



**Planning and Strategy  
Committee of the Whole**

**SUPPLEMENTARY**

**AGENDA**

**11 August 2021**

**Commencing at**

**Council Chambers  
253 Crawford St, Queanbeyan**

On-site Inspections - Nil

**SUPPLEMENTARY REPORTS**

- 9.4 Site Inspection - RM.21.008.110 - Removal of 120 trees along Gum Flat Lane,  
Bywong .....3

**LIST OF ATTACHMENTS –**

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

**Open Attachments**

*Nil*

**Closed Attachments**

*Nil*

9.4 Site Inspection - RM.21.008.110 - Removal of 120 trees along Gum Flat Lane, Bywong (Ref: ; Author: Thompson/Edwards)

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**File Reference:** RM.21.008110; VP.2021.012

**Report**

At the Planning and Strategy Committee meeting to be held on 11 August 2021, Council will consider a report on the review of a tree removal application RM.21.008110; VP.2021.012. This application relates to the request to remove 120 trees along Gum Flat Lane, Bywong. The application has been recommended for refusal.

A site inspection was arranged to allow the Councillors to view the site prior to considering the report at the meeting. This took place at 4pm on Tuesday, 10 August 2021.

Present were as follows:

Councillors and QPRC staff: Mayor Tim Overall, Cr Pete Harrison, Michael Thompson (*Portfolio General Manager – Natural and Built Character*), Graeme Harlor (*Service Manager – Development*), Natasha Abbott (*Service Manager – Natural Landscapes and Health*), Tim Geyer (*Service Manager – Urban Landscapes*), Simon Holloway (*Program Coordinator – Natural Landscapes*); Shannon Edwards (*Minute Taker*);

Applicants and Builder: Patrick and Susan Lun (*Applicants*), Rachel Forte and David Learmonth (*Co-applicants*), Ivan Juric (*Applicants' Builder*), Rick Hinds (*Electrical Contractor*);

Neighbours: Michael Roberts (*Original Subdivision Applicant*), Mark McCrone, Beth Sywulsky, Ian Marshall, Tenille Evans, Treisha Hemaridis.

Apologies were received from Deputy Mayor; Cr Michele Biscotti, and Cr Trudy Taylor.

Mr Thompson asked the applicant for the original subdivision, Mr Roberts, to explain why the subdivision had been approved with no electricity supply, noting it was uncommon for Council to approve a subdivision without the provision for mains power. The explanation provided by Mr Roberts was that the original design proposed overhead power, but the owners of 120 Gum Flat Lane objected to this, as it would have impacted their property. As a result solar power was permitted as a solution for the two newly created lots although a preliminary design was prepared to show that mains power could be provided to the premises in the event that future owners wanted mains rather than solar power. This preliminary design, referred to by the applicants as the “accepted design”, required the installation of underground power in the verge on the eastern side of the road. This was considered to be the design that had the least environmental impact.

As a result of not being provided with a mains power supply Mr Roberts advised that he reduced the cost of the newly created blocks by approximately \$100,000 (based on a quote they had received to provide solar power to the subdivision).

The applicants for the tree removal reported that neither of the two independent conveyancing processes for Lots 2 and 3, DP 1237795 (1/115 and 2/115 Gum Flat Lane, Bywong) acknowledged the accepted design for powering residences on those properties. The applicants noted there were no covenants on the block requiring power, but that solar power was mentioned. Further, the power supply was not raised as part of the development application (DA) for their dwelling (October 2020).

The applicants advised that they only became aware of the accepted design requiring underground power after they had lodged their application to install overhead power lines along the western verge of the road.

**9.4 Site Inspection - RM.21.008.110 - Removal of 120 trees along Gum Flat Lane, Bywong (Ref: ; Author: Thompson/Edwards) (Continued)**

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The applicants advised that undertaking work in line with the accepted design would be cost prohibitive. It was noted the estimate provided to them was a minimum, as it was expected there would be additional costs due to the rock that appeared to form a large portion of the road reserve.

Nine options for power supply have been considered by the applicants. However, the majority of these options were eliminated due to impacts on neighbouring properties. Of the remaining options, the proposed application for overhead powerlines was eventually chosen by the applicants on financial grounds. However, this option would mean that all the trees in segment one shown on the aerial photo in the Council report would need to be removed.

The proposed overhead design was explained by pointing out an existing power pole, and noting three new power poles would be erected, two along the western boundary of the road reserve, and a third at the end of Gum Flat Lane, between the currently unsealed continuation of the public road reserve and the driveway to 115 Gum Flat Lane.

The applicants conceded that from this point the mains supply could be undergrounded via an easement along the western side of the access road inside the property boundary of 115 Gum Flat Lane. This would remove the necessity to remove any trees in segment two shown on the aerial view in the Council report.

The applicants and electrical contractor pointed out that there would be some impact to the environment, regardless of whether the power was run underground or overhead. The electrical contractor noted that trenching along the eastern side of Gum Flat Lane would impact the vegetation and take a long time to regenerate as it was rock and therefore topsoil dressing would not be enough to promote fast regrowth.

The owner of 113 Gum Flat Lane, Bywong confirmed that he is comfortable for the trees in Segment 1 (*shown in Figure 1 of the related Council report*) to be removed, as long as the new overhead lines do not impact the Leylandii pines he has recently planted inside his fence line.

The owners of 120 Gum Flat Lane, Bywong confirmed their objection to the proposed solution, as they have concerns about the loss of vegetation in the road reserve due to both its contribution to the visual amenity of the street and the removal of native vegetation and habitat. Their suggestion was that underground electricity be run through 113 Gum Flat Lane (on the western side of Gum Flat Lane).

Attention was drawn to a fallen tree, with advice from neighbours that there has been significant damage to vegetation along the road reserve since the roadworks for the subdivision had commenced. It was reported that, before the subdivision related road works, the vegetation on the eastern side of Gum Flat Lane was in good condition.

Mr Thompson asked the electrical contractor (Mr Hinds) if the power supply could cross over the road from the current poles, to the eastern boundary of the road reserve where the trees were in poorer condition and an overhead power line would have less impact. Mr Hinds advised that this would mean that existing mature trees in 120 Gum Flat Lane would be impacted by pruning or removal necessary to maintain a 10m clearance to power lines.

The owners of 120 Gum Flat Lane clarified that they opposed the overhead design in the original proposal, but the accepted design with the underground option had placated their opposition.

Mr Thompson indicated that the Council will be considering a report on this matter at its meeting on Wednesday, 11 August 2021, starting promptly at 5.30pm. Those present were invited to register their interest if they wished to make a verbal presentation for up to three minutes on this agenda item, noting the respective deadlines detailed in the Council meeting invitation.

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The site inspection concluded at 4.40pm.

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**Recommendation**

That the report be received for information.

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**Attachments**

Nil