



Ordinary Meeting of Council

AGENDA

26 October 2016

Commencing at 5:30pm

**Council Chambers
10 Majara Street
Bungendore**

****On-site Inspections****

Tuesday, 25 October 4.30pm – 8 Trinculo Place

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

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1 APOLOGIES

2 DISCLOSURES OF INTERESTS

3 CONFIRMATION OF MINUTES

- 3.1 Minutes of the Ordinary Meeting of Council held on 12 October 2016

4 PRESENTATIONS FROM THE GALLERY RELATING TO LISTED ITEMS ON THE AGENDA AND PETITIONS

5 MAYORAL MINUTES

Nil

6 NOTICES OF MOTIONS OF RESCISSION

Nil

7 NOTICES OF MOTIONS

Nil

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Confidential - Not for Publication

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Item 15.1 is confidential in accordance with s10(A) (e) of the Local Government Act 1993 because it contains information that would, if disclosed, prejudice the maintenance of law and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

LIST OF ATTACHMENTS –

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

Open Attachments

- Item 8.1 Development Application 228-2016 - Land Swap Application, Common Roads and Bio Retention Basin - Googong
- Attachment 1 Attachment - Council Meeting - 26 October 2016 - DA 228-2016 - Land Swap - Section 79C Matters for Consideration (Under Separate Cover)*
 - Attachment 2 Attachment - Council Meeting - 26 October 2016 - DA 228-2016 - Land Swap DA - Googong - Plans (Under Separate Cover)*
 - Attachment 3 Attachment - Council Meeting - 26 October 2016 - DA 228-2016 - Land Swap DA Googong - Draft Conditions of Consent (Under Separate Cover)*
- Item 8.2 Development Application 275-2016 - Subdivision Creating 141 Residential Lots - 36 & 44 Googong Rd and Saphira St, Googong (Bunyip Property)
- Attachment 1 Attachment - Council Meeting - 26 October 2016 - DA 275-2016 - Bunyip Subdivision - 79C Table (Under Separate Cover)*
 - Attachment 2 Attachment - Council Meeting - 26 October 2016 - DA 275-2016 - Bunyip Subdivision - Plans (Under Separate Cover)*
 - Attachment 3 Attachment - Council Meeting - 26 October 2016 - DA 275-2016 - Bunyip Subdivision - Draft Conditions (Under Separate Cover)*

- Item 8.3 Development Application 71-2016 for Small Lot Housing Comprising 10 x Torrens Title Lots, 2 x Strata Title Lot, 1 x Public Laneway, and Erection of 12 x Dwellings, - Lot 1318 DP1217419, Googong

Attachment 1 Council Meeting - 26 October 2016 - DA 71-2016 - Small Lot Housing - Lot 63 Aprasia Avenue - Sec79C Matters for Consideration (Under Separate Cover)

Attachment 2 Council Meeting - 26 October 2016 - DA 71-2016 - Small Lot Housing - Lot 63 Aprasia Avenue - Site Plans (Under Separate Cover)

Attachment 3 Council Meeting - 26 October 2016 - DA 71-2016 - Small Lot Housing - Lot 63 Aprasia Avenue - Streetscape Elevations and Colours (Under Separate Cover)

Attachment 4 Council Meeting - 26 October 2016 - DA 71-2016 - Small Lot Housing - Lot 63 Aprasia Avenue - Landscape Plans (Under Separate Cover)

Attachment 5 Council Meeting - 26 October 2016 - DA 71-2016 - Small Lot Housing - Lot 63 Aprasia Avenue - Shadow Diagrams For Secondary private Open Space (Under Separate Cover)

Attachment 6 Council Meeting - 26 October 2016 - DA 71-2016 - Small Lot Housing - Lot 63 Aprasia Avenue - Draft Conditions of Consent (Under Separate Cover)

- Item 8.4 Development Application 508-2015 - Addition to Queanbeyan Art Society Building - Lot 1 DP 597143 8 Trinculo Place, Queanbeyan East

Attachment 1 Attachment - Council Meeting - 26 October 2016 - DA 508-2015 - Section 79C Matters for Consideration (Under Separate Cover)

Attachment 2 Attachment - Council Meeting - 26 October 2016 - DA 508-2015 - Plans (Under Separate Cover)

Attachment 3 Attachment - Council Meeting - 26 October 2016 - DA 508-2015 - Draft Conditions (Under Separate Cover)

- Item 8.5 Development Application 2016.DA.125 - Two Lot Subdivision -172 Foxlow Street, Captains Flat

Attachment 1 Attachment - Council Meeting - 26 October 2016 - DA 2016.125 - Two Lot Subdivision - 172 Foxlow Street, Captains Flat - Section 79C(1) Table Matters for Consideration (Under Separate Cover)

Attachment 2 Attachment - Council Meeting - 26 October 2016 - DA 2016.125 - Two Lot Subdivision - 172 Foxlow Street Captains Flat - Draft Conditions (Under Separate Cover)

Item 8.6 Amendment to Googong Development Control Plan - Neighbourhood Structure Plan for Neighbourhood 2

- Attachment 1 RFS Submission (Under Separate Cover)*
- Attachment 2 RMS Submission (Under Separate Cover)*
- Attachment 3 NSW Education Submission (Under Separate Cover)*
- Attachment 4 Googong DCP Combined Table of Contents (Under Separate Cover)*
- Attachment 5 Googong DCP Parts 1 and 2 (Under Separate Cover)*
- Attachment 6 Googong DCP Part 6 (Under Separate Cover)*
- Attachment 7 Googong DCP Part 7 (Under Separate Cover)*
- Attachment 8 Googong DCP Appendix 8 (Under Separate Cover)*

Item 8.7 Exhibition of Planning Proposal to Rezone Land at North Tralee

- Attachment 1 Attachment - Council Meeting - 26 October 2016 - Draft North Tralee Zoning Map (Under Separate Cover)*

Item 8.8 Expanding the coverage of the Special Heritage Fund

- Attachment 1 Special Heritage Fund Guidelines and Application Form - 2015 (Under Separate Cover)*
- Attachment 2 Standard Conditions Applying to Special Heritage Fund Projects - 2015 (Under Separate Cover)*

Item 8.9 QPRC Investment Report - September 2016

- Attachment 1 Investment Report - September 2016 - Attachment 1 - 26 October 2016 (Under Separate Cover)*

Item 8.13 Queanbeyan Sewer Treatment Plan Masterplan

- Attachment 1 Masterplan for STP Upgrade (Under Separate Cover)*

Item 8.15 Queanbeyan-Palerang Merger - Transition Plan

- Attachment 1 LG Reform Program (Under Separate Cover)*
- Attachment 2 Roadmap (Under Separate Cover)*
- Attachment 3 Transition Governance Structure (Under Separate Cover)*
- Attachment 4 Key Merger Results) (Under Separate Cover)*
- Attachment 5 Future State (Under Separate Cover)*
- Attachment 6 Transition Projects Schematic (Under Separate Cover)*
- Attachment 7 Transition Plan (Under Separate Cover)*

Item 8.16 Local Representation Committee Minutes - 30 September 2016

Attachment 1 Minutes Local Representation Committee - 30 September 2016 (Under Separate Cover)

Item 8.17 Les Reardon Reserve s.355 Committee Minutes - 16 May 2016 and AGM 19 September 2016

Attachment 1 Les Reardon Reserve Committee - Minutes 16 May 2016 (Under Separate Cover)

Attachment 2 Les Reardon Reserve Committee Annual General Meeting - Minutes 19 September 2016 (Under Separate Cover)

Attachment 3 Les Reardon Reserve Committee - Chairpersons report to AGM 19 September 2016 (Under Separate Cover)

Attachment 4 Les Reardon Reserve Committee - Treasurer's report to AGM 19 September 2016 (Under Separate Cover)

Attachment 5 Les Reardon Reserve - The Reserve's Master Plan (Under Separate Cover)

Item 9.1 National Stronger Regions Fund (Round 3) Application

Attachment 1 Confirmation of the Coalition Government's election commitment of \$2,249,000 to the Queanbeyan Indoor Sports Centre (Under Separate Cover)

Closed Attachments

Item 8.10 Stormwater Rehabilitation Program 2016-2017

Attachment 1 Stormwater System Rehabilitation Tender Evaluation Report - Contract 04/2017 (Under Separate Cover)

Item 15.1 Enforcement Action and Issue of Order - Unauthorised Fill

Attachment 1 Scanned signed copy - C1624818 (Under Separate Cover)

Attachment 2 Letter to Owners following meeting on 17 August 2016 (Under Separate Cover)

Attachment 3 Attachment to report C16158243 (Title: Reponse to Council letter (Attachment 2)) - Confidential (Under Separate Cover)



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Council Chambers, 253 Crawford Street, Queanbeyan on Wednesday, 12 October 2016 commencing at 5.30pm.

ATTENDANCE

Administrator: T. Overall (Chair)

Staff: P Tegart, General Manager; P Bascomb, Deputy General Manager; M Thompson, Director Development; J Wright, Director of Planning and Environment; G Cunningham, Director of Works and Utilities; D Tooth, Acting Director Assets and Projects; S Taylor, Executive Manager Systems and R Tozer, Manager Integrated Planning and Communications.

Also Present: W Blakey, Management Accountant (Clerk of the Meeting) and R Potter (Minute Secretary).

1. APOLOGIES

No apologies were received.

2. DISCLOSURES OF INTERESTS

224/16

RESOLVED (Overall)

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

No disclosures were presented.

3. CONFIRMATION OF MINUTES

3.1 Minutes of the Ordinary Meeting of Council held on 28 September 2016

225/16

RESOLVED (Overall)

The Administrator resolved that the Minutes of the Ordinary Meeting of Council held in the Bungendore Council Chambers on Wednesday 28 September 2016 be confirmed.

4. PRESENTATIONS FROM THE GALLERY RELATING TO LISTED ITEMS ON THE AGENDA AND PETITIONS

226/16

RESOLVED (Overall)

That all presenters be heard.

Michael Dunn - Item 8.1- DA 105-2015 - 102 Burra Rd, Subdivision

Katrina Willis - Item 8.1 - DA 105-2015 - 102 Burra Rd, Subdivision and Item 8.3 Submission IPART – LG Rating System

Matthew Frawley Item 8.1 - DA 105-2015 - 102 Burra Rd, Subdivision

Margaret Dorsch - Item 8.1 - DA 105-2015 - 102 Burra Rd, Subdivision

227/16

RESOLVED (Overall)

The Administrator resolved that the final speaker be granted an extension of time to complete her presentation.

PETITIONS

The Administrator received a Petition from Katrina Willis opposing the Ellerton Drive Extension and calling for a Sustainable Transport Strategy.

5. MAYORAL MINUTES

Nil

6. NOTICES OF MOTIONS OF RESCISSION

Nil

7. NOTICES OF MOTIONS

Nil

8. DETERMINATION REPORTS**8.1 Development Application 105-2015 - 102 Burra Road Googong - Rural Residential Subdivision - 42 lots**

228/16

RESOLVED (Overall)

The Administrator resolved:

1. That determination of the Integrated Development Application 105-2015 for Subdivision creating 42 lots and construction of 3 roads on Lot 1 DP 1209260, No. 102 Burra Road, Googong be delegated to the General Manager subject to the Clearing Property Vegetation Plan (PVP) being issued by Local Land Services.

2. That those persons who lodged a submission(s) on the application be advised in writing of the determination of the application, when that occurs.
3. That Council explore the possibility of reducing the speed limit of Old Cooma Road to Monaro Highway and at Burra Road intersection in conjunction with RMS and a report be brought back to Council.

8.2 Development Application 304-2016 - Carport and Studio - 5 Barnett Close Greenleigh

229/16

RESOLVED (Overall)

The Administrator resolved:

- 1) That approval be granted to a variation to Part 5.3 c) iii) of Queanbeyan Development Control Plan 2012 to allow a side setback of 5 metres instead of the required 10 metres for the proposed carport for the following reasons:
 - a) The site is constrained by its slope, significant cover of native vegetation, irregular shape and the presence of a large easement.
 - b) The carport has been sited taking the site constraints into account and to avoid the need for vegetation clearing and earthworks;
 - c) There will be no impacts on the amenity of adjoining properties of the locality; and,
 - d) The development satisfies the objective of maintaining the bushland character of Greenleigh as the vegetation, the bushland streetscape and bushland character when viewed from the city is maintained.
2. That development application 304-2016 for the erection of a carport and conversion of existing carport to a studio on Lot 10 DP 264202, No. 5 Barnett Close, Greenleigh be granted conditional approval.
3. That those persons who lodged a submission on the application be advised in writing of the determination of the application.

8.3 Submission IPART Draft Report on the Review of the Local Government Rating System

230/16

RESOLVED (Overall)

The Administrator resolved that Council make its submission on the Draft Report on the Review of the Local Government Rating System to IPART in line with the attachment.

8.4 RFT Construction of Rural Fire Service Station at Captains Flat

231/16

RESOLVED (Overall)

The Administrator resolved that Council elect to not accept any of the tenders received.

8.5 Captains Flat Reservoir Replacement

232/16

RESOLVED (Overall)

The Administrator resolved that Council:

1. In accordance with clauses 178(1) and (3) of the Local Government (General) Regulation 2005, decline to accept any of the submissions received under contract 10004451; and
2. Cancel contract 10004451 pending a review of options for the replacement/refurbishment of Keatings Reservoir #1 (Captains Flat) with a view to preparing a revised procurement proposal in early 2017.

8.6 Adoption and Gazettal of Road Names in Bungendore, Braidwood, Araluen and Boro

233/16

RESOLVED (Overall)

The Administrator resolved that Council:

1. Adopt in principle the names detailed below as the proposed road names:
 - a. 'Gilberts Lane' for the unnamed Crown Road running between Jinglemoney Lane and Sandholes Road, Braidwood.
 - b. 'Silver Lane' for the unnamed Crown Road off Boro Road approximately 3.3km from the intersection with Goulburn Road, Boro.
 - c. 'Salvia Lane' for unnamed road reserve from Naughtons Close to end of road reserve, Araluen
 - d. 'Easton Lane' for unnamed laneway running between Gibraltar Street and Rutledge Street east of Modbury Street.
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.

8.7 Captains Flat Dam 6th Surveillance Report

234/16

RESOLVED (Overall)

The Administrator resolved to defer this matter pending an onsite inspection with a report being submitted to the next meeting of Council.

8.8 Braidwood Show Society Inc - Request for Donation of Rates

235/16

RESOLVED (Overall)

The Administrator resolved that:

1. For 2016/17, the former Palerang Council's Donations Policy be amended to include the Braidwood Show Society Inc in the list of organisations within the former Palerang Local Government Area that receive a donation equivalent to the ordinary rates levied for the year;
2. The matter of donations to eligible organisations be considered during the review of the Donations policies of the former Queanbeyan City and Palerang Councils.

8.9 Adoption of an Interim Policy

236/16

RESOLVED (Overall)

The Administrator resolved that as an interim measure pending harmonisation of the two predecessor Councils' policies, Council adopt the following:

1. Where the former Palerang or Queanbeyan City Councils had an adopted policy on the same matter, those policies apply to their respective Local Government Areas;
2. Where one of the former Councils had an adopted policy on a given matter, and the other did not, the adopted policy apply to the whole of the new Queanbeyan-Palerang Regional Council Local Government Area.

8.10 Royalla Common s.355 Committee Minutes - 24 August 2016

237/16

RESOLVED (Overall)

The Administrator resolved that Council note the confirmed minutes of the Royalla Common s.355 Committee's meeting held on 24 August 2016.

8.11 Local Representation Committee Minutes - 13 September 2016

238/16

RESOLVED (Overall)

The Administrator resolved that Council:

1. Note the minutes of the Local Representation Committee's meeting held on 13 September 2016;
2. Adopt Recommendations LRC 012 - 015/2016 from the meeting held on 13 September 2016.

8.12 Adoption of Model Code of Conduct - Resubmitted

239/16

RESOLVED (Overall)

The Administrator resolved that Council:

1. Adopt the Code of Conduct.
2. Council adopt the Procedures for the Administration of the Code of Conduct.

9. INFORMATION REPORTS**9.1 Engagement of SMEC Australia Pty Ltd for Hydrogeological and Consulting Services - Googong**

240/16

RESOLVED (Overall)

The Administrator resolved that Council note the engagement of SMEC Australia Pty Ltd via NSW Local Government Procurement Panel – Professional Consulting Services 1208-3 for hydrogeological and consulting services for groundwater and surface water monitoring and reporting at Googong.

9.2 Swimming Pool Inspection Program 2016/2017

241/16

RESOLVED (Overall)

The Administrator resolved that the report be received for information noting that this relates to the former Queanbeyan local government area.

9.3 Performance of Council's Road Network in the current period of extended wet weather

242/16

RESOLVED (Overall)

The Administrator resolved that the report be received for information.

9.4 Information Report – Item 8.1 – Site Inspection - Development Application 105-2015 - 102 Burra Road Googong - Rural Residential Subdivision - 42 lots

243/16

RESOLVED (Overall)

The Administrator resolved that the report be received for information.

10. COMMITTEE REPORTS

10.1 Report of the Palerang Heritage Advisory Committee – 20 September 2016

244/16

RESOLVED (Overall)

The Administrator resolved that Council:

1. Note the minutes of the Palerang Heritage Advisory Committee held on 20 September 2016.
2. Adopt recommendation PHAC 001/16 from the meeting held on 20 September 2016.

PHAC 001/16 That the Report of the meeting of the Committee held on 5 July 2016 be confirmed.

10.2 Report of The Q Board Meeting - 26 September 2016

245/16

RESOLVED (Overall)

The Administrator resolved that Council:

1. Note the minutes of The Q Board meeting held on 26 September 2016.
2. Adopt recommendations TQB012/16 to TQB017/16 from the meeting held on 26 September 2016.

TQB012/16 That the Chairperson's report be noted.

TQB013/16 That the Internal Production Review be accepted.

TQB014/16 That staff review the process for estimating the cost of 'technician equipment and labour hire', to ensure better accuracy in establishing budgets for future shows. It is also recommended that the table name titled 'cost of eclipse' be changed to 'cost of technician equipment and labour hire'.

TQB015/16 That the External Production Review and comments be noted and that the table titled 'income' be changed to read 'net income'.

- | | |
|-----------|---|
| TQB016/16 | The Board noted the report, commended Deon and the marketing team on the development of new marketing initiatives such as cinema advertising, text marketing and the upcoming mobile app. |
| TQB017/16 | That the reports be noted and that the section 'Board Resolution Outcome Report' be moved to section 2.1 to follow the 'Confirmation of Previous Meeting Minutes'. |

11. DELEGATES' REPORTS

Nil

12. RESPONSES TO COUNCILLORS' QUESTIONS

Nil

13. COUNCILLORS' QUESTIONS FOR NEXT MEETING

Nil

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

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

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

PRESENTATIONS

No presentations were made.

246/16

RESOLVED (Overall)

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

Item 15.1 Representation on an Order

Item 15.1 is confidential in accordance with s10(A) (e) of the Local Government Act 1993 because it contains information that would, if disclosed, prejudice the maintenance of law and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Item 15.2 Water Write-Offs due to Undetected Leaks

Item 15.2 is confidential in accordance with s10(A) (b) of the Local Government Act 1993 because it contains discussion in relation to the personal hardship of a resident or ratepayer and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

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

The meeting returned to Open Sessions by virtue of Resolution No. 250/16 made in Closed Session.

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

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

15.1 Representation on an Order

The Administrator resolved:

1. That Council note that the owner has verbally agreed to carry out the works set out in the diagram below and that he be given a period of three months to complete the work.



Blue Outline – Area of deck to be cutback

Red Outline – Area of deck to be retained

2. That given the above agreement, the existing Order 2016/1034 be suspended to give the owner an opportunity to complete the works.
3. That subject to the above works being completed, Council withdraw the suspended Order 2016/1034.
4. That Council acknowledges that subject to the above works being completed, the outstanding item relating to this matter for the purposes of issuing a Certificate of Occupation, has been satisfied.

15.2 Water Write-Offs due to Undetected Leaks

The Administrator resolved that Council write-off Water Usage Charges on the properties referred in this report at a cost of \$4,942.75 in foregone revenue.

At this stage in the proceedings, the time being 6.31pm Mr Overall announced that the Agenda for the meeting had now been completed and declared the meeting closed.

**TIM OVERALL
ADMINISTRATOR
CHAIRPERSON**

ITEM 2. 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 the Administrator disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.

DETERMINATION REPORTS

8.1 Development Application 228-2016 - Land Swap Application, Common Roads and Bio Retention Basin - Googong (Ref: C16156414; Author: Thompson/Tonner)

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

This is a complex application which has implications for two further subdivision applications to be considered by Council. Council needs to be aware of how this application interacts to create the opportunity for consideration of those other two applications. In addition two variations to Council's Googong DCP need to be considered.

Proposal:	Subdivision of 4 lots into 13 lots for purposes of a boundary adjustment; road construction; bio-retention basin and associated work.
Applicant/Owner:	National Project Consultants Pty Limited / M Gorman Holdings Pty Limited and Googong Township Pty Limited
Subject Property:	36 Googong Road, Googong Lot 5 DP 1217396; Lot 101 DP616217 (Bunyip land); Lots 1367 and 1368 DP 1217419; Lot 670 DP1195842
Zoning and Permissibility:	R1 – General Residential and RE1 Public Recreation under Queanbeyan Local Environmental Plan 2012 Subdivision, roads and drainage is permissible with consent.
Public Submissions:	None
Issues Discussed:	Planning Requirements Variation to Development Controls
Disclosure of Political Donations and Gifts:	Applicant Declared no Donations or Gifts to any Councillor or Staff have been made

Recommendation

1. That Council raise no objection to a variation to Part 3 – The Master Plan of the Googong Development Control Plan to allow street trees to be 100% exotic instead of 20% exotic and 80% native, except for ST001 and ST002 which are 50% exotic and 50% native as identified in the Bunyip Neighbourhood Structure Plan for the following reasons:
 - (a) Council's Manager of Parks and Recreation has assessed the proposed street trees as being satisfactory; and
 - (b) The use of 100% exotic deciduous trees for local streets is consistent with the street trees previously approved for use in Neighbourhood 1A of the Googong Township.
-

8.1 Development Application 228-2016 - Land Swap Application, Common Roads and Bio Retention Basin - Googong (Ref: C16156414; Author: Thompson/Tonner)
(Continued)

2. That Council raise no objection to a variation to Part 5.5 – Local Streets of the Googong Development Control Plan to allow the Local Street Type 3 streets within this proposed subdivision to have a 7.5 metre wide carriageway instead of the prescribed 8.0 metres for the following reasons:
 - (a) The variation has been consistently supported by Council for Local Street Type 3 within Neighbourhood 1A and 1B of the Googong Township; and
 - (b) Council's Development Engineer has assessed the proposed street design as being satisfactory in this instance.
 3. That determination of Integrated Development Application 228-2016 for subdivision of land, road construction, bio retention basin and associated works to Lot 5 DP 1217396; Lot 101 DP 616217; Lots 1367 & 1368 DP 1217419 and Lot 670 DP 1195842; 36 Googong Road Googong, be delegated to the General Manager when the NSW Department of Planning has advised that the applicant has made adequate arrangements for the provision of State infrastructure.
 4. That the Department of Primary Industries (Water) and Office of Environment and Heritage be advised when the application has been determined.
-

Background

Proposed Development

The development application is for:

- Subdivision of 4 lots into 13 new lots to create a boundary adjustment;
- Road construction; and
- Bio-Retention basin and associated earthworks.

Subject Property

The land subject to the application is in two ownerships: GTPL (Googong) and M Gorman Holdings (Bunyip land). There is an irregular property boundary between the two land owners and in its current form makes further subdivision for residential purposes problematic. The purpose of the proposed development is to align the property boundaries to create a logical and uniform configuration and show an appropriate road alignment between two future residential development areas and associated drainage.

This land is part of the Googong urban release area zoned for urban residential development and public recreation. A Structure Plan for the Bunyip land was adopted by Council in July 2015. The subject development application reflects this Structure Plan.

The subject DA facilitates two residential subdivision (DA 275-2016 for 141 residential lots and DA 167-2016 for 120 residential lots) (Figure 1). This DA must be determined first as it enables the boundary adjustment between the two property owners and the land to which DA 275/2016 and DA167-2016 relates.

8.1 Development Application 228-2016 - Land Swap Application, Common Roads and Bio Retention Basin - Googong (Ref: C16156414; Author: Thompson/Tonner)
(Continued)

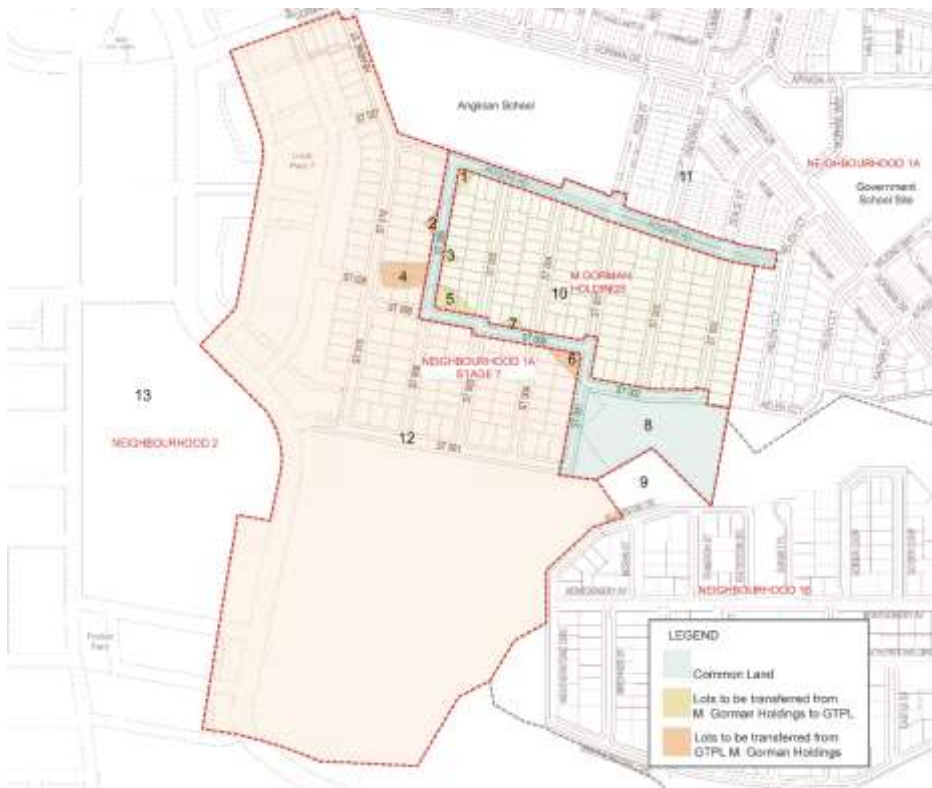


Figure 1 – Showing lots created by this DA for future consolidation.

- Lots 10, 1, 3, 5 and 7 will form the land for subdivision by M Gorman Holdings (DA 275-2016)
- Lots 12, 2, 4 and 6 will form the land for subdivision by GTPL (DA 167-2016)
- Lot 8 is a common lot to create a new road and drainage reserve
- Residual Lots 9, 11 and 13 retained by GTPL (for future DA's)

Planning Requirements

Assessment of the application has been undertaken in accordance with Section 79C(1) of the Environmental Planning and Assessment Act (EPAA) 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*.

**8.1 Development Application 228-2016 - Land Swap Application, Common Roads and Bio Retention Basin - Googong (Ref: C16156414; Author: Thompson/Tonner)
(Continued)**

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

1. State Environmental Planning Policy No 44 – Koala Habitat Protection
2. State Environmental Planning Policy No 55 – Remediation of Land
3. State Environmental Planning Policy (Infrastructure)
4. Queanbeyan Local Environmental Plan 2012 (LEP)
5. Googong Development Control Plan
6. Queanbeyan Development Control Plan 2012 (DCP)

The development generally satisfies the requirements and achieves the objectives of these planning instruments. There are no significant issues relating to the proposal. The two proposed variations to street tree selection and street width are consistent with what has previously been supported by Council in Googong Township residential subdivisions.

(a) Compliance with LEP

The proposed development is consistent with the requirements of the Queanbeyan Local Environmental Plan 2012. Subdivision is permissible with consent in the R1 and RE1 zone. Some of the lots proposed are less than the minimum lot size and a justification has been submitted to support the variation in the lot size.

For an assessment of the Queanbeyan Local Environmental Plan 2012 see the attached *Section 79C(1) Table – Matters for Consideration*.

Satisfactory Arrangements

Pursuant to Clause 6.1 of the QLEP - Arrangements for designated State and Territory public infrastructure- requires written certification from the Department of Planning and Environment (DPE) that satisfactory arrangements have been made to contribute to the provision of designated State and Territory public infrastructure.

The Development Application was referred to the DPE requesting the issue of a Satisfactory Arrangements Certificate. It may be that the Department determines that State infrastructure is not required for this DA given that it will be able to be collected as part of subsequent subdivision DA's for residential development.

To date the DPE has not issued a Satisfactory Arrangements Certificate or advised that contributions for State infrastructure are not required. As such Council cannot determine the application by way of granting development consent. For this reason, this report recommends that the Council delegate the determination of the development application to the General Manager so when written certification has been received the development application can be granted development consent without having to be referred back to Council.

Variation 1 - Minimum Lot Size

Pursuant to Clause 4.1 of the QLEP – Minimum subdivision lot size - the minimum subdivision lot size shown on the Minimum Lot Size Map for the subject site is 330m².

The proposed development includes 3 lots that are less than the applicable 330m² minimum lot size. The size of these lots is 254.3m², 263.4m² and 284m².

**8.1 Development Application 228-2016 - Land Swap Application, Common Roads and Bio Retention Basin - Googong (Ref: C16156414; Author: Thompson/Tonner)
(Continued)**

Sub-clause 4.6(3) states:

Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

- a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
- b) that there are sufficient environmental planning grounds to justify contravening the development standard.*

Further, sub-clause 4.6(4) states:

Development consent must not be granted for development that contravenes a development standard unless:

- a) the consent authority is satisfied that:*
 - i. the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
 - ii. the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*
- b) the concurrence of the Secretary has been obtained.*

The applicant has submitted a written request to justify the contravention. It states that compliance with the development standard is unreasonable and unnecessary in this case, and that an exemption to the lot size requirement for the three proposed allotments will have no significant planning or environmental consequences. The applicant states "*the allotments are not proposed to be utilised for residential purposes nor accommodate any proposed new structures. Rather upon registration and transfer, these lots are intended to be subdivided as part of the residential development of the GTPL and M Gorman Holdings lands...*" and "*Accordingly a draft 88B Restriction has been prepared for the subject allotments.... It seeks to ensure the allotments cannot be utilised for any purpose other than for consolidation or subdivision with combined lots Lot 10 or 12.*"

The statements in the applicant's request are concurred with. The purpose of the subdivision is not to facilitate residential development but rather to enable a land swap between GTPL and M Gorman Holdings lands for future residential development and to create a logical subdivision pattern. The request has adequately addressed the required matters and the development is considered to be generally consistent with the objectives of *Clause 4.1 – Minimum subdivision lot size* and with the objectives of Zone R1 – General Residential and therefore sub Clause 4(a) is satisfied.

In regards to sub-clause 4.6(4)(b), as the QLEP 2012 adopts Clause 4.6 of the Standard Instrument, Council has assumed concurrence of the Secretary of the Department of Planning and Environment and as such subclause 4.6(5) becomes irrelevant - (Refer to Planning Circular PS 08-003 issued by the Department of Planning and Environment in May 2008).

Pursuant to sub-clause 4.6(8), the proposed development will not contravene a development standard for complying development or one that is in connection with a BASIX Certificate commitment. Moreover, it will not contravene *Clause 5.4 – Controls relating to miscellaneous permissible uses*, *Clause 6.1 – Arrangements for designated State and Territory public infrastructure* and *Clause 6.2 – Public utility infrastructure*.

8.1 Development Application 228-2016 - Land Swap Application, Common Roads and Bio Retention Basin - Googong (Ref: C16156414; Author: Thompson/Tonner)
(Continued)

Summary

In summary, the proposed contravention of the development standard for minimum lot size contained in Clause 4.1 has the assumed concurrence of the Secretary and is supported by Council staff. The proposed development generally satisfies the objectives of Clause 4.1 and as the development is not for residential development the objectives in Zone R1 - General Residential are largely irrelevant. It is considered to be in the public interest to recommend approval of the proposed development.

(b) Compliance with DCP

The application has been assessed against the relevant parts of the Googong Development Control Plan and Queanbeyan Development Control Plan 2012. To view the detailed assessment of the DCP see the attached *Section 79C(1) Table – Matters for Consideration*.

The application proposes two variations to the controls contained in *Part 3 – The Master Plan* and *Part 5 – Design Guidelines and Controls for Public Domain* of the Googong DCP. Section 1.7 of the DCP allows for variations to the development standards in the DCP “*where it is demonstrated that the objectives of the DCP and the objectives of the particular development standard can be achieved without detriment.*” Applicants are required to provide a detailed justification in writing, with evidence that a better design outcome will result from the variation. Council is not obligated to approve any variation unless it is fully satisfied with the argument for non-compliance. An assessment of the variations follows.

Variation 2 - Street Tree Species Mix

Under Part 3 – The Master Plan, development in each neighbourhood of Googong Township is to be carried out generally in accordance with the applicable Neighbourhood Structure Plan. The Approved Structure Plan for the subject site is contained in Appendix 6 of the DCP. It broadly identifies the following:

1. Areas of the site for residential, public open space, and drainage purposes;
2. Road and pathway alignments;
3. Street types; and
4. Street tree types.

The Bunyip Neighbourhood Structure Plan identifies the mix of native and exotic street trees. The streets proposed as part of the subject development application are identified on the Structure Plan as having a mix of 20% exotic and 80% native trees. The Street Tree Masterplan submitted with this development application shows these streets being planted with 100% exotic deciduous trees. The applicant has submitted justifications for the proposed street tree plantings as listed below:

- a) *The tree species selected for the residential street verges are principally exotic and selected based on appropriate size and form as a street tree relative to the road reserve and appropriate setbacks. The species are generally consistent to species proposed for the adjacent development Neighbourhood 1A – Stage 7 streets.*
- b) *Generally native trees are not suitable for street tree planting due to vigorous root systems and tendency to up lift path/kerbs etc. If eucalypts are installed, additional root barrier protection is required.*

**8.1 Development Application 228-2016 - Land Swap Application, Common Roads and Bio Retention Basin - Googong (Ref: C16156414; Author: Thompson/Tonner)
(Continued)**

- c) Additionally, eucalypts have a tendency to drop limbs posing safety concerns to residents and property, have a lower life expectancy compared to deciduous species and therefore have higher maintenance requirements.*
- d) Native species are evergreen and do not allow solar access during the winter months which is not preferable in narrower streetscape arrangements.*
- e) The trees selected have appropriate form and character for these street arrangements and ensure a continuation of estate character as represented in the streets of adjoining developments.*

The applicant's justifications are noted. Council's Manager of Parks and Recreation has assessed the proposed street trees as being satisfactory. The proposal for the street trees to consist of 100% exotic deciduous species, except for streets 001 and 002 closest to the drainage reserve which are native, is supported.

Variation 3 - Street Width – Local Street Type 3

The DCP specifies that Local Street Type 3 have an 8.0m wide carriageway. The applicant has submitted plans with a 7.5m wide carriageway in keeping with similar streets approved in Neighbourhood 1A and 1B, and has requested a variation.

The design objectives of local streets are:

- 1. Local streets will be the most common street type in Googong.*
- 2. They are designed to meet the typical conditions of residential areas.*
- 3. The network of local streets will link neighbourhood areas to the collector.*
- 4. Total number of vehicles is estimated to be 2,000 per day.*

In support of the proposed variation the applicant has submitted the following justifications:

- a) From a traffic safety and vehicle speed viewpoint, a 7.5m carriageway has been demonstrated to enable two vehicles to pass in opposite directions, with parked cars on one side, creating an appropriate low speed environment. Effectively, this provides two (unmarked) lanes of 2.7m width, with a parking width of 2.1m to one side. Whilst an 8.0m carriageway width also provides the same functionality, previous studies have shown that wider carriageway widths result in faster vehicular speeds in local streets;*
- b) It is considered that an 8.0m carriageway may introduce indecision as to whether two vehicles may pass in opposing directions in the event that cars are parked opposite each other on both sides of the road. A 7.5m carriageway does not present this opportunity, so driver indecision and 'rash' driver behaviour is lessened;*
- c) The carriageway widths are consistent with previous and current subdivision stages throughout Googong;*
- d) Additional verge width is provided, such that both verges are a consistent 5.0m width, rather than one verge being 4.5m and the other verge being 5.0m; and*
- e) The carriageway widths were proposed in the Googong Neighbourhood 1A Structure Plan Proposal report, February 2015.*

The applicant's justifications are noted. Council's Development Engineer considers the proposed variation to be acceptable in this instance, as it will maintain a streetscape uniformity throughout Neighbourhood 1A and is generally in keeping with the objectives of the overall street network and those specific to the street type. The proposed variation is therefore supported in this case.

8.1 Development Application 228-2016 - Land Swap Application, Common Roads and Bio Retention Basin - Googong (Ref: C16156414; Author: Thompson/Tonner) (Continued)

Note: Council's Development Engineers are reviewing road width requirements as part of the current Neighbourhood 2 Structure Plan process.

(c) Section 94 and 64 Contributions and Planning Agreement

Googong Planning Agreement

The Googong Planning Agreement (GPA) commitments do not apply to this proposed development as the subdivision does not propose lots for residential purposes.

Section 94 Contributions

The Queanbeyan City Council Section 94 Contributions Plan (Googong) 2015 ("the Googong Contributions Plan") is applicable to the land subject to the application but the development does not generate Section 94 contributions as no additional demand for public services are created as residential lots are not proposed.

The works proposed: roads and a drainage reserve are being undertaken adjacent to a development site (DA 275-2016 and DA 167-2016) and fall under the scope of Section 80A of the EP&A Act as identified in the Googong Section 94 Plan. In this respect the roads and drainage reserve will require:

- Dedication at no cost to Council; and
- Provision of works shall be provided by and at the full cost of the developer.

In this case the developers are providing the works specified at their full cost and no other developer contributions would apply.

Section 64 Contributions

Pursuant to Section 64 of the *Local Government Act 1993* Council's Development Servicing Plans for Water Supply and Sewerage 2015/16 – Googong is applicable to the subject site. However, as the development does not propose any lots for residential development they do not generate Section 64 contributions. Section 64 contributions will be levied on DA 275-2016 and DA167-2016 for residential subdivision.

The water and sewer works proposed are being undertaken adjacent to a development site (DA 275-2016 and DA 167-2016) and fall under the scope of Section 80A of the EP&A Act. In this respect the water and sewer mains will require the provision of works at the full cost of the developer.

(d) Other Matters

(a) Building Surveyor's Comments

There are no outstanding building issues associated with the development application subject to the imposition of standard conditions.

(b) Development Engineer's Comments

The proposed development is suitably serviced with regards to road, water, sewer and stormwater. There are no outstanding development engineering issues associated with the development application subject to the imposition of standard conditions.

**8.1 Development Application 228-2016 - Land Swap Application, Common Roads and Bio Retention Basin - Googong (Ref: C16156414; Author: Thompson/Tonner)
(Continued)**

(c) Environmental Health Comments

There are no outstanding environmental health issues associated with the development application subject to the imposition of standard conditions.

(d) Heritage Advisor's Comments

There are no outstanding heritage issues associated with the development application.

(e) NSW Department of Primary Industries (Water)

The application was referred as Integrated Development to the NSW Department of Primary Industries (DPI) – Water under Section 91 of the Water Management Act 2000 for works within 40 metres of Montgomery's Creek. The Water Management Act 2000 allows for works within riparian corridors provided they undergo the required assessment and obtain the necessary approvals / licenses.

DPI – Water issued their General Terms of Approval (GTAs) for the proposed development on 29 August 2016. A condition will be imposed on the development consent (if granted) requiring compliance with the GTAs.

(f) NSW Office of Environment and Heritage

The application was referred to the NSW Office of Environment and Heritage (OEH) as Integrated Development under Section 90 of the National Parks and Wildlife Act 1974. This was required because there are known Aboriginal objects on the site, and therefore the OEH would need to issue their General Terms of Approval (GTAs) for any required permits to impact on Aboriginal objects. The OEH issued their GTAs for the proposed development on 14 September 2016. A condition will be imposed on the development consent (if granted) requiring compliance with the GTAs.

(g) NSW Department of Primary Industries– Fisheries

The application was referred as Integrated Development to the NSW Department of Primary Industries (DPI) – Fisheries under Section 219 of the Fisheries Management Act 1994. The Department advise that a permit under the provisions of Part 7 of the Fisheries Management Act 1994 will not be required and as a result no GTA are specified. However, the Department recommended measures be included as conditions of consent to ensure that water quality in Montgomery's Creek and the Queanbeyan River are not degraded:

(h) Canberra Airport

The application was referred to Canberra Airport as the proposed development penetrates the 720.0AHD level on the Obstacle Limitation Surface Map for the Canberra Airport. The Department of Infrastructure and Regional Development issued a controlled activity approval for the intrusion into Canberra Airport to a maximum height of 822 metres AHD.

Engagement

The proposal required notification under Queanbeyan DCP 2012. No submissions were received.

**8.1 Development Application 228-2016 - Land Swap Application, Common Roads and Bio Retention Basin - Googong (Ref: C16156414; Author: Thompson/Tonner)
(Continued)**

Conclusion

The submitted proposal for subdivision of 4 lots into 13 lots for purposes of a boundary adjustment, the construction of roads and bio-retention basin on Lots 5 DP 1217396, Lots 101 DP616217, Lots 1367 and 1368 DP1217419 and Lot 670 DP1195842, No. 36 Googong Road Googong is Integrated Development and is supported by a Statement of Environmental Effects. The proposal was notified to adjoining owner/occupiers and no submissions were received.

The proposal has been assessed under Section 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 subject to the following variations.

- LEP – A variation to allow the creation of lots under the minimum lot size to facilitate the subsequent orderly subdivision of the resulting lots is supported.
- DCP - Two variations to the Googong Development Control Plan relating to street tree species and street width are consistent with previous subdivisions within Googong and are supported.

The Integrated Development agencies (DPI and Office of Environment and Heritage) have both issued their General Terms of Approval. Subject to Council supporting the proposed LEP and DCP variations there is no reason why Council should not delegate determination of the application to the General Manager. On receipt of advice from the NSW Department of Planning that the applicant has made adequate arrangements for the provision of State infrastructure this will allow the application to be determined without the need to report back to Council.

Attachments

- | | |
|--------------|---|
| Attachment 1 | Attachment - Council Meeting - 26 October 2016 - DA 228-2016 - Land Swap - Section 79C Matters for Consideration (<i>Under Separate Cover</i>) |
| Attachment 2 | Attachment - Council Meeting - 26 October 2016 - DA 228-2016 - Land Swap DA - Googong - Plans (<i>Under Separate Cover</i>) |
| Attachment 3 | Attachment - Council Meeting - 26 October 2016 - DA 228-2016 - Land Swap DA Googong - Draft Conditions of Consent (<i>Under Separate Cover</i>) |

DETERMINATION REPORTS

- 8.2 Development Application 275-2016 - Subdivision Creating 141 Residential Lots - 36 & 44 Googong Rd and Saphira St, Googong (Bunyip Property) (Ref: C16137724; Author: Thompson/Newman)**
-

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

This application has been referred to Council because it is for a major subdivision exceeding 50 or more lots and it requires variation to the adopted Googong Development Control Plan.

Proposal:	Subdivision of land and associated works to create 141 residential lots
Applicant/Owner:	National Projects Consultants Pty Ltd / M Gorman Holdings Pty Limited and Googong Township Pty Limited
Subject Property:	Lot 101 DP 616217, Lot 5 DP 1217396 and Lot 1367 DP 1217419 No. 36 and 44 Googong Road and Saphira Street GOOGONG NSW 2620
Zoning and Permissibility:	R1 – General Residential and RE1 – Public Recreation under the Queanbeyan Local Environmental Plan 2012 Subdivision is permissible with consent
Public Submissions:	None
Issues Discussed:	Planning Requirements Variation to Development Controls
Disclosure of Political Donations and Gifts:	Applicant Declared no Donations or Gifts to any Councillor or Staff have been made

Recommendation

1. That Council raise no objection to the granting of a variation to Part 3 – The Master Plan of the Googong Development Control Plan to allow street trees to be 100% exotic instead of 20% exotic and 80% native as identified in the Bunyip Neighbourhood Structure Plan for the following reasons:
 - (a) Council's Manager of Parks and Recreation has assessed the proposed street trees as being satisfactory; and
 - (b) The use of 100% exotic deciduous trees for local streets is consistent with the street trees previously approved for use in Neighbourhood 1A of the Googong Township.
2. That Council raise no objection to a variation to Part 5.5 – Local Streets of the Googong Development Control Plan to allow the five Local Street Type 3 streets within this proposed subdivision to have a 7.5 metre wide carriageway instead of the prescribed 8.0 metres for the following reasons:

8.2 Development Application 275-2016 - Subdivision Creating 141 Residential Lots - 36 & 44 Googong Rd and Saphira St, Googong (Bunyip Property) (Ref: C16137724; Author: Thompson/Newman) (Continued)

- (a) The variation has been consistently supported by Council for Local Street Type 3 within Neighbourhood 1A and 1B of the Googong Township; and
 - (b) Council's Development Engineer has assessed the proposed street design as being satisfactory in this instance.
3. That determination of Integrated Development Application 275-2016 for subdivision of land and associated works to create 141 residential lots on Lot 101 DP 616217, Lot 5 DP 1217396 and Lot 1367 DP 1217419 No. 36 and 44 Googong Road and Saphira Street Googong, be delegated to the General Manager when the NSW Department of Planning has advised that the applicant has made adequate arrangements for the provision of State infrastructure.
4. That the Department of Primary Industries (Water) and Office of Environment and Heritage be forwarded a copy of Council's Notice of Determination when it has been issued.
-

Background

Proposed Development

The development application is for:

1. Subdivision of land (Torrens Title) create 141 residential lots;
2. Roads; and
3. Earthworks

Subject Property and Relevant Site History

The majority of the site is informally known as 'Bunyip' from the rural landholding which makes up the majority of the land. The site is located adjacent to the southernmost portion of Neighbourhood 1A of the new Googong Township. It contains an existing detached single storey dwelling known as the 'Bunyip homestead', several outbuildings, fencing (including several types of stone walls), established trees and shrubs, and a rock cairn. The homestead has been unoccupied since c.2013 and will be approved for demolition under development consent 337-2016 prior to the subdivision DA being finalised.

The site is part of the Googong urban release area, zoned for urban residential development and public recreation (Googong Common). A Structure Plan for the Bunyip land was adopted by Council in July 2015. It shows the indicative road layout and public open space envisioned for the subject site and adjoining lands within Stage 7 of Neighbourhood 1A of the Googong Township.

The granting of consent to the subject application is reliant on consent first being granted to another development application (DA 228-2016). DA 228-2016 is for the subdivision of land and creation of roads to facilitate an orderly boundary between the different sub-stages of Stage 7. This is required because the Bunyip lot is not in the same ownership as the rest of Neighbourhood 1A, and is an irregular shaped lot.

8.2 Development Application 275-2016 - Subdivision Creating 141 Residential Lots - 36 & 44 Googong Rd and Saphira St, Googong (Bunyip Property) (Ref: C16137724; Author: Thompson/Newman) (Continued)

The subject DA is for the subdivision of land for residential development and creation of roads based on the boundary changes and perimeter roads proposed within DA 228-2016. It is effectively a subdivision of the new lots proposed to be created as part of DA 228-2016. Therefore, there are small sections of land that are currently outside of the Bunyip parcel that form a part of the subject site.

It is anticipated that DA 228-2016 will be determined by Council at the same time as the subject DA.

The subject land slopes from north to south towards Montgomery Creek, which runs through the south eastern corner of the Bunyip lot. There is also a farm dam within the creek corridor. Access to the site is currently from Googong Road approximately 1 kilometre east of its junction with Old Cooma Road via a registered Right-of-Carriageway. Figures 1 and 2 below show the site and its locality.

Note: For simplicity, the current boundaries of the Bunyip lot (Lot 101 DP 616217) are used to identify the site. There are very small sections of adjoining land to the north, west and south of the Bunyip lot that also form a part of the subject site.

More detailed plans can be found in Attachment 2.



Figure 1: Subject Site and Locality

8.2 Development Application 275-2016 - Subdivision Creating 141 Residential Lots - 36 & 44 Googong Rd and Saphira St, Googong (Bunyip Property) (Ref: C16137724; Author: Thompson/Newman) (Continued)



Figure 2: Subject Site – Aerial

8.2 Development Application 275-2016 - Subdivision Creating 141 Residential Lots - 36 & 44 Googong Rd and Saphira St, Googong (Bunyip Property) (Ref: C16137724; Author: Thompson/Newman) (Continued)



Figure 3 – Extent of Subdivision in this DA Shaded Yellow

Planning Requirements

Assessment of the application has been undertaken in accordance with Section 79C(1) of the Environmental Planning and Assessment Act (EPAA) 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*.

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

1. State Environmental Planning Policy No 44 – Koala Habitat Protection
2. State Environmental Planning Policy No 55 – Remediation of Land
3. State Environmental Planning Policy (Infrastructure)

8.2 Development Application 275-2016 - Subdivision Creating 141 Residential Lots - 36 & 44 Googong Rd and Saphira St, Googong (Bunyip Property) (Ref: C16137724; Author: Thompson/Newman) (Continued)

4. Queanbeyan Local Environmental Plan 2012 (LEP)
5. Googong Development Control Plan
6. Queanbeyan Development Control Plan 2012 (DCP)

The development generally satisfies the requirements and achieves the objectives of these planning instruments. There are no significant issues relating to the proposal. The two proposed variations to street tree selection and street width are consistent with what has previously been supported by Council in Googong Township residential subdivisions.

(a) Compliance with LEP

The proposed development is consistent with the requirements of the Queanbeyan Local Environmental Plan 2012. Subdivision is permissible with consent in the R1 and RE1 zone and the minimum lot size requirements have been achieved.

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 Googong Development Control Plan and Queanbeyan Development Control Plan 2012. To view the detailed assessment of the DCP see the attached *Section 79C(1) Table – Matters for Consideration*.

The application proposes two variations to the controls contained in *Part 3 – The Master Plan* and *Part 5 – Design Guidelines and Controls for Public Domain* of the Googong DCP. Section 1.7 of the DCP allows for variations to the development standards in the DCP “where it is demonstrated that the objectives of the DCP and the objectives of the particular development standard can be achieved without detriment.” Applicants are required to provide a detailed justification in writing, with evidence that a better design outcome will result from the variation. Council is not obligated to approve any variation unless it is fully satisfied with the argument for non-compliance. An assessment of the variations follows.

Variation to Street Tree Species Mix

Under Part 3 – The Master Plan, development in each neighbourhood of Googong Township is to be carried out generally in accordance with the applicable Neighbourhood Structure Plan. The Approved Structure Plan for the subject site is contained in Appendix 6 of the DCP. It broadly identifies the following:

1. Areas of the site for residential, public open space, and drainage purposes;
2. Road and pathway alignments;
3. Street types; and
4. Street tree types.

The Bunyip Neighbourhood Structure Plan identifies the mix of native and exotic street trees. The streets proposed as part of the subject development application are identified on the Structure Plan as having a mix of 20% exotic and 80% native trees. The Street Tree Masterplan submitted with this development application shows these streets being planted with 100% exotic deciduous trees. The applicant has submitted justifications for the proposed street tree plantings as listed below:

8.2 Development Application 275-2016 - Subdivision Creating 141 Residential Lots - 36 & 44 Googong Rd and Saphira St, Googong (Bunyip Property) (Ref: C16137724; Author: Thompson/Newman) (Continued)

- a) *The tree species selected for the residential street verges are principally exotic and selected based on appropriate size and form as a street tree relative to the road reserve and appropriate setbacks. The species are generally consistent to species proposed for the adjacent development Neighbourhood 1A – Stage 7 streets.*
- b) *Generally native trees are not suitable for street tree planting due to vigorous root systems and tendency to up lift path/kerbs etc. If eucalypts are installed, additional root barrier protection is required.*
- c) *Additionally, eucalypts have a tendency to drop limbs posing safety concerns to residents and property, have a lower life expectancy compared to deciduous species and therefore have higher maintenance requirements.*
- d) *Native species are evergreen and do not allow solar access during the winter months which is not preferable in narrower streetscape arrangements.*
- e) *The trees selected have appropriate form and character for these street arrangements and ensure a continuation of estate character as represented in the streets of adjoining developments.*

The applicant's justifications are concurred with. Council's Manager of Parks and Recreation has assessed the proposed street trees as being satisfactory. The proposal for the street trees to consist of 100% exotic deciduous species is supported.

Variation to Street Width – Local Street Type 3

The DCP specifies that Local Street Type 3 have an 8.0m wide carriageway. The applicant has submitted plans with a 7.5m wide carriageway in keeping with similar streets approved in Neighbourhood 1A and 1B, and has requested a variation.

The design objectives of local streets are:

- 1. *Local streets will be the most common street type in Googong.*
- 2. *They are designed to meet the typical conditions of residential areas.*
- 3. *The network of local streets will link neighbourhood areas to the collector.*
- 4. *Total number of vehicles is estimated to be 2,000 per day.*

In support of the proposed variation the applicant has submitted the following justifications:

- a) *From a traffic safety and vehicle speed viewpoint, a 7.5m carriageway has been demonstrated to enable two vehicles to pass in opposite directions, with parked cars on one side, creating an appropriate low speed environment. Effectively, this provides two (unmarked) lanes of 2.7m width, with a parking width of 2.1m to one side. Whilst an 8.0m carriageway width also provides the same functionality, previous studies have shown that wider carriageway widths result in faster vehicular speeds in local streets;*
- b) *It is considered that an 8.0m carriageway may introduce indecision as to whether two vehicles may pass in opposing directions in the event that cars are parked opposite each other on both sides of the road. A 7.5m carriageway does not present this opportunity, so driver indecision and 'rash' driver behaviour is lessened;*
- c) *The carriageway widths are consistent with previous and current subdivision stages throughout Googong;*
- d) *Additional verge width is provided, such that both verges are a consistent 5.0m width, rather than one verge being 4.5m and the other verge being 5.0m; and*
- e) *The carriageway widths were proposed in the Googong Neighbourhood 1A Structure Plan Proposal report, February 2015.*

8.2 Development Application 275-2016 - Subdivision Creating 141 Residential Lots - 36 & 44 Googong Rd and Saphira St, Googong (Bunyip Property) (Ref: C16137724; Author: Thompson/Newman) (Continued)

The applicant's justifications are noted. Council's Development Engineer considers the proposed variation to be acceptable in this instance, as it will maintain a streetscape uniformity throughout Neighbourhood 1A and is generally in keeping with the objectives of the overall street network and those specific to the street type. The proposed variation is therefore supported in this case.

Note: Council's Development Engineers are reviewing road width requirements as part of the current Neighbourhood 2 Structure Plan process.

Other Comments(a) Building Surveyor's Comments

There are no outstanding building issues associated with the development application subject to the imposition of standard conditions.

(b) Development Engineer's Comments

The site is able to be suitably serviced with regards to road, water, sewer and stormwater. There are no outstanding development engineering issues associated with the development application subject to the imposition of standard conditions.

(c) Environmental Health Comments

There are no outstanding environmental health issues associated with the development application subject to the imposition of standard conditions.

(d) Heritage Advisor's Comments

There are no outstanding heritage issues associated with the development application.

(e) NSW Police Comments

The proposed development was referred to the NSW Police for comment in relation to Crime Prevention Through Environmental Design (CPTED) principles. The Police have assessed the proposal as being a low crime risk. Detailed response to Police comment is included in the attached *Section 79C(1) Table – Matters for Consideration*.

(f) NSW Department of Primary Industries (Water)

The application was referred as Integrated Development to the NSW Department of Primary Industries (DPI) – Water under Section 91 of the *Water Management Act 2000* for works within 40 metres of Montgomery's Creek. The *Water Management Act 2000* allows for works within riparian corridors provided they undergo the required assessment and obtain the necessary approvals / licenses.

DPI – Water issued their General Terms of Approval (GTAs) for the proposed development on 29 August 2016. A condition will be imposed on the development consent (if granted) requiring compliance with the GTAs.

(g) NSW Office of Environment and Heritage

The application was referred to the NSW Office of Environment and Heritage (OEH) as Integrated Development under Section 90 of the *National Parks and Wildlife Act 1974*. This was required because there are known Aboriginal objects on the site, and therefore the OEH would need to issue their General Terms of Approval (GTAs) for any required permits to impact on Aboriginal objects. The OEH issued their GTAs for the proposed development on 29 August 2016. A condition will be imposed on the development consent (if granted) requiring compliance with the GTAs.

8.2 Development Application 275-2016 - Subdivision Creating 141 Residential Lots - 36 & 44 Googong Rd and Saphira St, Googong (Bunyip Property) (Ref: C16137724; Author: Thompson/Newman) (Continued)

(h) NSW Department of Planning

Clause 6.1 of the LEP requires satisfactory arrangements to be made for the provision of designated State and Territory public infrastructure before the subdivision of land in an urban release area. The Development Application was therefore referred to the Department of Planning requesting the issue of a Satisfactory Arrangements Certificate.

At the time of writing the DPE have not issued a Satisfactory Arrangements Certificate and have advised that they will be working with the applicant to enter into an appropriate arrangement.

Council staff are satisfied that Clause 6.1 of the LEP is applicable to the proposed development. The DPE's response means that Council is currently unable to determine the development application. However, this is the only outstanding matter in relation to this application and as such the application has been referred to Council for the consideration of all other issues raised as part of the assessment.

By delegating the determination of the application to the General Manager the application can be finalised as soon as the Department has advised that satisfactory arrangements have been made for State infrastructure, rather than have the matter return to Council for determination.

Financial Implications

Section 94 Contributions

The Queanbeyan City Council Section 94 Contributions Plan (Googong) 2015 is applicable to the subject site. The site is located within Catchment 1 (Googong New Town Urban Area). Four of the proposed lots are categorised as being Development Type 1 (final residential lots equal to or greater than 468m²). The remaining 137 proposed lots are Development Type 2 (final residential lots less than 468m²).

When adopted the Googong Contributions Plan was subject to a monetary cap of \$20,000 per lot or dwelling. The *Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2016* took effect on 23 September 2016. It allows Council to levy a maximum amount of \$30,000 for each new residential lot proposed under the subject development application. The calculated contribution rate for all Development Types in the Googong Contributions Plan exceed the monetary cap.

Section 64 Contributions

Pursuant to Section 64 of the *Local Government Act 1993* Council's Development Servicing Plans for Water Supply and Sewerage 2015/16 – Googong is applicable to the subject site. Contributions will be levied at the applicable rate for each new residential lot. There are no caps on water and sewer contributions.

Engagement

The proposal required notification under Queanbeyan DCP 2012. No submissions were received.

8.2 Development Application 275-2016 - Subdivision Creating 141 Residential Lots - 36 & 44 Googong Rd and Saphira St, Googong (Bunyip Property) (Ref: C16137724; Author: Thompson/Newman) (Continued)

Conclusion

The submitted proposal for subdivision of land and associated works to create 141 residential lots on Lot 101 DP 616217, Lot 5 DP 1217396 and Lot 1367 DP 1217419 No. 36 and 44 Googong Road and Saphira Street Googong is Integrated Development and is supported by a Statement of Environmental Effects. The proposal was notified to adjoining owner/occupiers and no submissions were received.

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

The development satisfies the requirements and achieves the objectives of these instruments. Two variations to the Googong Development Control Plan relating to street tree species and street width are consistent with previous subdivisions within Googong and are supported.

The proposed development is considered suitable for the site, is compatible with the neighbourhood and can be conditioned to mitigate any potential impacts. The Integrated Development agencies (DPI Water and Office of Environment and Heritage) have both issued their General Terms of Approval.

Subject to Council supporting the proposed DCP variations there is no reason why Council should not delegate determination of the application to the General Manager. On receipt of advice from the NSW Department of Planning that satisfactory arrangements have been made for the provision of State infrastructure this will allow the application to be determined without the need to report back to Council.

Attachments

- | | |
|--------------|--|
| Attachment 1 | Attachment - Council Meeting - 26 October 2016 - DA 275-2016 - Bunyip Subdivision - 79C Table (<i>Under Separate Cover</i>) |
| Attachment 2 | Attachment - Council Meeting - 26 October 2016 - DA 275-2016 - Bunyip Subdivision - Plans (<i>Under Separate Cover</i>) |
| Attachment 3 | Attachment - Council Meeting - 26 October 2016 - DA 275-2016 - Bunyip Subdivision - Draft Conditions (<i>Under Separate Cover</i>) |

DETERMINATION REPORTS

8.3 Development Application 71-2016 for Small Lot Housing Comprising 10 x Torrens Title Lots, 2 x Strata Title Lot, 1 x Public Laneway, and Erection of 12 x Dwellings, - Lot 1318 DP1217419, Googong (Ref: C16147383; Author: Thompson/Kunang)

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

This application has been referred to Council because the application involves a significant variation to a requirement in Googong Development Control Plan.

Proposal:	Subdivision of land to create 10 x Torrens Title lots, 2 x Strata lots and 1 x public laneway, and erection of 12 x dwellings (including 1 x dwelling house, 7 x attached dwellings, 2 x semi-detached dwellings and 2 studio dwellings)
Applicant/Owner:	Googong Township Pty Limited
Subject Property:	Lot 1318 DP 1217419 (formerly known as Lot 63 DP 1208211, Corner of Helen Circuit, Gorman Drive and Saphira Street, Googong
Zoning and Permissibility:	R1 General Residential under Queanbeyan Local Environmental Plan 2012
Public Submissions:	Nil
Issues Discussed:	Planning Requirements Variations to the requirements under Parts 4, 5 and 7 of the Googong DCP
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 the following variations to the Googong DCP for the reasons detailed in this report and the attached *Sec79C Matters for Consideration*:
 - a) The non-compliance with the requirements of Part 4 of Googong DCP in relation to Lot 1 having a frontage less than the 12m requirement;
 - b) The proposal not satisfying the requirements of Part 5 of Googong DCP in relation to the verge width (less than 2m requirement) for laneways.
 - c) The non-compliance with the requirements of Part 7 of the Googong DCP in relation to the proposed fencing forward of the building line of dwellings on lots 2 -9 which exceeds 1.2m high and Lots 2 and 10 which exceed the allowable 50% length allowed to be over 1.2m in height.
 - d) The non-compliance with the requirements of Part 7 of the Googong DCP in relation to the principal private open space (PPOS) of dwellings 3-10 located forward of the building line and PPOS for Lot 2 is located to the side of the dwelling (partially located behind the building line).
 - e) The various minor non-compliances with the requirements in Table 1 Assessment of Part 7 of Googong DCP in relation to the front setback of the proposed balcony on Lot 2, width of articulation zone exceeding 60% of the dwelling width, secondary street setback for corner lot (excluding garages and carports) and zero side setback of the proposed studio dwellings on Lot 1A and 2A.
-

**8.3 Development Application 71-2016 for Small Lot Housing Comprising 10 x Torrens Title Lots, 2 x Strata Title Lot, 1 x Public Laneway, and Erection of 12 x Dwellings,- Lot 1318 DP1217419, Googong (Ref: C16147383; Author: Thompson/Kunang)
(Continued)**

2. That development application 71-2016 for the subdivision of land to create 10 x Torrens Title lots, 2 x Strata lots and 1 x public laneway, and erection of 12 x dwellings (including 1 x dwelling house, 7 x attached dwellings, 2 x semi-detached dwellings and 2 studio dwellings) on Lot 1318 DP 1217419 (formerly known as Lot 63 DP 1208211), Corner of Helen Circuit, Gorman Drive and Saphira Street, Googong be granted conditional approval.
 3. That the NSW Police be forwarded a copy of Council's Notice of Determination.
-

Background

Proposed Development

The development application is for the subdivision of super lot 1318 DP 1217419 within approved Stage 6D, Neighbourhood 1A to create:

- 1) 10 x Torrens Title lots, 2 x Strata lots and 1 x public laneway;
- 2) Erection of 12 x dwellings (including 1 x dwelling house, 7 x attached dwellings, 2 x semi-detached dwellings and 2 x studio dwellings);
- 3) Ancillary landscaping, fencing and minor earthworks to accommodate the proposed development; and
- 4) Principal private open space is proposed in front of proposed dwellings on Lots 3 – 10.

The proposed development is shown in Figure 1 below.

8.3 Development Application 71-2016 for Small Lot Housing Comprising 10 x Torrens Title Lots, 2 x Strata Title Lot, 1 x Public Laneway, and Erection of 12 x Dwellings, - Lot 1318 DP1217419, Googong (Ref: C16147383; Author: Thompson/Kunang)
(Continued)



Figure 1 – Proposed development on site including a public laneway.

Subject Property

The subject site is shown highlighted in red in Figures 2 and 3 below. The site is part of a super lot previously approved by the Joint Regional Planning Panel (Southern Regional) on 8 August 2014 (DA 186-2013) and is located within Stage 6D of Neighbourhood 1A, being super lot 1318 with a total land area of 2820m². Lot 1318 is located within an existing Lot 63 DP 1208211.

The site has frontages to Gorman Drive, Helen Circuit and Saphira Street. The site is accessed from the proposed public laneway off Saphira Street (one way street). The subject site is located entirely within the mapped Additional Development Area which allow for certain land in Googong Township to be subdivided to create lots that to have a minimum size of 130m².

The site has been subject to earthworks and infrastructure provision associated with the previously approved subdivisions (DA 186-2013 and DA 233-2012), resulting in the benching of the proposed new lots.

8.3 Development Application 71-2016 for Small Lot Housing Comprising 10 x Torrens Title Lots, 2 x Strata Title Lot, 1 x Public Laneway, and Erection of 12 x Dwellings, - Lot 1318 DP1217419, Googong (Ref: C16147383; Author: Thompson/Kunang)
(Continued)



Figure 2 – Location of subject site (Lot 1318) within Lot 63 DP 1208311

8.3 Development Application 71-2016 for Small Lot Housing Comprising 10 x Torrens Title Lots, 2 x Strata Title Lot, 1 x Public Laneway, and Erection of 12 x Dwellings, - Lot 1318 DP1217419, Googong (Ref: C16147383; Author: Thompson/Kunang)
(Continued)



Figure 3 – Location of subject site within the context of Stage 6D

Planning Requirements

Assessment of the application has been undertaken in accordance with Section 79C(1) of the Environmental Planning and Assessment Act (EPAA) 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*.

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

1. State Environmental Planning Policy No 55 – Remediation of Land
2. State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
3. State Environmental Planning Policy (Infrastructure) 2007
4. Queanbeyan Local Environmental Plan 2012 (LEP).
5. Queanbeyan Development Control Plan 2012 (DCP)
6. Googong Development Control Plan

8.3 Development Application 71-2016 for Small Lot Housing Comprising 10 x Torrens Title Lots, 2 x Strata Title Lot, 1 x Public Laneway, and Erection of 12 x Dwellings,- Lot 1318 DP1217419, Googong (Ref: C16147383; Author: Thompson/Kunang) (Continued)

The development generally satisfies the requirements and achieves the objectives of these planning instruments. The significant issues relating to the proposal for Council's consideration are variations to the requirements under Part 4, 5 and 7 of the Googong DCP.

(a) Compliance with LEP

The proposal generally satisfies the relevant provisions of the Queanbeyan Local Environmental Plan 2012 as discussed in detail in the attached *Section 79C(1) Matters for Consideration*. **(b) Compliance with DCP**

The significant issues relating to the proposal for Council's consideration are variations to the Googong DCP Part 4, Part 5 and Part 7 as follows:

Variation 1 - Part 4 – Subdivision Controls - Clause 4.4 – Lot Orientation and Lot Size and Layout

The proposal does not comply with the provisions of clause 4.4 - Lot Orientation and Lot Size and Layout of the Googong DCP in relation to the minimum frontage dimension requirement. Controls for lot size and layout are:

- a) *Minimum lot size is to be in accordance with the LEP Lot Size Map and the lot dimensions are to be in accordance with the Table below.*

Lot Size	Minimum Frontage Dimension
170 < 250m ²	6.0m
250 < 300m ²	6.0m
300 < 450m ²	10m
450 < 600m ²	12m
600 < 900m ²	12m
900 < 1500m ²	15m
> 1500m ²	18m

All proposed lots comply with the minimum frontage dimension specified in the table above except Lot 1 (combination of Lot 1 – principal dwelling and Lot 1A – studio dwelling above garages). Lot 1 has a total area of 492m² and therefore is required to have a minimum frontage of 12m wide. Lot 1 has a minimum lot width of 5.85m at the front boundary facing Saphira Street which is a variation to Council DCP.

The applicant has submitted a variation request, stating that the variation has resulted from the irregular shape created by the approved subdivision of the parent lot (DA 186-2013) and is considered minor and does not adversely impact on the amenity of any adjacent properties. Furthermore, the variation responds to the site constraints.

The proposed variation is supported for the following reasons;

- No vehicle access is provided to Saphira Street from this front boundary. Garages have direct access to the public laneway. Only pedestrian access is provided from this front boundary.
- The narrow lot width will not impact on the building appearance or streetscape and proposed landscaping at the front boundary.

**8.3 Development Application 71-2016 for Small Lot Housing Comprising 10 x Torrens Title Lots, 2 x Strata Title Lot, 1 x Public Laneway, and Erection of 12 x Dwellings, - Lot 1318 DP1217419, Googong (Ref: C16147383; Author: Thompson/Kunang)
(Continued)**

- c) The narrow frontage will not reduce the natural surveillance to/from dwelling to/from the street.
- d) The proposed building complies with the front building setback.

Variation 2 - Part 5 – Design Guidelines and Controls for Public Domain

Council previously approved a development application 412-2015 for small lot housing with a public laneway which was the first application to propose a public laneway within a Torrens title subdivision for small lot housing. This application also proposed a public laneway that will provide access to the rear loaded garage/carports of the 12 proposed dwellings and included garbage collection within the verge of the laneway, Saphira Street and Helen Circuit. The proposed public laneway will connect the existing Saphira Street and Helen Circuit and will therefore form a part of the existing street network. The proposed public laneway will be dedicated as a public road but it will function the same as private laneways and has been designed in the same manner.

While the proposed public laneway will function in the same manner as the previous approved private/public laneways, it will be a Council asset and public liability is a main consideration. Increased widths of the road reserves are required to reduce public liability risks. However, the Engineering Design Specifications and the numerical requirements for laneway designs have not specified requirements applicable to public laneway designs and instead only have general requirements that cover both private and public laneway design.

The proposed public laneway has been designed in accordance with the requirements of Table 3 of the Googong Development Control Plan 2012. Notwithstanding this compliance with the quantitative requirements of the DCP the Local Development Committee and development engineering staff have indicated that the design specifications for public laneways require a greater verge width. A detailed analysis of the relationship between the DCP and the design specifications can be found in the *Sec79C Matters for Consideration* attachment. The variation of the width of the verge within the laneway has been treated as a variation to the DCP in this case.

The desirability of increasing the width of public laneways has been the subject of a recent report to Council which was deferred for further discussions between the Administrator, Council staff and the developer. This meeting has taken place and will result in agreed changes to the DCP which are more consistent with the engineering design objectives

The public laneway proposed in this application is supported by Council in this instance. The main reasons for supporting the public laneway within this application are:

- a) The size, orientation and location of the super lot was approved in DA 186-2013. As such there is limited opportunity within this application to change the orientation, shape, access of the lot to provide a different outcome for the laneway design, and
- b) The policy framework for laneways does not distinguish the application of the design requirements for a public or a private laneway. Limited direction is therefore provided for how to design the public laneway, to provide a different level of function/service provision than a private laneway. Council should note that this will be addressed through a future report to Council.

8.3 Development Application 71-2016 for Small Lot Housing Comprising 10 x Torrens Title Lots, 2 x Strata Title Lot, 1 x Public Laneway, and Erection of 12 x Dwellings, - Lot 1318 DP1217419, Googong (Ref: C16147383; Author: Thompson/Kunang) (Continued)

Variation 3 – Part 7 - Small Lots, Studio Dwellings, Dual Occupancies, Multi Dwelling Housing and Residential Flat Buildings - Clause 7.2 – Streetscape

The proposal does not comply with the provisions of clause 7.2 - Streetscape of the Googong DCP in relation to the proposed fencing.

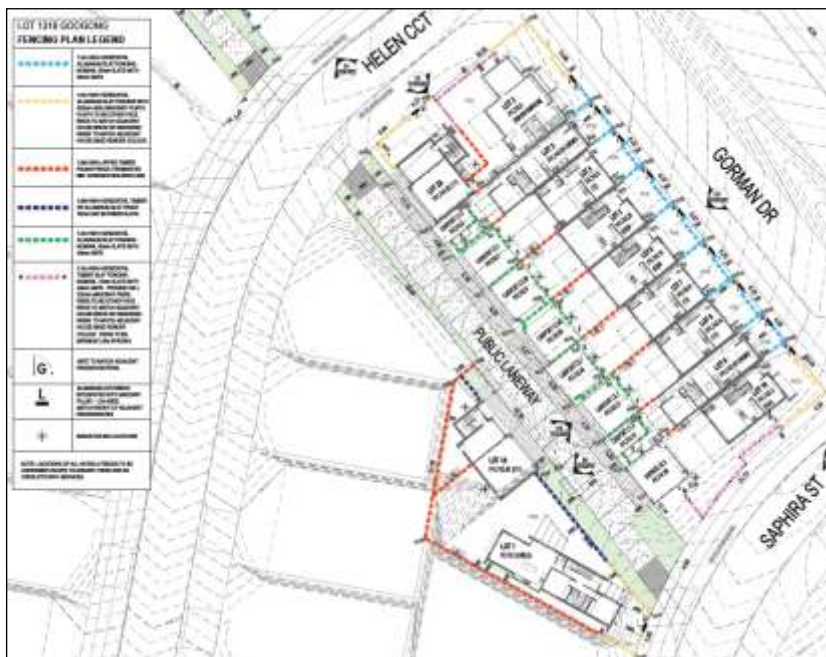


Figure 4 – Proposed fencing

i. Front and side fences forward of the building line of dwellings on lots 2 – 9.

Clauses (h) and (i) above state that the maximum height of the front fence is 1.2m high and is to be predominately open in design. Clause k states that side fences between residential lots are to start at least 1m behind the primary building frontage of the dwelling.

The proposed front fencing and side corners of dwellings 2, 2A and 10 will be consistent with the established pattern as it will be 1m in height and will be open style (gaps between slats). However, the front fencing including the side fence forward of the building line of dwelling 2 (part of front boundary) and dwellings 3 – 9 is 1.5m high. This is a variation to the DCP.

8.3 Development Application 71-2016 for Small Lot Housing Comprising 10 x Torrens Title Lots, 2 x Strata Title Lot, 1 x Public Laneway, and Erection of 12 x Dwellings, - Lot 1318 DP1217419, Googong (Ref: C16147383; Author: Thompson/Kunang) (Continued)

The proposed variation is supported for the following reasons:

- a) The proposed front fencing is open style and is unlikely to result in any negative visual impact to the streetscape;
- b) The fencing provides a clear definition of the boundaries including the primary front courtyard of each property and is consistent with the traditional character of terrace housing; and
- c) The open style fence will provide suitable natural surveillance to/from properties to/from the road.

ii. Fencing requirement for corner lots 2 and 10

Clause (j) states that the height of fences to secondary street frontage must not be more than 1.2m high for more than 50% of the lot depth. Lot 10 proposes a 1.5m high fence along the secondary frontage that extends 54.5% of the length of this frontage. This is a variation to the requirements of this clause. The proposed variation to allow for lot 10 to have a 1.5m high section of fencing for over 50% of the width of the secondary frontage is supported in this instance for the following reasons:

- a) The fencing will be well presented to the street through the use of high quality materials, including masonry piers to match the dwellings, open elements, and the use of soft landscaping in front of it;
- b) The fencing provides a good level of privacy to PPOS and living room windows;
- c) Passive surveillance of the street is maintained as 1.5m high fencing is below adult eye height when standing. Also, the fencing also contains open elements; and
- d) This specific variation has been supported previously for dwellings on corner lots within terrace style small-lot housing developments in Googong for the same reasons.

Variation 4 - Clause 7.10 – Principal Private Open Space and Landscape Design

This clause states that the principal private open space (PPOS) is to be located behind the building line to the main street frontage, is oriented to the north where possible and is directly accessible from and adjacent to a habitable room other than a bedroom. For studio dwellings the principal private open space shall be in the form of a balcony, directly accessed off living space, having a minimum size of 12m² with a minimum dimension of 2m. It must be north facing where possible with a minimum of 3 hours solar access between 9am-3pm on 21 June.

The proposed PPOS of dwelling 1 and the 2 studio dwellings on Lots 1A and 2A comply with the above requirement. However the proposed PPOS for the dwellings on lots 3-10 do not comply with the requirement above as they are located forward of the building line to the main street frontage (facing Gorman Drive). The proposed PPOS areas comply with other requirements as they are oriented to the north/north-east, are directly accessible from a habitable room being the living area or meals room and comply with minimum dimension/size requirements. PPOS of the principal dwelling on Lot 2 is located to the side of the dwelling (partially located behind the building line), facing the secondary street (Helen Cct), is orientated to the north and is directly accessible from living area/meal room.

**8.3 Development Application 71-2016 for Small Lot Housing Comprising 10 x Torrens Title Lots, 2 x Strata Title Lot, 1 x Public Laneway, and Erection of 12 x Dwellings, - Lot 1318 DP1217419, Googong (Ref: C16147383; Author: Thompson/Kunang)
(Continued)**

On 13 April 2016, Council at its meeting supported the following recommendations to guide Council Assessing Officers and the developer to assess future small-lot housing development on the remaining undeveloped super-lots within the Additional Development Area (ADA) of Neighbourhood 1A where it was deemed necessary to provide PPOS in the front yard of the proposed dwelling.

- a) *Due to the noise impacts from Gorman Drive, any dwelling with PPOS proposed forward of the building line on a lot with frontage to Gorman Drive should be provided with a secondary area of private open space behind the building line that meets the minimum dimensions prescribed in the Googong DCP. This will mean that the affected dwellings will be provided with a functional secondary POS area that will be afforded greater acoustic privacy than the principal POS and, except for a period during mid-winter, will receive adequate amounts of solar access;*
- b) *Applications that propose PPOS forward of the building line should include shadow diagrams that show the length of time within the calendar year that the secondary POS behind the building line does not receive the minimum required solar access.*
- c) *The design must ensure that any overlooking into PPOS forward of the building line from within the development is avoided; and*
- d) *Consideration needs to be given to the cumulative impacts on the Gorman Drive streetscape from front fencing that is higher than 1.2m and less than 50% transparent. Visual impacts may be mitigated by such measures as the use of varying materials and varying heights.*

The applicant has submitted a variation request, stating that;

"North-facing lots including the subject site struggle to achieve the required levels of solar access to PPOS, when the open space is located at the rear of the dwelling or behind the building line. Locating PPOS behind the building line on north-facing lots and achieving the required levels of solar access to PPOS is not achievable without significantly widening the lots which prohibits the ability to propose ad deliver smaller lots housing in the designated ADAs. The location of the PPOS is largely driven by the orientation of Gorman Drive which is set by topography and connectivity, and is defined in the approved structure plan and DA's. It is also noted that the requirement to restrict direct vehicular access to dwellings from Gorman Drive creates the opportunity for ample useable open space at the Gorman Drive frontage. Positioning the PPOS forward of the building line also contribute to the architectural variety of the streetscape through well-designed fencing and landscaping. It is recognised that the provision of PPOS forward of the building line presents a challenge for privacy. This is however, proposed to be addressed through a variety of measures without adversely impacting on the streetscape or for occupants. These measures include:

- *Well-designed fencing that does not dominate the street;*
- *Limiting fencing to a maximum height of 1.5m (eye height) (this exceeds the DCP requirements of maximum of 1.2m) whereby occupants, if seated, have complete privacy but when standing, have the opportunity to provide surveillance to the street; and*
- *Landscaped hedges that work with the fencing to give visual privacy and softening of the streetscape.*

**8.3 Development Application 71-2016 for Small Lot Housing Comprising 10 x Torrens Title Lots, 2 x Strata Title Lot, 1 x Public Laneway, and Erection of 12 x Dwellings, - Lot 1318 DP1217419, Googong (Ref: C16147383; Author: Thompson/Kunang)
(Continued)**

Gorman Drive is a busy road with high volume traffic per day and will generate noise impacts on the dwellings facing Gorman Drive.

Variation to this clause in relation to the location of the principal private open space for the dwellings on lots 2-10 located forward of the building line/to the side of the dwelling is supported for the following reasons:

- a) It is impossible to provide the PPOS behind the building line that will receive adequate natural sunlight during mid-winter given the orientation of the allotments which resulted from the subdivision of the parent lot. All PPOS forward of the building line complies with the size, orientation and solar access mentioned above.
- b) Functional secondary POS areas have been provided behind the building line of the affected dwellings that act as an extension to the living area and meet the minimum size/dimensions. Secondary POS areas have greater acoustic privacy than the principal POS and, except for a period during mid-winter, will receive adequate amounts of solar access.
- c) The development has been appropriately designed to minimise any overlooking into PPOS forward of the building line from within the development. The dwellings have been designed to have low activity rooms or non-habitable rooms on the first floor, for dwellings 2,4,5,6,7,8 and 10. The rooms on the first floor of these dwellings consist of bedrooms, bathrooms and a study nook. All of these rooms have windows that will face directly to the north overlooking their own individual private open space, resulting in views from these windows to be oblique, therefore minimising any privacy impacts on the neighbouring private open space(s). Balconies have been provided with privacy screens to minimise the privacy impact.
- d) Maximum 1.5m high see-through fencing has been provided at the front boundary and around the PPOS areas facing Gorman Drive. The proposed see-through type fencing with landscaping within the courtyard areas will provides visual interest and complement the existing and desire future streetscape.

Variation 5 - Variations to Part 7 – Table 1 – Setbacks and Articulation Areas

The developer has also requested a number of other minor variations related to design and set out issues. They relate to minor encroachments into setbacks and articulation areas and are detailed in the attached *Sec79C Matters for Consideration*. The variations are supported as:

- a) The proposed variations are considered to be minor, especially when viewed in the context of the entire Gorman Drive, Helen Circuit and Saphira Street streetscape. The variations are not considered to reflect an overdevelopment of the site and can be supported in this instance.
- b) They will not reduce the architectural quality of the dwelling or landscape area.
- c) The impact on the amenity of the residents is considered minimal.
- d) Minor encroachments of balconies will not adversely impact on adjoining properties by way of privacy or overshadowing, nor will it adversely affect the amenity of the locality.

**8.3 Development Application 71-2016 for Small Lot Housing Comprising 10 x Torrens Title Lots, 2 x Strata Title Lot, 1 x Public Laneway, and Erection of 12 x Dwellings,- Lot 1318 DP1217419, Googong (Ref: C16147383; Author: Thompson/Kunang)
(Continued)**

(c) Other Matters

The proposed development generally satisfies the other relevant planning matters for consideration under section 79C(1) of the Environmental Planning and Assessment Act 1979 as discussed in detail in the attached *Section 79C(1) Matters for Consideration*.

(a) Building Surveyor's Comments

Council's Building Surveyor has assessed the proposal and has raised no objections subject to the imposition of relevant conditions (if granted).

(b) Development Engineer's Comments

Water Supply - The development and proposed lots are supplied with potable services from infrastructure constructed during works for Subdivision Construction Certificate 05-2014. Any strata development by the construction of studio style units will require an individual metering arrangement at the cost of the applicant.

Sewer - Each lot in the proposed development is supplied with a sewer tie. This was constructed during works for Subdivision Construction Certificate CCSUB 05 – 2014. WAE plans are still pending.

Storm Water - The proposed access lane has a inter allotment storm water main in the centre with pits for overland flow.

Each property is served with a storm water tie, WAE for the work is pending and would form part of a CC application.

Access - The applicant has lodged a DA for the creation of Torrens title blocks with the creation of a public laneway servicing property access from the rear. Issues relating to the laneway and its proposed width including comments from the Local Development Committee are discussed earlier in this report and in detail in the attached *Sec79C Matters for Consideration*.

(c) Environmental Health Comments

Council's Environmental Health officer has assessed the proposal and has raised no objections subject to the imposition of relevant conditions (if granted).

(d) NSW Police

The proposed development was referred to the NSW Police for comment in regard to Crime Prevention Through Environmental Design (CPTED) principles. After conducting a CPTED assessment the NSW Police have identified the development as a Moderate-crime risk. The police requirements will be included as a notation in the conditions.

Financial Implications

The proposed development is subject to the Voluntary Planning Agreement. Contributions security and cash contributions are applicable under this agreement to the proposed development. A condition will be placed on the development consent requiring the payments be made prior to the issuing of the subdivision certificate for this subdivision.

8.3 Development Application 71-2016 for Small Lot Housing Comprising 10 x Torrens Title Lots, 2 x Strata Title Lot, 1 x Public Laneway, and Erection of 12 x Dwellings, - Lot 1318 DP1217419, Googong (Ref: C16147383; Author: Thompson/Kunang) (Continued)

Financial implications for Council, should the proposal be approved, will arise from the requirement for the on-going maintenance of the public laneway, landscaping and street lighting along the proposed laneway.

Engagement

The proposal required notification under Queanbeyan DCP 2012. No submissions were received.

Compliance or Policy Implications

There are no implications to Council in regard to compliance, legal or policy issues should the development application be approved other than variations to the Googong DCP.

Conclusion

The submitted proposal for the subdivision of land to create 10 x Torrens Title lots, 2 x Strata lots and 1 x public laneway, and erection of 12 x dwellings (including 1 x dwelling house, 7 x attached dwellings, 2 x semi-detached dwellings and 2 studio dwellings) on Lot 1318 DP 1217419 (formerly known as Lot 63 DP 1208211, Corner of Helen Circuit, Gorman Drive and Saphira Street, Googong, is a development supported by a Statement of Environmental Effects. The proposal was notified to adjoining owner/occupiers and no submissions were received.

The proposal has been assessed under Section 79C *Environmental Planning & Assessment Act* 1979 including the relevant provisions of *Queanbeyan Local Environmental Plan 2012*, *Queanbeyan Development Control Plan 2012* and *Googong Development Control*. The development satisfies the requirements and achieves the objectives of these instruments.

The main issues arising during the assessment relate to requested variations. Staff have reviewed the requested variations and confirm that the following are supported:

- a) The non-compliance with the requirements of Part 4 of Googong DCP in relation to Lot 1 having a frontage less than the 12m requirement;
- b) The proposal not satisfying the requirements of Part 5 of Googong DCP in relation to the verge width (less than 2m requirement) for laneways.
- c) The non-compliance with the requirements of Part 7 of the Googong DCP in relation to the proposed fencing forward of the building line of dwellings on lots 2 -9 which exceeds 1.2m high and Lots 2 and 10 which exceed the allowable 50% length allowed to be over 1.2m in height.
- d) The non-compliance with the requirements of Part 7 of the Googong DCP in relation to the principal private open space (PPOS) of dwellings 3-10 located forward of the building line and PPOS for Lot 2 is located to the side of the dwelling (partially located behind the building line).
- e) The various non-compliances with the requirements in Table 1 Assessment of Part 7 of Googong DCP in relation to the front setback of the proposed balcony on Lot 2, width of articulation zone exceeding 60% of the dwelling width, secondary street setback for corner lot (excluding garages and carports) and zero side setback of the proposed studio dwellings on Lot 1A and 2A.

**8.3 Development Application 71-2016 for Small Lot Housing Comprising 10 x Torrens Title Lots, 2 x Strata Title Lot, 1 x Public Laneway, and Erection of 12 x Dwellings,- Lot 1318 DP1217419, Googong (Ref: C16147383; Author: Thompson/Kunang)
(Continued)**

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 Council Meeting - 26 October 2016 - DA 71-2016 - Small Lot Housing - Lot 63 Aprasia Avenue - Sec79C Matters for Consideration (*Under Separate Cover*)
- Attachment 2 Council Meeting - 26 October 2016 - DA 71-2016 - Small Lot Housing - Lot 63 Aprasia Avenue - Site Plans (*Under Separate Cover*)
- Attachment 3 Council Meeting - 26 October 2016 - DA 71-2016 - Small Lot Housing - Lot 63 Aprasia Avenue - Streetscape Elevations and Colours (*Under Separate Cover*)
- Attachment 4 Council Meeting - 26 October 2016 - DA 71-2016 - Small Lot Housing - Lot 63 Aprasia Avenue - Landscape Plans (*Under Separate Cover*)
- Attachment 5 Council Meeting - 26 October 2016 - DA 71-2016 - Small Lot Housing - Lot 63 Aprasia Avenue - Shadow Diagrams For Secondary private Open Space (*Under Separate Cover*)
- Attachment 6 Council Meeting - 26 October 2016 - DA 71-2016 - Small Lot Housing - Lot 63 Aprasia Avenue - Draft Conditions of Consent (*Under Separate Cover*)

DETERMINATION REPORTS

8.4 Development Application 508-2015 - Addition to Queanbeyan Art Society Building - Lot 1 DP 597143 8 Trinculo Place, Queanbeyan East (Ref: C16154613; Author: Thompson/Newman)

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

This application has been referred to Council because legislative requirements relating to modifications to buildings located on community land require the application to be determined by Council (i.e. not under delegation).

Proposal:	Building Addition to a Community Facility (Queanbeyan Art Society)
Applicant/Owner:	Mr B Cranston / Queanbeyan-Palerang Regional Council
Subject Property:	Lot 1 DP 597143, No. 8 Trinculo Place, Queanbeyan East
Zoning and Permissibility:	RE1 – Public Recreation under Queanbeyan Local Environmental Plan 2012
Public Submissions:	Nil
Issues Discussed:	Planning Requirements – Flooding and Heritage
Disclosure of Political Donations and Gifts:	Applicant Declared no Donations or Gifts to any Councillor or Staff have been made

Recommendation

That development application 508-2015 for a Building Addition to a Community Facility (Queanbeyan Art Society) on Lot 1 DP 597143 8 Trinculo Place, Queanbeyan East be granted conditional approval.

Background

The site is owned by Queanbeyan-Palerang Regional Council and is Community Land under the *Local Government Act 1993* (LG Act). Pursuant to *Section 47E – Development of community land* the subject development application cannot be determined under delegation and is required to be determined by Council. This is because the proposed development involves extensions to an existing building that would occupy more than 10% of the existing area of the building.

Proposed Development

The development application is for the erection of an addition (3.46m x 9.46m = 32.73m²) at the rear southern side of the existing building for use as a “workshop”.

8.4 Development Application 508-2015 - Addition to Queanbeyan Art Society Building - Lot 1 DP 597143 8 Trinculo Place, Queanbeyan East (Ref: C16154613; Author: Thompson/Newman) (Continued)

Subject Property

The site is located at the northern end of Trinculo Place (at a cul-de-sac head) and contains a building known as "O'Neill's Cottage", which is a heritage listed item of local significance. The site is adjacent to the Queanbeyan River (within the floodway) and is part of Ray Morton Park. There is little provision for any on-site car parking, and no room within the site to provide any additional parking spaces behind the building line.

The building has been occupied by the Queanbeyan Art Society for the purposes of art classes, workshops, exhibitions and related activities since c. 1980. Figure 1 below shows the subject site highlighted.



Figure 1: Subject site

An extension (21m²) to the rear of the original building was approved in 2005 (DA 318-2005). A pergola attached to this extension was approved in 2008 (DA 361-2008).

Planning Requirements

Assessment of the application has been undertaken in accordance with Section 79C(1) of the Environmental Planning and Assessment Act (EPAA) 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*.

8.4 Development Application 508-2015 - Addition to Queanbeyan Art Society Building - Lot 1 DP 597143 8 Trinculo Place, Queanbeyan East (Ref: C16154613; Author: Thompson/Newman) (Continued)

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

1. State Environmental Planning Policy No 55 – Remediation of Land.
2. State Environmental Planning Policy (Infrastructure) (2007).
3. Queanbeyan Local Environmental Plan 2012 (LEP).
4. Queanbeyan Development Control Plan 2012 (DCP)

The development generally satisfies the requirements and achieves the objectives of these planning instruments. The significant issues relating to the proposal for Council's consideration relate to heritage and flooding. These have been addressed as part of the assessment under the relevant provisions of both the LEP and DCP.

(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*.

Flooding - The site is identified as a 'flood planning area' on the Flood Planning Map. Council's Development Engineer advises that the site is also within the floodway of the Queanbeyan River (as identified in the as drafted Queanbeyan Floodplain Risk Management Study).

The Flood Planning Level for the site is 575.82m AHD. Note: flood planning level means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard. The existing finished floor level (FFL) of the building is 572.34m AHD. The proposed addition is to have the same FFL.

Under Clause 7.3 – Flood Planning of the LEP development consent must not be granted unless the consent authority is satisfied that the development:

a) is compatible with the flood hazard of the land,

The proposed development is considered to be generally compatible with the flood hazard. The proposed building addition is designed to resist the structural forces of potential flooding (subject to certification from a suitably qualified engineer prior to the issue of any Construction Certificate for the building work). Council's Development Engineer does not object to the proposal provided that this certification is obtained. It should be noted that the Queen's Bridge adjoins the southern side boundary of the site (upstream). The road bank provides some protection to the existing building from direct flood forces.

The use of the site by the Queanbeyan Art Society (QAS) as a community facility is not considered to be incompatible with the flood hazard as the site is not intensively used, and its patrons do not constitute a group particularly vulnerable to this hazard (such as, for example, residents of aged care facilities).

b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties,

The proposed development is not likely to significantly affect flood behaviour in adjacent properties. The site is located within Ray Morton Park, which is a large open space area. The only structures located nearby are an amenities block, pergola, and the non-permanent Riverside Café (constructed of removable shipping containers). Also, the proposed building addition is relatively small (similar in size to a double garage).

8.4 Development Application 508-2015 - Addition to Queanbeyan Art Society Building - Lot 1 DP 597143 8 Trinculo Place, Queanbeyan East (Ref: C16154613; Author: Thompson/Newman) (Continued)

c) incorporates appropriate measures to manage risk to life from flood,

A Preliminary Flood Management Plan for the site was submitted with the application. It identifies emergency contacts, security procedures, and a flood emergency plan outlining actions to be undertaken in the event of a flood emergency and any need to evacuate the site. Prior to the issue of any Occupation Certificate for the development a Final Flood Management Plan will need to be submitted to Council for further consideration and approval.

d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses,

The proposed development is not likely to adversely affect the riparian environment. The site of the proposed works is located approximately 60m from the Queanbeyan River and only minor earthworks are required to facilitate the proposed building works. The imposition of standard conditions regarding site management and erosion and sediment control will ensure that any impacts from building works is satisfactorily mitigated.

e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.

It is considered that the proposed development is not likely to result in unsustainable social and economic costs to the community. The applicant advises that the Queanbeyan Art Society only use the building for a few hours during the day and rarely at night. The size of the building and the level of use it receives assists in reducing the overall impacts from a flooding event.

In addition to the LEP requirements, controls relating to development of flood prone land are contained in Part 2 of the DCP.

While the erection of new residential buildings in the floodway is not permitted under the DCP, the erection of commercial buildings is permitted subject to a number of controls. The land use of the site is neither residential nor commercial, however, the commercial controls are typically applied to any development in the floodway that is not residential.

Applicable Floodway Controls

a) Clearance:

The underside of the floor beams are to be set at a height sufficiently distant above the 1:100 ARI flood level to pass the size debris expected within the Queanbeyan River. The space below the floor beams shall be clear and not enclosed by walls or curtain walls which will prevent the easy inundation and flows through that area.

The proposed building addition is not reasonably able to comply with this control, nor was the previous application for a building addition approved by Council required to. This is because the entirety of the existing historic building is set some 3.5 metres below the flood planning level. Council's Development Engineer advises that as the adjacent structure to which the addition is proposed is set at the same height and that it is not residential development it is acceptable in this instance to not require compliance with this control.

b) Stream Flow Forces:

A certificate from a suitably qualified Engineer will be required to show that all piers and other portions of the structure which are subject to the force of flowing water or debris has been designed to resist the stresses thereby induced.

8.4 Development Application 508-2015 - Addition to Queanbeyan Art Society Building - Lot 1 DP 597143 8 Trinculo Place, Queanbeyan East (Ref: C16154613; Author: Thompson/Newman) (Continued)

c) *Foundations:*

A certificate from a suitably qualified Engineer will be required to show that forces transmitted by supports to the ground can be adequately withstood by the foundations and ground conditions existing on the site.

d) *Hydraulic Effects:*

A certificate from a suitably qualified Engineer will be required to show that the structure as designed will have virtually no effect on the flood levels at or upstream from the site of the subject building and will have no increase in stream velocity downstream of any part of the structure which will cause erosion or instability to any other structure or to the ground surface. If scouring is likely to occur the method of controlling such scourings is to be documented.

The submitted plans refer to the construction of the proposed building addition being reinforced as per engineering specification for flood loadings in addition to standard structural requirements. Council's Development Engineer advises that this is sufficient to indicate that a full structural engineering assessment will be undertaken as part of the preparation of plans for the Construction Certificate application. While this assessment has not yet been undertaken, there is a satisfactory level of detail to indicate that the applicant is aware of their requirements in this regard.

In summary, the proposed development complies, or can be conditioned to comply, with the requirements of the LEP and DCP in relation to flooding, including: structural adequacy of the building to resist stream flow forces; hydraulic effects of the development; electrical power connections; and storage of hazardous materials. However, it should be noted that the issuing of development consent does not constitute any guarantee that a structural engineer will provide the required certification to enable Council or a Private Certifier to issue a Construction Certificate. The applicant has declined to provide any engineering certification during the Development Application process. Should development consent be granted, standard consent conditions will be imposed relating to structural engineering certification, the submission of a Flood Management Plan, location of electrical outlets and storage of hazardous items on flood prone land.

The cumulative impacts of the previously approved extension and pergola, and any approval of the subject application, also need to be considered. It follows that as the building becomes larger the potential for larger groups of people to be exposed to flood risk increases. While the flood risks to the long standing existing heritage building and proposed addition are considered to be acceptable in this instance the Queanbeyan Art Society should be aware that any applications for additional development in the future may not be supported by Council. As such if additional space is required in the future the Society and Council should give serious consideration to finding an alternative site for the continued operation of the Art Society.

Heritage - The site contains a building known as "O'Neill's Cottage, which is a heritage listed item of local significance as identified in Schedule 5 of the LEP. Under Clause 5.10 – Heritage Conservation of the LEP, Council must consider the effect of the proposed development on the heritage significance of a heritage item.

Heritage Advisor's Comments

Note: The design of the proposed development has undergone numerous changes, mainly in order to address flood impacts, but also to ensure that the addition would be sympathetic to the heritage item.

8.4 Development Application 508-2015 - Addition to Queanbeyan Art Society Building - Lot 1 DP 597143 8 Trinculo Place, Queanbeyan East (Ref: C16154613; Author: Thompson/Newman) (Continued)

Council's Heritage Advisor has assessed the final submitted design for the proposed development and has raised no objections. The following recommendations are provided:

The proposed extension is generally acceptable subject to the following:

- *External walls to be bagged and painted to match the previous extension, ie the red-coloured work area. Bagging to be of a sufficient thickness to obscure the cement blocks and their joints. Bagging should result in a hand-worked surface and not be hard/flat cement render.*
- *The gables at both end of the proposed workshop to be timber-framed and clad in weatherboards. Fibre cement weatherboards such as the Hardies Heritage Primeline profile are suitable. Alternatively the gables may be glazed to allow more light into the room.*
- *Barge boards and fascias are to be painted timber.*
- *Roof cladding to be galvanised steel Custom Orb profile to match elsewhere on the building.*
- *Consideration should be given to ensuring the western exit door is sufficiently wide to allow sculptures, tables etc to fit through with ease. Double doors may be appropriate.*

The submitted plans do not show much detail in terms of the proposed addition's materials and colours, other than the walls being constructed of either concrete block work or dencil wall material. The Heritage Advisor's recommendations regarding external colours and materials are to be imposed on the development consent (if granted).

The proposal was not required to be considered by Council's Heritage Advisory Committee. Pursuant to sub-clause 5.10(5) a statement of heritage impact was not considered to be warranted by Council's Heritage Advisor for the proposal.

(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 DCP see the attached *Section 79C(1) Table – Matters for Consideration*.

(c) Other Matters

Plans of Management

As the site is classified as being community land under the *Local Government Act 1993* it is subject to plan(s) of management that set out how the land will be managed for the benefit of the community. There are two Plans of Management applicable to the site – the Queanbeyan River Corridor Plan of Management and the Plan of Management Ray Morton Park (including Queanbeyan Art Society) – Draft Amendment No. 3.

Queanbeyan River Corridor Plan of Management

The relevant objectives of the Plan of Management are:

- *To define major values and issues, and clarify desired outcomes for the area.*
- *To develop appropriate strategies that enhance and maintain the values of the area.*

8.4 Development Application 508-2015 - Addition to Queanbeyan Art Society Building - Lot 1 DP 597143 8 Trinculo Place, Queanbeyan East (Ref: C16154613; Author: Thompson/Newman) (Continued)

The role of the River Corridor in this section of the River is multi-use:

- *It provides recreation opportunities.*
- *It provides a means of protection of areas of valuable bushland which supports a diversity of flora and fauna.*
- *It is also a meeting place and a place to sit and relax.*
- *It contains a range of heritage items (both Aboriginal and European) that are valuable reminders of past lives.*

The development as proposed is minor in nature and it is considered that it will not have a detrimental impact on the locality or the river corridor and, on this basis, is considered to be in accordance with the River Corridor Plan of Management in terms of the objectives and role of the corridor.

Note: The proposal was not required to be considered by Council's Environment and Sustainability Advisory Committee. The Committee's Terms of Reference state that only proposed developments that have a potential to impact on the objectives, actions and outcomes of the Plan of Management should be referred for comment.

Plan of Management Ray Morton Park (including Queanbeyan Art Society) – Draft Amendment No.3

Draft Amendment No.3 to this Management Plan adds the parcel of land the subject of this Development Application. The Amendment is currently on public exhibition.

The objective of the Plan of Management relevant to the proposed development is:

- *To promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public, in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public.*

It is considered that the proposed development is consistent with the above objective. The proposed building addition will assist to facilitate the on-going use of the site by the Queanbeyan Art Society, who are a non-profit community group that contribute to the cultural, social and intellectual welfare of the Queanbeyan community.

Other Comments

(a) Building Surveyor's Comments

There are no outstanding building issues associated with the development application subject to the imposition of standard conditions.

(b) Development Engineer's Comments

The site is able to be suitably serviced with regards to road, water, sewer and stormwater. There are no outstanding development engineering issues associated with the development application subject to the imposition of conditions relating to the structural certification of the building in relation to flooding and other standard conditions relating to storage of hazardous materials and location of electrical outlets.

8.4 Development Application 508-2015 - Addition to Queanbeyan Art Society Building - Lot 1 DP 597143 8 Trinculo Place, Queanbeyan East (Ref: C16154613; Author: Thompson/Newman) (Continued)

Engagement

The application was notified to adjoining owners and no submissions were received.

Conclusion

The submitted proposal for a Building Addition to a Community Facility (Queanbeyan Art Society) on Lot 1 DP 597143 8 Trinculo Place, Queanbeyan East is supported by a Statement of Environmental Effects. The proposal was notified to adjoining owner/occupiers and no submissions were received.

The proposal has been assessed under Section 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.

The main issues relate to heritage and flooding. Subject to the imposition of conditions these issues have been satisfactorily addressed as outlined in this Report and in the Section 79C assessment. 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 | Attachment - Council Meeting - 26 October 2016 - DA 508-2015 - Section 79C Matters for Consideration (<i>Under Separate Cover</i>) |
| Attachment 2 | Attachment - Council Meeting - 26 October 2016 - DA 508-2015 - Plans (<i>Under Separate Cover</i>) |
| Attachment 3 | Attachment - Council Meeting - 26 October 2016 - DA 508-2015 - Draft Conditions (<i>Under Separate Cover</i>) |

DETERMINATION REPORTS

8.5 Development Application 2016.DA.125 - Two Lot Subdivision -172 Foxlow Street, Captains Flat (Ref: C16160844; Author: Wright/Murdoch)

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

This application has been referred to Council because Council is the applicant and the development is located on Council owned land.

Proposal:	Two lot subdivision and demolition of former medical centre.
Applicant/Owner:	Queanbeyan-Palerang Regional Council
Subject Property:	Lot 18 Section 2 DP 18452, Health Centre & Depot, 172 Foxlow Street, Captains Flat
Zoning and Permissibility:	RU5 Village under Palerang Local Environmental Plan 2014
Public Submissions:	Nil
Issues Discussed:	Planning requirements
Disclosure of Political Donations and Gifts:	Applicant declared no donations or gifts to any Councillor or staff have been made.

Recommendation

- 1. That development application DA.2016.125 for a two lot subdivision and demolition of former medical centre on Lot 18 Section 2 DP 18452, 172 Foxlow Street, Captains Flat be granted conditional approval.**
 - 2. That the NSW RFS be forwarded a copy of Council's Notice of Determination.**
-

Background***Proposed Development***

The development application is for a two lot subdivision of Lot 18 Section 2 DP 18452, 172 Foxlow Street, Captains Flat. The allotment contains the former medical centre and a number of metal sheds to the rear of the site. It is proposed to demolish the former medical centre and create a 614m² residential lot (Lot 1) which will front Foxlow Street but which will gain access via Foxlow Lane to the rear of the lot. Lot 2 will have a total area of 1128m² and will also gain access from Foxlow Lane. A small portion of the property will be dedicated as a public road as an extension to Foxlow Lane to accommodate a turning arrangement (Figure 1).

8.5 Development Application 2016.DA.125 - Two Lot Subdivision -172 Foxlow Street, Captains Flat (Ref: C16160844; Author: Wright/Murdoch) (Continued)



Figure 1 Proposed lots and turning arrangement

Subject Property

The land known as 172 Foxlow Street, Captains Flat comprises all the land in Lot 18 Section 2 DP 18452 having a nominal area of 1849m². The land has a frontage of 12.875 metres to Foxlow Street and an eastern (rear) boundary length of 30.92m. The depth varies from 83.08m along the northern property boundary and 87.68m to the southern property boundary. The Lot 1 frontage to Foxlow Street at 12.875m is consistent with other residential lots in Foxlow Street (and elsewhere in Captains Flat) and the lot can accommodate a dwelling. It is not a requirement of the development control plan that the lot has a minimum frontage width.

The property is an irregular quadrilateral in shape with the rear boundary longer than the boundary at the front of the site, giving a varying lot width (Figure 2). The property to the north includes the Captains Flat Police Station and there are single storey dwellings on adjoining properties on the eastern and southern sides.

The land falls approximately 4 metres from the north east to the lowest point, central to the site. The highest point (RL 849.5 m) is at the north eastern corner of the lot.

The land contains a small, single storey fibro clad building that was used as the Captains Flat Community Health Centre. The site also contains a small shed near the centre of the lot near the northern property boundary, a block of toilets adjacent to that, and a larger metal shed towards the rear of the lot, presently used as a Council storage shed.

8.5 Development Application 2016.DA.125 - Two Lot Subdivision -172 Foxlow Street, Captains Flat (Ref: C16160844; Author: Wright/Murdoch) (Continued)

The lot is owned by Council, as the successor to Palerang Council, and is classified as operational land under the *NSW Local Government Act 1993*. The land was reclassified as operational land on 3 June 2016 by *Palerang Local Environmental Plan 2014 (Amendment No 5)*.



Figure 2 Site Location

Planning Requirements

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

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

1. Palerang Local Environmental Plan 2014 (PLEP).
2. Palerang Development Control Plan 2015 (PDCP)

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

(a) Compliance with LEP

The proposed development is consistent with the requirements of the Palerang Local Environmental Plan 2014. For an assessment of the Palerang Local Environmental Plan 2014 see the attached *Section 79C (1) Table – Matters for Consideration*

(b) Compliance with DCP

The application has been assessed against the relevant part of the Palerang Development Control Plan 2015. To view the detailed assessment of the PDCP 2015 see the attached *Section 79C (1) Table – Matters for Consideration*.

8.5 Development Application 2016.DA.125 - Two Lot Subdivision -172 Foxlow Street, Captains Flat (Ref: C16160844; Author: Wright/Murdoch) (Continued)

(c) Development Engineer's Comments

The application was referred to Council's Development Engineer. No objection was received from Council's Development Engineer, subject to the attached conditions.

(d) NSW Rural Fire Service

The application was referred to NSW RFS. No objection was received from NSW RFS, subject to the attached conditions.

Financial Implications

Section 94 Contributions are applicable to the development based on:

Contribution Plan	Base Contrib.	Adjustment	Current Contrib. per ET	Current Contribution x 1.0ET
Yarrowlumla Plan No.2 Access Roads	\$680	RMS RCI%* 109.46%	\$1,424	\$1,424
Yarrowlumla Plan No.3 Community Facilities	\$65	CPI** 59.04%	\$103	\$103
Total Section 94 Contributions				\$1,527

Consultation

The proposal required notification under Palerang DCP 2015. Owners of 15 adjoining/nearby properties were notified. No submissions were received.

Conclusion

The development application for a two lot subdivision and demolition, on Lot 18 Section 2 DP18452, 172 Foxlow Street, Captains Flat, is considered to be consistent with the relevant provisions in the PLEP, PDCP and Section 79C of the *Environmental Planning and Assessment Act 1979*. As a result development consent is recommended subject to the attached conditions of consent.

Attachments

- Attachment 1 Attachment - Council Meeting - 26 October 2016 - DA 2016.125 - Two Lot Subdivision - 172 Foxlow Street, Captains Flat - Section 79C(1) Table Matters for Consideration (*Under Separate Cover*)
- Attachment 2 Attachment - Council Meeting - 26 October 2016 - DA 2016.125 - Two Lot Subdivision - 172 Foxlow Street Captains Flat - Draft Conditions (*Under Separate Cover*)

DETERMINATION REPORTS**8.6 Amendment to Googong Development Control Plan - Neighbourhood Structure Plan for Neighbourhood 2 (Ref: C16153660; Author: Thompson/Jansen)**

Summary

The Googong Development Control Plan (DCP) has been in force since October 2010 and a number of amendments have been made to the document to add new Structure Plans as new neighbourhoods develop. This report recommends that the DCP be amended to incorporate Structure Plans for Neighbourhood 2 and to place the document on public exhibition.

Recommendation

That Council adopt in principle the amendments to the Googong Development Control Plan and that the DCP be placed on Public Exhibition for a minimum period of 28 days.

Background

The Googong DCP incorporates an overall Master Plan for the development of the Googong Township. However, as each stage of the development progresses a Neighbourhood Structure Plan (NSP) for each stage detailing the neighbourhood design is required. Each NSP needs to be exhibited and then incorporated into the DCP to have effect. The development at Googong has now progressed substantially and the NSP for Neighbourhood 2 (NH2) has been lodged with Council.

It should be noted that NH2 does incorporate the future town centre. Detailed planning has not progressed for this centre and plans are currently indicative. A separate NSP will be submitted for the town centre at a later stage.

In addition to the incorporation of NSPs for NH 2 a minor change was required to the wording of clause 6.14 which requires all dwellings to be connected to reticulated alternate water supply system to the toilets and at least one outside tap. The change will have the effect of requiring connection to the toilets and at least two outside taps.

The design of NH2 will result in the requirement for some Principal Private Open Space to be provided in front of the dwelling. The NSP details the location of these dwellings and additional clauses are provided within Part 7 of the DCP to ensure the design addresses issues of street amenity and privacy.

The DCP sets out the requirements for NSPs and the plans submitted are consistent with these principles.

Implications**Legal**

The amendments to the Googong DCP are in accordance with the *Environmental Planning and Assessment Act 1979 and Regulations 2000*.

8.6 Amendment to Googong Development Control Plan - Neighbourhood Structure Plan for Neighbourhood 2 (Ref: C16153660; Author: Thompson/Jansen) (Continued)

Policy

Amendments to the Googong DCP will be an ongoing process as new Neighbourhoods come on line and updating the document will ensure controls are in place prior to development applications being received.

Environmental

The amendments to the DCP will contribute to ensuring that the development at Googong has a positive impact on the urban environment.

Sustainability

The development at Googong incorporates principles of environmental sustainability in the design.

Asset

The development of NH2 will result in Council acquiring additional assets in the form of roads, open space embellishments and the like over time.

Social / Cultural

The development at Googong provides for the expansion and future growth of the Queanbeyan and Palerang region together with future facilities to serve its population.

Economic

The township of Googong will have a positive impact in terms of economic development and will provide for a town centre in NH2 in the future.

Strategic

The development at Googong meets the housing needs for the region into the future and will provide economic development opportunities in the neighbourhood centres and town centre.

Engagement

Consultation has occurred with a number of agency stakeholder listed below:

1. NSW RMS
2. NSW Department of Education
3. NSW RFS
4. NSW Office of Environment and Heritage
5. NSW Office of Water
6. Q City Transport
7. NSW Police
8. Canberra Airport
9. Fire and Rescue NSW
10. Department of Infrastructure & Regional Development.

8.6 Amendment to Googong Development Control Plan - Neighbourhood Structure Plan for Neighbourhood 2 (Ref: C16153660; Author: Thompson/Jansen) (Continued)

Comments were received from NSW RFS, NSW RMS and NSW Department of Education. The NSW Office of Environment and Heritage advised that they have no comment to make on the NSPs for NH2. None of the comments received require any alteration to the NSPs.

The amendments to the DCP will be placed on public exhibition for a minimum period of 28 days.

Financial

A fee for reviewing the DCP has been charged which partly covers the administrative and other costs associated with this type of DCP review.

Resources (including staff)

Resources include administrative staff costs of assessment and preparing the amendments and the costs of public notification. These costs can be absorbed within existing cost centres.

Conclusion

In conclusion it is recommended that the amendments to Googong DCP should be adopted in principle and placed on exhibition for a minimum of 28 days.

In summary these amendment to the Googong DCP comprise:

1. Updating of the combined table of contents
2. Updating of the amendment schedule (Parts 1 & 2)
3. Change in wording to clause 6.14 (Part 6)
4. Incorporating additional clauses to address Principal Private Open Space in front of dwellings (Clause 7.10 Part 7)
5. Adding a new Appendix 8 (updated Master Plans set and NSPs for NH 2).

Other Parts of the Googong DCP have not been amended in content, however the formatting has been changed to update the entire document to the new QPRC document template to ensure consistency.

The amendment to the Googong DCP will incorporate NSPs for Neighbourhood 2 and this will facilitate the continued orderly development of Googong. The NSPs have addressed the relevant criteria as set out in the Googong DCP.

Attachments

Attachment 1	RFS Submission (<i>Under Separate Cover</i>)
Attachment 2	RMS Submission (<i>Under Separate Cover</i>)
Attachment 3	NSW Education Submission (<i>Under Separate Cover</i>)
Attachment 4	Googong DCP Combined Table of Contents (<i>Under Separate Cover</i>)
Attachment 5	Googong DCP Parts 1 and 2 (<i>Under Separate Cover</i>)
Attachment 6	Googong DCP Part 6 (<i>Under Separate Cover</i>)
Attachment 7	Googong DCP Part 7 (<i>Under Separate Cover</i>)
Attachment 8	Googong DCP Appendix 8 (<i>Under Separate Cover</i>)

DETERMINATION REPORTS

**8.7 Exhibition of Planning Proposal to Rezone Land at North Tralee (Ref: C16159531;
Author: Thompson/Jansen)**

Summary

The Planning Proposal to rezone land at North Tralee from rural to employment and other uses was considered by the former Queanbeyan Council on 9 September 2015 (PDRC 076/15) and placed on exhibition following the Council resolution. As a result of the exhibition further work was required to review the extent of flood affected land. This has now been completed. It is proposed to incorporate this into an updated supplementary report to the original Local Environmental Study and then to re-exhibit the Planning Proposal with supporting documentation.

Recommendation

That Council place the Planning Proposal Report and supporting documents to rezone the land at North Tralee on public exhibition for a minimum period of 28 days.

Background

On 26 March 2014 (Minute No. 054/14) Council resolved to progress the *Draft Local Environmental Plan (North Tralee)* and that all necessary actions be undertaken, including preparing a Planning Proposal and associated actions for the rezoning of the land for employment lands and other associated uses. Council further resolved that the flood prone land located within the 1 in 100 ARI flood area be deferred. In addition Council resolved not to support deferral of the buffer/open space.

A Gateway Determination under Part 3 of the *Environmental Planning and Assessment Act 1979* was received from the NSW Department of Planning and Environment on 28 May 2014 granting approval to proceed to public exhibition to rezone the land for employment lands and associated uses. The Planning Proposal was placed on exhibition from 18 to 30 October 2015 and the need to review the flood data was brought up by the NSW Department of Environment and Heritage during the consultation with government agencies which Council undertook concurrently.

This review has now been done Council has now engaged Willana and Associates to review the revised flood information and update the Local Environmental Study with a supplementary report.

Council has also had further discussions with the developer with a view to including the flood prone land in the rezoning, rather than to defer the land. If the land is deferred this means the previous land zoning of 1(a) (Rural A Zone) under the *Queanbeyan Local Environmental Plan 1998* will continue to apply to any deferred land. However, it is desirable to include this land in the rezoning to a zone which is compatible with the flood prone nature of the land. A compatible zone is RU2 Rural Landscape, although dwelling houses are permitted with consent in this zone in theory, other relevant criteria relating to the flood prone nature of the land will make this non-viable.

A revised map showing the proposed zones is provided in Attachment 1.

**8.7 Exhibition of Planning Proposal to Rezone Land at North Tralee (Ref: C16159531;
Author: Thompson/Jansen) (Continued)**

Implications***Legal***

The Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the relevant guidelines issued by the NSW Department of Planning and Environment.

Policy

The finalisation of this Planning Proposal assists with implementing part of the revised *Queanbeyan Residential and Economic Strategy 2031*.

Environmental

Following the Gateway determination further noise studies were carried out by Renzo Tonin and Associates to determine an appropriate buffer and treatment taking into account the distance of residences at Jerrabomberra, proposed zoning and likely land uses, potential building siting and design and also proposed acoustic mounding.

A supplementary report to the Local Environmental Study by Willana and Associates was commissioned in May 2015 to update the findings from the noise studies. The addendum analyses the additional information and incorporates appropriate recommendations for the rezoning of the site. The report concludes that as a result of the investigations into the extent of the open space/buffer zone, giving consideration to the amenity impact of existing residential areas to the east of the site and the desire not to hamper the development of the site, it is considered appropriate to extend the employment lands to the east on the basis that mitigation measures are implemented. The mitigation measures include acoustic mounding, and controls in a future DCP addressing siting of buildings as well as relevant controls in the future Local Environmental Plan requiring mitigation of any potential noise impacts.

Following discussions with the NSW Department of Environment further reviews of the flood prone land were completed to determine the 1 in 100 ARI flood level plus 0.5m freeboard. This is now reflected on the preliminary zoning map.

Asset

The Northern Entry Road traverses North Tralee and once finished, plus any other roads associated with the development of this area, will become vested in Council.

Economic

Rezoning the land for employment purposes will result in new economic activities for the region.

Strategic

The Planning Proposal complies with the revised *Queanbeyan Residential and Economic Strategy 2031* which identifies the land as suitable for employment lands.

**8.7 Exhibition of Planning Proposal to Rezone Land at North Tralee (Ref: C16159531;
Author: Thompson/Jansen) (Continued)**

Engagement

The Gateway determination requires that the Planning Proposal Report and relevant background documents be exhibited for a minimum period of 28 days. It is also stipulated that consultation is required with the following agencies:

1. ACT Department of Territory and Municipal Services
2. ACT Planning and Land Authority
3. ACT Chief Ministers Office
4. NSW Office of Environment and Heritage
5. NSW Department of Primary Industries
6. NSW Department of Water
7. NSW Roads and Maritime Services
8. Australian Rail Track Corporation.

The updated Local Environmental Study that informed the planning proposal and an indicative zoning plan will be included as part of the exhibition process.

Financial

The costs associated with the review of the flood data and updating of the Local Environmental Study and supplementary reports were borne by the applicant and Council each paying 50% of the costs. Council's costs also include administrative costs including the costs of public notification. There are also administrative costs associated with re-exhibiting this Planning Proposal which come from the relevant budget.

Resources (including staff)

Resources will include staff resources in placing the Planning Proposal on exhibition, assessing any submissions and reporting back to the Administrator.

Integrated Plan

This is a Delivery Program project.

Conclusion

The site at North Tralee has been identified as suitable for being rezoned for employment lands and other uses in the revised *Queanbeyan Residential and Economic Strategy 2031*. Noise studies and reviews of the flood data have now been completed and the Planning Proposal can now progress to further public exhibition.

Attachments

Attachment 1 Attachment - Council Meeting - 26 October 2016 - Draft North Tralee Zoning Map (*Under Separate Cover*)

DETERMINATION REPORTS

8.8 Expanding the coverage of the Special Heritage Fund (Ref: C16160234; Author: Bascomb/Carswell)

Summary

The purpose of this report is to recommend that the former Queanbeyan City Council's Special Heritage Fund be expanded to cover certain types of items listed in the heritage schedule of the *Palerang Local Environmental Plan 2014*. If adopted this could result in assistance to owners of churches, and buildings owned or managed by community based Not for Profit organisations listed on the heritage schedules of the *Queanbeyan Local Environmental Plan 2012* and the *Palerang Local Environmental Plan 2014* to conserve, restore and reuse their properties.

Currently it only applies to those owner listed on the heritage schedule of *Queanbeyan Local Environmental Plan 2012*.

Recommendation

That Council expand the coverage of the former Queanbeyan City Council's Special Heritage Fund to also include certain types of items listed in the heritage schedule of the *Palerang Local Environmental Plan 2014* and that the Special Heritage Fund Guidelines be amended accordingly.

Background

The former Queanbeyan City Council at its meeting of 24 June 2015 (Minute No. 217/15) established a \$100,000 Special Heritage Fund. Funding was to be competitive and prospective applicants needed to submit an application, meet certain matters and criteria and if successful comply with the Fund's standard conditions.

The purpose of the funding was to assist owners of churches, and buildings owned or managed by community based Not for Profit organisations listed on the heritage schedule of *Queanbeyan Local Environmental Plan 2012* to conserve, restore and reuse their properties. It is proposed to expand this to the same type of properties listed on the heritage schedule of the *Palerang Local Environmental Plan 2014*.

At this time three projects have been funded with one being carried over (Minute No. 034/16 – 8 June 2016) to the 2016/17 financial year.

Also attached are the current Information and Guidelines and Standard Conditions which will need to be upgraded if this recommendation is carried.

Implications**Legal**

Prospective applicants will be required to submit an application and to comply with the Standard Conditions applying to this Fund.

8.8 Expanding the coverage of the Special Heritage Fund (Ref: C16160234; Author: Bascomb/Carswell) (Continued)

Policy

The establishment of the Special Heritage Fund was a policy of the former Queanbeyan City Council.

Funding for this is competitive and priority is for public buildings, churches and buildings owned or managed by community based Not for Profit organisations as well as those buildings where there is a clear community or public benefit rather than a private one.

Applicants will need to submit an application as well as comply with the following:

- Demonstrate that they are prepared to contribute a reasonable proportion of the cost of the project.
- Comply with the Standard Conditions.
- Minimum project value \$15,000.
- All projects are funded over the current financial year.
- Funding will be limited to one lot of assistance per site.

Applicants must complete and claim 100% of their funding by 30 June 2017.

Environmental

The use of this fund for the stipulated projects will have positive environmental impacts.

Social / Cultural

The expansion of this fund potentially promotes heritage over a larger area than it formerly did.

Economic

The use of this fund is likely to have short term positive economic impacts.

Financial

A budget of approximately \$75,000 is currently available without further funding. The Heritage Fund may supplement funding approved under the Stronger Communities Fund.

Conclusion

Considering the likely positive impacts of this recommendation it is concluded that Council should expand the coverage of the former Queanbeyan City Council's Special Heritage Fund to also include the same types of items listed in the heritage schedule of *Palerang Local Environmental Plan 2014*.

Attachments

- | | |
|--------------|---|
| Attachment 1 | Special Heritage Fund Guidelines and Application Form - 2015 (<i>Under Separate Cover</i>) |
| Attachment 2 | Standard Conditions Applying to Special Heritage Fund Projects - 2015 (<i>Under Separate Cover</i>) |

DETERMINATION REPORTS

8.9 QPRC Investment Report - September 2016 (Ref: C16159897; Author: Abigail/Drayton)

Summary

In accordance with the Local Government (General) Regulation 2005, the Investment Report is to be presented to Council on a monthly basis.

This report presents the investment result for September 2016.

Recommendation**That Council:**

1. **Note the investment income for September 2016 is \$357,673 bringing the total interest earned on Cash and Cash Equivalent Investments for the 2016/17 Financial Year to \$1,609,479 which is \$444,936 above the year to date budget;**
 2. **Note the investments have been made in accordance with the Local Government Act 1993, the Local Government General Regulations, and Council's proposed investment policy;**
 3. **Adopt the Investment Report for the month of September 2016.**
-

Background***Cash and Cash Equivalent Investments***

The September 2016 return of \$357,673 brought the total return on Cash and Cash Equivalent Investments for the 2016/17 Financial Year to \$1,609,479 which is \$444,936 above the year to date budget (as the year commenced on 13 May 2016).

The principal investment amount as at 30 September 2016 was \$148,844,242.

Council's investment portfolio's annualised monthly return of +3.13% (net actual) in September 2016 outperformed the AusBond Bank Bill Index return of +1.74%.

Refer to Attachment 1 for the following supporting information:

- 1 Actual return against budget;
- 2 Investment portfolio return against the benchmark AusBond Bank Bill Index (BBi);
- 3 Listing of Council's Cash and Cash Equivalent Investments;
- 4 Application of investment funds;
- 5 Strategic placement limits for individual institutions or counterparties;
- 6 Placement with individual institutions as a percentage of Council's total portfolio;
- 7 Market values of Council's tradeable investments;
- 8 Budgeted interest allocation by Fund.

8.9 QPRC Investment Report - September 2016 (Ref: C16159897; Author: Abigail/Drayton) (Continued)

Market Update

The average 30 day BBSW rate for September 2016 was 1.62%.

As widely expected, the Reserve Bank of Australia (RBA) kept the official cash rate unchanged at 1.50% in its meeting in October. It was Philip Lowe's first official board meeting after taking over from Glenn Stevens last month.

Dr Lowe's upbeat rhetoric over recent weeks signalled his comfort with the economic outlook as well as a reluctance to cut rates lower. A strong Q2 GDP figure of +3.3%p.a. for the year, solid employment, significant government spending, and a surge in home building were drivers in the Board's decision.

The RBA reiterated its stance on the housing market, signalling it remained relatively comfortable with recent price rises, with an oversupply expected "over the next couple of years, particularly in the eastern cities".

The Board continued to keep an eye on the Australian dollar, indicating that "an appreciating exchange rate could complicate" domestic growth.

Money markets continue to price in another interest rate cut next year, although the probability has tapered with the RBA moving towards a soft easing bias, as well as the potential for the US Fed to hike again in December. (*Source: CPG Research and Advisory*)

Implications***Policy***

I hereby certify that Queanbeyan-Palerang Regional Council investments listed in Table 1 attached to this report have been made in accordance with section 625 of the Local Government Act 1993, clause 212 of the Local Government General Regulations 2005, and Queanbeyan-Palerang Regional Council's investment policy.

Sally-Jane Abigail
Executive Manager - Finance

Financial

Investment income for the 2016/17 Financial Year as at 30 September 2016 amounts to \$1,609,479. This return was \$444,936 above the year to date budget; an increase in the budget surplus from the previous month by \$98,885 where Council was \$346,051 above the year to date budget. Refer to Attachment 1 - Graph 1 and Table 5.

Attachments

Attachment 1 Investment Report - September 2016 - Attachment 1 - 26 October 2016 (*Under Separate Cover*)

DETERMINATION REPORTS

8.10 Stormwater Rehabilitation Program 2016-2017 (Ref: C16154302; Author: Hansen/Rajiuazzaman)

Summary

QPRC has identified a number of critical stormwater services that exhibit either poor condition, a high degree of siltation or have used a significant portion of their useful life. Tenders were called for the rehabilitation of these stormwater services on 9 August 2016 and closed on 15 September 2016. This rehabilitation works will improve the efficiency of the stormwater network of Queanbeyan area and extend the service life of stormwater assets.

Recommendation

That Council award Contract number 04/2017 to Tenderer 1 for the Stormwater System Rehabilitation in Queanbeyan area.

Background

During the development of this program, the NSW Government announced the merger of Queanbeyan City and Palerang councils to create Queanbeyan-Palerang Regional Council. The former Queanbeyan City Council had a Stormwater Levy in place for a number of years to assist with funding this program. As such, the works undertaken as part of this project apply only to the stormwater assets owned by the former Queanbeyan City Council.

The term of the contract is minimum 2 years with an option to extend for another 2 years subject to identification of further work and satisfactory performance.

Work will involve:

- (a) Asset data verification and location verification for GIS update
- (b) Locating, cleaning and CCTV inspection of stormwater assets
- (c) Localised repair of stormwater pipes
- (d) Rehabilitating stormwater pits
- (e) Preparing various inspection and completion reports.

Consultants KBR were engaged to prepare the tender documentation and assess the tender submissions. A tender evaluation plan was prepared prior to the tenders being received. An evaluation committee was formed comprising of the Manager – Engineering Operations, Asset Planning Engineer, Asset Engineer and a representative from KBR. The tenders were evaluated by the committee prior to the preparation of the tender evaluation report, in accordance with Council's procurement policy and tender guidelines.

8.10 Stormwater Rehabilitation Program 2016-2017 (Ref: C16154302; Author: Hansen/Rajiuzzaman) (Continued)

Council received 4 tenders. The tenderer that best satisfied the selection criteria was found to be Tenderer 1, a conforming tender at a competitive price.

Implications***Legal***

The Local Government Act 1993 requires that tender be called for contracts in excess of \$150,000. The method was open public advertising.

Policy

The tender for this rehabilitation work was prepared in accordance with Council's Procurement Policy.

Environmental

The rehabilitation of stormwater system will reduce the risk of major structural failures and consequent disruption, environmental and community impact. This will also reduce the siltation in the Queanbeyan River resulting from poor stormwater system.

Asset

This rehabilitation project will improve the stormwater asset condition and the remaining useful life.

Economic

This rehabilitation project will optimise the lifecycle cost of the stormwater assets by extending the remaining useful life and reducing maintenance costs.

Strategic

This rehabilitation project fits with the following key priorities identified in the former Queanbeyan City Council's Community Strategic Plan:

Theme 4: Infrastructure, Access & Transport

4.1 Undertake planning to ensure infrastructure is prepared for future growth

4.4 Continue to investigate improvements to local road network

Theme 6: The Environment

6.4 Develop sustainable and integrated water management for Queanbeyan

6.5 Care for the Queanbeyan River.

Engagement

A communication protocol has been developed for the stormwater system rehabilitation contract to keep the community informed, to minimise the impact and inconvenience of the residents during the project work.

8.10 Stormwater Rehabilitation Program 2016-2017 (Ref: C16154302; Author: Hansen/Rajiuazzaman) (Continued)

Financial

Under Local Government Act 1993, Former Queanbeyan City Council had a stormwater levy in place for a number of years to fund for Stormwater rehabilitation project.

At the start of FY 2015/16 SW levy reserve was \$738,512.75.

Program Code	Expense Type	Funding source	Amount
220	Capital	Stormwater Levy	\$ 400,000(for 2016/17)
220	Capital	Stormwater Levy	\$ 300,000 (for 2017/18)

Resources (including staff)

Existing QPRC staff will coordinate and manage the project.

Integrated Plan

The Stormwater improvement & mains renewal program is included in the 2016/17 Operational Plan.

Conclusion

The tender assessment conducted by Council in conjunction with KBR found that Tenderer 1 best satisfied the selection criteria to rehabilitate Council stormwater assets. The selection criteria included both technical & financial evaluation. After determining the preferred contractor as Tenderer 1, an interview was conducted to ensure their (Tenderer 1) understanding of the scope of work in relation to the technical and pricing aspects. Reference checks were undertaken for Tenderer 1, which all returned as satisfactory.

Attachments

Attachment 1 Stormwater System Rehabilitation Tender Evaluation Report - Contract 04/2017
(Under Separate Cover) - **CONFIDENTIAL**

DETERMINATION REPORTS

8.11 Land Acquisition - Old Cooma Road (Ref: C16156296; Author: Gibson/Warne)

Summary

The Council is the holder of a licence for the White Rocks Quarry at 224-238 Cooma St and has had the use of the land for many years.

A recent audit of the land within the Ellerton Drive Extension (EDE) corridor established that native title did not exist for that land but it was revealed that a small section of land that forms part of the licence area would need to be acquired by the Council as part of the project.

The small area is approx. 180 m2 and is shown hereunder:



The small piece of land is crown land and the procedures laid down in the *Land Acquisition (Just Terms Compensation) Act 1991* are required to be used for the acquisition.

The acquisition process will not affect the construction time table for the project.

Recommendation

- 1. That the Council hereby resolve to acquire an area of land being part of Lot 49 DP754907, 224 Cooma St, Queanbeyan for road purposes being Crown land by compulsory process in accordance with *Part 1 of Chapter 8 of the Local Government Act 1993, Part 12 of the Roads Act 1993 and the Land Acquisition (Just Terms Compensation) Act 1991*;**

8.11 Land Acquisition - Old Cooma Road (Ref: C16156296; Author: Gibson/Warne)
(Continued)

2. Council seek approval from the Minister for Local Government in accordance with section 187 of the Local Government Act 1993 to give all necessary Proposed Acquisition Notices (PAN) in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*;
 3. Council take each further step as is necessary to obtain approval from the Minister, the Governor or any public authority as may be necessary, and take all actions as may be necessary, to give notices and otherwise carry out the acquisitions by means of compulsory acquisition;
 4. Following receipt of the Minister's approval, Council serve each PAN and take each other action necessary to carry out the acquisition;
 5. Following receipt of the Governor's approval, Council give effect to the acquisition by publication of an Acquisition Notice in the NSW Government Gazette and such other publication as may be required by law;
 6. The Council pay compensation to the Crown by virtue of the compulsory acquisition on the terms set out in the *Land Acquisition (Just Terms Compensation) Act 1991*.
 7. That Council authorise the General Manager to complete and execute all documentation necessary to finalise and bring into force Council's acquisition of the Property and if necessary to fix the Council seal to the application to the Minister, the Governor, the Register General or any public authority for the compulsory acquisition; and
 8. That upon acquisition, the Council intends to resolve to classify the acquired Property as public road in accordance with *section 10 of the Roads Act 1993*.
-

Background

In 2009 the Council in preparation for the future development of the Ellerton Drive Extension resolved to acquire 2.4 hectares of the White Rocks Quarry land for use in the development of the intersection with Cooma St and Edwin Land Parkway.

This acquisition was not progressed as the Council had managed to negotiate a land swap with the Ngambri Local Aboriginal Land Council which widened the corridor of Old Cooma Road and provided sufficient land to accommodate the intersection design for Edwin Land Parkway.

A small area of Lot 49 has been captured in the road design for Ellerton Drive Extension. The road design cannot be modified to exclude the small area. In addition, the approvals received for the original acquisition are no longer valid, so the process will need to be started afresh.

**8.11 Land Acquisition - Old Cooma Road (Ref: C16156296; Author: Gibson/Warne)
(Continued)**

Implications***Legal***

The provisions of the *Local Government Act 1993*, *Roads Act 1993* and the *Land Acquisition (Just Terms Compensation) Act 1991* provide a process for the land acquisition under these circumstances. Use of the procedures laid down in the *Land Acquisition (Just Terms Compensation) Act 1991* is the only means available to acquire crown land.

As outlined earlier in the report the land is not subject to any native title claim.

Environmental

All environmental considerations have been covered in the approval process for the EDE.

Engagement

Will be part of the Just Terms acquisition process. It is expected that there could be some adverse reaction to the proposal by opponents of the EDE project.

Financial

The cost of the acquisition and all legal and associated costs will be met from the budget for the EDE. A valuation for the land is yet to be undertaken but is expected to be in the \$2K - \$5K range. Legal costs are expected to be approx. \$5K.

Resources (including staff)

The Council's legal team will co-ordinate the acquisition process in conjunction with Council solicitors.

Integrated Plan

Allowance has been made in the Integrated Plans for the construction of the Ellerton Drive Extension.

Conclusion

It is important that this acquisition be finalised as soon as possible. Accordingly, it is appropriate to commence this process as soon as possible.

Attachments

Nil

DETERMINATION REPORTS

8.12 2016 Christmas in July Fair (Ref: C16119534; Author: Manser/Perri)

Summary

The 9th Annual Christmas in July market event was held for the first time at the Queanbeyan Showground on Sunday 24 July 2016 and marketed as the Christmas in July Fair. The move to a larger venue was motivated by community demand for additional market and food stall space, the popularity of the event, and the growing number of annual visitors. It is estimated that approximately 4,000 people attended the 2016 event over the course of the day from 10am – 3pm. Both the event's popularity and the volume of visitors was unprecedented. The two pavilions utilised at the Fair were full to capacity most of the day and many visitors with mobility issues, or with strollers, etc found the venues hard to access and navigate due to the large volume of people.

Planning for this event in 2017 will need to address the accessibility issues and large crowd numbers to cope with the large visitor attendance and participant expectations.

Recommendation

That the Queanbeyan Christmas in July Fair be continued and further developed as Council's winter event in line with the recommendations of the Queanbeyan Events Review.

Background

The annual Christmas in July Markets have been run for 8 years in The Q foyer and Exhibition Space and has been growing steadily each year. In 2016 the decision was made to move the event to a new venue to cater to the growing interest from stall holders. Over the years the event has grown in popularity among both stallholders and visitors. This year, organisers decided to trial the event at the larger venue of the Queanbeyan Showground. The Showground offered more stall holder space in its two large pavilions, a commercial kitchen, large outdoor sites for additional stallholders and food vendors; and on-site parking. The Showground allowed the stallholder numbers to grow from 35 to 77. It was decided that there was opportunity to assist with promoting the new venue and take advantage of the additional space offered at the Showground to start to expand the one day market into a winter event for the community that supported and promoted local artists, craftspeople and community organisations. The event filled a gap in the regions event calendar during winter that was identified in the Event Review endorsed by Council in 2016.

The new venue also allowed organisers the opportunity to offer a diverse program of activities not able to be offered at the previous venue, such as pet Santa photos, and a large diversity of hot food stalls, drawing a new demographic to the event. The venue also allowed for a large number of community based groups to be involved and fundraise including the Queanbeyan Hospital Auxiliary, the CWA Queanbeyan Branch, Rescue Dogs, the Queanbeyan Art Society and the Queanbeyan Historical Museum Society. In addition, local community group the Queanbeyan 'Deadly Runners' profiled and fundraised for their group by coordinating the events on-site parking. The volume of visitors certainly took organisers by surprise. It is estimated that approximately 4,000 people attended the event over the course of the day, whereas in the past at The Q, approximately 1,000 people attended.

8.12 2016 Christmas in July Fair (Ref: C16119534; Author: Manser/Perri) (Continued)

It is believed that the large crowd was due primarily to the unique nature of the event, the lack of comparable events in the region, and an extremely effective marketing and promotion campaign. The ongoing focus on the quality of the items for sale (only handmade items, no on-selling of commercial items) and the Christmas and winter theme for the event gives it a unique place in the regional event calendar and will continue to be popular with the local community and draw visitors from outside of Queanbeyan.

The event will continue to be expanded in 2017 with the inclusion of the Family Fun Day in the event. The approval of the merging of the two events was not received in time for this to be implemented for 2016.

Implications***Social / Cultural***

The annual Christmas in July Fair is a much anticipated event on the regions winter calendar and enables a valuable opportunity for local artisans and vendors. Expansion of the event into more than just a craft market helps fill a gap in the event calendar and promotes community participation in the town during a traditionally quite time of year.

Economic

The Christmas in July Fair provides an opportunity for economic benefit to the stallholders, food vendors and broader Queanbeyan business community. Attendance figures of 4000 indicate a potential spill over into other businesses in the CBD.

Resources (including staff)

The 2016 Christmas in July Fair was run in budget and with limited staffing resources. Due to the popularity of the event and the logistical issues associated with managing the large numbers and the accessibility issues of the site, more staffing resources will need to be allocated. Additional staff working on the day is particularly important.

Conclusion

The 2016 Christmas in July Fair was an extremely successful event with 77 stall holders and approximately 4,000 visitors in 5 hours. It is believed the event was able to draw such a large crowd due to the unique nature of the event, the lack of other events in the winter period, and an extremely successful marketing and promotion campaign. The large crowd provided challenges for the venue and the management of the event and will need to be planned for in future years.

The Queanbeyan Events review identified events as a primary means of building economic and community reputation and enable the CBD to be showcased. It is recommended that this event continues to be developed and expanded in future years and is identified as Council's winter event. The event will be expanded in 2017 with the inclusion of the Family Fun Day making the event an even more significant and popular community event.

Attachments

Nil

DETERMINATION REPORTS

8.13 Queanbeyan Sewer Treatment Plan Masterplan (Ref: C16157051; Author: Tegart/Hansen)

Summary

The Queanbeyan Sewage Treatment Plant (STP), constructed in the mid-1930s, treats effluent from the Queanbeyan Local Government Area (LGA), prior to discharge into the Molonglo River. While maintenance works are regularly undertaken on the STP, the plant is no longer fit-for-purpose. A significant works program is required to address issues including structural failure, equipment obsolescence, maintenance issues and work health and safety issues, as well as refining the sewage process train.

This upgrade project has been instigated as a result of the following drivers for the site:

- Capacity required for current and future population growth
- Much of the existing infrastructure at or approaching end of asset life
- Operability and reliability issues of the STP
- Providing a level of service that conforms to industry best practice for the protection of public health and the environment
- A facility that meets regulator/stakeholder concerns/requirements
- Optimisation of STP design to achieve Infrastructure Sustainability Council of Australia (ISCA) rating of 'Excellent' or 'Leading'.

This Masterplan sets out the design basis for proceeding with the upgrade of the STP (attached). It has been shaped following technical and stakeholder feedback.

Further, the former Queanbeyan Council resolved in late 2015 to consider a 'Best for Region' approach to sewage management, and explore options to deliver or treat sewage with the ACT.

A 60,000 EP STP is recommended to be constructed on the current site. The facility may be scaled to accommodate an agreed Best for Region solution. For future upgrades and additions to the treatment facility, further investigation will be required in accordance with the Road Map.

Recommendation**That Council:**

- 1. place the Draft Masterplan on exhibition for a period of 28 days;**
 - 2. receive a further report prepared by staff following the conclusion of the exhibition period addressing any submissions received.**
-

Background

The Queanbeyan Sewage Treatment Plant (STP) was constructed in the mid-1930s and treats Queanbeyan's sewage prior to discharge of effluent into the Molonglo River. While maintenance and works are regularly undertaken on the STP, the plant is no longer fit-for-purpose. A significant works program is required to address issues including structural failure, equipment obsolescence and maintenance issues, as well as refining the process train.

8.13 Queanbeyan Sewer Treatment Plan Masterplan (Ref: C16157051; Author: Tegtart/Hansen) (Continued)

In early 2011, the former Queanbeyan Council was faced with growing concern about the capacity and reliability of the Queanbeyan Sewage Treatment Plant (STP), and engaged Hunter Water Australia P/L (HWA) to prepare an options study to upgrade the STP. This study recommended a major upgrade to the plant including construction of new inlet works and a new membrane bioreactor (MBR) process with combined biological/chemical phosphorus removal, single sludge stream and aerobic sludge digestion. Since that time the condition of assets on site has continued to deteriorate and the Queanbeyan population has increased, resulting in the design capacity of the existing plant being exceeded. The existing STP is estimated to have a design equivalent population (EP) of 34,500 (MWH, 2008) and is currently serving about 37,000 EP.

While the STP is meeting current effluent licence conditions, the maturation lagoons are a key asset in achieving this effluent quality. There is a risk that these lagoons may fail again as occurred in 2010 due to flooding. Some of the existing equipment is obsolete and there are issues with maintenance of the existing plant. There is the potential that the current process is unable to meet more stringent discharge criteria if imposed in the future.

It is estimated that the existing Queanbeyan STP has about 3 to 5 years' effective service life remaining before its condition or ability to meet load requirements presents a major risk to QPRC and the community. That risk also applies to the ability to meet future EPA licencing standards. This assessment is based on the previous studies undertaken at the plant (e.g. MWH (2008) and HWA (2011) and the recent Condition Assessment undertaken as part of this Masterplan work (GHD, TM003, July 2105).

On these grounds, QPRC has proposed to undertake the upgrade of the Queanbeyan STP. The aim of the upgrade project will be to have a STP that provides a level of service that conforms to industry practice for the protection of public health and the environment.

The project consists of the planning, design and construction of sewage collection, treatment and disposal facilities to serve properties within the Queanbeyan urban area. QPRC intends to deliver the project in six distinct phases to provide 'hold points' that will facilitate proper buy-in by regulators and other stakeholders for the Queanbeyan Sewage Treatment Plant Upgrade. QPRC has completed Phase 1 Project Inception and Phase 2 Project Delivery Plan of the project. The Masterplan document is the output from Phase 3 – Masterplan and Feasibility.

Project Drivers

The following drivers have instigated this upgrade project by QPRC:

- Capacity required for current and future population growth
- Asset life of existing infrastructure, as there is little remaining useful life for some of the existing assets
- Operability and reliability of STP
- Desire for a new STP to provide a level of service that conforms to industry best practice for the protection of public health and the environment
- STP design that meets regulator/stakeholder concerns/requirements
- Optimisation of STP design to achieve Infrastructure Sustainability Council of Australia (ISCA) rating of 'Excellent' or 'Leading'.

8.13 Queanbeyan Sewer Treatment Plan Masterplan (Ref: C16157051; Author: Tegtart/Hansen) (Continued)

Implications***Legal***

Approvals will be required from both New South Wales and ACT Authorities. The proposed upgrade to the STP would require an environment impact statement along with approval from NSW Department of Primary Industries, Water Department under Section 60 of the *Local Government Act (1993)*.

Environmental

There are environmental constraints in the QPRC LGA that could potentially affect future construction and expansion in the region. This must be addressed when considering the location of sewage infrastructure.

The following should be considered when determining the location for future STP(s):

- Avoid heritage listed sites, scenic protection areas, and quarry buffer zone
- Construction within the ANEF affected areas could be considered if appropriate as aircraft noise is unlikely to be an impact on STP operations
- Avoid infrastructure within the Q100 flood level without proper flood protection or mitigation measures in place
- Avoid bushfire prone areas or provide adequate protections, appropriate to STP operations
- Consider and incorporate mitigation of environmental issues on existing site as part of concept design.

In a regional context, the environmental quality and water flows from the STP into Molonglo River and ultimately Lake Burley Griffin is also important.

Sustainability

As one of the drivers for the STP upgrade is the optimisation of the STP design to achieve ISCA rating of 'Excellent' or 'Leading', sustainability targets will be set with the goal of obtaining IS design and as-built ratings of Excellent with a score in the range of 65 – 75% or better.

A recycled water study will be undertaken to determine the viability of reuse in the future which addresses impacts on:

1. Discharge to the Molonglo River
2. Molonglo River yield and downstream environmental flows
3. Aquatic species along the Molonglo River.

A solid management solution comparison showed that the most beneficial options were:

- Reuse for land reclamation
- Production of fertiliser for animal crops
- Production of fertiliser for human crops
- Use for horticulture and landscaping.

8.13 Queanbeyan Sewer Treatment Plan Masterplan (Ref: C16157051; Author: Tegart/Hansen) (Continued)

The concept design phase should develop and consider these options further, however if other feasible options become apparent then these may also be considered.

A regional strategy for solids management is required but is outside the scope of this project. The CBRJO is proposing a regional waste strategy that will contemplate treatment of bio-solids.

Asset

A Multi Criteria Assessment (MCA) found that a “Build New” upgrade approach was preferred taking into account whole of life cost, constructability, operability, sustainability, future proofing and community acceptance and affordability.

All options including build new, refurbishment and reuse options provided a whole of life NPV around \$100 M. The total project cost estimate prepared by QPRC using risk modelling showed a mean estimated project value of \$108 M.

The assessment of plausible refurbished and reused assets showed no significant capital investment saving compared to the build new option cost estimates. All estimates are preliminary and based on a range of caveats. There is no discernible significant difference within the sensitivity of the cost analysis at a Masterplan level.

The selection of treatment technology (BNR – CAS v BNR – MBR) was not significant to the outcome.

An independent assessment under the Best for Region approach identified the existing Queanbeyan site as optimal.

Strategic

The STP upgrade is required to deliver the strategic goals of the Queanbeyan Residential and Economic Strategy adopted by Council in 2008.

Engagement

A preliminary briefing to regulators was held on 29 May 2014 that gave an overview of the project and the indicative timeframes for delivery.

A Masterplan briefing to regulators was held on 13 February 2015. This workshop provided an overview of the findings from the Masterplan and the proposed options to be taken through to concept design. The outcomes of this workshop have been incorporated into this Masterplan document.

8.13 Queanbeyan Sewer Treatment Plan Masterplan (Ref: C16157051; Author: Tegar/Hansen) (Continued)

The main items coming from the workshop included:

- Keen to investigate a regional / cross border arrangement
- Phosphorus discharge needs to be considered in light of the phosphorus budget for LBG
- Comfortable with the options proposed
- Need to consider recycled water
- Continue to liaise on Road Map options.

The Best for Region (BFR) engagement of stakeholders in late 2015 identified the following principles:

- sustainable regional environmental values and outcomes
- lifecycle asset management
- deliver economic and financial best value for the region
- deliver an effective cross-border solution

Community consultation for the STP project will be undertaken as part of QPRC's commitment to the Infrastructure Sustainability Rating Scheme and obtaining a certified "Excellent" rating for the new infrastructure.

QPRC subscribes to the foundations of public participation advocated by the International Association for Public Participation IAP2. QPRC will undertake decision making by actively seeking community participation in the options process. QPRC will actively be responsive to the public's suggestions and concerns in finalising the preferred option.

It is hoped that through this process QPRC will develop infrastructure that is designed, optimise environmental, social and economic outcomes, which includes considering and consulting on the social / public aspects of the decision process.

Financial

A risk based project total cost estimate has been prepared for the Stage 1 upgraded STP, i.e. a 60,000 EP sewage treatment plant at the existing STP site. This is in line with the proposed upgrade option presented in this Masterplan. Further options analysis is required prior to development of future stages (including scaling up for a BFR solution) and as such these have not been costed here.

The mean estimated project value for the first stage development is \$108 million. The maximum estimated project budget cost is \$140 million. This value includes:

- Consulting services for
 - Project management
 - Planning and design (including site survey and geotechnical surveys)
 - Environmental studies
 - Construction superintendence
 - Construction administration

8.13 Queanbeyan Sewer Treatment Plan Masterplan (Ref: C16157051; Author: Tegtart/Hansen) (Continued)

- QPRC staff inputs
- Capital works cost
- Stakeholder and regulatory engagement
- Reimbursable items for QPRC staff and Consultants.

The cost estimate does not include decommissioning and site rehabilitation costs for the existing STP facility or costs for connecting the Tralee development to the Jerrabomberra Trunk Sewer. The cost estimate also does not include operating costs or ancillary costs such as land purchase (as the existing site is proposed to be maintained).

The estimate has been prepared with consideration for the likely outcome of costs but, due to the early nature and scope of this work, it is possible that the final costs may vary from this estimate. This is illustrated in Figure 13-1 in the Masterplan, which shows a risk based spread of the likely overall project cost estimate. It should be noted that a rigorous scope analysis has not been undertaken and budget estimates have been prepared on the scope known at this time.

The cost estimate has been based on assuming the concept design is a relatively complete reference design (75% design) and the detailed design is assumed to be about 70 to 80% of the concept design effort.

The project planning horizon is 50 years and the project timeframe for the initial upgrade (60,000 EP) is assumed to be six years. Additional costs would be incurred for delivery of future stages of the STP (or decentralised alternative sites) for meeting future demands of the Queanbeyan urban area.

The estimates will be incorporated into the long term financial plan (LTFP) and integrated water cycle management plan (IWCMP) currently being developed, and funded by a mix of development contributions, debt and grants. The Operational Plan has allocated \$2.5m to the preliminary works.

Program Code	Expense Type	Funding source	Amount
255	Capital	Sewer Services Reserves	\$ 2,500,000

Resources (including staff)

Existing staff resources will be used to exhibit the Master Plan.

Integrated Plan

Theme 4 – Infrastructure, Access and Transport – Undertake planning to ensure infrastructure is prepared for future growth.

8.13 Queanbeyan Sewer Treatment Plan Masterplan (Ref: C16157051; Author: Tegart/Hansen) (Continued)

Conclusion

This report proposes the exhibition of the Masterplan for Queanbeyan STP. A separate report will be prepared on project delivery options.

Attachments

Attachment 1 Masterplan for STP Upgrade (*Under Separate Cover*)

DETERMINATION REPORTS

8.14 Assessment of Applications under the Stronger Communities Fund - Community Groups (Ref: C16160965; Author: Bascomb/Ferguson)

Summary

Up to \$10 million is available under the Stronger Communities Fund to new councils created as part of the NSW Government's Fit for the Future reform program. The first round of \$1m is available for not-for-profit, incorporated community groups and Council's s.355 committees. This report lists the successful applications in the first round, as determined by the Assessment Panel, for approval by Council.

Recommendation**That Council:**

- 1. endorse the decision by the Assessment Panel for each of the applications submitted by not-for-profit, incorporated community groups and Council's s.355 committees under the \$1m first round of the Stronger Communities Fund;**
 - 2. notify each applicant of the outcome of the assessment process in relation to their application, and**
 - 3. proceed to administer the funds in accordance with the guidelines provided by the NSW Office of Local Government.**
-

Background

The Stronger Communities Fund is to be spent or committed by 30 June 2019, and all funding acquitted before 31 December 2019. Under the Stronger Communities Fund Guidelines, the funding is being allocated in two programs as follows:

1. The Community Grant program – up to \$1m in grants of up to \$50,000 to incorporated not-for-profit (NFP) community groups and Council's s.355 committees for projects that build more vibrant, sustainable and inclusive local communities.
2. Major Projects program – all the remaining funding to larger scale priority infrastructure and services projects that deliver long-term economic and social benefits to communities.

Any surplus funds from the separate New Council Implementation Fund can be invested through the Stronger Communities Fund in either program.

Community Grant Program – up to \$1m

To be successful, community projects must meet the following criteria:

- deliver social, cultural, economic or environmental benefits to local communities
- address an identified community priority
- be well defined with a clear budget

8.14 Assessment of Applications under the Stronger Communities Fund - Community Groups (Ref: C16160965; Author: BascombFerguson) (Continued)

- demonstrate that any ongoing or recurrent costs of the project can be met by the NFP group once grant funding has been expended
- the incorporated NFP organisation must demonstrate the capacity to manage funds and deliver the project.

Ineligible projects

The Stronger Communities Fund is not to be used for:

- implementation costs of the new council, such as information technology systems, financial management systems or change management programs
- branding for the new council
- upgrading of a council's administration buildings
- ongoing staff or operational costs
- projects where the former councils had previously allocated funding
- retrospective funding for work undertaken prior to the establishment of the new council.

Assessment Panel

On 13 July 2016, Council established an Assessment Panel to assess all the applications. The Panel's membership comprises:

- Mr Tim Overall (Administrator)
- The Hon John Barilaro MP (Member for Monaro) (Mr Rowan Carter, delegate)
- Ms Heidi Stratford (Department Premier & Cabinet)
- Mr Andrew Cox (Chair, QPRC Audit Committee) as Probity Advisor (Mr Max Shanahan, delegate)
- Mr Peter Tegart (Interim General Manager)
- Mr Peter Bascomb (Deputy General Manager)

Applications Process

Council resolved on 13 July 2016 to extend an invitation to not-for-profit incorporated community groups and Council's s.355 committees to submit projects for potential funding under the first round of the Stronger Communities Fund.

Any funds granted to successful applications by s.355 committees were to be drawn from the \$9m section of the funding; however the total amount granted in the first round would be \$1m.

Council began the call for applications in mid-July with an initial closing date of 26 August 2016. Advertisements were placed in the local media and on both the former Palerang and Queanbeyan City Councils' websites, Facebook and Twitter. Individual letters were written to all known community groups and text messages were sent to subscribers of Council's online newsletter, publicising the call for applications.

The initial closing date was extended by four weeks to 23 September 2016. At the close of applications, 103 had been received, requesting a total amount of \$3,151,377.

The QPRC Local Representation Committee perused the applications on 30 September 2016, and recommended a generalised methodology of assessment as guidance for the Assessment Panel.

8.14 Assessment of Applications under the Stronger Communities Fund - Community Groups (Ref: C16160965; Author: BascombFerguson) (Continued)

The Assessment Panel met on 6 and 11 October 2016 to consider the applications. The Panel agreed that the applications would be assessed according to the following parameters:

- applications for \$1,000 or less will be dealt with under Council's Donations Policy
- some applicants were likely to receive full or partial funding from the NSW Government for their projects
- applications where the funding sought is part of a greater amount and other funding is pending, are to be considered separately
- some applications have support from other agencies such as the Police, FACS and Health, and can be incorporated into the e-Health Gateway Strategy and Guide
- applications from organisations that are not incorporated are to be excluded
- applications seeking more than \$20,000 will be required to provide more financial rigour and justification
- where possible, grants of \$:\$ or matched by in-kind support will be viewed favourably
- the Braidwood Showground Reserve Trust, which was the site for multiple user group applications, be granted an aggregated amount of \$100k, to be managed by the Braidwood Showground Reserve Trust s.355 Committee
- an agreed scoring to apply to each application
- the reasons for applications being marked "Not approved" were that:
 - the organisation was not incorporated;
 - the projects did not meet the guidelines;
 - the funding sought was to pay staff or consultants;
 - the projects had been initiated through a different level of government;
 - there were other more appropriate sources of funding e.g. Council's Operational Plan;
 - the project was dependent upon a development application process;
 - the project was part of a larger Council project;
 - and/or
 - the organisation had submitted multiple applications, only one of which would be funded
- the reasons for applications being marked "conditional approval" were that:
 - the organisation had applied for an amount greater than \$20,000 and would therefore be asked to provide more financial information prior to 30 June 2018;
 - the organisation had applied for the full amount of \$50,000 and would therefore be required to identify matching funding or in-kind support, with final evidence by 30 June 2018
 - the organisation was able to show that the project could proceed with the Stronger Communities Funding;
 - the organisation was able to show that it could proceed with the project if the funding was for materials only (not staff wages);
 - if full funding were to be approved, the funds would be held by Council until it was satisfied that all conditions had been met by the organisation;
 - partial funding would be given and the project referred to another authority;
 - partial funding would be given on a \$:\$ basis;
 - and/or
 - the organisation would become incorporated by the end of 2016

8.14 Assessment of Applications under the Stronger Communities Fund - Community Groups (Ref: C16160965; Author: BascombFerguson) (Continued)

- if an organisation with conditional approval could not meet the requirements above for the project to proceed, no funding under the Program would be approved

The applications have been grouped into the categories of cultural, sports, social services, economic, environmental and infrastructure.

	Approved/Conditional Approval
Cultural	<ul style="list-style-type: none"> • Googong Residents Association (dog park) • Braidwood & District Historical Society • Queanbeyan and District Historical Museum Society Inc • Wamboin Community Association (audio visual equipment) • Wamboin Community Association (multi-function printer) • Wamboin "Drop In" Activity Group • Wamboin Community Association Inc (Littlish Libraries) • Italian Community Festival Inc • Queanbeyan Art Society
Sports	<ul style="list-style-type: none"> • Monaro Panthers FC Inc (community football support) • Queanbeyan Tigers Australian Football Club • Queanbeyan District Cricket Club (Queanbeyan Cricket Pavilion improvement project) • Queanbeyan District Cricket Club (Queanbeyan Cricket Pavilion clock) • Queanbeyan Little Athletics Centre • Queanbeyan Netball Association (resurfacing courts) • Queanbeyan Park Tennis Club
Social Services	<ul style="list-style-type: none"> • EveryMan Australia Inc • Valmar Support Services Ltd • Lions Club of Queanbeyan Inc • Queanbeyan Children's Special Needs Group Inc • Home in Queanbeyan
Economic	
Environmental	<ul style="list-style-type: none"> • Majors Creek Festival Inc – conditional approval • Queanbeyan Landcare Inc – approved • Braidwood Urban Landcare Group (Flood Creek Community Recreation project) – approved
Infrastructure	<ul style="list-style-type: none"> • Royalla Country Fair Association • 1st Bungendore Scout Group • Braidwood Recreation Ground s.355 Committee (funding from \$9m) • Braidwood Men's Shed • Queanbeyan & District Preschool Association • Bungendore Showground Trust • Bungendore War Memorial Hall • Campbell Street Children's Centre

8.14 Assessment of Applications under the Stronger Communities Fund - Community Groups (Ref: C16160965; Author: BascombFerguson) (Continued)

	<ul style="list-style-type: none"> • Gundillion Recreation Reserve Trust • Royalla Common s.355 Committee (funding from \$9m) • Bungendore Preschool (renovating bathroom) • Queanbeyan District Girl Guides • Araluen Area s.355 Committee (funding from \$9m) • Burra Community Association/Burra Cargill Park Management s.355 Committee (funding from \$9m) • Braidwood National Theatre s.355 Committee (funding from \$9m) • Nerriga Progress & Sporting Association Inc • Karabar Preschool • Les Reardon Reserve s.355 Committee (funding from \$9m) • Braidwood Regional Art Group – • Molonglo Rail Trail Inc (Captains Flat bike park) • Braidwood Rodeo Association – approved within funding for Braidwood Showground Reserve Trust (funding from \$9m) • Braidwood Show Society - approved within funding granted for the Braidwood Showground Reserve Trust (funding from \$9m) • Braidwood Showground Reserve Trust s.355 Committee - approved within funding for Braidwood Showground Reserve Trust (funding from \$9m) • Braidwood District Pony Club Inc (safety, security, sustainability)– approved within funding for Braidwood Showground Reserve Trust (funding from \$9m) • Braidwood District Pony Club Inc (biosecurity) - approved within funding for Braidwood Showground Reserve Trust (funding from \$9m) • Braidwood Polocrosse Club - approved within funding for Braidwood Showground Reserve Trust (funding from \$9m) • Braidwood Campdraft Club - approved within funding for Braidwood Showground Reserve Trust (funding from \$9m)
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8.14 Assessment of Applications under the Stronger Communities Fund - Community Groups (Ref: C16160965; Author: BascombFerguson) (Continued)

Implications***Financial***

Successful applications in the first round could be funded from the \$1m component, or, in the case of Council's s.355 committees, from the \$9m major projects component, but the aggregate total of the first round should not exceed \$1m.

A summary of the funding allocation is as follows:

- \$1.010m has been allocated for community projects
- of this, approximately \$680,000 will be sourced from the \$1m component of the Stronger Communities Fund and \$330,000 from the \$9m component for major infrastructure projects.

Conclusion

It is recommended that Council endorse the decision by the Assessment Panel for each of the applications submitted by not-for-profit, incorporated community groups and Council's s.355 committees under the first round of the Stronger Communities Fund; notify each applicant of the outcome of the assessment in relation to their application; and proceed to administer the funds in accordance with the guidelines provided by the Office of Local Government.

Should some of the proponents not proceed (including those that are subject to matching funding) by June 2018, then a further round of applications may be invited.

Attachments

Nil

DETERMINATION REPORTS

8.15 Queanbeyan-Palerang Merger - Transition Plan (Ref: C16118579; Author: Tegart/Tegart)

Summary

Presenting the Queanbeyan-Palerang Regional Council (QPRC) merger transition plan for endorsement. The plan is based on the three phase transition (interim-transition-transformation) reported to Council in June and comprises:

- 'Actions' recommended by NSW Department of Premier and Cabinet (DPC) for all merged councils in the Interim Phase in 2016/17 to bring the two former councils governance arrangements together; and
- 'Projects' to confirm the current state of assets, systems, services, technology, financials and culture; then establish a pathway to the future state identified in the strategies and plans to transform the organisation over the next three years
- 'Performance' to achieve the performance and savings expectations of government and the community.
- Community Engagement Plan
- Change Management Plan

An interim organisation structure designed to maintain service continuity on the basis of the Operational Plans (OP) of the former councils and confirmed when QPRC adopted the 2016/17 OP in July, is being rolled out and expected to conclude by Christmas. The structure also enables investment of staff in the reviews and projects to enable transformation into a revised organisation structure with the new council in 2017.

Recommendation**That Council:**

- 1. adopt the QPRC Merger Transition Plan and incorporate the budget into the Operational Plans for 2016-19.**
 - 2. note the proposed community strategic direction statements**
-

Background

The former Queanbeyan and Palerang Councils were merged by Proclamation on 12 May 2016, following assessments on merger proposals submitted by the Government and Palerang Council in the first half of 2016. The merged council represents an area over 5300km² with a population over 56,000 supported by a budget over \$165m, an asset base over \$600m and around 500 staff.

The NSW Government reform program is at Attachment 1. The Government established a 'roadmap' of key milestones to be achieved over 2016/17 (Attachment 2). Council is on track to deliver those milestones.

8.15 Queanbeyan-Palerang Merger - Transition Plan (Ref: C16118579; Author: Tegar/Tegart) (Continued)

On 24 August, QPRC registered its first 100 days, recording a number achievements in that period.

Council received a \$5m grant to assist with the costs of the merger and \$10m towards renewal or improvement of assets. \$1m of that grant is set aside for improvements to community assets managed by incorporated community groups and Council's s355 management committees.

Administrators will govern merged councils until council elections on 9 September 2017. They hold the functions of the elected council and mayor and are appointed by the Proclamation. The Administrator will work closely with the interim General Manager who will manage councils' day to day operations and lead the organisation through the implementation process.

Implementation of new councils is supported by Local Representation Committees (LRC), formed by the Administrator for each of the former council areas, to provide advice on local views and issues. The eight-member advisory LRC comprises four former councillors of each of the former councils.

The Administrator has also established an Implementation Advisory Groups (IAG) to provide governance advice for the new council's Implementation Plan. The IAG comprises two members of the LRC and the independent chair of the Audit Risk and Improvement Committee. A copy of the governance structure is attached (3). The independent internal auditor will also provide a monitoring oversight of projects of the implementation.

DPC established a number of principles and expectations of performance for the merged councils. Those expectations have been embedded into a 'Stronger Councils Framework' (SCF) for the merged councils' performance and will be published prior to the 2017 elections. A separate report has been prepared on the SCF. A community survey was conducted by JWS Consulting on behalf of merged councils. A copy of the 10 key result areas expected by government is at Attachment 4.

The Principles are:

- Service: Focus on client and maintain seamless service delivery to communities
- Opportunity: Embrace opportunities to improve services and infrastructure for communities
- Cohesion: Bring together and build on the strengths of strategies, structures, staff and systems
- Engagement: Inform and involve communities, staff and other partners, including industry unions, in branding, planning and implementing change
- Integrity: Ensure ethical, open and accountable governance and administration
- Respect: Value the knowledge and contributions of staff, communities and other partners

While initially every fortnight, the merged councils now report to DPC each month on progress against those expectations.

8.15 Queanbeyan-Palerang Merger - Transition Plan (Ref: C16118579; Author: Tegart/Tegart) (Continued)

The report to Council in June promoted the three phases of the merger:

- **Interim** – bringing the two former council organisations together to enable:
 - Business as usual
 - Extension of due diligence/stocktake program
 - Establishment of a transition project office
 - Development of Implementation Plan
 - Capacity for the executive and management group to invest in the transition of people, systems, policy and process
 - Review of finances, services, assets and technology
 - Commence ICT installations and upgrades
 - Migration to a new salary system, staff development and personnel policies
 - Preparation of draft Resourcing Strategy
- **Transition** – building on the review of services, assets and technology to:
 - Embed actions from the Implementation Plan
 - Shape the organisation around range and mode of delivery of services and assets
 - Potentially centralise some functions by locality
 - Implement technology solutions
 - Explore expansion of type and reach of services, and modes of delivery
 - Build and renew assets in accord with merger grant and asset plans
 - Engage in potential regional delivery of services with Joint Organisation
 - Prepare new Community Strategic Plan
- **Transformation:** reflect the ambitions of the new Council through:
 - Potentially shaping the organisation around thematic of the Community Strategic Plan
 - Piloting and embedding the innovation and technology opportunities explored during previous phases

There will be a focus on supporting staff in transitioning to the new organisation and adjusting to reconfigured responsibilities, reporting lines, cultural shift and salary harmonisation involved with working for the new Queanbeyan-Palerang Regional Council. Award protections and legislated restrictions need to be considered in any streamlining of functions and siting staff in office locations to expand services to the community. Many staff were involved in the merger of parts of three councils in forming the Palerang Council in 2004.

The Transition Plan 2016-2019 is a live document that will continue to be refined as the projects progress and is premised on evolutionary change, to transform the organisation structurally, culturally and systemically. Its key focus areas are:

1. People
2. Community
3. Stocktake (current and future state)
4. Services
5. Governance

8.15 Queanbeyan-Palerang Merger - Transition Plan (Ref: C16118579; Author: Tegar/Tegart) (Continued)

A Project Management Office (PMO) has been established in the Queanbeyan Visitor Centre to accommodate contractors and seconded staff to deliver some of the change projects outlined in the Transition Plan.

Progress against the actions and projects contained in the Transition Plan will be reported half yearly.

Implications***Legal***

The merger transition process is guided by the Proclamation, the Local Government Act (incl staffing matters under s354 and s218), existing strategies and policies of the former councils (until reviewed, harmonised or replaced) and the support and directions from DPC and OLG.

Strategic

QPRC has commenced a program to source and analyse the respective former councils strategies, plans, policies and processes with a view to harmonise or reset policies and processes; and extract key strategic actions or initiatives that will inform the next Council's Delivery Program.

With reference to Attachment 5, that analysis involved establishing the 2016 'current state' (or stocktake) of the merged council's assets, services, technology and finances and shape the 2020 'future state' through assessment of options, risks and benefits.

The reviews and adoption of the asset, workforce, technology, property and financial plans will form the basis of the Resourcing Strategy in advance of the 2017 elections.

Council has also blended the key strategic directions of the former Councils into five themes as an interim set until the new Council adopts the CSP. They will inform the 'strategic directions statement' to be prepared in March following community engagement on service levels and asset standards in February 2017, in turn informing the Operational Plan 2017/18 for exhibition in May/June.

The key strategic directions are:

- Vibrant and active - A safe harmonious, happy and healthy community leading fulfilled lives
- Prosperous - A diverse, resilient and smart economy that creates choice and job opportunities
- Sustainably managed - A clean, green community that cherishes its natural and physical character
- Connected - A well connected community with quality infrastructure which enhances our lifestyle
- Well governed - A capable organisation that leads a community which is engaged and participative

Council noted the approach to revising and harmonising strategic land use studies, plans and instruments at its meeting in September.

8.15 Queanbeyan-Palerang Merger - Transition Plan (Ref: C16118579; Author: Tegart/Tegart) (Continued)

Engagement

The Transition Plan includes the Community and Staff Communication and Engagement Plan which was adopted by Council in July.

The Transition Projects schematic (attachment 6) illustrates the level of engagement of the LRC, Audit Committee and community in the review and setting standards of assets, services and the resourcing strategy.

Financial

An independent asset and financial sustainability review of the merged council is underway with Prof Percy Allan and GHD, to deliver a 'responsible scenario' as per the approach previously adopted by the former Queanbeyan Council. The setting of asset and service standards by the reviews will guide what level of investment in asset maintenance, renewal and upgrade, and acceptable level of asset backlog, and potential expansion of services, may be affordable in QPRC's financial plan. A separate report will be presented on that review.

Those englobo values for assets and services will guide the asset plan, development contributions plan and workforce plan.

The Transition Plan estimates an \$11.2m spend over 3 years from which the \$5m merger grant is to be expended, with the balance supported by procurement and recruitment savings identified in the Operational Plan from 2017-19 and reserves.

Program Code	Expense Type	Funding source	Amount
FFF	Materials	Merger grant and reserves	\$ 4.8m
	Consultants	Merger grant	1.2m
	Fixed term staff	Merger procurement savings	1.2m
	Secondments	Existing salary budgets	2.1m
	Contingencies	Merger procurement savings	1.9m

8.15 Queanbeyan-Palerang Merger - Transition Plan (Ref: C16118579; Author: Tegart/Tegart) (Continued)

Resources (including staff)

Senior staff have prepared the Transition Plan with assistance of consultants. QPRC piloted a global collaboration tool to capture services, resources and performance outcomes. That approach is being picked up by other councils. Once the TP is adopted, the Project Management office (PMO) will be activated. The Transition Plan budget provides for engagement of consultants and fixed term contractors to assist in the interim and transition phases. The bulk of the merger grant is expected to be expended on resetting and expanding of systems and software to manage assets, deliver services and provide organisation support.

Actions will be assigned to staff for completion this year, while the Projects will be assigned a project director to deliver supported by staff project teams.

Placement of staff into the Interim organisation structure commenced upon the adoption of the Interim Executive Structure by Council and is expected to conclude by Christmas. Confirmation of staff establishment and staff numbers to be retained in the former Palerang sites in accord with s218CA is underway. QPRC will collaborate with other merged councils to establish new salary structure, job evaluation and performance systems, rather than harmonise the former council systems. A further restructure at executive and management levels is anticipated in mid-2017 following the asset, service and technology reviews.

As QPRC is a growth area, the asset and financial sustainability review of the merged council by Prof Percy Allan identified parameters for growth in staff resources to meet growth in service and asset demand. On that basis, it is not expected staff FTE will reduce but will be redeployed into expanded service delivery in the LGA. In essence, it is proposed QPRC will deliver more with the same resources.

Conclusion

The Transition Plan (Attachment 7) outlines QPRC approach to resetting the design and delivery of affordable and appropriate services and assets to the community through investment in people, mobility and technology.

Attachments

Attachment 1	LG Reform Program (<i>Under Separate Cover</i>)
Attachment 2	Roadmap (<i>Under Separate Cover</i>)
Attachment 3	Transition Governance Structure (<i>Under Separate Cover</i>)
Attachment 4	Key Merger Results) (<i>Under Separate Cover</i>)
Attachment 5	Future State (<i>Under Separate Cover</i>)
Attachment 6	Transition Projects Schematic (<i>Under Separate Cover</i>)
Attachment 7	Transition Plan (<i>Under Separate Cover</i>)

DETERMINATION REPORTS

**8.16 Local Representation Committee Minutes - 30 September 2016 (Ref: C16161125;
Author: Bascomb/Ferguson)**

Summary

The minutes of the fourth meeting of the Local Representation Committee (LRC), held on 30 September 2016, are attached for Council's information and endorsement.

Recommendation

That Council:

1. **note the minutes of the Local Representation Committee's meeting held on 30 September 2016;**
 2. **adopt Recommendations LRC 016 - 017/2016 from the meeting held on 30 September 2016.**
-

Background

The LRC meetings are generally held on a monthly basis.

Implications

Consultation

The LRC members provide an important conduit for community engagement in the newly-amalgamated local government area. They have been appointed Council's delegates on a number of committees and external organisations.

Conclusion

The minutes of the fourth meeting of the LRC held on 30 September 2016 are attached for Council's endorsement.

Attachments

Attachment 1 Minutes Local Representation Committee - 30 September 2016 (*Under Separate Cover*)

DETERMINATION REPORTS

8.17 Les Reardon Reserve s.355 Committee Minutes - 16 May 2016 and AGM 19 September 2016 (Ref: C16161160; Author: Bascomb/Ferguson)

Summary

The Les Reardon Reserve s.355 Committee has submitted for Council's information the minutes of its Committee meeting held on 16 May 2016, the minutes of its AGM on 19 September 2016 and associated documents including the Reserve's Master Plan.

Recommendation**That Council:**

1. **note the minutes of the Committee Meeting of the Les Reardon Reserve s.355 Committee, held on 16 May 2016,**
 2. **note the minutes of the Annual General Meeting of the Les Reardon Reserve s.355 Committee, held on 19 September 2016,**
 3. **note the Chairperson's report to the AGM,**
 4. **note the Treasurer's report to the AGM,**
 5. **note the Reserve's master plan (seven drawings), and**
 6. **approve the following persons as office-bearers:**
 - a. **Chair: Anne Goonan**
 - b. **Secretary: Kerry Cox**
 - c. **Treasurer: Ann Sloane**
 - d. **Booking officer: Antonia Parkes**
 - e. **Committee members: Hans Bachor, Peter McCullagh, Jan Creswell**
-

Implications***Statutory***

Section 355 committees are required to submit the minutes of their meetings to Council. Recommendations contained within the minutes may be adopted, amended or not adopted by Council.

Social / Cultural / Economic / Environmental

The Les Reardon Reserve s.355 Committee has responsibility for the care, control and management of the Reserve at Lot 2, DP264387, 67 Birriwa Rd, Bywong.

8.17 Les Reardon Reserve s.355 Committee Minutes - 16 May 2016 and AGM 19 September 2016 (Ref: C16161160; Author: Bascomb/Ferguson) (Continued)

Conclusion

It is recommended that Council note the minutes of the Committee Meeting and Annual General Meeting of the Les Reardon Reserve s.355 Committee held on 16 May and 19 September 2016 respectively, and associated documents.

Attachments

- | | |
|--------------|--|
| Attachment 1 | Les Reardon Reserve Committee - Minutes 16 May 2016 (<i>Under Separate Cover</i>) |
| Attachment 2 | Les Reardon Reserve Committee Annual General Meeting - Minutes 19 September 2016 (<i>Under Separate Cover</i>) |
| Attachment 3 | Les Reardon Reserve Committee - Chairpersons report to AGM 19 September 2016 (<i>Under Separate Cover</i>) |
| Attachment 4 | Les Reardon Reserve Committee - Treasurer's report to AGM 19 September 2016 (<i>Under Separate Cover</i>) |
| Attachment 5 | Les Reardon Reserve - The Reserve's Master Plan (<i>Under Separate Cover</i>) |

9.1 National Stronger Regions Fund (Round 3) Application (Ref: C16158102); Author: Spyve/Fulton

Report

On 7 October 2016 Council received two determination letters, from the Department of Infrastructure and Regional Development, in relation to Council's two round three National Stronger Region Fund Grant submissions.

Council was notified that submission one: 'Regional Sports Facility – Stage 1 Project', was not selected for funding.

Council was notified that submission two, 'Extension of Queanbeyan Indoor Sports Centre (QISC) Project', had been selected to receive funding as an election commitment. Therefore, the project would not be receiving funding under the NSRF.

As a precursor to the NSRF announcement, Council received a letter on 12 September 2016 from Senator the Hon Fiona Nash, Minister for Regional Development, confirming the Coalition Government's election commitment of \$2,249,999 to the Queanbeyan Indoor Sports Centre Extension Project. It was indicated that the commitment would be delivered through the Community Development Grants (CDG) programme which funds community infrastructure projects across Australia.

On 29 September 2016 Council staff submitted the documentation requested for the project to be assessed under the Community Development Grant Programme.

Once Council receives notification on the outcome of the of CDG assessment, a determination report will be brought to Council outlining a proposed business model for an extended Queanbeyan Indoor Sports Centre and loan borrowing arrangements.

Recommendation

That the report be received for information.

Attachments

Attachment 1 Confirmation of the Coalition Government's election commitment of \$2,249,000 to the Queanbeyan Indoor Sports Centre (*Under Separate Cover*)

14 NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION

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

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

Recommendation

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

Item 15.1 Enforcement Action and Issue of Order - Unauthorised Fill

Item 15.1 is confidential in accordance with s10(A) (e) of the Local Government Act 1993 because it contains information that would, if disclosed, prejudice the maintenance of law and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.