



**Ellerton Drive  
Extension Proposal  
Determination Panel  
Meeting**

**AGENDA**

**30 June 2016**

**Commencing at 5.30p.m.**

**Queanbeyan Bicentennial Hall  
253 Crawford St, Queanbeyan**



On-site Inspections - Nil

- 1 APOLOGIES
- 2 PRESENTATION / DEPUTATIONS / PETITIONS
- 3 DECLARATION OF CONFLICTS/PECUNIARY INTERESTS.....1
- 4 GENERAL MANAGER'S REPORTS
- 4.1 Ellerton Drive Extension Proposal - Determination Report.....3

**LIST OF ATTACHMENTS –**

*(Available electronically on Council's web page;  
<http://www.qcc.nsw.gov.au/Articles-for-documents-on-exhibition/Meeting-regarding-proposed-Ellerton-Drive-Extension>)*

**Open Attachments**

- Item 4.1 Ellerton Drive Extension Proposal - Determination Report
- Attachment 1 Ellerton Drive Extension Determination Report
- Attachment 2 Ellerton Drive Extension - Office of Environment and Heritage - OEH - CONCURRENCE - FINAL Report 10 June 2016

**Closed Attachments**

*Nil*



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**ITEM 4 DECLARATION OF CONFLICTS/PECUNIARY INTERESTS**

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

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

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

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

**Recommendation**

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



**4.1 Ellerton Drive Extension Proposal - Determination Report (Ref: C1689904; Author: Thompson/Blacklock)**

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**Summary**

The proposed Ellerton Drive Extension (EDE) has been the subject of numerous reports to Council and is a new two lane single carriageway, sealed road proposed to be constructed as an extension to Ellerton Drive at East Queanbeyan to Old Cooma Road and Edwin Land Parkway at Karabar, Queanbeyan (the Proposal). It is a matter that is subject to Part 5 of the *Environmental Planning and Assessment Act 1979* and Council is the proponent and determining authority.

A Review of Environmental Factors (REF) was prepared by SMEC (2015) and revised in April 2016 to assess the potential environmental impacts of the Proposal. The REF was revised to include a review of a Species Impact Statement Addendum (Addendum 2, ngh Environmental, 2016), a Social Impact Assessment (RM Planning, 2016), a Squirrel Glider Survey (ARCUE, 2016), updated Noise Report (SLR, 2016) and the Submissions Report (QCC, 2016). AECOM have been engaged by Council to complete an independent review the revised REF, and to prepare a Determination Report with recommendations for Council's consideration.

Through the independent review of the REF and associated documentation, this Determination Report:

- Assesses whether the REF sufficiently addresses relevant legislative requirements (as described in Section 1.2 of this report).
- Considers how adequately the REF addresses appropriate matters to ensure that potential impacts and safeguard measures have been included (Section 5.0).
- Considers the likely significance of the impacts of the Proposal in accordance with section 111 and 112 of the *Environmental Planning and Assessment Act 1979* and the best practice guidelines *Is an EIS Required* (Section 6.0).
- Recommends whether an EIS under Part 5 of the EP&A Act is or is not required (Section 6.0).
- Confirms whether the results of community and stakeholder consultation have been properly included and considered in the REF or the Submissions Report (Section 4.0).
- Recommends whether Council should proceed with the Proposal (Section 7.0).
- Recommends conditions of approval, including mitigation measures to be incorporated in Construction/Operational Environmental Management Plan documentation to minimise potential environmental impacts (Section 6.0).

This report has been forwarded to the Office of Environment and Heritage requesting their concurrence as required when Species Impact Statements are to be prepared as part of the REF. On 10 June 2016, the OEH granted Concurrence subject to conditions. The Determination Report and the Concurrence are now presented to Council for a decision on whether to carry out and grant approval for the Proposal.

In accordance with resolution 054/16 of the Extraordinary Meeting of Council on 15 June 2016, a panel has been appointed to consider the Determination Report and determine the matter.

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**Recommendation**

- A. For the purposes of Part 5 of the EP&A Act, that the Ellerton Drive Extension Proposal proceed as described in the Review of Environmental Factors (REF), supporting documentation and this Determination Report (subject to Conditions of**
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**4.1 Ellerton Drive Extension Proposal - Determination Report (Ref: C1689904; Author: Thompson/Blacklock) (Continued)**

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Concurrence from Chief Executive of the Office of Environment and Heritage (OEH) and approval under the *Environment Protection Biodiversity Conservation Act 1999*, and any other relevant conditions that may result). Any significant modification to the Proposal will be subject to further assessment.

- B. That the Proposal be implemented in accordance with the REF, Species Impact Statement (SIS) and SIS Addendums (particularly Mitigation Measures in Chapter 6 and Offsets in Chapter 7 of SIS Addendum 2), and specifically the environmental management framework described in Chapter 7 of the REF and the site specific environmental safeguards outlined in Table 32 of the REF. In addition the following safeguards are also recommended:
1. Prior to construction of the Proposal, further consult with noise-affected individual homeowners to determine any additional site-specific in-house treatment requirements as per section 6.1.8 of the REF.
  2. Prior to construction, Council will ensure that dilapidation surveys as per section 6.1.5 of the REF are undertaken of all buildings potentially subject to construction vibration effects.
  3. In consultation with OEH develop a detailed landscape plan for the Proposal as per Table 22 of the REF, prior to the commencement of construction.
  4. The Aboriginal Cultural Heritage Archaeological Report (Cultural Heritage Management Australia, 2012) must be updated to include any sites within the increased footprint so that a correct assessment is submitted for the s90 Aboriginal Heritage Impact Permit from the OEH.
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**Attachments**

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|--------------|---------------------------------------------------------------------------------------------------------------|
| Attachment 1 | Ellerton Drive Extension Determination Report                                                                 |
| Attachment 2 | Ellerton Drive Extension - Office of Environment and Heritage - OEH - CONCURRENCE - FINAL Report 10 June 2016 |