kings Highway indicates this is the beginning of the summer peak traffic volumes migrating to the coast. Additionally, the 30 September was the date of the AFL grand final and the following day the NRL grand final – which can potentially see residents watching these events and/or travelling to events for these finals rather than normal shopping/parking within the Queanbeyan CBD

The DCP also requires a greater rate of disabled parking spaces to the current rate for shopping outlets. A total of 3-4% of the parking spaces available should be disabled spaces and at least one of these spaces should be next to the facility entry. Based on the capacity of the car park, 4 disabled spaces are required, and although indicated in an appendix of the submitted traffic report, they should also be shown on the site plan.

Parking Generation

The RMS guideline for traffic generating developments does not provide rates for parking demand for Cinema developments. The traffic report uses data which had been collected from a suburban cinema in Sydney in order to predict parking demand based on ticket sales. A direct correlation for ticket sales to seat capacity and consequently parking demand has been assumed for the proposed development to arrive at a requirement of an additional 145 parking spaces, approximately a 1:7 ratio of parking spaces to seating capacity.

This demand was then further reduced taking into account dual usage patterns of patrons, assumed to be 15% which was further reduced by 5% for the reduction in patrons likely to use public transport. This discount results in an additional parking requirement of 116 spaces.

The value of the discount percentage due to patronage dual usage and using public transport is generally not supported. There are few restaurants and other uses located in the adjacent areas that would result in patrons doing a combined trip during the peak times for use of the cinema. Thus the rate adopted for dual usage seems ‘too high’ for the

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behaviour currently observed in Queanbeyan, which typically mirrors country town attitudes where the expectation is to park as close as possible to the desired destination.

This is based on the nature of parking complaints and requests for changed parking that Council generally receives. Also noting that the survey used a Sydney cinema in Warriewood where residents would have a different conditioned experience to availability/access to parking and potentially used to having to park and walk. A couple of examples of resistance to parking and walking in Queanbeyan recently are:

- Staff working at the NSW Office building on Farrer Place were encouraged to park at the Showground behind Farrer Place instead of using nearby kerbside parking in Farrer Place, Campbell Street and George Street. While the showground parking was geographically right behind the building, restricted access has meant that users must walk down Cooma Street into Lowe Street and turn into Farrer Place (approx. 350m) – Council was resoundingly told that this was too far to park and walk.
- Staff working in Morisset House on Morisset Street were encouraged to use the ‘all day free parking’ at the Bus Interchange at Collett Street instead of the timed parking in Council car parks around Morisset House – it is a 250m walk and it was pointed out that there would be passing coffee house and shopping opportunities and health benefits of the walk – this was also resoundingly not popular in the uptake.

In addition the application of a discount for patrons using public transport is considered to be double counting as the collection of data in the first instance is effectively counting the number of patrons using public transport by comparing total ticket sales to vehicles spaces (i.e. sales to patrons arriving on public transport were not excluded from the data set). Thus applying a 5% reduction would be to assume that a 5% increase in public transport patronage over existing. Given the data is being extrapolated from a suburban Sydney Cinema, it is considered unlikely the rates of public transport participation would increase above the base data level. Further, it should be noted that buses within Queanbeyan do not operate in the evenings on weekends in Queanbeyan and take up of public transport in the locality is generally low.

Given the above comments on dual usage trips and public transport, the total discount that Council believes should be applied to the parking figure is 10% rather than the 20% recommended in the report.

The report goes on to demonstrate that the peak parking demand is expected to be experienced late in the evenings outside of normal business hours. The report presents data collected from the existing car park usage and superimposes the predicted car park demand to show that the existing car park capacity is sufficient to meet predicted demand except for after 6pm on Saturday evenings.

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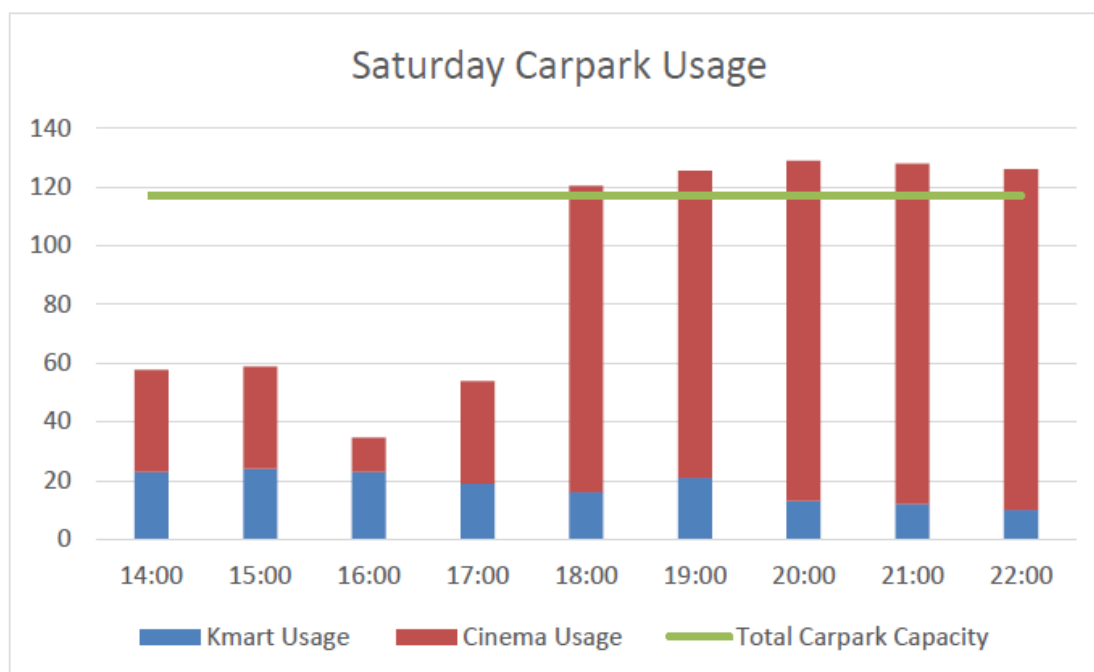


Figure 4 – Combined K-Mart and Cinema Carpark Usage on Saturday Post 2.00pm (Source MTE report)

Figure 4 above shows the carpark usage from 2.00pm on a Saturday. The blue represents car spaces being used by K-Mart while the red is the cinema usage. The green line represents the existing carpark capacity of 117 car parks.

The graph shows that on a Saturday after 6.00pm the combined use of the carpark by both K-Mart and the cinema exceeds the capacity of the carpark by up to 12 parking spaces.

Analysis of peak periods on days other than Saturday were also examined, and although Friday evenings came close, no other periods exceeded the capacity of the carpark.

Despite the shortfall in on-site parking during this particular time, the report shows there is sufficient off-site parking surrounding the site to meet the short fall of 12 vehicle spaces. However, the on street parking referred to in the report is significantly overstated, and the following is noted:

- Morisset Street does not feature 1 hour parking zones on both sides – it features very limited parking within close proximity to the proposed cinema because it features bus zones, taxi zones, pedestrian (wombat) crossing with ‘No Stopping’ and a number of driveways. This block has very limited on-street parking.
- Collett Street also does not feature unrestricted kerbside parking along both sides of the street – there is a pedestrian crossing with ‘No Stopping’ signs and there is a large driveway into a bus interchange on this street that has a clear zone.
- Crawford Street also features limited parking due to pedestrian refuges, drive-ways, bus zones – there are some marked parking zones but these are limited
- New Taxi Zone has been implemented on Sheedy Lane that has reduced the parking zone

Whilst the MTE traffic report demonstrates there are a number of off-street parking spaces available in close proximity to the site, it did not include the Collett Street Car Park, which is located on the adjacent block to the development. However, the reality is that patrons to the proposed development are likely to impose on the adjacent private parking lots of

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Woolworths and Riverside Plaza prior to utilising street frontages or the Collet Street Car Park due to their proximity.

Given this imposition and whilst the development is considered a favourable development for the township, it nonetheless represents a severe over-development of the site given it has no additional parking availability to draw upon. For example, the adjacent Woolworths site has a lesser Gross Floor Area, though provides a significantly greater number of car parks. The same could be demonstrated for the nearby Aldi

Calculating the Shortfall in Capacity

As stated previously, the collection of data for the report was undertaken during a period of low traffic volume, thus a Council Officer undertook a survey of available parking within the Kmart Car Park, excluding the areas designated for the previous Essential Energy offices (64 available parking spaces). The results are presented below;

Day	Time	Spaces Available	Spaces Occupied
Thursday 15 Feb	13:00	24	40
	15:30	22	42
Friday 16 Feb	08:30	34	30
	12:30	21	43
	16:00	24	40
	17:30	36	28
Saturday 17 Feb	12:00	24	30

Table 1 – Carparking Usage – Typical Thursday, Friday, Saturday (Source: Council Data)

Generally, the QPRC obtained data indicated that approximately 10-12 spaces were additionally occupied compared to the time MTE collected traffic data. This represents a 20-30% increase in parking demand. It should be noted that the QPRC data excludes occupancy of the area designated for DEC and for Essential Energy which the MTE data includes. Given the increased existing parking usage, the parking at the site is likely to be exceeded to a greater extent than anticipated by the MTE report.

In summary the MTE report found the development to be short of on-site parking by 12 spaces through its analysis of existing usage of the parking superimposed with the predicted generation by the development (Figure 4 above). Based on Council’s own survey, during “normal” periods of operation this should be increased by 20-30%, say 25%. Increasing the shortfall to 15 spaces.

In addition Council does not support the application of a 5% public transport reduction and considers the dual usage factor of 15% adopted in the MTE report to be generous for the locality. As such the combined 20% reduction for public transport and combined trip should be reduced to no more than 10%. Applying this to the shortfall of 15 spaces increases the parking shortfall to 17 spaces.

Where parking for commercial premises in the CBD cannot be provided on site the applicant may make a contribution for car parking under the provisions of Council’s Section 94 plan. Therefore if the development were to be approved, it is recommended that Section 94 Contributions for 17 car parking spaces are collected in recognition of the parking demand which will be imposed on the surrounding areas. The present contribution rate is \$11,752.92 per carpark, which would require a contribution of \$199,799.64.

The above shortfall in parking is based on when the combined use of the carpark for both K-Mart and the cinema is a worst case scenario (Saturday evening). However, Council could also apply the calculation of additional car parking generated by the new floor area.

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If Section 94 was levied for the shortfall of the calculated 96 spaces for the entertainment facility under the QDCP 2012 a levy \$1,128,280.32 would apply. Enforcing this contribution is considered to be uneconomic for the proposed development.

Consequently it is considered reasonable to levy a contribution based on the 17 carpark shortfall calculated on Saturday peak period usage. The application should be conditioned accordingly.

Traffic Impact

MTE undertook a traffic survey of the surrounding intersections from 29-30 September 2017 to establish the performance of existing intersections surrounding the site. Based on the parking generation modelling mentioned previously and again extrapolating trip generation data from the Suburban Sydney Cinema the performance of the surrounding intersection was predicted.

In order to predict the intersection performances, it was assumed 60% of the generation would exit onto Crawford Street, 30% to Antill St and head north and 10% to Morisset Street via Sheedy Lane. The basis for these assumption is not communicated.

The modelling shows no significant reduction in performance of the surrounding intersections. As previously discussed, the timing of data collection was likely to over-estimate the performance of the surrounding intersection due to lower than usual traffic congestion particularly on Friday afternoon as surrounding intersection experience peak usage around school start and finish times. A peak of traffic is experienced at the roundabout particularly between 8.00-8.30am and 3.45-4.15pm – where traffic from Collet Street sees a consistent queue of traffic of up to 20 vehicles back to Antill Street intersection and around 150 pedestrians cross at the crossing during this time.

The bus interchange also encounters peak usage by buses during this time of up to 30 buses arriving and leaving via Morisset St and Collett St and using the roundabout intersection.

However, given that the time for peak usage of the cinema does not conflict with the peak traffic periods it is not expected that there will be any reduction in performance of the surrounding intersections.

(b) Building Surveyor's Comments

The applicant has provided a comprehensive BCA assessment report and an Access Report for the development. These reports indicate that compliance with the BCA can be achieved and that there are no major non-compliances that would hinder the issuing of a Development Consent. Additional information would be required if a Construction Certificate application was submitted to Council for approval.

(c) Environmental Health Comments

The design and construction of a food premises is to comply with the *Food Act 2003* and the Food Standards Code. The applicant will need to return a completed Food Regulation form to Council before operation. The applicant will also need to submit an Acoustic Report within 3 months of operation of the business and submit a Waste Management Plan. Relevant conditions will be imposed.

Engagement

The proposal required notification under Queanbeyan DCP 2012 and advertisement within the newspaper. One submission was received in regards to the proposed development. The submission was in support of the development of a cinema, but not a licensed bar. There are

**4.1 Development Application 1-2018 - Cinema - 30 Morisset Street, Queanbeyan
(Ref: C188646; Author: Thompson/Glouftsis) (Continued)**

no legislative grounds to refuse the approval of a licensed bar for the premises and this is considered an acceptable ancillary use.

Financial Impacts

The assessment indicates that the Traffic Impact Statement makes a solid case for a variation to the DCP requirements.

Council's options in relation to the provision of parking are as follows:

Option 1 - Impose a condition of consent requiring a contribution of \$11,752.92 (indexed) for each of the 96 car parking spaces required by the DCP but which cannot be provided on site in accordance with Council's Section 94 Developer Contribution Plan (Total of \$1,128,280.32)

Option 2 - That Council agree to a variation of the DCP car parking requirements in line with the MTE Traffic Report which indicates that a shortfall of 17 car parking spaces (as adjusted by Council) will occur during the peak periods of cinema usage. Such variation is supported for the following reasons:

- i. Council's DCP – Parking, Clause 2.2 permits a variation to parking standards where justified by a Traffic and Parking Impact Study. The applicant has submitted a consultants Traffic and Parking Statement giving their reasons why a variation of the DCP is warranted.
- ii. There is sufficient car parking for the proposed development in existing car parking areas within the Queanbeyan Central Business District, which are within a reasonable walking distance to the subject site.
- iii. The primary hours of use for the proposed development and peak demand for car parking is not consistent with other businesses, which operate during regular business hours Monday to Friday.
- iv. The sites proposed use of providing a highly desirable facility in Queanbeyan, the establishment of which, has been supported by the general community for many years.
- v. The use of a site in a prominent position in the CBD particularly outside business hours.
- vi. Council's long term promotion of active businesses in the CBD through its planning controls and community business support forums particularly where development encourages more people in the shopping centre during business hours and particularly at night.
- vii. Council's DCP Clause 7.3.3 - Change of Use provisions encourage continued use and reuse of existing commercial premises in the CBD to make it more financially viable for landowners, purchasers and lessees to establish their proposed business and promote continued commercial uses, to avoid empty premises and encourage establishment of a vibrant Queanbeyan commercial centre.

As a consequence a condition of consent should be imposed requiring a contribution of \$11,752.92 (indexed) for each of the 17 required car parking spaces which cannot be provided on site in accordance with Council's Section 94 Developer Contribution Plan (total \$199,799.64).

Option 3 – Note the requirement for the additional 17 car parking spaces and waive the requirement for any payment of Section 94 Developer Contributions for the reasons state in i to vii above.

**4.1 Development Application 1-2018 - Cinema - 30 Morisset Street, Queanbeyan
(Ref: C188646; Author: Thompson/Glouftsis) (Continued)**

Option 2 is recommended. Only Council has the authority to reduce or waive developer contributions.

Conclusion

The submitted proposal for a Cinema on Lot 1 DP 556476, No. 30 Morisset Street is permitted development and is supported by a Statement of Environmental Effects. The proposal was notified to adjoining owner/occupiers and one (1) formal submission was received.

The proposal has been assessed under Section 79C *Environmental Planning & Assessment Act 1979* including the relevant provisions of *Queanbeyan Local Environmental Plan 2012* and *Queanbeyan Development Control Plan 2012*.

The development satisfies the requirements and achieves the objectives of these instruments except where variation to parking requirements has been sought. A variation to the parking requirements of the DCP is supported in this case.

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 | Section 79C Report - 30 Morisset Street Queanbeyan (<i>Under Separate Cover</i>) |
| Attachment 2 | Architectural Plans - 30 Morisset Steet Queanbeyan (<i>Under Separate Cover</i>) |
| Attachment 3 | Architectural Montage - 30 Morisset Street (<i>Under Separate Cover</i>) |
| Attachment 4 | Submission - DA 1-2018 - 30 Morisset Street - Proposed Cinema (<i>Under Separate Cover</i>) |
| Attachment 5 | Condition Printout - 30 Morisset Street, QUEANBEYAN NSW 2620 - 1-2018 (<i>Under Separate Cover</i>) |

4.2 Amendment No 2 (Minor Amendment) - Exhibition of Local Infrastructure Contributions Plan No 11 For the Provision of Public Off-street Car Parking at Bungendore (Ref: C1829260; Author: Thompson/Robb)

Summary

At its meeting of 8 November 2017 Council resolved (PLA355/17) to exhibit the *Local Infrastructure (formerly Section 94 Development) Contributions Plan No. 11 for the Provision of Public Off-Street Carparking at Bungendore*. The Plan was exhibited from Tuesday 28 November 2017 until Thursday 25 January 2018. No submissions were received during the exhibition period. It is recommended that the exhibited Plan be adopted by Council.

Recommendation

That Council adopt the Local Infrastructure Contributions Plan for the Provision of Public Off-Street Carparking at Bungendore with Amendment No 2.

Background

The *Local Infrastructure (formerly Section 94 Development) Contributions Plan No. 11 For the Provision of Public Off-Street Carparking at Bungendore* was developed to fund a public off-street car park in the centre of Bungendore. Currently, car parking in the commercial area of Bungendore is either on the street or off-street on private property. In 2011, Council resolved to adopt the Plan (88/2011) and in 2013, Council resolved to amend the Plan (301/2013) to allow a reduction of 50% of the RTA Guideline requirements for the first 200m² of Gross Floor Area (GFA). The plan states that this exemption is to be re-assessed prior to 30 June 2017.

For the information of Councillors a copy of the exhibited Plan is provided in Attachment 1.

As a consequence the plan has been updated to enable it to continue operating with this exemption until the plan is reviewed in June 2019. Other amendments are the inclusion of current population data and a change of name to reflect the new entity of Queanbeyan-Palerang Regional Council and changes to the number of the provisions of the *Environmental Planning and Assessment Act 1979* recently introduced.

A report (Item No. 5.5) to the Planning and Strategy meeting of Council on 8 November 2017 detailed the background to the plan and made recommendations concerning its contents, renaming of the document and the exhibition of the amended plan. These included minor amendments (known as Amendment No 2) which are detailed in the exhibited plan (Attachment 1).

Council resolved (PLA355/17) to exhibit the draft plan. The draft plan now known as the *Local Infrastructure (formerly Section 94 Development) Contributions Plan No. 11 For the Provision of Public Off-Street Carparking at Bungendore* was exhibited from Tuesday 28 November 2017 until Thursday 25 January 2018.

4.2 Amendment No 2 (Minor Amendment) - Exhibition of Local Infrastructure Contributions Plan No 11 For the Provision of Public Off-street Car Parking at Bungendore (Ref: C1829260; Author: Thompson/Robb) (Continued)

Exhibition of the Draft Plan

The *NSW Environmental Planning and Assessment Regulation 2000* requires that the plan be exhibited for a minimum period of 28 days. The following consultation strategies were undertaken:

- a notice of the exhibition was placed in the local newspaper(s).
- a copy of the draft Plan was placed in the Braidwood, Bungendore and Queanbeyan offices.
- a copy of the draft plan was placed on the Queanbeyan-Palerang Regional Council website. The website provides the opportunity for on-line submissions.

It was not considered necessary to hold a community meeting as the amendment is minor. Government agencies were not consulted.

There were no written submissions or comments via Your Voice, the on-line submission tool on the Queanbeyan-Palerang Regional Council website.

Implications

Legal

The *Local Infrastructure (formerly Section 94 Development) Contributions Plan No. 11 For the Provision of Public Off-Street Carparking at Bungendore* is being amended under the *NSW Environmental Planning and Assessment Act 1979* and associated Regulation. Clause 32 of the *NSW Environmental Planning and Assessment Regulation 2000* states that Council may amend a contributions plan by a subsequent contributions plan. The amended Plan is considered a subsequent contributions plan.

Clause 33A of the Regulation states that a Plan must be reviewed by the date, if there is one in the contributions plan. The contributions plan which is the subject of this report does not contain a review date. The review date associated with the exemption (30 June 2017) is not considered a date which would be subject to this clause.

Policy

Despite the above, it is good practice to regularly review and update local infrastructure contributions plans to ensure that they reflect current data and associated legislation and plans. However, it should be noted that the entire plan has not been reviewed only the need for the exemption and other minor amendments.

Environmental

The contributions collected from the Plan will contribute to the development of the car park which will include the management of stormwater and dust. This will benefit the natural environment. Additionally, the construction of the car park will enhance the amenity of the built environment in the Gibraltar and Ellendon Street areas.

Sustainability

The contribution plan collects funds from the developments which will increase the need for public car spaces. This approach meets one of the principles of ecologically sustainable development – Improved valuation, pricing and incentive mechanisms which includes that the

4.2 Amendment No 2 (Minor Amendment) - Exhibition of Local Infrastructure Contributions Plan No 11 For the Provision of Public Off-street Car Parking at Bungendore (Ref: C1829260; Author: Thompson/Robb) (Continued)

users of goods and services should pay prices based on the full life cycle of costs of providing goods and services.

Asset

The plan allows for the creation of a car park which will be a Council asset.

Social / Cultural

The plan will allow for the construction of a central car park which will enable people to easily access the centre of Bungendore. Adequate parking for community events is currently a problem.

Economic

The car park will be of economic benefit to Bungendore as it will allow tourists, businesses and residents to access retail outlets and services easily. The aim of the amendment is to encourage businesses to expand or establish in the business area of Bungendore.

Strategic

The Plan enables Council to establish a car park which will contribute to there being off street car parking commensurate with the growth of Bungendore.

Financial

Council staff managed the consultation and will finalise the amended plan. Consultation costs have been small as there were no community meetings and a large amount of advertising was not undertaken.

Conclusion

The *Local Infrastructure (formerly Section 94 Development) Contributions Plan No. 11 For the Provision of Public Off-Street Carparking at Bungendore* was exhibited from Tuesday 28 November 2017 until Thursday 25 January 2018. The exhibited plan contained minor amendments (known as Amendment No 2) to allow it to continue operating with a contribution exemption until the plan is reviewed in June 2019. Other amendments are the inclusion of current population data and a change of name to reflect the new entity of Queanbeyan-Palerang Regional Council and changes to the number of the provisions of the *Environmental Planning and Assessment Act 1979* recently introduced. There were no submissions received. It is recommended that the exhibited *Local Infrastructure (formerly Section 94 Development) Contributions Plan No. 11 For the Provision of Public Off-Street Carparking at Bungendore* with Amendment No 2 be adopted by Council.

Attachments

Attachment 1 Exhibition Version - Amendment 2 of Section 94 Plan No 11 - Off-street Car Parking Bungendore (*Under Separate Cover*)

4.3 Jupiter Windfarm Update - Referral to Planning Assessment Commission for Determination (Ref: C1830902; Author: Thompson/Thompson)

Summary

Council has been advised by the Department of Planning and Environment (DPE) that they have completed their assessment of the development application for the Jupiter Windfarm Project located in the Tarago area. The recommendation from the DPE is that the application should be refused.

The DPE's assessment has been referred to the NSW Planning Assessment Commission (PAC) who will determine the application.

An opportunity exists for Council to address the PAC before they make their final determination. This report recommends that Council make further representations to the PAC to support its previous submissions objecting to the proposal.

Recommendation

That the Mayor make representations on the Department of Planning and Environment's report on the Jupiter Wind Farm to the Planning Assessment Commission's public meeting to be held in Bungendore on Wednesday 21 March 2018, supporting Council's previous submissions objecting to the proposal.

Background

The NSW Department of Planning has completed their assessment of the Jupiter Windfarm Proposal and forwarded their recommendation to the Planning Assessment Commission (PAC) for determination. The conclusion of the Department is that the environmental impacts of the project outweigh its benefits, and that the site is fundamentally unsuitable for a large-scale wind farm on the following grounds:

- The project would result in unacceptable visual impacts on the landscape and residences in the local area.
- The project is not supported by the majority of local residents, the local councils and key interest groups; and
- The project is not consistent with the applicable land use zoning provisions.

Consequently the Department considers that the Jupiter Wind Farm is not in the public interest, and should not be approved.

The PAC comprises Ms Annabelle Pegrum AM (chair), Dr Peter Williams and Mr Soo-Tee Cheong. Due to the level of public interest in the proposal, the Commission will be meeting to hear public views on the Assessment Report and recommendation, prior to determining the proposal. This is a final opportunity for interested parties to comment on the DPE's assessment before a decision is made.

The Commission meeting is scheduled to commence at 9:00am on Wednesday, 21 March 2018 at the Carrington Inn, 21 Malbon Street Bungendore NSW 2621. The meeting is open to the public to observe the proceedings.

Submitters have been invited to comment on the recommendation at the public meeting if they wish. Council previously objected to the original and amended proposals so it would certainly

4.3 Jupiter Windfarm Update - Referral to Planning Assessment Commission for Determination (Ref: C1830902; Author: Thompson/Thompson) (Continued)

be fitting to reinforce these comments by way of representations at the public meeting. Staff have an opportunity to meet with the Commission independent of the public meeting so a presentation by the Mayor or councillor would be appropriate.

For the information of Councillors a full copy of the DPE's report can be found at <http://majorprojects.planning.nsw.gov.au/>.

Attachments

Nil

4.4 Road Naming of Unnamed Roads in Bendoura, Wyanbene, Marlowe and Durran Durra (Ref: C1829201; Author: Thompson/Edwards)

Summary

This report proposes adopting and gazetting road names for five unnamed roads located in Bendoura, Wyanbene, Marlowe and Durran Durra.

Recommendation

That Council:

1. **Adopt in principle the proposed names detailed below:**
 - a. **'Brookvale Lane' for the Right of Carriageway accessed from Nerriga Road, approximately 3.9km South from the Stewarts Crossing Road turn off on the left hand side (Road Ref 1027).**
 - b. **'Hobbs Creek Road' for the Right of Carriageway accessed from Nerriga Road, continues South-East through to Back Creek Road. It intersects with Cookanulla Road approximately 2.75km in from Nerriga Road (Road Ref 1025).**
 - c. **'Hockey Lane' This Right of Carriageway is accessed from the proposed Hobbs Creek Road, approximately 1.6km along the road on the left hand side (Road Ref 1026).**
 - d. **'Brick Kiln Lane' for the Crown Public road accessed from Cooma Road, approximately 3.4km North of Wallaces Gap Road on the right hand side (Road Ref 1030).**
 - e. **'Mackeys Lane' for the Right of Carriageway accessed from Cooma Road, approximately 3.3km South of Kain Cross Road on the right hand side (Road Ref 1028).**
 2. **Advertise the name for public comment in accordance with Section 162 of the Roads Act 1993.**
 3. **Publish a notice in the NSW Government Gazette if no objections are received.**
-

Background

Under clause 162(1) of the *Roads Act 1993*, Council is the authority responsible for road naming. In general, unnamed roads are considered confusing and need to be formalised to ensure response times are minimised for emergency services and to ensure services can be readily provided to the area (such as mail delivery).

NSW Road Naming Policy

The NSW Road Naming Policy was adopted by the Geographic Names Board (GNB) in 2013 and is the basis for standardised and unambiguous road naming procedures across NSW. The policy contains a number of guiding principles to ensure the policy is achieved when naming roads. A copy of the NSW Road Naming Policy can be found at http://www.gnb.nsw.gov.au/road_naming/nsw_road_naming_policy

Steps Undertaken to Date

The following steps have been undertaken as part of the road naming process:

4.4 Road Naming of Unnamed Roads in Bendoura, Wyanbene, Marlowe and Durran Durra (Ref: C1829201; Author: Thompson/Edwards) (Continued)

- Potential road names have been identified in accordance with the NSW Road Naming Policy.
- Potential names submitted to the Geographic Names Board (GNB) to confirm compliance with the Policy.
- Letter sent to affected residents inviting them to recommend or comment on the proposed road name (Attachment 2).

Proposed Name and Resident's Submissions

The following road names were selected by Council staff and were forwarded to the GNB for consideration. Reasons for selecting the names are also shown below.

Road 1 – Marlowe – Council Reference – Road 1027 – Proposed Name – Brookvale Lane

This road comes off of Nerriga Road, approximately 3.9km South from the Stewarts Crossing Road turn off on the left hand side. It is a 'Private' and 'No Through' road. (Attachment 1)

- **Brookvale Lane** – Brookvale Homestead still stands on one of the land parcels accessed from this Right of Carriageway. It has been suggested by the residents that the road be named after this historic property. This name has been approved by GNB.

Three preliminary submissions were made from affected residents (Attachment 6). All agreed that "Brookvale" was a suitable name.

Road 2 – Durran Durra/Back Creek – Council Reference – Road 1025 – Proposed Name - Hobbs Creek Road

This road begins on Nerriga Road and continues South-East through to Back Creek Road. It intersects with Cookanulla Road approximately 2.75km in from Nerriga Road and continues on after that. It is a 'Private' and 'No Through Road'. Consideration of the naming of this road was deferred by Council when the previous proposed name of Percheron was determined to be unsatisfactory. (Attachment 2)

- **Hobbs Creek Road** – As per State maps, Hobbs Creek runs across the unnamed Right of Carriageway. This name has been approved by GNB.

As previously reported to Council submissions relating to this road primarily concerned avoiding the name Percheron. Hobbs Creek is a local geographical feature, less contentious and more appropriate name.

Road 3 – Durran Durra – Council Reference – Road 1026 – Proposed Name – Hockey Lane

This road comes off of the proposed Hobbs Creek Road - Road 1025. It is approximately 1.6km along Road 1025 on the left hand side. It is a 'Private' and 'No Through' Road. (Attachment 3)

- **Hockey Lane** – The Hockey family were early landowners in the local area. This name has been suggested by the residents. The name has been approved by GNB.

One preliminary submission was received recommending the name "Hockey" (Attachment 7).

Road 4 – Bendoura – Council Reference – Road 1030

This road starts on Cooma Road, approximately 3.4km North of Wallaces Gap Road on the right hand side. It's a 'No Through Road'. (Attachment 4)

4.4 Road Naming of Unnamed Roads in Bendoura, Wyanbene, Marlowe and Durran Durra (Ref: C1829201; Author: Thompson/Edwards) (Continued)

- **Brick Kiln Lane** – This road is close to Brick Kiln Creek and is named after a historic brick kiln which was operated in the local area in the past. This name was suggested by the residents. The name has been approved by GNB.

Three preliminary submissions were received (Attachment 8). While other names were also suggested all submissions supported “Brick Kiln” as a suitable name.

Road 5 – Wyanbene – Council Reference – Road 1028

This road starts on Cooma Road, approximately 3.3km South of Kain Cross Road on the right hand side. It's a 'Private' and 'No Through' Road. (Attachment 5)

- **Mackeys Lane** – The Mackey family were early landowners in the local area. This name was suggested by the residents. The name has been approved by GNB.

Submissions from two residents were received (Attachment 9). One submission included several interactions with Council and included feedback the submitter had sought from other local residents. The primary concern was about the need for the laneway to be named at all. As previously reported to Council the GNB requests that all private roads and rights of way be named. Feedback on why this is important is shown in information from the GNB in Attachment 10. Notwithstanding the objection to actually naming the road the submitter indicated that if it had to be named they supported Mackeys Lane. The second submitter raised concerns about naming the road and more generally about its condition. It is recommended that in addition to signage indicating that this road is a “private” and “a no through road”, it also include the words “No Access to Deua National Park”.

All names have been submitted to GNB for consideration. After submission and assessment, GNB forwards proposed road names to other relevant authorities such as emergency services and Australia Post. No objections from any consulted authority have been received.

Next Steps

Should the recommendation be adopted, the following steps will be undertaken:

- Advertising of the road name proposal for public comment
- Notification to the GNB and gazettal (assuming no objections received)
- Installation of a road name sign (assuming no objections received)

If objections are received, a further report will be prepared for Council for determination.

Implications

Policy

The suggested road name complies with the *NSW Road Naming Policy 2013*.

The naming process is generally in line with the process detailed in the *Code of Practice for the Naming of Roads* (adopted 27 July 2004).

Asset

New signage will be required which will become Council assets. Renewal will be required however, on-going maintenance and renewal costs are minimal.

Social / Cultural

The road naming proposal will cause some disruption and inconvenience to local residents as they may have to change their addressing information with a variety of State, Federal and private bodies.

4.4 Road Naming of Unnamed Roads in Bendoura, Wyanbene, Marlowe and Durran Durra (Ref: C1829201; Author: Thompson/Edwards) (Continued)

The road naming proposal, however, will have a strong positive impact for residents by clarifying their address and improving emergency response times.

Engagement

Consultation with the local community and State and Federal bodies undertaken to date is discussed in the body of the report.

Further consultation will occur through publication of notices in local papers advising of the proposed road names and inviting comment.

Financial

Financial impact on the Council is minimal. Costs are associated with manufacture and installation of a new road name sign (expected to be in the order of \$250ea).

Conclusion

This report proposes adopting and gazetting road names for five unnamed roads located in Bendoura, Wyanbene, Marlowe and Durran Durra.

The recommended road names are:

- Road 1 – ‘Brookvale Lane’ for the Right of Carriageway – Ref 1027
- Road 2 – ‘Hobbs Creek Road’ for the Right of Carriageway – Ref 1025
- Road 3 – ‘Hockey Lane’ for the Right of Carriageway – Ref 1026
- Road 4 - ‘Brick Kiln Lane’ for the portion of Crown Public road – Ref 1030
- Road 5 – ‘Mackeys Lane’ for the Right of Carriageway – Ref 1028

Attachments

Attachment 1	Attachment 1 - Road 1027 - Extent Map (<i>Under Separate Cover</i>)
Attachment 2	Attachment 2 - Road 1025 - Extent Map (<i>Under Separate Cover</i>)
Attachment 3	Attachment 3 - Road 1026 - Extent Map (<i>Under Separate Cover</i>)
Attachment 4	Attachment 4 - Road 1030 - Extent Map (<i>Under Separate Cover</i>)
Attachment 5	Attachment 5 - Road 1028 - Extent Map (<i>Under Separate Cover</i>)
Attachment 6	Attachment 6 - Road Naming Responses - Road 1027 (<i>Under Separate Cover</i>) - CONFIDENTIAL
Attachment 7	Attachment 7 - Road Naming Response - Road 1025 & Road 1026 - AgriWealth Pty Ltd - 7 December 2017 (<i>Under Separate Cover</i>) - CONFIDENTIAL
Attachment 8	Attachment 8 - Road Naming Responses - Road 1030 (<i>Under Separate Cover</i>) - CONFIDENTIAL
Attachment 9	Attachment 9 - Road Naming Responses - Road 1028 (<i>Under Separate Cover</i>) - CONFIDENTIAL
Attachment 10	Attachment 10 - Feedback from Geographic Names Board on Street Naming (<i>Under Separate Cover</i>)

5.1 Abbeyfield Planning Proposal at Bungendore (Ref: C1812171; Author:
Thompson/Carswell)

Summary

This report seeks Council's approval for staff to prepare a planning proposal to include 4-6 Majara Street Bungendore (Lot 13 DP 1139067 & Lot 14 DP 1139067) in Schedule 1 (Additional Permitted Uses) of *Palerang Local Environmental Plan 2014 (PLEP 2014)*. This will allow the sites to be used for the purpose of Seniors Housing with consent.

It is recommended that the planning proposal be forwarded to the Department of Planning and Environment (DPE) requesting a Gateway determination be issued under section 3.34 of the *NSW Environmental Planning and Assessment Act 1979* and in the event of one being issued, that all other necessary actions be taken to progress it to finalisation.

Recommendation

That Council take all actions to progress a planning proposal to amend Schedule 1 (Additional Permitted Uses) of *Palerang Local Environmental Plan 2014*, to allow for Seniors Housing as a permissible use with consent at 4-6 Majara Street Bungendore (Lot 13 DP 1139067 & Lot 14 DP 1139067).

Background

The sites are currently zoned SP2 – Infrastructure – Public Administration Building under *Palerang Local Environmental Plan 2014* and it proposed to alter Schedule 1 (Additional Permitted Uses) to allow them to be used for the purpose of Seniors Housing with consent

This proposal has been subject to two previous reports to use the site as Seniors Housing by Abbeyfield have been considered by Council. These include Item 8.1 of Council's meeting of 26 July 2017 and Item 8.3 of Council's meeting of 23 August 2017.

At the meeting of 26 July 2017 it was resolved (Minute No.189/17) that Council:

Offer the Council-owned property at 4-6 Majara Street, Bungendore, to Abbeyfield Bungendore to enable the development, planning, application and construction of a 12-14 unit, independent living housing project for seniors on low incomes.

Amongst other things the report resulting in this resolution observed that:

The subject land is identified as Lot 13 DP 113906 (889m²) and Lot 14, DP 1139067 (832m²), making the total area 1,721m².

The two lots within 4-6 Majara Street, Bungendore are adjacent to:

- a) a community health centre which is currently used for after-school care;
- b) a road used by extractive industries vehicles (sometimes truck and dog);
- c) a public swimming pool;
- d) the Bungendore railway station with regular train services;
- e) a recently approved scout hall, and
- f) the Council Chambers and administration office.

5.1 Abbeyfield Planning Proposal at Bungendore (Ref: C1812171; Author: Thompson/Carswell) (Continued)

The report also noted that:

The former Palerang Council had identified this land as a site for a new ambulance station in Bungendore. Council had made many representations without success to the NSW Government to establish an ambulance station in the town.

In 2012, Council considered an alternative site for an ambulance station in Bungendore in an attempt to co-locate it with emergency services; however nothing came to fruition. Council then decided to review its options for the property at 4-6 Majara Street. This resulted in an item being included in the *Bungendore Land Use Structure and Strategy Plan* that the land could be used for a government/Council land use, perhaps emergency services, community facility or the like.

Further, the *Palerang Development Control Plan 2015* (pp.150-151) includes the lots in the 'Civic' precinct and, while it does not seek to control the types of land uses in the precinct, it recognises the precinct as being a Council/government area.

While the proposal would limit Council's options for some time in relation to the use of this land, the nature of the proposal as Seniors Housing by a not for profit organisation for low income people has features in common with it being a "community facility" although "residential accommodation" is excluded from the definition of "community facility" in *Palerang Local Environmental Plan 2014*.

Abbeyfield Bungendore is one of 27 individual Abbeyfield local societies which has been working with the continued support of governance of the national body to enable the development planning, application and construction of 12-14 unit, independent living housing project for seniors on low incomes.

At its meeting of 23 August 2017 Council further resolved (Minute No. 222/17) that:

1. *Council Identify 4-6 Majara Street Bungendore for Seniors Housing in Schedule 1 of the comprehensive Queanbeyan-Palerang Local Environmental Plan which is due for completion in June 2019.*
2. *If within nine months it becomes evident that the completion of the comprehensive Queanbeyan-Palerang Local Environmental Plan cannot be achieved by June 2019, then prepare a Planning Proposal to include 4-6 Majara Street for Seniors Housing in Schedule 1 of Palerang Local Environmental Plan 2014.*

A recent change to *State Environmental Planning Policy (Infrastructure) 2007* has now meant that one planning proposal already commenced no longer needs to be pursued and so staff can be redeployed to this project. Also recent information in regard to the funding arrangements for the project indicates that there is some pressure on its completion date.

With this in mind staff also explored the possibility of Abbeyfield being a "permanent group home" under the *State Environmental Planning Policy (Affordable Rental Housing) 2009*. If this had been the case a planning proposal to make this type of development would no longer be necessary. However, further information from Abbeyfield has confirmed that the proposal is more appropriately categorised as Seniors Housing.

Implications

Legal

The planning proposal will need to comply with the provisions of the *Environmental Planning and Assessment Act 1979* and its Regulations.

Legal advice has also been obtained in regard to the proposal being categorised as either a "permanent group home" or "Seniors Housing".

5.1 Abbeyfield Planning Proposal at Bungendore (Ref: C1812171; Author: Thompson/Carswell) (Continued)

Policy

Council has previously indicated a broad policy position of support for this project through its resolution of 26 July 2017 (Minute No.189/17), reproduced above.

Environmental

There will be no impacts on the natural environment. The planning proposal will not affect any critical habitats, threatened species, populations or ecological communities.

Social / Cultural

Abbeyfield House in Bungendore will provide affordable accommodation options for senior residents in the region. This is the first step in providing a not-for-profit, affordable, non-denominational social housing option in Bungendore for seniors on low incomes.

Economic

The project, should it proceed, will have short and longer term employment benefits as well as have other economic benefits for Bungendore.

Strategic

The plan is consistent with Council’s draft long term strategy for *Queanbeyan-Palerang Community Strategic Plan 2018-2028* which states in Strategic Pillar 4 – Connection:

Key Goal	Community Outcome	Community Strategy – Service Objective
4.5 We plan for and provide regional facilities which promote better social connection and access for the community.	Social connection within our region is provided via access to a range of community across the region	Support for safe and equitable access to facilities and amenities through well-presented, sited, effective, secure and clean buildings for community, civic and recreational use.
4.6 We undertake planning to ensure infrastructure is prepared for future growth. Community Outcome	Changing community demand is met by well planned for and placed infrastructure. Community Strategy – Service Objective	Provide the asset management logistics for the organisation through well planned, sited and designed infrastructure and support facilities.

It is also consistent with Direction 24.4 of the *South East and Tablelands Regional Plan Implementation Plan 2017-2019* which has the following action:

Promote opportunities for retirement villages, nursing homes and similar housing for seniors in local housing strategies.

However, as indicated above the proposal is not entirely consistent with the adopted *Bungendore Land Use Structure and Strategy Plan 2010* as this planning proposal will enable

5.1 Abbeyfield Planning Proposal at Bungendore (Ref: C1812171; Author: Thompson/Carswell) (Continued)

it to be used by a private provider of seniors housing. At the same time it needs to be noted that the Structure Plan is currently being reviewed.

Engagement

Should a Gateway determination be issued it is likely to include conditions requiring community engagement as well as other actions.

In regard to community engagement it is anticipated that the exhibition of the planning proposal will include the following strategies:

- A notice in the local newspaper(s)
- Placement of the planning proposal in Council's customer service areas (Braidwood, Bungendore and Queanbeyan)
- Posting on Council's website
- Written notification to adjoining land owners.

Financial

As per Council's fees and charges 2017/18 it is proposed to charge the standard fee of \$6,000 for a minor planning proposal. Some costs have also been incurred in seeking legal advice.

A contribution of \$500k to the construction of the facility in addition to the land, has been proposed with the Stronger Communities Fund program adopted by Council.

Resources (including staff)

The planning proposal will be managed by Council's Land-Use Planning staff within Council's Operational Plan Budget.

Integrated Plan

This planning proposal is consistent with the projects/actions of the Land-Use Branch of the Operational Plan 2017-18.

Conclusion

The planning proposal is the first step in progressing the proposed development. It is considered that the development will provide a significant social benefit to the community of Bungendore.

It is recommended that Council proceed with the planning proposal to amend the *Palerang Local Environmental Plan 2014* as set out above.

Attachments

Nil

6.1 **Strategies and Plans Adopted during QPRC Administration (Ref: C1830542;
Author: Tegart/Ferguson)**

Summary

A number of strategies and plans were adopted during the period of administration following the amalgamation of the former Queanbeyan City and Palerang Councils. This report summarises those strategies and plans and affords an opportunity for Councillors to review or workshop some or all.

Recommendation

That Council nominate for review the relevant QPRC strategies and plans adopted during the period of administration.

Background

Following the local government amalgamations on 12 May 2016, an Administrator was appointed for Queanbeyan-Palerang Regional Council (QPRC) until the declaration of the poll for the first election of councilors in September 2017.

During the period of administration, a number of policies, strategies, plans and procedures were adopted so that Council could harmonise statutory documents from the previous Councils, continue to operate its core business and successfully deliver services to its community.

While councillors progressively consider harmonised or new policies for adoption, modification or rescission during the first year of the new term, they may wish to also review or endorse the strategies and plans that were adopted during administration. A listing has been compiled and is now presented (**Attachment 1**) for Councillors to review.

A list of policies adopted under administration will be prepared and presented at a future Planning and Strategy Committee meeting.

Implications

Policy

Councillors may wish to review one or more of the strategies and plans adopted during administration.

Strategic

A number of the strategies and plans refer to the longer-term direction that Council has embarked upon, some of which has informed the Community Strategic Plan and Resourcing Strategy for example, that Council has considered since the election. Any review should take into account the work already underway and the contracts that may have been let.

The Strategies and Plans are:

- Disability Inclusion Action Plan
- Sports Facilities Strategic Plan
- Queanbeyan CBD Transformation Strategy
- QPRC Tourism Plan and Tourism Policy

**6.1 Strategies and Plans Adopted during QPRC Administration (Ref: C1830542;
Author: Tegart/Ferguson) (Continued)**

- QPRC Digital Economy & Smart Community Strategy
- Plan of Management – Seiffert Oval
- Captains Flat Floodplain Risk Management Study and Plan
- Queanbeyan Sewer Treatment Plan – Master Plan
- Asset Management Strategy
- Council Property Strategy
- Community & Staff Communications and Engagement Plan
- Procedure for Unsolicited Proposals
- ICT Strategic Plan
- QPRC Financial Strategy
- Community Engagement Strategy
- Strategic Directions

Engagement

Several of the documents, if selected for review and modified by Council now, rather than at the scheduled review, may require further community engagement.

Resourcing

There may need to be appropriate funding allocated for staff time and community engagement for those documents that are selected for review.

Conclusion

Councillors are invited to peruse the list of strategies and plans adopted by the Administrator following the amalgamation of the former Queanbeyan City and Palerang Councils to determine whether they wish to review any before the scheduled review.

Attachments

- | | |
|--------------|--|
| Attachment 1 | List of strategies and plans adopted during administration (<i>Under Separate Cover</i>) |
|--------------|--|

7.1 Update on Proposed Shooting Range - DA.2017.289 - 2155 Collector Road, Currawang (Ref: C1830891); Author: Thompson/Thompson

Report

The development application for the proposed shooting range at 2155 Collector Road, Currawang came off a six week notification period on 5 March 2018. The proposal has generated considerable interest from both the community and in the media and will involve the assessment of a number of complex issues.

A total of 50 submissions have been received to date. The majority raise objections to the proposal. Below is a summary of the major issues that have been raised. Please note that the list is not exhaustive and that no assessment has been made at this stage as to the validity or otherwise of the matters raised.

- Incorrect application of the Infrastructure SEPP and proposal's permissibility
- Reduction in land values
- Flawed and inaccurate noise report
- Increased fire risk
- Adverse impacts to physical and mental health, well-being and quiet enjoyment of residents
- Adverse impact on stock and pets
- Adverse impact on wildlife and environment
- Adverse effect on local businesses and loss of employment
- Negative impact on primary production, home businesses and rural businesses
- Inconsistencies in the development application
- Security and safety threats from ammunition storage
- Other training facilities already exist
- Inadequate Aboriginal report
- Conflicting landuse issues

The next step of the assessment includes the following:

- Staff work through the submissions and consolidate the issues that have been raised.
- Any internal and external referrals required will be reviewed when they have been received.
- A preliminary review of the application will occur.
- Based on the above the applicant will be given an opportunity to address the issues raised through the submission, referral and assessment process. This may require the applicant to submit additional information.

This stage of the process can take several weeks to several months depending on the information required and issues raised.

Once all the information has been received, a final assessment will be carried out. This matter will then be reported to a Council meeting for determination. Submitters will be notified of the meeting date and will have an opportunity to make further representations at that Council meeting having had the benefit of reading the final report.

Recommendation

That the report be received for information.

Attachments

Nil

7.2 Queanbeyan Integrated Water Cycle Management (IWCM) - Consultation Outcomes (Ref: C1822638); Author: Tooth/Grant

Report

Queanbeyan-Palerang Regional Council (QPRC) is developing a masterplan for the delivery of water services to the Queanbeyan urban area. The masterplan is guided by the *NSW Government's Best-Practice Management of Water Supply and Sewerage Framework*, a requirement of which is for local water utilities to prepare and implement a 30-year Integrated Water Cycle Management (IWCM) strategy.

Water management, particularly in the former Queanbeyan City Council part of the new local government area, is influenced by a complex arrangement of interests. These range from Commonwealth, State, Territory and Local Government authorities, Canberra's neighbouring water utility (Icon Water), the position of the city within a catchment area that feeds one of the nation's most recognizable water bodies, and a vocal and committed set of volunteer catchment management organisations with passionate members.

Community consultation is a key consideration throughout the IWCM strategy development process. This report presents the outcomes of the community feedback received during Part 1 of the Queanbeyan IWCM, the *Gap Analysis* stage.

The feedback received during consultation will be incorporated into the summary report from Part 1 of the Queanbeyan IWCM, the *Queanbeyan IWCM Issues Paper*, scheduled to be completed in April 2018.

Consultation was undertaken over 2 sessions on the 19 December 2017 (Stakeholder Workshop 1) and 20 December 2017 (Stakeholder Workshop2).

The outcomes of the consultation sessions were as follows:

Theme	Feedback
Needs	<ul style="list-style-type: none"> • More sustainable practices such as recycling of water, composting toilets. • Better use of non-potable water supplies. • Management of recycled water in the Googong Township and for it to be used for washing clothes, dishes and cleaning the house. • Stormwater management. • More water tanks. • Access to clean drinking water. • Make every creek, dam and river a safe place to swim. • Less contamination. • More ecologically friendly products. • Cultural change – changing the way we think about water. • Water going back into the river should be as good, or better than, the water extracted. • Sustainable development. • A need for a long term plan.
Issues	<ul style="list-style-type: none"> • The use of drinking water for watering gardens and washing cars. • Concern with why the Googong Township isn't putting its water into the dam. • Verge policy enforced. No gravel as it ends up in water ways.
Gaps	<ul style="list-style-type: none"> • Water for drinking. • Water for cooking and cleaning. • Water for recreation uses. • Water conservation. • Investment.
Barriers	<ul style="list-style-type: none"> • Local political barriers such as Council. • Lack of political will to improve and invest.

	<ul style="list-style-type: none">• Perceived close relationship between Council and developers.• Council values and priorities changing.• Contamination.• Funding.• Expectations.• Water restrictions.• Environmental restrictions.• Rapid development resulting in contamination.• Greater population.• Political pushback.• Social expectations.• Community values.• Changing perceptions.• Negative social attitudes.• Legal challenges and restrictions.• Planning requirements and legislation.• Lobby groups.
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As part of delivering the Integrated Water Cycle Management Plan, additional community consultation sessions will need to be undertaken to further develop on the themes including determining appropriate levels of service required by the community and the communities' willingness to pay for these service outcomes.

Recommendation

That the report be received for information.

Attachments

Nil

7.3 Outcome of Delivery Program - Stage 1 community engagement (Ref: C1827455); Author: Tegart/Tozer

Report

As reported to Council in January 2018, staff held four workshops across the region in February 2018 to assist with the development of the draft Delivery Program 2018-21.

The aim of the workshops was to get an understanding of the community's priorities to allow Council staff to present these to councillors, along with projects raised by staff and projects raised via notice of motion from councillors.

The workshops were by invite only with a list of invitees presented to Council's January meeting. The invite list was made up of all representatives on the QPRC Sports Committee, community representatives on Council committees, and members of representative community groups and associations around the Local Government Area. In total, 83 invites were sent out (excluding QPRC Sports Council).

Around 60 people attended the workshops which were held on:

- QPRC Sports Council – 5 February
- Queanbeyan Community Groups – 13 February
- Braidwood Community Groups – 20 February
- Bungendore Community Groups – 21 February

Each workshop followed the same format, with a short presentative by staff on the Delivery Program and the background. Attendees were then split into groups of 4-6 and asked to talk amongst themselves to come up with five priorities per table. Each table talked through their priorities with the group before each person was given three dots to vote on their preferred priorities.

The outcome of the each of the workshops has been attached to this report and was discussed with councillors at a workshop on 7 March 2018.

Staff will now finalise the Delivery Program 2018-21 and present it to Council on 26 April 2018 to endorse it for public exhibition.

A further engagement plan for the April/May exhibition period will be developed and outlined in the report to the 26 April 2018 meeting.

Recommendation

That the report be received for information.

Attachments

- | | |
|--------------|--|
| Attachment 1 | Notes on QPRC Sports Council Delivery Program Workshop (<i>Under Separate Cover</i>) |
| Attachment 2 | Notes on Queanbeyan Delivery Program Workshop (<i>Under Separate Cover</i>) |
| Attachment 3 | Notes on Braidwood Delivery Program workshop (<i>Under Separate Cover</i>) |
| Attachment 4 | Notes on Bungendore Delivery Program workshop (<i>Under Separate Cover</i>) |

8 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*.