



Ordinary Meeting of Council

25 June 2025

**UNDER SEPARATE COVER
ATTACHMENTS**

ITEM 9.3

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

ATTACHMENTS – 25 June 2025 Page i

Item 9.3	DA.2025.0014 - 24 Gibraltar Street, Bungendore - Demolition of Existing Building and Construction of Medical Centre	
Attachment 1	Plans - DA.2025.0014 - 24 Gibraltar Street, Bungendore.....	2
Attachment 2	Perspectives - DA.2025.0014 - 24 Gibraltar Street, Bungendore	13
Attachment 3	Landscape Plan - DA.2025.0014 - 24 Gibraltar Street, Bungendore	16
Attachment 4	Pre-Demolition Hazardous Survey Report - DA.2025.0014 - 24 Gibraltar Street, Bungendore	18
Attachment 5	Section 4.15 Table - Matters for Consideration DA.2025.0014 - 24 Gibraltar Street, Bungendore.....	37
Attachment 6	Draft Conditions of Consent - DA.2025.0014 - 24 Gibraltar Street, Bungendore.....	72

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

25 JUNE 2025

ITEM 9.3 DA.2025.0014 - 24 GIBRALTAR STREET, BUNGENDORE -
DEMOLITION OF EXISTING BUILDING AND
CONSTRUCTION OF MEDICAL CENTRE

ATTACHMENT 1 PLANS - DA.2025.0014 - 24 GIBRALTAR STREET,
BUNGENDORE

Drawing List

Drawing List			
Sheet No	Sheet Name	Designed By	Drawn By
000	COVER PAGE	STUDIO56	STUDIO56
100	EXISTING SITE PLAN	STUDIO56	STUDIO56
101	DEMOLITION SITE PLAN	STUDIO56	STUDIO56
102	PROPOSED SITE PLAN	STUDIO56	STUDIO56
103	AREA PLANS	STUDIO56	STUDIO56
104	ROOF PLAN	STUDIO56	STUDIO56
200	FLOOR PLAN	STUDIO56	STUDIO56
300	SECTION DETAILS	STUDIO56	STUDIO56
301	REFLECTED CEILING PLAN	STUDIO56	STUDIO56
302	PROFILING PLAN	STUDIO56	STUDIO56
303	ELECTRICAL PLAN	STUDIO56	STUDIO56
304	ELEVATIONS 1 & 2	STUDIO56	STUDIO56
400	CROSS SECTIONS	STUDIO56	STUDIO56
401	WATERPROOFING DETAILS	STUDIO56	STUDIO56
500	PERISPECTIVES	STUDIO56	STUDIO56
600	PAINT SCHEDULE	STUDIO56	STUDIO56
700	STREETSCAPE VIEWS	STUDIO56	STUDIO56

Project Details

Project Name: PROPOSED COMMERCIAL BUILDING

Client Name: ACLASS HOMES ACT

Project Address: LOT 23 DP591333 ZONES CA & E1
24 GIBRALTAR STREET
BUNGENDORE 2621

Project No: 5374 - D

Print Date: 14.05.2025



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0402 988 379

A LICENSED PLUMBER IS TO BE ENGAGED IN THE DISCONNECTION OF THE INTERNAL PLUMBING SERVICES AT THE WATER METER BEFORE ANY DEMOLITION WORKS COMMENCES, IF REQUIRED.

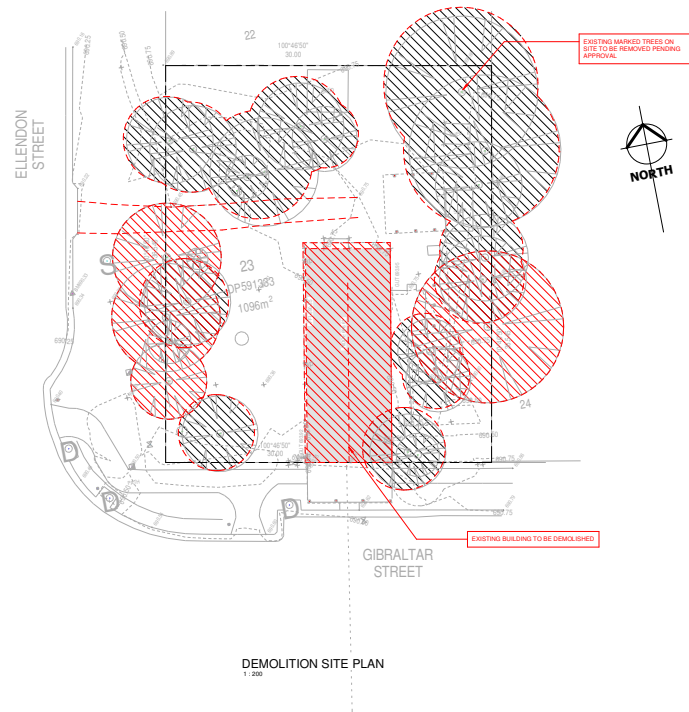
A TEMPORARY HOSE COCK IS TO BE INSTALLED ADJACENT TO THE WATER METER. THE METER, METER BOX AND HOSE COCK MUST BE RETAINED FOR THE DURATION OF ALL BUILDING WORKS. IDENTIFY, FLAG, BARRICADE AND PROTECT THE WATER METER ASSEMBLY FROM DEMOLITION OPERATIONS AND ACCIDENTAL DAMAGE, IF REQUIRED.

ALL RECYCLABLE MATERIAL FROM SITE TO BE RECYCLED IN PROPER MANNER.





BUILDER TO CHECK EXISTING RESIDENCE FOR ASBESTOS PRIOR TO DEMOLITION WORKS BEGINNING. ANY ASBESTOS FOUND TO BE REMOVED BY QUALIFIED TECHNICIANS.

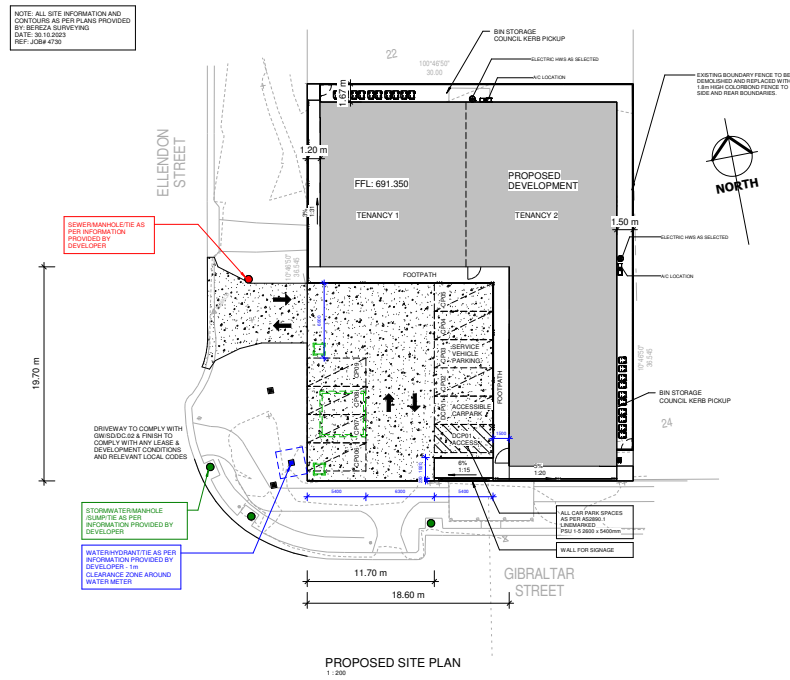
A LICENSED DRAINER IS TO BE ENGAGED TO DISCONNECT THE INTERNAL SANITARY DRAINING BEFORE ANY DEMOLITION WORKS COMMENCE, IF REQUIRED.

BUILDING CONTRACTOR WILL BE REQUIRED TO MAKE A NEW SANITARY DRAINAGE CONNECTION AT THE DESIGNATED TIE, IF REQUIRED.



BLOCK AREA: 1096m²

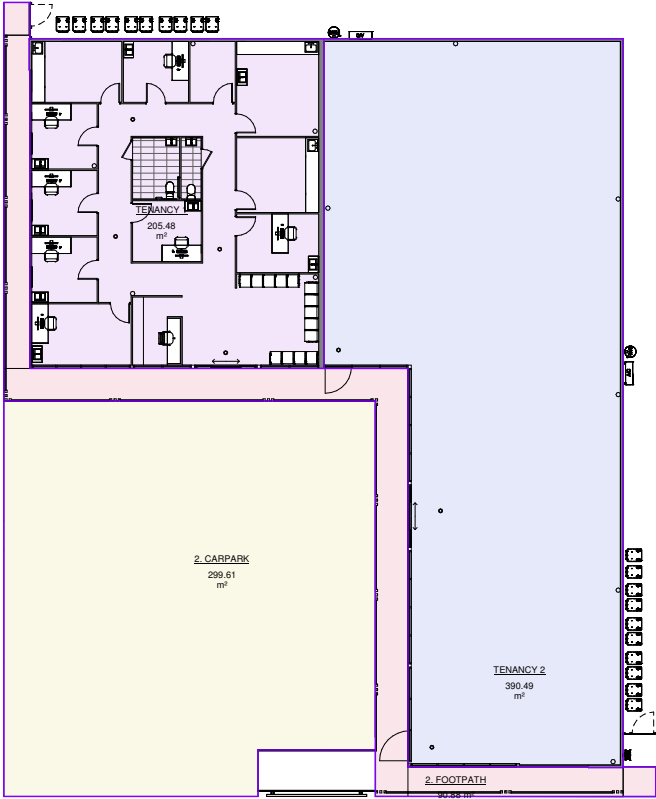
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					Project : PROPOSED COMMERCIAL BUILDING	Project number 5374 - D	Scale @A1	Sheet Number 101	Rev No	
					Address: LOT 23 DP591333 ZONES CA & E1 24 GIBRALTAR STREET BUNGENDORE 2621	Date 14.05.2025	1 : 200			Drawn by STUDIO56



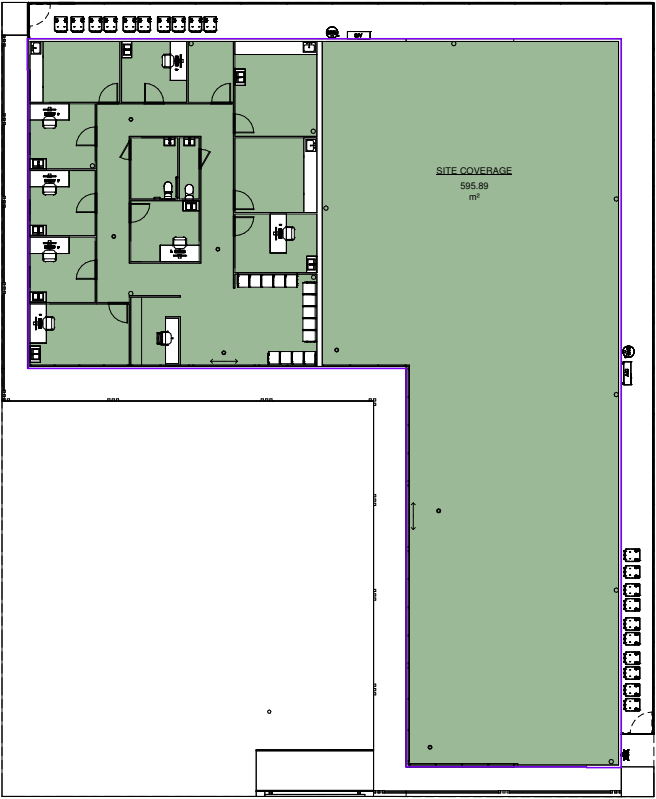
BLOCK AREA: 1096m²

TENANCY AREA	
TENANCY 1	205.48 m ²
TENANCY 2	390.49 m ²
Total	595.97 m ²

EXTERNAL AREAS	
2. CARPARK	229.61 m ²
2. FOOTPATH	90.88 m ²
Total	320.49 m ²






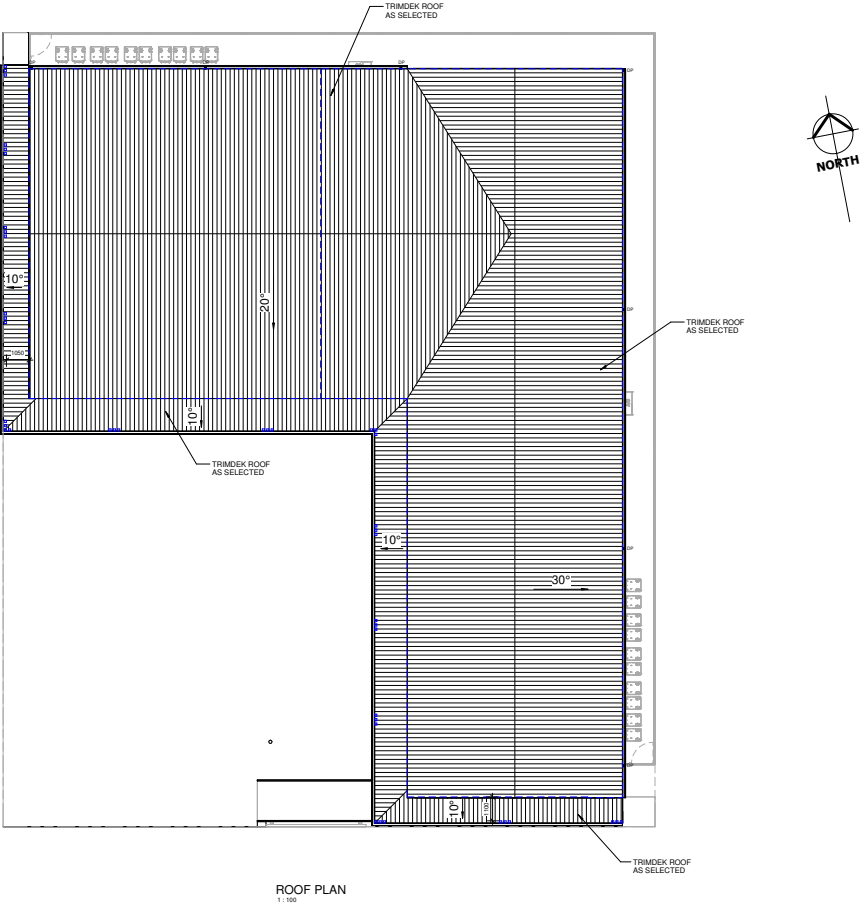
INDIVIDUAL AREAS
1: 100






SITE COVERAGE
1: 100

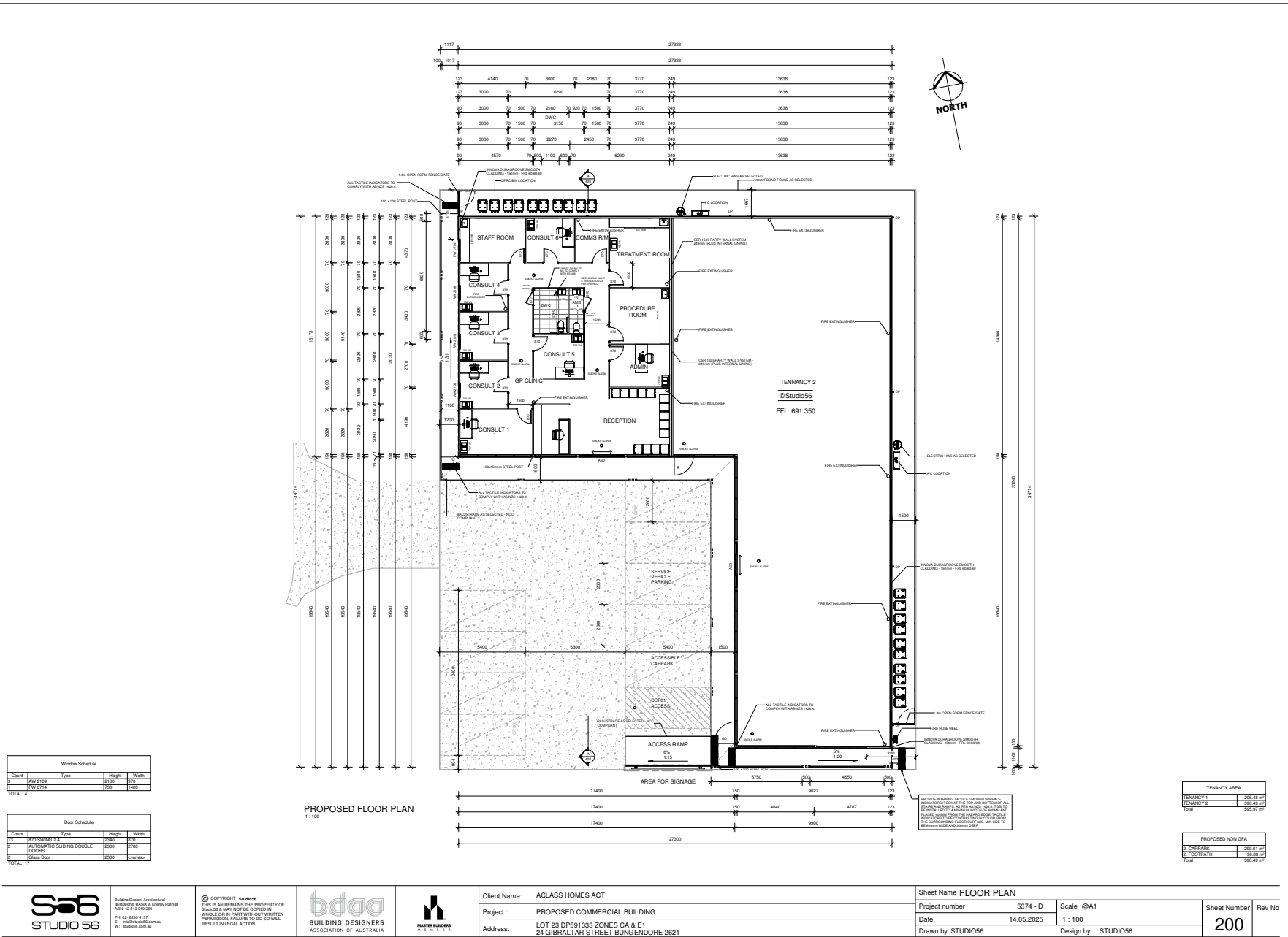
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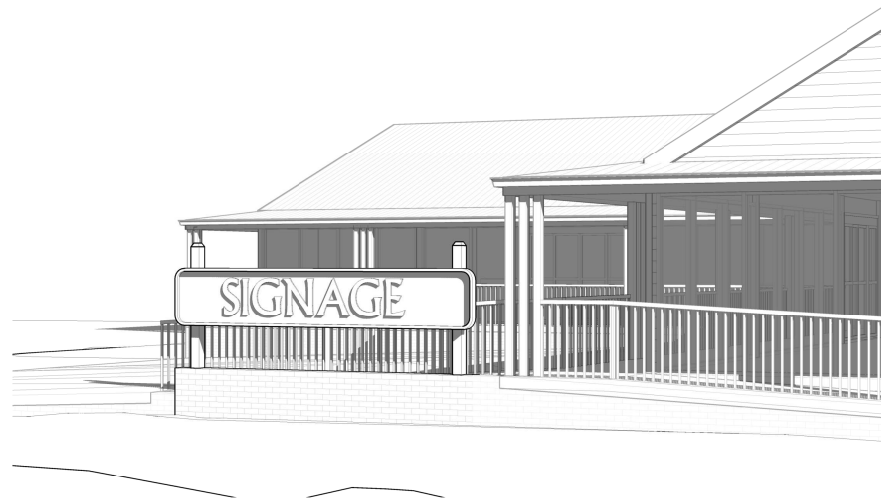
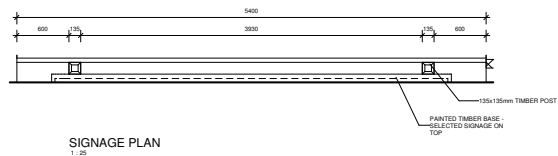
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						Project number 5374 - D	Date 14.05.2025			







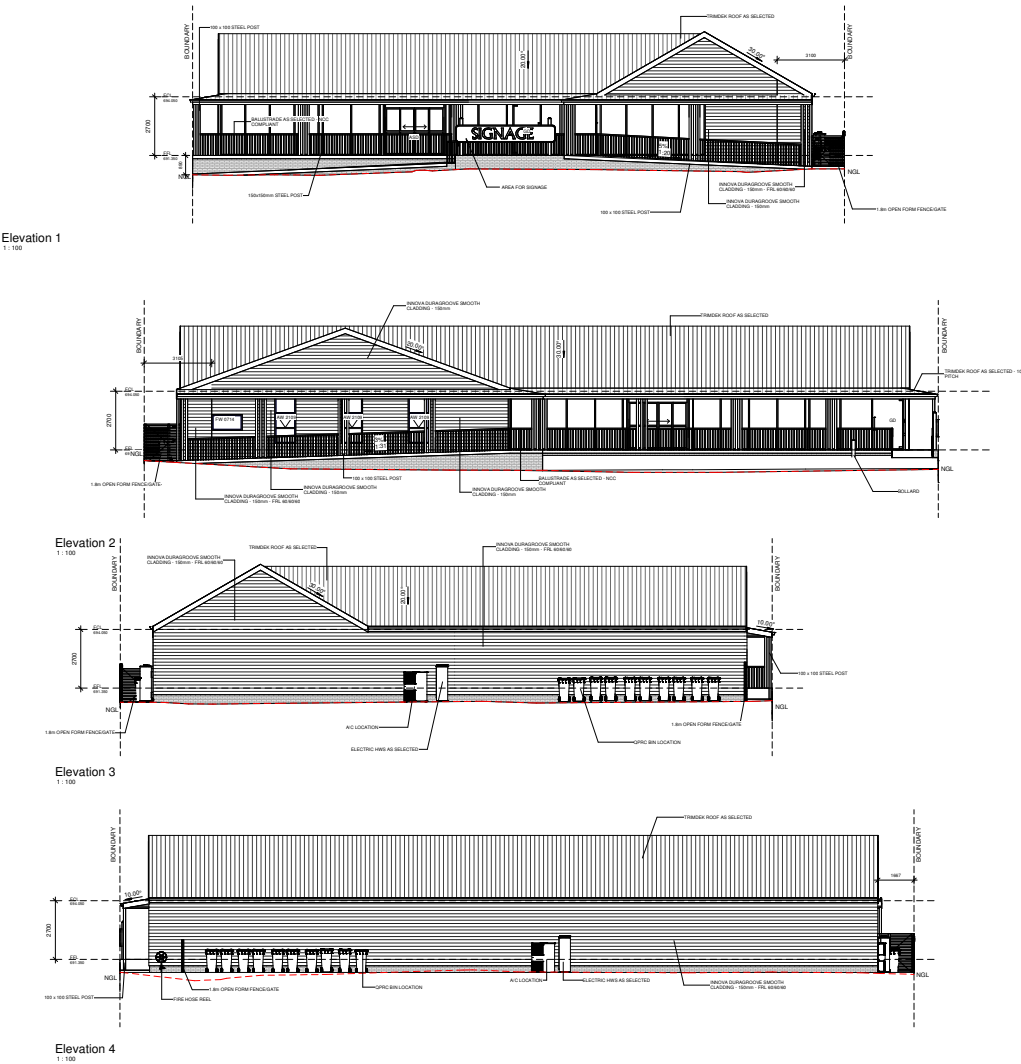
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					Project :	PROPOSED COMMERCIAL BUILDING	Project number	5374 - D	Scale	@A1	Sheet Number 104	Rev No
					Address:	LOT 23 DP591333 ZONES CA & E1 24 GIBALTAR STREET BUNGENDORE 2621	Date	14.05.2025	1 : 100			
							Drawn by	STUDIO56	Design by	STUDIO56		




9.3 DA.2025.0014 - 24 Gibraltar Street, Bungendore - Demolition of Existing Building and Construction of Medical Centre
Attachment 1 - Plans - DA.2025.0014 - 24 Gibraltar Street, Bungendore (Continued)

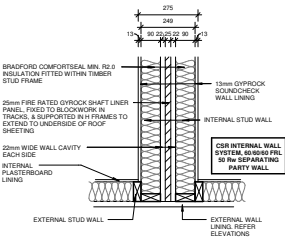





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					Project : PROPOSED COMMERCIAL BUILDING	Project number 5374 - D	Scale @A1	Sheet Number 201	Rev No
					Address: LOT 23 DP591333 ZONES CA & E1 24 GIBALTAR STREET BUNGENDORE 2621	Date 14.05.2025	1 : 25		
						Drawn by STUDIO56	Design by STUDIO56		

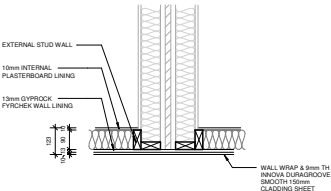


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				Project : PROPOSED COMMERCIAL BUILDING	Project number 5374 - D	Scale @A1			
				Address: LOT 23 DP591333 ZONES CA & E1 24 GIBRALTAR STREET BUNGENDORE 2621	Date 14.05.2025	1 : 100	Sheet Number	Rev No	
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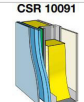


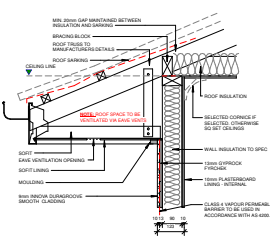
CSR 1535 INTERNAL WALL SYSTEM
1 : 10

SYSTEM SPECIFICATION Refer to GYPS13, Gyprock Party Wall Design Guide for further information			ACOUSTIC REPORT: PKA Predictor V16 Discontinuous Construction				
FRL Report	SYSTEM N°	WALL LININGS	STUD DEPTH mm	64	70	76	90/92
~ /60/60 60/60/60 ^a EWFA 45743		BOTH SIDES • 1 x 13mm Gyprock Soundcheck Plasterboard.	STUD BMT mm	0.50	0.55	0.55	0.55
			CAVITY INFILL BOTH SIDES (Refer to TABLE B6)	R _w / R _w +C _{tr}			
			(a) 75 GW Acoustigard 14kg	64/52	64/52	64/52	65/53
			(b) 110 GW Acoustigard 11kg	64/52	64/52	65/53	65/53
			(c) 88 Soundscreen 2.5	65/53	65/53	65/53	66/54
			Minimum Wall Thickness mm	219	231	243	275

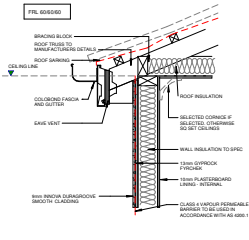


CSR 10091 - EXTERNAL FRL 60/60/60 WALL
1 : 10

SYSTEM SPECIFICATION			ACOUSTIC REPORT: PKA-A119				
60/60/60 (from outside only) FC 12946	CSR 10091 	EXTERNAL WALL SIDE • 1 x 13mm Gyprock Fyrchek MR Plasterboard. INTERNAL WALL SIDE • 1 x 10mm Gyprock Plus Plasterboard.	STUD DEPTH mm		70	90	
			(b) 90 Gold Batts R2.0	-	-	45/36	2.1/2.3
			(c) 90 Gold Batts R2.5	-	-	46/37	2.6/2.8
			(d) 75 Gold Batts R2.0	45/36	2.1/2.3	45/36	2.3/2.5
			Wall Thickness mm	111		131	

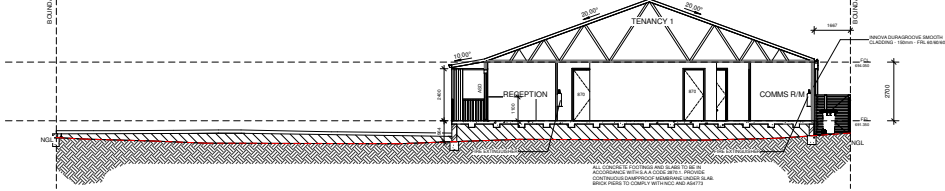


TYPICAL EAVES DETAIL
SCALE 1:10



TYPICAL EAVES DETAIL - NO EAVE
SCALE 1:10

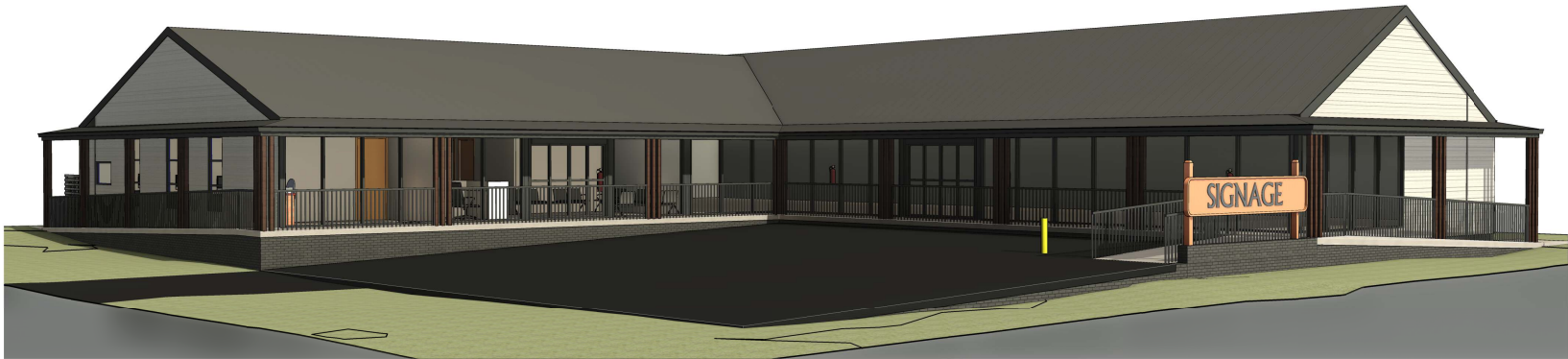
Table 10.8.3: Roof space ventilation requirements	
Roof pitch	Ventilation openings
< 10°	25,000 mm ² /m provided at each of two opposing ends
≥ 10° and < 15°	25,000 mm ² /m provided at the eaves and 5,000 mm ² /m at high level
≥ 15° and < 75°	7,000 mm ² /m provided at the eaves and 5,000 mm ² /m at high level, plus an additional 18,000 mm ² /m at the eaves if the roof has a cathedral ceiling




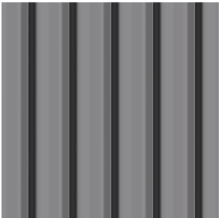




Section A-A
1 : 10


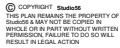




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Unit 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WINDOWS, DOORS & 150 x150mm COLUMNS BLACK	EXTERNAL WALL CLADDING INNOVA DURAGROOVE SMOOTH PAINTED IN COLORBOND DUNE	FASCIA & GUTTER & BOUNDARY FENCE BASALT	ROOF CLADDING COLORBOND BASALT IN TRIMDEK PROFILE	CONCRETE DRIVEWAY 5% OXIDE	POSTS UNDER VERANDAH - SIGNAGE SPOTTED GUM LAMINATED POST

NOTE: PERSPECTIVE VIEWS ARE INDICATIVE ONLY.
ELEVATIONS OVERRIDE THE 3D VIEWS

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					Project number 5374 - D	Scale @A1	Date 14.05.2025	Design by STUDIO56		

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment




25 JUNE 2025

ITEM 9.3 DA.2025.0014 - 24 GIBRALTAR STREET, BUNGENDORE -
DEMOLITION OF EXISTING BUILDING AND
CONSTRUCTION OF MEDICAL CENTRE

ATTACHMENT 2 PERSPECTIVES - DA.2025.0014 - 24 GIBRALTAR STREET,
BUNGENDORE



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ELLENDON STREETSCAPE



GIBRALTAR STREETSCAPE

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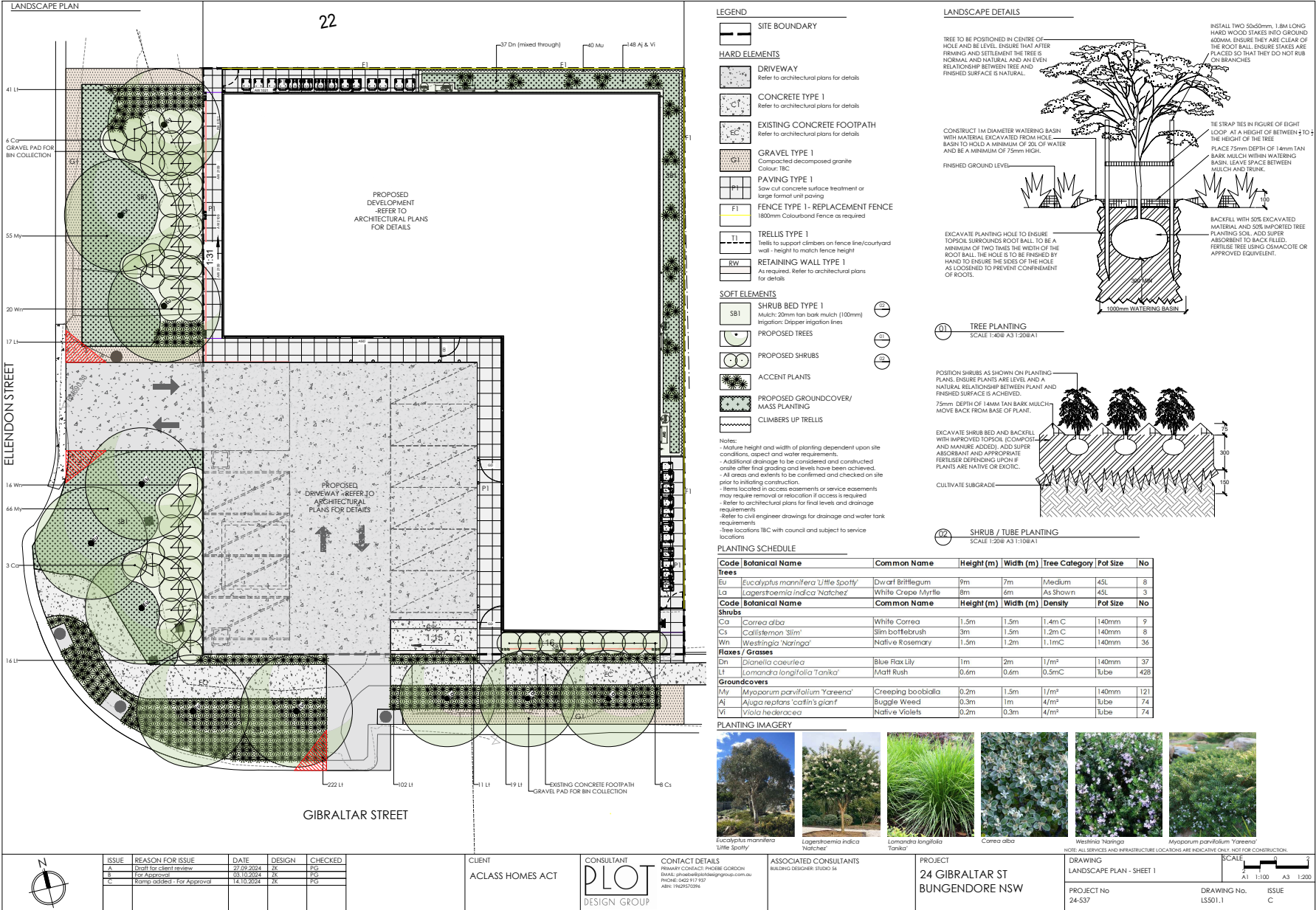
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Council Meeting Attachment

25 JUNE 2025

ITEM 9.3 DA.2025.0014 - 24 GIBRALTAR STREET, BUNGENDORE -
 DEMOLITION OF EXISTING BUILDING AND
 CONSTRUCTION OF MEDICAL CENTRE

ATTACHMENT 3 LANDSCAPE PLAN - DA.2025.0014 - 24 GIBRALTAR STREET,
 BUNGENDORE



QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

25 JUNE 2025

ITEM 9.3 DA.2025.0014 - 24 GIBRALTAR STREET, BUNGENDORE -
DEMOLITION OF EXISTING BUILDING AND
CONSTRUCTION OF MEDICAL CENTRE

ATTACHMENT 4 PRE-DEMOLITION HAZARDOUS SURVEY REPORT -
DA.2025.0014 - 24 GIBRALTAR STREET, BUNGENDORE



PRE-DEMOLITION ASBESTOS ASSESSMENT

PRE-DEMOLITION ASBESTOS ASSESSMENT

Report No: KER1235

Date of assessment: 06 February 2024

Address: 24 Gibraltar Street Bungendore NSW 2621



Surveyed By: Ross Bell & Peter McDermott

Licensed Asbestos Assessor: LAA001255 & AA00069

Keane Environmental Pty Ltd, 1/301 Canberra Avenue Fyshwick ACT 2609

Client: AGH



PRE-DEMOLITION ASBESTOS ASSESSMENT

DOCUMENT CONTROL

CURRENT

DOCUMENT NO.	DATA ENTRY		WRITTEN BY		APPROVED BY		DESCRIPTION
	DATE	PERSONEL	DATE	PERSONEL	DATE	PERSONEL	
Report No: KER1235	Date of assessment: 06 February 2024	Ross Bell	15 February 2024	Ross Bell <i>Ross Bell</i>	18 February 2024	Ged Keane <i>G Keane</i>	Version 1



PRE-DEMOLITION ASBESTOS ASSESSMENT

Table of Contents

INTRODUCTION.....4

SCOPE OF WORKS.....4

RISK ASSESSMENT & RECOMMENDATIONS4

FINDINGS & RECOMMENDATIONS5

RECOMMENDATIONS.....6

ASBESTOS REMOVAL6

RISK ASSESSMENT MATRIX.....7

MATERIALS REGISTER8

APPENDICES15

APPENDIX A - ASBESTOS IDENTIFICATION CERTIFICATE OF ANALYSIS16

APPENDIX B - ASBESTOS UNEXPECTED FINDS PROCEDURE17

APPENDIX C - APPLICABLE LEGISLATION - ASBESTOS ASSESSMENTS18



PRE-DEMOLITION ASBESTOS ASSESSMENT

INTRODUCTION

Ross Bell and Pete McDermott, licensed Asbestos Assessors of Keane Environmental were engaged to conduct a pre-demolition assessment at 24 Gibraltar Street Bungendore NSW 2621 to determine if any asbestos containing material (ACM) is in the property.

SCOPE OF WORKS

The assessment involved a visual inspection and intrusive (where possible) investigation of areas likely to contain ACM in the property and sampling of suspected ACM.

Samples collected during the audit were sent to a National Association of Testing Authorities (NATA) accredited laboratory under controlled chain of custody (CoC). The sample results can be found on the Certificate of Analysis attached at Appendix A of this report.

RISK ASSESSMENT & RECOMMENDATIONS

Identified ACM is risk assessed based on the following criteria:

- the condition of the material at the time of the assessment;
- the accessibility of the material;
- the likelihood of the material being disturbed resulting in a release of asbestos fibre.

The recommended actions are detailed in the materials register in Table 1. The recommended actions are made with cognisance to the fact that the property is due to be demolished.



PRE-DEMOLITION ASBESTOS ASSESSMENT

FINDINGS & RECOMMENDATIONS

The following materials sampled were found to contain asbestos:

- Large electrical switchboard
- Infill panels to cinder block shed
- Eaves to cinder block shed
- Bathroom walls
- Upper wall to laundry adjacent kitchen
- Rear laundry walls
- Orange vinyl covering and backing to rear room

The following materials sampled are presumed to contain asbestos:

- Sheet debris within cinder block shed

The following materials sampled did not contain asbestos:

- Eaves to rear of house
- External cladding to rear of house
- Small electrical switchboard
- Putty to original timber windows
- Mastic around metal sliding door right side of house



PRE-DEMOLITION ASBESTOS ASSESSMENT

- Hallway floor under carpet
- Orange vinyl to front room floors
- White vinyl to front room floors
- Residual blue vinyl to middle bedroom under wall
- Blue vinyl to rear room floor
- Fireplace rope seal
- Ceiling insulation

RECOMMENDATIONS

It recommended that all the asbestos material noted above is removed prior to demolition work commencing. A copy of this register must be provided to all contractors who attend the property to conduct or quote for work. The amounts noted in the register are approximate and contractors quoting for the work must visit site to determine exact quantities.

The unexpected finds procedure at Appendix B should be used if any material is found suspected to be asbestos and is not noted in the register.

ASBESTOS REMOVAL

A licensed asbestos removalist must be engaged for all asbestos removal work and they must notify WorkSafe ACT five (5) days prior to work commencing. An independent licensed asbestos assessor must be engaged to provide air monitoring for any friable asbestos removal and conduct a clearance inspection once the removal work is complete and issue a clearance certificate before demolition can commence.



PRE-DEMOLITION ASBESTOS ASSESSMENT

RISK ASSESSMENT MATRIX

			EXPOSURE POTENTIAL				
			VERY HIGH (High traffic / occupied area or activities occurring likely to cause damage to the material <i>e.g. Populated office area</i>)	HIGH (Moderate traffic / occupied area or potential activities likely to cause damage to the material <i>e.g. Corridor or change room</i>)	MODERATE (Low traffic / occupied areas with activities unlikely to cause damage to the material <i>e.g. Warehouse / storage rooms</i>)	LOW (Unused rooms / ceiling areas within a building)	VERY LOW (E.g. Outdoors)
			Critical	Major	Moderate	Minor	Insignificant
TYPE & CONDITION	FRIABLE & POOR <i>e.g. Limpet spray or friable debris</i>	Almost certain	Very High	Very High	High	High	High
	FRIABLE & FAIR <i>e.g. Exposed pipe insulation</i>	Likely	Very High	High	High	High	Moderate
	FRIABLE & GOOD <i>e.g. Boiler gasket</i>	Possible	High	Moderate	Moderate	Low	Low
	NON FRIABLE & POOR <i>e.g. Weathered cement products with visible debris or residual asbestos debris</i>	Unlikely	Moderate	Moderate	Low	Low	Low
	NON FRIABLE AND FAIR / GOOD <i>e.g. Vinyl floor tiles, cement sheet</i>	Rare	Low	Low	Low	Very Low	Very Low



PRE-DEMOLITION ASBESTOS ASSESSMENT

MATERIALS REGISTER

Asbestos detected				Presumed to contain asbestos			No asbestos detected	
LOCATION	MATERIAL	SAMPL E ID	Approx Qty m²	TYPE & CONDITION	RISK OF EXPOSURE	RESULT	COMMENTS	PHOTO
Eaves to rear of house	Sheet	A1	N/A	N/A	N/A	No Asbestos Detected	No Further Action Required	
External cladding to rear of house	Sheet	A2	N/A	N/A	N/A	No Asbestos Detected	No Further Action Required	
Small electrical switchboard	Sheet	A3	N/A	N/A	N/A	No Asbestos Detected	No Further Action Required	



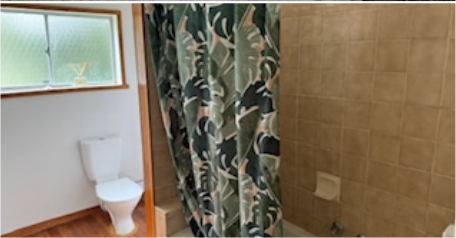


PRE-DEMOLITION ASBESTOS ASSESSMENT

Asbestos detected				Presumed to contain asbestos			No asbestos detected	
LOCATION	MATERIAL	SAMPL E ID	Approx Qty m²	TYPE & CONDITION	RISK OF EXPOSURE	RESULT	COMMENTS	PHOTO
Large electrical switchboard	Sheet	A4	1	Non Friable & Good	Low	Chrysotile Asbestos Detected	Remove prior to demolition works commencing	
Putty to original timber windows	Putty	A5	N/A	N/A	N/A	No Asbestos Detected	No Further Action Required	
Mastic around metal sliding door right side of house	Mastic	A6	N/A	N/A	N/A	No Asbestos Detected	No Further Action Required	



PRE-DEMOLITION ASBESTOS ASSESSMENT

Asbestos detected				Presumed to contain asbestos			No asbestos detected	
LOCATION	MATERIAL	SAMPL E ID	Approx Qty m²	TYPE & CONDITION	RISK OF EXPOSURE	RESULT	COMMENTS	PHOTO
Infill panels to cinder block shed	Sheet	A7	6lm	Non Friable & Good	Low	Chrysotile and Crocidolite Asbestos Detected	Remove prior to demolition works commencing	
Eaves to cinder block shed	Sheet	A8	6lm	Non Friable & Good	Low	Chrysotile and Crocidolite Asbestos Detected	Remove prior to demolition works commencing	
Bathroom walls	Sheet	A9	16	Non Friable & Good	Low	Chrysotile Asbestos Detected	Remove prior to demolition works commencing	






PRE-DEMOLITION ASBESTOS ASSESSMENT

Asbestos detected				Presumed to contain asbestos			No asbestos detected	
LOCATION	MATERIAL	SAMPL E ID	Approx Qty m²	TYPE & CONDITION	RISK OF EXPOSURE	RESULT	COMMENTS	PHOTO
Upper wall to laundry adjacent kitchen	Sheet	A10	1	Non Friable & Good	Low	Chrysotile Asbestos Detected	Remove prior to demolition works commencing	
Rear laundry walls	Sheet	A11	-	Non Friable & Good	Low	Chrysotile Asbestos Detected	Remove prior to demolition works commencing	
Hallway floor under carpet	Sheet	A12	N/A	N/A	N/A	No Asbestos Detected	No Further Action Required	






PRE-DEMOLITION ASBESTOS ASSESSMENT

Asbestos detected				Presumed to contain asbestos			No asbestos detected	
LOCATION	MATERIAL	SAMPL E ID	Approx Qty m²	TYPE & CONDITION	RISK OF EXPOSURE	RESULT	COMMENTS	PHOTO
Orange vinyl to front room floors	VFT	A13	N/A	N/A	N/A	No Asbestos Detected	No Further Action Required	
White vinyl to front room floors	VFT	A14	N/A	N/A	N/A	No Asbestos Detected	No Further Action Required	
Residual blue vinyl to middle bedroom under wall	VFT	A15	N/A	N/A	N/A	No Asbestos Detected	No Further Action Required	





PRE-DEMOLITION ASBESTOS ASSESSMENT

Asbestos detected				Presumed to contain asbestos			No asbestos detected	
LOCATION	MATERIAL	SAMPL E ID	Approx Qty m²	TYPE & CONDITION	RISK OF EXPOSURE	RESULT	COMMENTS	PHOTO
Blue vinyl to rear room floor	VFT	A16	N/A	N/A	N/A	No Asbestos Detected	No Further Action Required	
Orange vinyl covering and backing to rear room	VFC + Backing	A17	-	Non Friable & Good	Low	Chrysotile Asbestos Detected	Remove prior to demolition works commencing	
Fireplace rope seal	Sheet	A18	N/A	N/A	N/A	No Asbestos Detected	No Further Action Required	



PRE-DEMOLITION ASBESTOS ASSESSMENT

Asbestos detected				Presumed to contain asbestos			No asbestos detected	
LOCATION	MATERIAL	SAMPL E ID	Approx Qty m²	TYPE & CONDITION	RISK OF EXPOSURE	RESULT	COMMENTS	PHOTO
Ceiling insulation	Insulation	A19	N/A	N/A	N/A	No Asbestos Detected	No Further Action Required	
Sheet debris within cinder block shed	Sheet	N/A	N/A	Presumed	Low	Presumed to contain asbestos	Remove prior to demolition works	



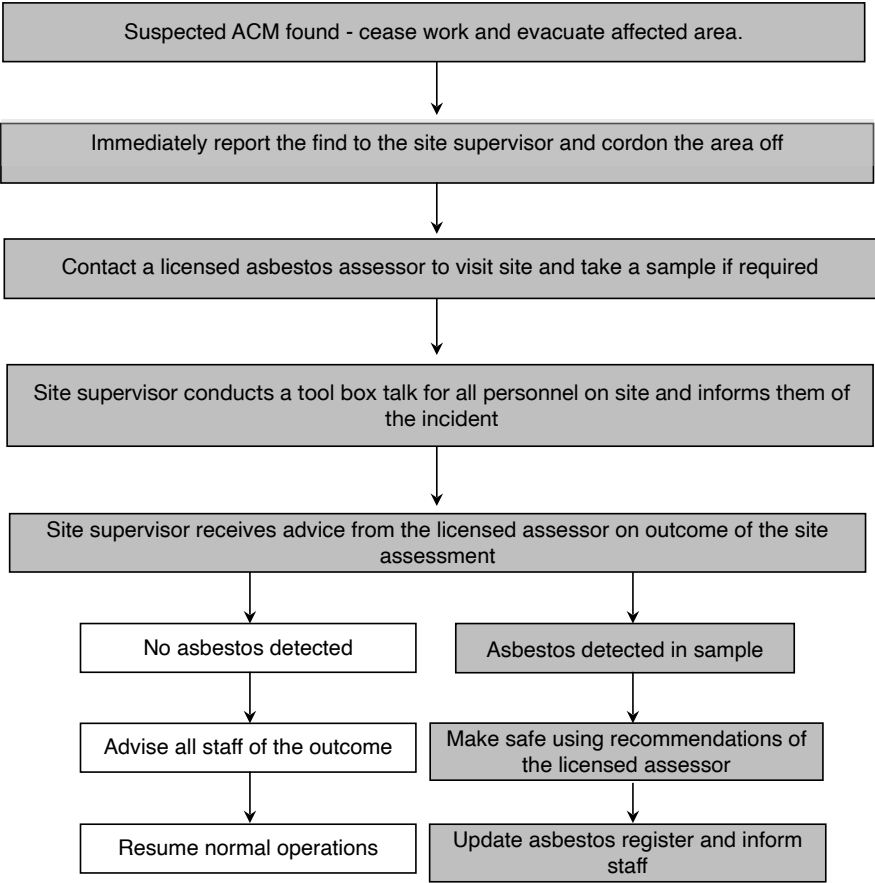
PRE-DEMOLITION ASBESTOS ASSESSMENT

APPENDICES



PRE-DEMOLITION ASBESTOS ASSESSMENT

APPENDIX B - ASBESTOS UNEXPECTED FINDS PROCEDURE





PRE-DEMOLITION ASBESTOS ASSESSMENT

APPENDIX C - APPLICABLE LEGISLATION - ASBESTOS ASSESSMENTS

The latest edition of the following legislation is applicable to Asbestos Assessments in Residential Properties:

Work Health and Safety Act 2011.

Work Health and Safety Regulation 2017.

Work Health and Safety (How to Manage and Control Asbestos in the Workplace Code of Practice) Approval 2022.

Work Health and Safety (How to Safely Remove Asbestos Code of Practice) Approval 2022.

Report Caveats & Statement of Limitations

The report was designed to be read as a whole document and must only be reproduced in full.

All relevant legislation and best practice was followed during the time the assessment was conducted. All conclusions and recommendations are written by the assessor using their professional judgement. The recommendations are based on the assessor's professional judgement and condition of the materials at the time the assessment was conducted.

While every effort was made to identify all ACM on site, no determination can be made for areas such as formwork under concrete slabs or inaccessible areas that the asbestos assessor could not be reasonably expected to identify (e.g. subterranean asbestos pipes, formwork or ACM behind ACM).

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

25 JUNE 2025

ITEM 9.3 DA.2025.0014 - 24 GIBRALTAR STREET, BUNGENDORE -
DEMOLITION OF EXISTING BUILDING AND
CONSTRUCTION OF MEDICAL CENTRE

ATTACHMENT 5 SECTION 4.15 TABLE - MATTERS FOR CONSIDERATION
DA.2025.0014 - 24 GIBRALTAR STREET, BUNGENDORE



ASSESSMENT REPORT - DA.2025.0014

SUMMARY

Proposal:	Demolition of existing building and construction of a medical centre
Address:	24 Gibraltar Street BUNGENDORE NSW 2621
Property description:	Lot 23 DP 591333
Applicant:	The Trustee For Akerele Investments Trust
Owner:	Akerele Investments Pty Ltd
Date of lodgement:	15/01/2025
Notification period:	06/02/2025 to 25/02/2025
Submissions received:	20 (<i>against</i>)
Re-Notification period:	09/05/2025 to 30/05/2025
Submissions received:	3 (<i>against</i>)
Assessment officer:	Ranganathan Ravi
Estimated cost of works:	\$ 1,320,980.00
Zoning:	E1 Local Zone
Heritage:	Not applicable
Flood affected:	Yes
Bushfire prone:	No
Recommendation of officer:	Approval subject to conditions

EXECUTIVE SUMMARY

1.0 This application seeks Council consent for the demolition of existing buildings, construction of a medical centre and associated site works.

2.0 This application was required to be notified, and 20 submissions were received. The concerns raised in the submissions are as follows:

- a. *Demolition of existing building which is of historic merit and has been recommended for a listing in the Bungendore Heritage Study 2019, adopted by Council on 03/03/2019,*
- b. *Proposed development is unsympathetic to the streetscape character of the locality and likely result in irreversible impact on the heritage character*
- c. *Significant loss of mature vegetation*
- d. *Impacts on roads due to lack of parking*

With regards to the recommendations in the Bungendore Heritage Study 2019, the subject lot, at the time of writing of this report is neither a listed item nor is it within any heritage conservation area under Schedule 5 of QPRLEP 2022. The Bungendore Heritage Study 2019 is a strategic document and does not carry a statutory obligation for assessment under Section 4.15 of the EP&A Act 1979, as amended. Additionally, it should be noted that the existing building could be

demolished as complying development under Part 7 Demolition Code within SEPP (Exempt & Complying Development) 2008. This approval for demolition would be able to be issued by a private certifier.

Since the first notification, the development has been significantly amended to ensure consistency with the streetscape character of the locality.

While the loss of vegetation is acknowledged, the majority of the vegetation with the exception of the two eucalyptus, two acacia trees & two casuarina trees, is mostly non-native in nature. The existing vegetation is scattered across the site, thereby severely restricting any development on the land. The proposal includes landscaping along the street frontages, which is considered to be a significant contribution to the streetscape character and likely to offset any native vegetation loss.

The amended proposal was re-notified between 09/05/2025 to 30/05/2025 and three submissions were received raising similar concerns from the first notification period. The concerns raised have been appropriately addressed.

3.0 The principal issues identified with the application are as follows:

a. Demolition of an existing building that is recommended for a heritage listing under Bungendore Heritage Study 2019

The Bungendore Heritage Study 2019 is strategic document and at the time of writing of this report, the subject lot is neither a listed item nor is it within any heritage conservation area. The development is assessed based on its design merits. Additionally, it should be noted that the existing building could be demolished as complying development under Part 7 Demolition Code within SEPP (Exempt & Complying Development) 2008. This approval for demolition would be able to be issued by a private certifier.

b. Loss of Vegetation

The majority of the vegetation is non-native in nature. The proposal includes landscaping along the street frontages on Council verge which will positively contribute to the streetscape character of the locality and offset any native vegetation loss from the site.

c. Parking requirement

Due to the nature of the proposed development and the area constraints, the proposal does not include sufficient parking within the lot for the proposed use. Councils Development Engineer reviewed the proposal and offered no objections to the proposal subject to collecting of contributions under relevant contribution plan for parking purposes.

4.0 The application, despite the removal of vegetation and demolition of existing building, is satisfactory for an approval, subject to recommended conditions of consent.

BACKGROUND

No relevant background history to the site. The existing building on the lot appears to have been in the

DESCRIPTION OF THE SITE AND LOCALITY

The subject site is legally described as Lot 23 DP 591333 and is commonly known as 24 Gibraltar Street BUGENDORE . The site is located on the north side of Gibraltar Street and has an area of 1096 sqm.

The site is a corner lot bound by Gibraltar Street in the south and Ellendon Street in the west. The site is relatively flat in topography and comprises of a mix of native and non-native vegetation across the entire site.

The site currently obtains a vehicular access from Ellendon Street in the west.

The site also comprises of a single storey cottage used for commercial purposes and includes a shopfront adjoining Gibraltar Street in the south.

Existing development within the locality consists primarily of commercial buildings of varying scale and typology.



Figure 1: Locality plan

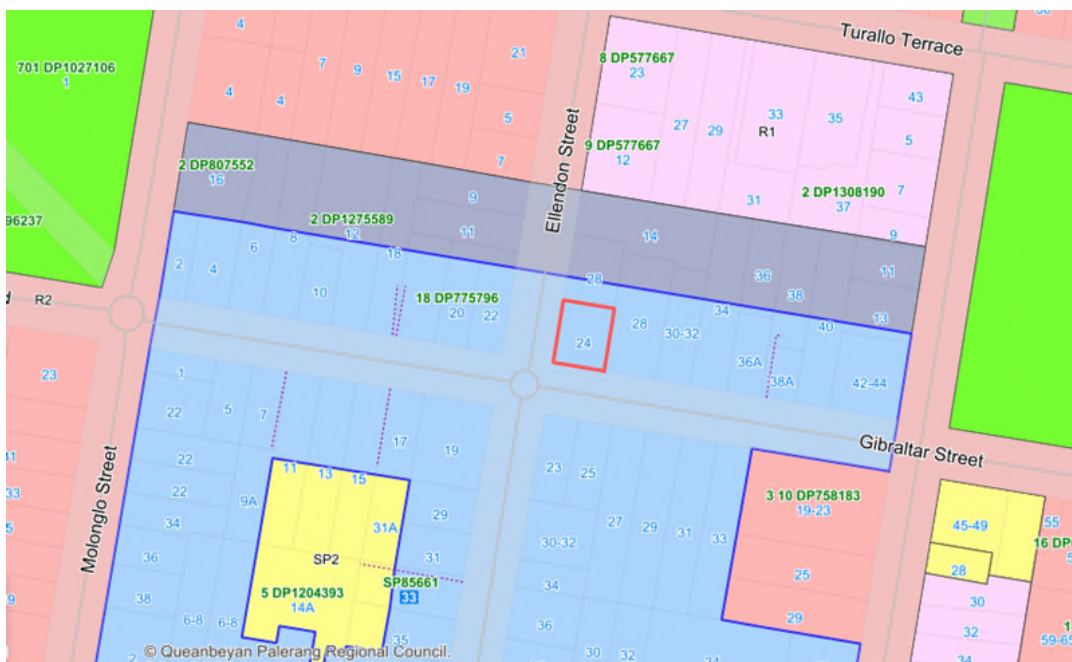




Figure 3: Existing building on site



Figure 4: Existing building on site

PROPERTY BURDENS AND CONSTRAINTS

There are no easements or burdens on the land which could affect, or be affected by, the proposed development.

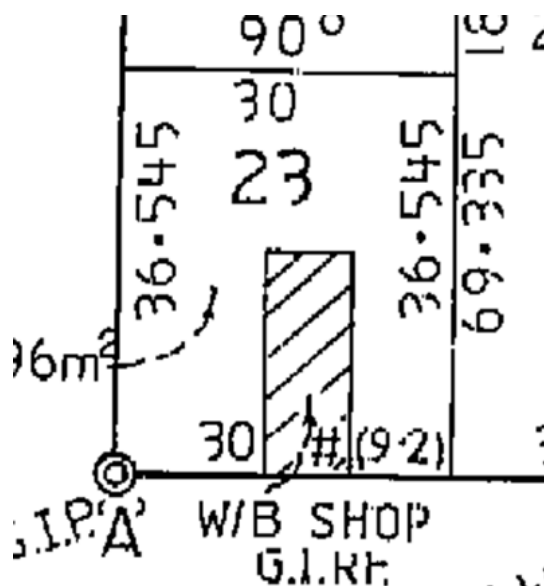


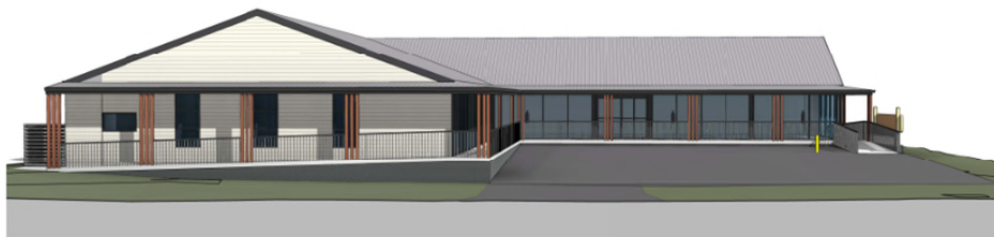
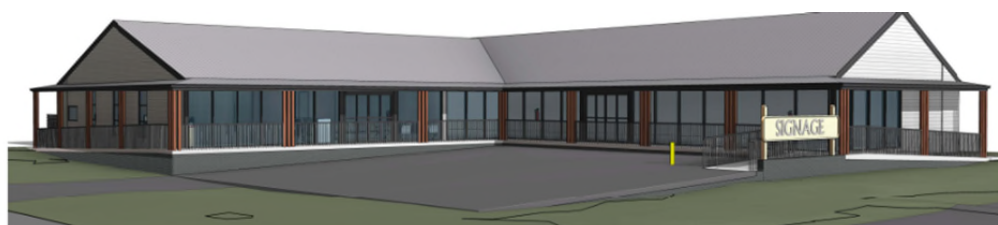
Figure 5: Deposited Plan

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The application seeks Council consent for the demolition of existing building, removal of existing vegetation and construction of a medical centre.

The specific elements of the proposal are:

- Demolition of existing cottage and outbuildings to accommodate the proposed development
- Removal of approximately 22 trees located across the site
- Construction of a single storey building to be used as a medical centre comprising of:
 - Reception area and administration rooms
 - Waiting area
 - 6 consulting rooms
 - Staff room, treatment & procedure room
 - Toilets
 - Tenancy 2
- Construction of 10 on-grade parking including one accessible parking
- Proposed hours of operation – 8 am to 6pm Monday to Friday (closed during weekends)
- Number of staffs – 8
- Installation of a detached signage fronting Gibraltar Street
- Landscaping, associated infrastructure and earthworks.



Perspectives of the proposed development

CONSENT AUTHORITY

In accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act) the proposal is considered to be local development, and Council is the Consent Authority.

SECTION 4.10 DESIGNATED DEVELOPMENT – EP&A Act, 1979

The proposal is **not** designated development.

SECTION 4.47 INTEGRATED DEVELOPMENT – EP&A Act, 1979

The proposal is **not** integrated development

REFERRALS

INTERNAL REFERRALS

Engineering Comments

Council's Development Engineer has commented on the proposal as follows:

Sewer Available: Yes

Driveway Access: Yes

Water Available: Yes

Kerb and Gutter: No

Flood Category: Yes

Footway Width: Varies

Natural Water Course: N/A

Footway Grade: 1-2%

Drainage Easements: ☐ existing easement over property or adjoining land

☐ easement required over property or adjoining land

Hydraulics: ☒ attached ☐ unavailable at time of assessment ☐ irrelevant

Subdivision Works Construction Certificate required: ☐ Yes ☒ No

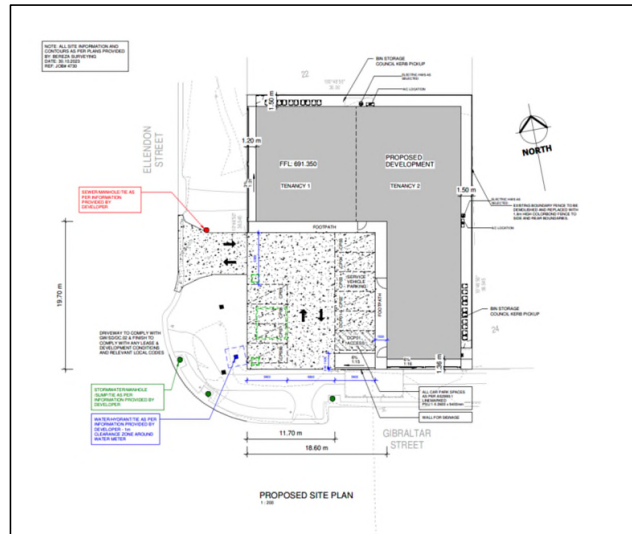


Figure 1: Site locality – 24 Gibraltar Street, Bungendore

Proposal

The proposed development is to erect a new single-storey commercial building on lot 23 DP 591333, known as 24 Gibraltar Street, Bungendore. The proposed use of the facility will be for a medical centre that will include six (6) consulting rooms, a treatment room, a procedure room, a staff room and a general reception area. Referring to the Architectural plan prepared by Studio 56, the development comprises two separate tenancies (Tenancy 1 & 2). Tenancy 1 includes the medical facility, while the proposed use of tenancy two has not been confirmed at this stage. However, the applicant confirmed by email that tenancy two will be used for similar purposes, such as a medical centre or pharmacy. A pharmacy will be considered as part of

this assessment for parking and contribution requirements. The total area comprising both tenancies is 668.74 m².



Development Proposal Plan – 24 Gibraltar Street, Bungendore

Water

An existing 100mmØ AC water main runs within the road reserve on both Ellendon Street and Gibraltar Street. The lot is served with an existing 20mmØ services tie from the mains at Gibraltar Street. The proposed development is seeking to install a new 25mmØ service connection from Ellendon Street and remove the existing connection at Gibraltar Street.

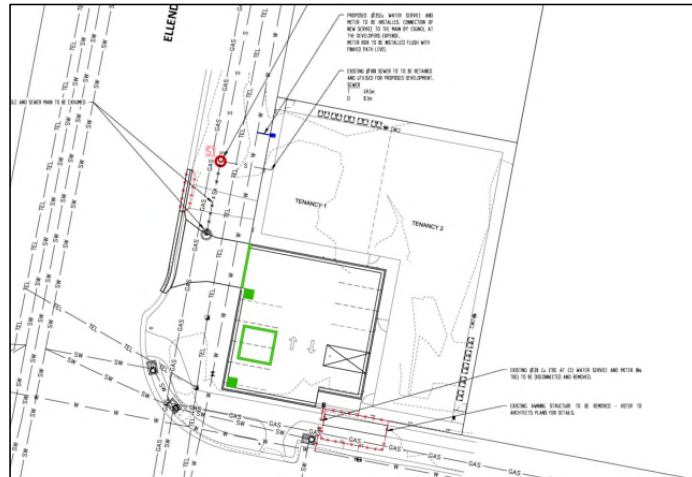
The existing service size of 25mmØ is unlikely to be adequate for the development, though a suitably qualified hydraulic consultant should confirm the adequacy of the proposed service connections. All connections to the live main are to be completed by QPRC's utility team at the developer's expense.

There are no water service easements affected by this development.

Sewer

The lot is serviced with an existing 150mmØ VC sewer main that runs along the front verge of Ellendon Street. The existing sewer tie-off of the main is proposed to be retained to service the proposed development with a new manhole at the tie point. The proposal also includes the demolition of sewer manhole AG/1, which will be under the proposed driveway. The manhole (AG/1) at the end of the line will be replaced with a new maintenance hole S1 near the tie point.

There are no sewer easements affected by this development.



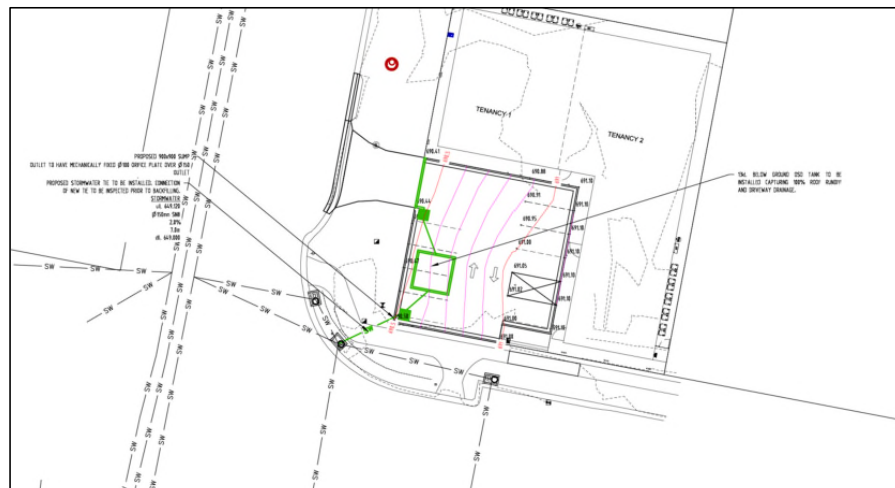
Water and Sewer Services Plan - 24 Gibraltar Street, Bungendore

Storm Water:

The proposed lot does not appear to have a stormwater connection to the Council mains. The proposed Stormwater plan indicates the installation of a 150mmØ main from the southwest corner of the lot to the stormwater pit at the corner of Gibraltar Street and Ellendon Street.

As the proposed development will increase the impervious areas, an on-site detention storage system will be required to reduce the flow to predevelopment peak discharge rates of AEPs of 10% and 1% as per Council's D5 Stormwater Drainage Design Specification. A 13kl below-ground On-Site Detention (OSD) system is proposed as part of the development. The DRAINS model submitted as part of the development application suggested that the tank size is adequate to comply with QPRC D5 Specifications. The submitted plan indicated the OSD tank's approximate location on the carpark near the lot's southwest corner.

The proposed development does not exceed the impervious surface area by more than 2500m². As such, an assessment of water quality impacts and control measures to mitigate or improve the water quality was not requested.



Stormwater Plan - 24 Gibraltar Street, Bungendore

Traffic and Parking:

Palerang Development Control Plan 2015, Clause B7.1 Parking requires off-street parking to be provided on the development site in accordance with the TfNSW guide to Traffic Generating Developments. Bungendore Section 7.11 Development Contribution Plan for Car Parking

Facilities 2021 allows contributions to be collected for any shortfall of parking spaces. The contribution rate (per car parking space) for Business Zones is \$6,715 as of 2021.

As per the TfNSW guide to Transport Impact Assessment, the following number of spaces will be required.

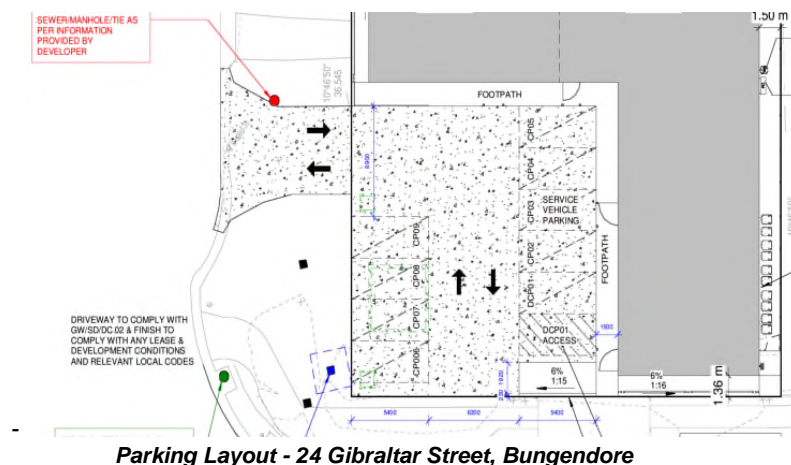
8.5.9 Health and community services		Similar developments
Health consulting rooms		• 3 spaces per room/health care professional
Extended hours medical centres		• 4 spaces per 100m ² GFA
Centre-based child care facility		• 1 space for every 4 children in attendance
Note: Parking spaces specified in this section, unless stipulated otherwise, are for cars. Depending on land use type, parking for bicycles, motorcycles and delivery and servicing vehicles, should also be provided.		

Proposed new commercial facility including both tenancy = 600.43 m² = 24.01 = 24 Parking Space

Total number of parking space require for the development = **24 spaces**

Provided parking space as per the submitted plan = **8 spaces including one accessible parking and excluding one service vehicle parking**

Shortfall of parking spaces = **16 Spaces (Contribution applicable to 16 Parking spaces)**



Parking Layout - 24 Gibraltar Street, Bungendore

The proposed development has nominated a 5.5m standard vehicle as a service vehicle. A swept path is not included in the submission. However, the dimensions provided indicate that B99 vehicles will be able to enter and exit the site in the forward direction as required by the QPRC Development Control Plan.

All car parking spaces shall be designed in accordance with the requirements specified in AS/NZS 2890.1 for car parking areas, AS/NZS 2890.2 for commercial vehicle loading areas and AS/NZS 2890.6 for accessible (disabled) parking.

A traffic impact statement is not provided for this development. As the gross floor area of the proposed development is below 2500 m², the development is not classified as Schedule 1 or Schedule 2 development in accordance with State Environmental Planning Policy No 11 – Traffic Generating Developments. As such, a traffic impact statement was not requested.

Entrance and Access:

The vehicular crossover is proposed on Ellendon Street. The width of the proposed vehicle crossing is adequate to cater for two-way traffic. A swept path drawing demonstrating the entry and exit has not been provided or requested, as the proposed layout will satisfy the requirements.

Flooding:

The lot is located in the 1% AEP Flood Planning Level Zone. Thus, the proposed development is subject to flood planning controls and conditions. The flood planning level (FPL) of the property is 691.30m AHD, and the proposed finished floor level (FFL) is 691.35m AHD, which exceeds the flood planning level of the property.

7.11 Roads:

The following Section 7.11 development contributions are applied for the proposed development. Guide to Transport Impact Assessment (TS 00085, Version 1.1) is used to calculate the Equivalent Tenement (ET) demand by the proposed development. 1 ET credit will be applied for the calculation to consider the existing uses. A calculation summary of the development contributions are as follows;

Tenancy 1

Total daily person trip generation for Medical Centre as per the survey undertaken in 2015

$$= 01544 (R2) + 38.456(R) + 8.6803$$

Where, R = Number of Consulting rooms, R2 is considered negligible.

$$= 38.456 \times 5 + 8.6803$$

$$= 200.96 \text{ Total person trips}$$

The person trips has been converted to Vehicle trips as per the table 5.67 on Guide to Transport Impact Assessment.

Hence, the total number of trips generated by the medical centre is

$$= 200.96 \times (130/472)$$

$$= 55.349 \sim 56 \text{ trips per day for the medical centre.}$$

Based on 8 vehicle trips per ET, the contribution applicable to this development by Tenancy 1 will be 7 ET.

Tenancy 2

Tenancy 1 includes the medical facility, while the proposed use of tenancy 2 has not been confirmed at this stage. However, the applicant confirmed by email that tenancy 2 will be used for similar purposes, such as a medical centre or pharmacy. Vehicle Trips Per Day (vtpd) for Tenancy 1 is used for the calculations of vtpd, and subsequently ET's figure for the Tenancy 2 as follows.

$$\text{Trips generated by Tenancy 1 with GFA of } 207.69 \text{ m}^2 = 56 \text{ vtpd (ET)}$$

$$\text{Trips generated by Tenancy 2 with GFA of } 392.74.69 \text{ m}^2 = (56/207.69) \times 392.74$$

$$= 105.9 \text{ vtpd}$$

$$\text{ET's applicable for Tenancy 2} = 105.9/8$$

$$= 13.23 \text{ ET}$$

Hence, total contribution from both tenancies will be 19.23 ET, including a credit of 1ET.

- Contribution to Bungendore Street Upgrading for a total of **\$80,169.9 (19.23 ET)**

- Contribution to Bungendore Car parking facilities (commercial development) for a total of **\$125,984.00 (16 Parking Spaces)**.

Section 64:

The proposed development is applicable for developer contributions under Section 64 of the Environmental Planning and Assessment Act 1979, depending upon the ET credits for the lot.

In accordance with Table 2 on page 17 of the Water Directorate Section 64 Determination of Equivalent Tenements (ET) Guidelines April 2017, the ET is calculated at the commercial user category for Medical Centre at a rate of 0.4 ET for Water and 0.63 ET for Sewer per consultation room.

Tenancy 1

Five consultation room were proposed within tenancy 1 with an area of 207.69 m², equating to 2 ET for Water and 3.15 ET for Sewer.

Tenancy 2

The contributions to Tenancy 2 are extrapolated from the Tenancy 1 value, which is calculated below.

Total Water ET for Tenancy 2 = $(2/207.69) \times 392.74 \text{ m}^2 = \mathbf{3.78 \text{ ET}}$

Total Sewer ET for Tenancy 2 = $(3.15/207.69) \times 392.74 \text{ m}^2 = \mathbf{5.96 \text{ ET}}$

The lot will have a credit of 1 ET for both Sewer and Water each. Hence, ETs required for this development, including Tenancy 1 and 2, are 4.78 for Water and 8.11 for Sewer.

- Section 64 Water Supply Contribution for a total of **\$41,490.40 (4.78 ET)**
- Section 64 Sewerage Contribution for a total of **\$98,350.00 (8.11 ET)**.

Community Submissions

The application was notified in accordance with the QPRC Community Engagement and Participation Plan from 06 February 2025 to 25 February 2025.

Twenty two submissions were received during the notification period, with traffic issues raised. The impact on the local streets and surrounding roads will remain negligible as the development is proposed next to the regional road and close to a state highway.

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

Strategic Planner

This development application was referred to Council's Strategic Planner as the subject lot was identified within the *Bungendore Heritage Study 2019*, adopted by Council 03 March 2019.

24 Gibraltar Street



ITEM DETAILS					
Name of item	NA				
Other Name/s Former Name/s	NA				
Street number	24				
Street name	Gibraltar Street				
Suburb/town	Bungendore, New South Wales	Postcode	2621		
Local Government Area/s	Queanbeyan-Palerang Regional Council				
Property description	Edwardian cottage, weatherboard walls, cgi gabled roof, skillion verandah, red brick chimneys. Modern shopfront and aluminium windows to sides.				
Location - Lat/long	Latitude	Longitude			
Property details	Zone	Lot	DP	591333	
Current use	Commercial				
Former Use	Possibly Dwelling				
Statement of significance	Representative – Fair example of its type. Unsympathetic changes could be reversed.				
Level of Significance	State <input type="checkbox"/>		Local <input checked="" type="checkbox"/>		

RECOMMENDATIONS	
Recommendations	Consider for listing

SOURCE OF THIS INFORMATION			
Name of study or report	Bungendore Heritage Study, 2018	Year of study or report	2018
Item number in study or report			
Author of study or report	David Hobbes, Philip Leeson Architects.		
Inspected by	David Hobbes		
NSW Heritage Manual guidelines used?	Yes <input checked="" type="checkbox"/>	No	<input type="checkbox"/>
This form completed by	David Hobbes	Date	February 2018

IMAGES	
Image year	2018
Image by	David Hobbes

Excerpt from Bungendore Heritage Study 2019

Councils Strategic Planner commented on the proposal as follows:

The Edwardian Cottage (24 Gibraltar Street, Bungendore) has been identified in the Bungendore Heritage Study (adopted on 03 March 2019). The study recommends (page 22), Undertake more detailed inspection and assessment and if appropriate, list.

To date, no further inspection and assessment is carried out to determine its appropriateness to add it into the Schedule 5. However, properties identified in the Bungendore Heritage Study will be considered as part of the Review of Schedule 5 of QPRLEP 2022 concluding in 2027. Furthermore, addition of recommended properties into the Schedule 5 will take another year or so.

Considering the cottage is neither listed nor a decision has yet been made to add it into the Schedule 5 of QPRLEP 2022. It is recommended to assess the DA on the available information and its merits.

The application was referred to Councils Heritage Advisor who commented on the heritage significance of the building as follows (excerpt from their overall assessment):

The building's overall form and some of its original fabric (weatherboards, brick chimneys, short sheet corrugated roofing, timber bargeboard and finial detail) are intact. Some changes are evident which

impacts its overall integrity and presentation including the large format front windows, entry door and the later addition of aluminium windows to the side elevations. While a verandah is seen in historic images, the current verandah has been modified with news posts. The building's scale, relationship to the street and wider setting (to the north and west) are largely intact. The eastern elevation is not visible due to the neighbouring Motel development (1960s).

The building plays a contributory role in the streetscape aesthetic, due in particular to its scale, and continues the pattern in this part of street with its verandah over the footpath. While it is not completely intact, on brief review of the LEP, the building may be significant as an example of an Edwardian (or Federation) period shop building. Federation period houses are better represented on the LEP, though commercial premises from this era are not.

While a full assessment has not been undertaken, including inspection of the interior, it is noted that the building makes a contribution to the streetscape, and may have individual significance as a Federation era commercial building. The social and associational aspects of the building, as a shop with many uses over its life, may also meet threshold for listing on the LEP. While further assessment would be required to justify its addition to the LEP, it is noted that there is a potential for the site to possess some level of significance to Bungendore.

While the heritage significance of the place is acknowledged in the Bungendore Heritage Study 2019, the subject lot, at the time of writing of this report, is neither a listed item under Schedule 5 of the Queanbeyan Local Environmental Plan 2022 nor, is it within any heritage conservation areas.

As discussed above, the Bungendore Heritage Study is strategic in nature and in particular to the subject lot, the above recommendation has not yet been translated into any statutory controls in the LEP or the DCP.

The application was referred to Council's Heritage Advisor following an amendment to the plans and the Heritage Advisor commented on the proposal as follows:

The assessment of this project is undertaken considering both the demolition of the existing building, and the proposed replacement building on the site. The existing building is not currently listed, and though its potential significance not yet being investigated. According to recent discussions, its proposed removal is understood to be permissible by Council under the current LEP and DCP clauses.

The scale and overall form of the existing building on the site plays a contributory role in the streetscape aesthetic and continues the pattern in this part of street with its verandah over the footpath. The site is also in relatively close proximity to other heritage items, including 18 Gibraltar Street and 34 Gibraltar Street. Not only due to its potential heritage significance, but also owing to its scale and streetscape contribution, the ideal outcome for the site would be the retention and potential adaptation/extension of the existing building. It is not clear if any options for retention or adaptation were considered by the applicant. If Council are satisfied with the removal of the existing building, refinements should be made to the proposed replacement structure.

The original proposal was a contemporary style structure with an asymmetrical skillion roof and dark grey overall colour scheme. While not considered in detail, it would not likely have been considered appropriate in the context of the surrounding streetscape, primarily in terms of its scale and likely visual dominance. The revised proposal references some of the architectural language of the surrounding buildings, in the use of horizontal cladding and the gable roof, it has also included a lighter wall colour scheme which is less dominant than the previous proposal.

The overall scale of the revised proposal, however, is considerably larger scale than comparable buildings in the locality and is likely to strongly have a dominant visual position on the corner lot. This dominance is likely to be exacerbated by the removal of all trees from the site which prevents any screening or softening of the built structure (it is noted that one of the perspective drawings illustrates trees on the verge, but these are not noted for planting on plans). The site coverage of this proposal (over 50% for the building, and close to 90% including hardstand landscape) is not considered appropriate (nor does it comply with the DCP controls at C2.3.3) and potentially sets a poor precedent for future development in this precinct, which is defined by varied setbacks, landscaping, established trees and grassy verges. The scale of the building and its site coverage should be reduced as far as possible to ensure it does not dominate the streetscape.

The reference to section C2.3.3 of the DCP is incorrect in this instance as Section C2 of the Palarang DCP primarily relates to residential development controls. The proposed development is **not** residential development. Section C7 of the Palarang DCP applies to the proposal. Under Section C7 of the

DCP, there are no site coverage controls applicable to the site and the proposed development. However, it should be noted that the proposed development complies with the maximum gross floor area control that is applicable to the land which is 150%. The proposed development with an overall gross floor area of approximately 600 sqm, equates to approximately 50% of the site area, which is far less than the maximum limit of 150%. The proposed development is found to be compliant with controls under relevant sections of the DCP.

In response to the other comments relating to scale, any impacts associated with the scale or bulk of the building is likely to be mitigated by appropriate landscaping treatment along the streetscape.

The subject site, as viewed from the intersection of Gibraltar and Ellendon Street, is characterised by a building hidden in the background of existing vegetation along the Ellendon Street frontage as seen below:



Intersection of Ellendon Street & Gibraltar Street

The landscaping proposed on the street verges is considered to be a harmonious addition to the streetscape character allowing for any future developments along Gibraltar St and Ellendon Street to adopt similar landscaping strategies thereby contributing to the overall green cover over the street which would be a valuable addition during peak summer months. In addition to the benefits that would be made available to the pedestrian, the proposed landscaping will also likely reduce the overall impact of the bulk and scale of the proposed development as the proposal would be obscured by vegetation, once mature, as evidenced in a sample perspective below:



In response to the heritage significance of the existing building, the subject site, at the time of writing of this report, is neither a listed item nor is it within any heritage conservation area and therefore, the development is assessed based on its merits against relevant controls under LEP and the DCP. Further assessment below.

Additionally, the existing building could be demolished as complying development under Part 7 Demolition Code within SEPP (Exempt & Complying Development) 2008. This approval for demolition would be able to be issued by a private certifier.

Health Comments

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

Environmental Health supports the development application, subject the following conditions:

~ Asbestos Removal and Disposal

Asbestos material found on the site must be removed and disposed of in accordance with the Work Health and Safety Act 2011, and the NSW WorkCover Guidelines.

Asbestos material must be disposed of to a lawful landfill site approved for that purpose by the Environmental Protection Authority of NSW or equivalent authority in the ACT. Written evidence that the material has been disposed of to the approved landfill must be submitted to the Principal Certifying Authority.

Reason: To ensure the proper disposal of asbestos material.

Hazardous materials assessment (asbestos) has been submitted and accepted.

Council's Health Officer offered no objections to the proposal subject to the above condition of consent.

Building Comments

Council's Building Officer offered no objections to the proposal, however, the officer raised several concerns in relation to demolition, size of door openings for accessibility.

The concerns raised by the building officer are addressed through appropriate conditions of consent.

Trade Waste Officer

The DA was referred to Council's Trade Waste Officer for comment. To date no comment has been received. A condition will be imposed requiring C4 and C5 trade waste applications to be submitted to Council for assessment prior to the issue of a Construction Certificate.

Vegetation Compliance Officer

The application was referred to Council's Vegetation Management Officer who offered no objections to the proposed removal of vegetation. Appropriate conditions are included in the consent to ensure the vegetation is removed in accordance with relevant legislations and regulations.

EXTERNAL REFERRALS

Essential Energy

The application was referred to Essential Energy in accordance with Section 2.48 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* and an email response was received on 11 February 2025 providing comments for the development; these comments will be placed on the development consent as advisory notes. Essential Energy raised no objection to the proposal.

SECTION 1.7 – APPLICATION OF PART 7 OF BIODIVERSITY CONSERVATION ACT 2016 AND PART 7A OF FISHERIES MANAGEMENT

Section 7.2

Section 1.7 of the EP&A Act requires consideration of Part 7 of the Biodiversity Conservation Act 2016 (BC Act). Part 7 of the BC Act relates to an obligation to determine whether a proposal is likely

to significantly affect threatened species. A development is not considered to result in a significant impact in the following assessed circumstances:

Test	Assessment										
(a) it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3, or	The proposal involves the removal of 22 trees and small shrubs/landscaping on site to facilitate the proposed development. The existing vegetation are not considered to be threatened species. The proposed development and trees removal are unlikely to significantly affect threatened species or ecological communities, or their habitats.										
<p>(b) the development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values, or</p> <table border="1"> <thead> <tr> <th>Minimum lot size associated with the property</th><th>Threshold for clearing, above which the BAM and offsets scheme apply</th></tr> </thead> <tbody> <tr> <td>Less than 1 ha</td><td>0.25 ha or more</td></tr> <tr> <td>1 ha to less than 40 ha</td><td>0.5 ha or more</td></tr> <tr> <td>40 ha to less than 1000 ha</td><td>1 ha or more</td></tr> <tr> <td>1,000 ha or more</td><td>2 ha or more</td></tr> </tbody> </table>	Minimum lot size associated with the property	Threshold for clearing, above which the BAM and offsets scheme apply	Less than 1 ha	0.25 ha or more	1 ha to less than 40 ha	0.5 ha or more	40 ha to less than 1000 ha	1 ha or more	1,000 ha or more	2 ha or more	<p>The subject land has no applicable minimum lot size.</p> <p>As mentioned above, the proposal involves the removal of 22 trees and small shrubs/landscaping on site to facilitate the proposed development. The subject site is located within the historic Bungendore town centre which has been modified and altered over time throughout the historical uses of the land with no significant native vegetation on site. Therefore, the biodiversity offset scheme does not apply. Additionally new landscaping will be provided as part of the proposed development to enhance the streetscape.</p>
Minimum lot size associated with the property	Threshold for clearing, above which the BAM and offsets scheme apply										
Less than 1 ha	0.25 ha or more										
1 ha to less than 40 ha	0.5 ha or more										
40 ha to less than 1000 ha	1 ha or more										
1,000 ha or more	2 ha or more										
(c) it is carried out in a declared area of outstanding biodiversity value	The site is not a declared area of outstanding biodiversity value.										

The lot is not identified as containing any biodiversity values on the Biodiversity Values Map. The proposal involves the removal of 22 trees and small shrubs/landscaping on site to facilitate the proposed development. These are mostly non-native in nature with the exception a two eucalyptus melliodora species, two acacias & two casuarina trees located at the rear of the lot. The proposed removal of vegetation is considered satisfactory in this instance as the submitted landscape plans appropriately offset any vegetation loss as a result of this development.

The subject site is considered unlikely to provide any corridors or connectively for any threatened flora or fauna species and due to the scale, nature and location of the development. Therefore, the proposal is unlikely to result in any adverse impacts on any threatened species or ecological communities or their habitats.

On the basis of the above, the development is not considered likely to significantly affect threatened species and therefore a Biodiversity Development Assessment Report is not required to accompany the application for development consent.

Section 7.3

A five-part test was not required to be undertaken as the proposed development will not significantly affect any threatened species, population, or ecological community, or their habitat.

SECTION 4.14 CONSULTATION AND DEVELOPMENT CONSENT – CERTAIN BUSHFIRE PRONE LAND – EP&A ACT, 1979

Section 4.14 of the EP&A Act requires an assessment to be made of the proposal against the requirements of the Rural Fire Service document 'Planning for Bushfire Protection 2019'.

The lot is not classified as fire prone land. No bushfire assessment is required to be undertaken.

SECTION 4.15 CONSIDERATIONS – EP&A ACT, 1979

In determining a development application, the consent authority is to take into consideration the following matters of consideration contained within section 4.15 of the Environmental Planning and Assessment Act, 1979 as relevant to the development application:

4.15(1)(a) the provisions of:

(i) any environmental planning instrument

STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY & CONSERVATION) 2021

Chapter 2 vegetation in non-rural areas

The application involves the removal of 22 trees (mostly non-native in nature) and small shrubs/landscaping on site to facilitate the proposed development with the exception of six native trees. The species proposed to be removed are not considered as threatened species. The subject site is considered unlikely to provide any corridors or connectively for any threatened flora or fauna species and due to the scale, nature and location of the development. Therefore, the proposal is unlikely to result in any adverse impacts on any threatened species or ecological communities or their habitats.

Chapter 4 Koala Habitat Protection 2021

The proposal does not involve the removal of koala feed tree species and is considered unlikely to have any impact on koalas or koala habitat.

Chapter 6 Water Catchments

The subject site is not located within a drinking water catchment.

STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

The State Environmental Planning Policy (Resilience and Hazards) 2021 requires consideration to be given to the suitability of the site for the proposed use.

The site has been historically used for commercial purposes. The applicant submitted a Pre-Demolition Asbestos Assessment, prepared by Keane Environmental, dated 06 February 2024, which found varying amounts of asbestos across several portions of the existing building. While the submitted document focusses on "asbestos" as the contaminating material found on site, it is likely that other contaminating materials such as lead may be found during the demolition stage.

Considering the contaminating nature of asbestos and its impacts on the environment and wellbeing of the occupants, the proposed demolition of the existing cottage is therefore supported in this instance.

The report was reviewed by Councils Health Officer who offered no objections to the proposal, subject to recommended conditions of consent.

With the implementation of the conditions in the consent, the site is considered suitable for the proposed development. It is considered that the relevant provisions of the SEPP have been satisfied. As such, further assessment on this matter is not required.

STATE ENVIRONMENTAL PLANNING POLICY (SUSTAINABLE BUILDINGS) 2022

The application is **not** for the construction of a new dwelling, residential alterations and additions valued over \$50,000 or a swimming pool with a volume greater than 40,000L. Therefore, BASIX Certificate is not required to be submitted with the application.

STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021

The site is not located within or immediately adjacent to an easement for electricity purposes or immediately adjacent to an electricity substation. No ground penetrating work is proposed within 2m of any underground electricity services. The application was referred to Essential Energy in accordance with Section 2.48 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021*. An email response was received on 11 February 2025 providing comments for the development; these comments will be placed on the development consent as advisory notes.

The site is not located in or adjacent to road corridor nor does it have a frontage to a classified road. Given the scale of the proposal, it is not considered as a traffic generating development pursuant to the SEPP. Therefore, the referral to TfNSW is not required.

STATE ENVIRONMENTAL PLANNING POLICY (INDUSTRY AND EMPLOYMENT) 2021

The proposed signages are considered to be *building identification signs* and therefore *Chapter 3 Advertising and signages* of this policy applies.

The proposal includes a detached building identified sign facing Gibraltar Street, measuring 4.6m in length and 1.7m (max) in height.

Relevant clauses of this policy is discussed below:

Part 3.1 Aims, objectives etc

- (a) *to ensure that signage (including advertising)—*
 - i. *is compatible with the desired amenity and visual character of an area, and*
 - ii. *provides effective communication in suitable locations, and*
 - iii. *is of high quality design and finish, and*
- (b) *to regulate signage (but not content) under Part 4 of the Act, and*
- (c) *to provide time-limited consents for the display of certain advertisements, and*
- (d) *to regulate the display of advertisements in transport corridors, and*
- (e) *to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.*

It is considered that the proposal generally satisfies the aims of this Policy. The proposed sign is compatible with the amenity and visual character of the area, provide effective communication in a suitable location and is of acceptable quality design and finish as the signage is proposed to be made of painted timber base fixed onto timber posts. The maximum height of the timber base is approximately 0.8m. While Gibraltar Street is characterised by commercial buildings, built up to the frontage, with awnings over the pedestrian, the signage is predominantly wall fascia in nature. The proposed signage in this development application is standalone in nature, however, due to the size and nature of the proposed signage, it is generally considered to be consistent with the desired amenity and visual character of the locality.

3.6 Granting of consent to signage

A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied—

- (a) *that the signage is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and*
- (b) *that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.*

The proposed signages is considered to be compatible with the desired amenity and visual character of the area and provides effective communication in suitable locations and is deemed to be of high quality design and finish (proposed to be made of timber posts and timber bases). The proposed signages are considered to be consistent with section 3.1 (1)(a) of this policy.

Schedule 5 Assessment criteria is as follows:

1 Character of the area

- *Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?*
- *Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?*

Comments: The proposed signages is sympathetic in nature with a use of timber posts and timber base over brick finish and is considered to be compatible with the existing and desired future character of the area.

2 Special areas

- *Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?*

Comments: The proposed signages is consistent with the heritage character of the locality, in that, it is proposed to be made of timber posts and timber bases over brick finish and does not detract from the amenity or visual quality of the locality and does not result in any impacts on any environmentally sensitive area, heritage area, natural or conservation areas, open space areas, waterways, rural landscapes or residential areas.

3 Views and vistas

- *Does the proposal obscure or compromise important views?*
- *Does the proposal dominate the skyline and reduce the quality of vistas?*
- *Does the proposal respect the viewing rights of other advertisers?*

Comments: The signages are flushed with boundary walls which are primarily used for articulation purposes. The signages are not protruding in nature and does not dominate the skyline or reduce the quality of vistas. No impacts are anticipated on the viewing rights of other advertisers.

Site and building

- *Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?*
- *Does the proposal respect important features of the site or building, or both?*
- *Does the proposal show innovation and imagination in its relationship to the site or building, or both?*

Comments: The signages are considered to be in scale, proportion and form of the proposed development and is considered to be appropriate for the streetscape and its setting. The signages contributes positively to the visual interest of the streetscape and does not present any unsightliness.

6 Associated devices and logos with advertisements and advertising structures

- *Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?*

Comments: No safety devices or platforms are proposed. This criterion is not considered to be applicable for the proposed signages.

7 Illumination

- *Would illumination result in unacceptable glare?*
- *Would illumination affect safety for pedestrians, vehicles or aircraft?*
- *Would illumination detract from the amenity of any residence or other form of accommodation?*
- *Can the intensity of the illumination be adjusted, if necessary?*
- *Is the illumination subject to a curfew?*

Comments: No illumination proposed. This is not applicable.

8 Safety

- *Would the proposal reduce the safety for any public road?*
- *Would the proposal reduce the safety for pedestrians or bicyclists?*

- Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?

Comments: As discussed above, the signages are flushed with the external boundary walls and are generally in keeping with the desired future character of the area. It is unlikely to reduce the safety for any public road or for pedestrians or bicyclists.

QUEANBEYAN PALERANG REGIONAL LOCAL ENVIRONMENTAL PLAN 2022

An assessment of the proposal against the general aims of QPRLEP 2022 is included below:

Cl. 1.2(2)	Aims	Complies
(aa)	to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,	N/A
(a)	to protect and improve the economic, environmental, social and cultural resources and prospects of the community,	Yes
(b)	to facilitate the orderly and economic use and development of land having regard to ecological sustainability principles,	Yes
(c)	to provide for a diversity of housing to meet the needs of the community into the future,	N/A
(d)	to provide for a hierarchy of retail, commercial and industrial land uses that encourage economic and business development that caters for the retail, commercial and service needs of the community,	Yes
(e)	to keep and protect important natural habitat and biodiversity,	Yes
(f)	to protect water quality, aquifers and waterways,	Yes
(g)	to keep, protect and encourage sustainable primary industry and associated commerce in rural areas,	Yes
(h)	to identify and protect the cultural heritage of the area, including the built heritage and the Aboriginal heritage,	Yes
(i)	to protect important scenic quality, views and vistas,	Yes
(j)	to facilitate the orderly growth of urban release areas,	N/A
(k)	to ensure development does not unreasonably increase the demand for public services or public facilities,	Yes
(l)	to identify, protect and provide areas for community health and recreational activities.	N/A

Comments: The proposed development is consistent with the aims of the plan as it supports the long-term economic sustainability of the local community and does not unreasonably increase the demand for public services or facilities.

1.9A Suspension of Covenants, Agreements and Instruments

Under Clause 1.9A, no covenants, agreements and instruments restricting the development have been identified.

2.2 Permissibility

The subject site is zoned *E1 Local Centre* under Queanbeyan Palerang Regional Local Environmental Plan 2022.

Development for the purposes of a “medical centre” such as is proposed is permissible within the E1 Local Centre zone with consent and is defined under QPRLEP 2022 as follows:

medical centre means premises that are used for the purpose of providing health services (including preventative care, diagnosis, medical or surgical treatment, counselling or alternative therapies) to out-patients only, where such services are principally provided by health care professionals. It may include the ancillary provision of other health services

2.3 Zone Objectives

An assessment of the proposal against the objectives of the R1 General Residential zone is included below:

Objectives	Complies
➤ To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area	Yes
➤ To encourage investment in local commercial development that generates employment opportunities and economic growth.	Yes
➤ To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.	N/A
➤ To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.	Yes
➤ To encourage development that is consistent with the character and amenity of the locality.	Yes
➤ To support business development by providing parking and other civic facilities.	Yes
➤ To encourage some limited high density residential uses to create vitality in town centres.	N/A

Comments: The proposed development is considered to be consistent with the objectives of the zone. It is generally consistent with the predominant land uses in the immediate locality and the character of the building form is generally in keeping with the character and amenity of the locality.

2.7 Demolition

The proposal involves demolition of existing building and appropriate conditions included in the consent to ensure demolition is carried out in accordance with relevant legislation and regulations.

Part 4: Principal development standards

An assessment of the proposal against the relevant provisions contained within Part 4 of the QPRLEP 2022 is provided below.

4.3 Height of Building

Cl.	Standard	Controls	Proposed	Complies
4.3	Building Height	9m	5.77m	Yes

Comments: The proposed development complies with the maximum height of development standard under this clause of the Plan.

4.6 Exceptions to Development Standards

Under Clause 4.6 of the QPRLEP 2022, the consent authority may consider a variation, where that variation would achieve a better outcome.

As demonstrated in the table above, the proposed development does not seek any variation to standards specified under Part 4 of QPRLEP 2022.

Part 5: Miscellaneous Provisions

The relevant provisions contained within Part 5 of the QPRLEP 2022 are addressed below as part of this assessment:

5.10 Heritage conservation

The proposed development will have a minimal impact in relation to heritage. The site is not heritage listed, is not adjacent to a heritage item and is not located within a Heritage Conservation Area.



Heritage in the vicinity of the subject site

The site is located in the vicinity of other listed items of varying significance under the QPRLEP 2022.



Figure 6: 18 and 12 Gibraltar Street (Top and Bottom)



Figure 7: Land opposite to the subject lot



Figure 8: 27 & 29 Gibraltar Street



Figure 9: Other commercial premises on the south side of Gibraltar Street

As seen in the images above, the heritage character of the locality is typically characterised by buildings up to street frontage with awnings over pedestrians, gabled roofs, flat roof with ornate timber posts. The predominant materials observed in the heritage items along Gibraltar street was found to be stone masonry (18 and 12 Gibraltar Street), metal roofing sheets, glass panels fronting the streetscape, ornate timber posts.

However, more recent commercial premises are typically characterised by pitched roofs with non-ornate timber posts with awnings over pedestrians and the signage character of the area is varied in nature.

The proposed development includes pitch roofing to ensure consistency with other roofing type found on non-listed items along Gibraltar Street and includes the use of timber posts to support internal walkways (or verandahs), similar to awnings found over the pedestrian along Gibraltar Street and the proposal includes the use of a mix of materials such as wood, metal roofing, horizontal groove cladding.

Considering the nearest heritage listed item is more than 60m on either side of Gibraltar Street, the proposal is unlikely to result in any adverse heritage impacts on the streetscape as the distances is likely to serve as a buffer between the proposed development and any heritage items in the vicinity.

5.21 Flood Planning

Refer to Engineering comments.

Part 7: Additional local provisions

The relevant provisions contained within Part 7 of the QPLEP 2022 are addressed below as part of this assessment:

7.1 Earthworks

Clause 7.1 of the QPLEP 2022 establishes a number of matters requiring consideration for development involving earthworks. Earthworks associated with the development are proposed and form part of this application. The proposed earthworks will not have a detrimental impact on drainage patterns and soil stability or the existing and likely amenity of adjoining properties.

The development application will be condition to mitigate the potential impact of soil erosion and the like during construction.

7.12 Essential Services

Clause 7.12 of the QPRLEP 2022 requires satisfactory arrangements to be made for water supply, stormwater drainage, solid domestic waste, sewage, and the treatment and disposal of effluent. Along with the supply of electricity and suitable vehicle access.

The subject site is connected to town reticulated water and sewer infrastructure. The development will be connected to existing electricity supply and waste will be serviced by Council's waste collection services.

4.15(1)(a)(ii) any draft environmental planning instruments

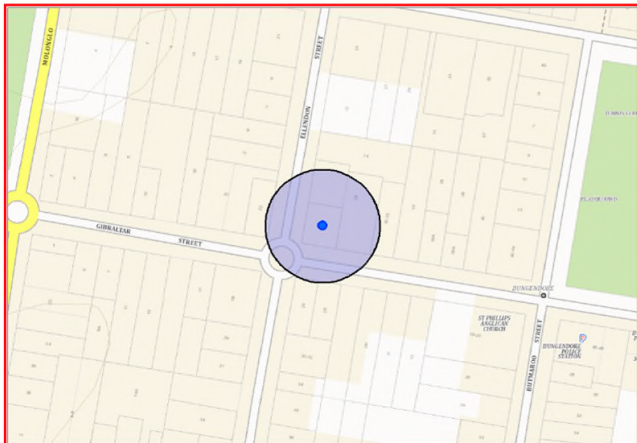
There are no applicable draft planning instruments that are or have been placed on public exhibition, to consider as part of this assessment.

4.15(1)(a)(iii) any development control plan

PALERANG DCP 2015 COMMENTS		
Section	Controls	Complies
PART B – General Provisions		
B1	Site Analysis The lodgement was accompanied by a site plan. Detail shown on the plan included the proposed development, access, contours and distances from site boundaries and proposed removal of vegetation.	Yes
B2.1	Access Access will be provided from Ellendon Street on the west. Access has been assessed by Development Engineer who raised no objection to the proposal.	Yes
B3	Flora, fauna, soil and watercourses Flora & Fauna Please see Biodiversity Conservation Act 2016 assessment. Soil It is not considered that the site preparation and earthworks will have an adverse impact on soil stability. Watercourses The site is not located within 40 metres from any watercourses. Therefore, no further action is required. Habitat corridors Proposal unlikely to result in any adverse impacts on the habitat corridors as there are no recorded corridors within the lot. Tree and Vegetation Management The proposal includes the removal of 4 native trees and 18 other non-native vegetation on the land. Application was referred to Councils Vegetation Management Officer who offered no objections to the proposed removal subject to recommended conditions of conditions.	Yes
B4	Bushfire prone land Not applicable as the site is not considered to be bushfire prone.	N/A
B5	Crime prevention through environmental design The proposed development generally satisfies the relevant provisions of this clause. Entry and exit points to the site are clear and legible.	Yes
B7	Engineering requirements	Yes

	The proposal was assessed by Engineer who offered no objections subject to recommended conditions of consent.	
B8	Erosion and sediment control The consent will contain a condition for erosion and sediment control to ensure that adequate measures are in place during the construction phase.	Yes, conditions
B9	Flood Planning Refer to Engineering comments.	Yes
B10.1	<p>European Heritage The proposed development will have a minimal impact in relation to heritage. The site is not heritage listed, is not adjacent to a heritage item and is not located within a Heritage Conservation Area.</p> <p>However, Council records indicate that the existing building, as part of Bungendore Heritage Study 2019, was recommended for local listing. This study was adopted by Council on 13 March 2019.</p> <p>Councils Strategic Planner advised in an email that, <i>"The Edwardian Cottage (24 Gibraltar Street, Bungendore) has been identified in the Bungendore Heritage Study (adopted on 13 March 2019). The study recommends (page 22), Undertake more detailed inspection and assessment and if appropriate, list.</i></p> <p><i>To date, no further inspection and assessment is carried out to determine its appropriateness to add it into the Schedule 5. However, properties identified in the Bungendore Heritage Study will be considered as part of the Review of Schedule 5 of QPRLEP 2022 concluding in 2027. Furthermore, addition of recommended properties into the Schedule 5 will take another year or so.</i></p> <p><i>Considering the cottage is neither listed nor a decision has yet been made to add it into the Schedule 5 of QPRLEP 2022. It is recommended to assess the DA on the available information and its merits."</i></p> <p>The proposed development is generally considered to be consistent with the heritage character of the locality with its gable pitched roofs, horizontal wall cladding, use of timber posts, brick cladding along the boundaries. The proposed landscaping across the verge is likely to offset the impact of the bulk of the building on the streetscape. The proposal includes the use of contemporary materials such as aluminium claddings, however, the colours of the development are proposed to be consistent with the character of the locality. Considering the pitched nature of the development, awnings over external corridors, timber signages, light coloured wall cladding, the proposal is generally considered to be consistent with the heritage character of the locality.</p>	Yes
B10.1.6	New developments in the vicinity of heritage items	
1)	<p><i>Buildings shall be appropriate to the character of the streetscape or context.</i></p> <p>The gable roof and the proposed materiality of the building is generally considered to be appropriate to the streetscape character. Despite the scale of the proposal being considerably larger than the heritage structures, the proposal is also found to be compliant with the maximum site coverage under relevant sections of the DCP which is discussed further below. The proposal is found to be consistent with the above character.</p>	Yes
2)	<p><i>New buildings shall be of a similar height or less than surrounding buildings.</i></p> <p>The proposed development is single storey in nature and complies with the maximum height limit controls under the LEP. The height of the proposed development is not too dissimilar to other such newer developments in the locality.</p>	Yes
3)	<p><i>New buildings shall not obstruct views (including oblique views along the street) of significant buildings.</i></p>	Yes

	No impacts on any views. The proposal is consistent with the above control.	
4)	<p><i>New buildings shall not visually dominate the streetscape or roofscape of the surrounding area</i></p> <p>The proposed development, despite being larger in scale, is generally found to be consistent with the above control as the proposed development only fronts approximately 11m of the Gibraltar frontage and 15m of the Ellendon frontage. The proposed roofscape is considered not too dissimilar to other roof features in the locality.</p>	Yes
5)	<p><i>New buildings shall be set back or further away from the significant building if it is likely to have an adverse impact on a heritage building by virtue of scale, location or appearance.</i></p> <p>The site is not adjoined by any heritage items. The proposal is found to be consistent with the above control.</p>	Yes
6)	<p><i>New buildings with visible side elevations shall be articulated if greater than 15 metres in length. The articulation can take the form of a rebate in the wall, possibly in combination with a full height change of wall material.</i></p> <p>As detailed above, the maximum length of the visible elevations is limited to 15m (Ellendon Street frontage). Therefore, the proposal is found to be consistent with the above control. The visible elevations are generally found to be articulated with differing materials to ensure the development complies with the heritage character of the locality.</p>	Yes
7)	<p><i>New development may "borrow" architectural language or design from early historic or contributory architectural buildings, such as roof pitch, corrugated iron roofing or weatherboard walls.</i></p> <p>The building borrows traditional features such as the horizontal board style wall cladding and gable roof style. This is considered to be consistent with the above control.</p>	Yes
8)	<p><i>New development may interpret traditional design concepts in a modern way, and do not have to copy existing buildings.</i></p> <p>The building borrows traditional features such as the horizontal board style wall cladding and gable roof style. This is considered to be consistent with the above control.</p>	Yes
9)	<p><i>Where larger scale new developments are proposed a building and streetscape character analysis, streetscape elevation, and definition of suitable envelope, is to be prepared and discussed with the heritage advisor prior to undertaking detailed design.</i></p> <p>As discussed above, the proposed development, despite being larger in scale, adopts similar materials, façade treatments, similar roof pitch to ensure that the development complies with the relevant heritage character of the locality. The proposal is found to be compliant with the above control.</p>	Yes
10)	<p><i>Where a structure is unable to achieve a suitable design standard, for example because of its utilitarian or specific nature, it is to be lower, set back from adjacent structures and incorporate suitable screening.</i></p> <p>Not applicable.</p>	N/A
B.10.2	<p>Aboriginal Heritage</p> <p>An AHIMS search was carried out and did not indicate any heritage sites within the vicinity of the proposed development, as such it is considered that the proposed development is unlikely to result in the disturbance of any items of aboriginal indigenous cultural heritage. A condition however will be contained within the consent that the development is to proceed with caution and if any Aboriginal objects are found works should stop and DECCW are to be notified.</p>	Yes

	<div></div> <p>A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:</p> <table><tr><td>0</td><td>Aboriginal sites are recorded in or near the above location.</td></tr><tr><td>0</td><td>Aboriginal places have been declared in or near the above location. *</td></tr></table>	0	Aboriginal sites are recorded in or near the above location.	0	Aboriginal places have been declared in or near the above location. *	
0	Aboriginal sites are recorded in or near the above location.					
0	Aboriginal places have been declared in or near the above location. *					
B14	Potentially Contaminated Land No records have been found to indicate any potential for contamination. A site inspection did not reveal any contamination in the subject site.	Yes				
B15	Waste management The consent will contain a condition for waste management to ensure that adequate measures are in place during the construction phase.	Yes				
PART C7 – Business land development – Local Centre and Mixed Use						
Objectives and controls applicable to all land use zones and dwelling types		Yes				
<p>a) To ensure that the development contributes positively to the streetscape and character of the locality</p> <p>b) To ensure that the infrastructure associated with the development is appropriate</p> <p>c) To ensure current solar access to all buildings and outdoor spaces is not reduced.</p> <p>Comments: The proposed development is generally found to contribute positively to the streetscape and local character of the area. The proposal is unlikely to result in any adverse solar impacts on any adjoining buildings.</p>						
C7.1	Maximum gross floor area Controls 1. The maximum gross floor area will be no greater than 150% area of its lot. For commercial development this may increase where: <ul style="list-style-type: none">it is consistent with adjoining development andadequate arrangements can be made for car parking, loading and unloading Comments: The maximum proposed GFA is 600 sqm. The site area is 1096 sqm. This equates to approximately 50% of the site area. Therefore, the proposal complies with this control.	Yes				
C7.2	Acoustic Privacy Comments: The development is sited in a locality surrounded by commercial establishments on all sides. Therefore, the proposed development is unlikely to result in any adverse acoustic impacts on any adjoining lots.	Yes				
C7.3	Building articulation Objective	Yes				

	<div><div><div>a) To ensure that the facade treatment and architectural detail of buildings enhances the character and continuity of the streetscape</div><div>b) To reduce the apparent bulk and scale of buildings</div><div>c) To have contemporary designs which integrate with the visual elements of the streetscape</div></div><div>Control<div><div>1) The maximum unarticulated building length to a street is to be 5m</div><div>2) Large areas of blank or minimally articulated walls are to be avoided</div><div>3) Building facades in plan and elevation should be modulated to reduce the appearance of bulk and express elements of the buildings architecture</div><div>4) A mix of building materials and colours should be used to reduce the bulk of buildings</div><div>5) Articulate buildings on corner sites to address each street frontage and define prominent corners</div></div></div><div>Comments: Articulation is proposed through the use of glass walls, use of slatted column treatments and window and door fenestrations. The proposal appropriately addresses both Ellendon Street on the west and Gibraltar Street on the south and is consistent with the controls and objectives of this section.</div></div>									
C7.4	<div>Building exteriors<div>Comments: The proposed colours are generally considered to be non-reflective in nature. Appropriate conditions included in the consent to ensure the development adopts non-reflective and muted colours.</div></div>	Yes, conditions								
C7.5	<div>Building sitting and orientation<div>Objective<div>To ensure that building siting and orientation reflects the characteristic pattern created by the original grid road layout where lots front the road (and laneway) and buildings are generally oriented to the street</div>Control<div><div>1) Buildings should be orientated and designed to address and overlook the public domain</div><div>2) Buildings should have an identifiable address to the primary street</div></div></div><div>Comments: The proposal is generally considered to be oriented towards the streetscape and overlooks the public domain through the proposed windows along the street frontages.</div></div>	Yes								
C7.6	<div>Energy Efficiency<div>Comments: The applicant has submitted a Section J assessment which is generally considered to be consistent with the relevant controls under this section of the DCP.</div></div>	Yes								
C7.7	<div>Height<div>Comments: The proposed development is single storey in nature and consistent with the character of the streetscape in terms of height.</div></div>	Yes								
C7.8	<div>Setbacks<table><tr><th>Setback</th><th>Required</th><th>Proposed</th><th>Complies</th></tr><tr><td>Primary road frontage (south & west)</td><td>To be assessed relative to sight lines at the intersection</td><td>1.2m (west) 1.36m (south)</td><td>Yes</td></tr></table></div>	Setback	Required	Proposed	Complies	Primary road frontage (south & west)	To be assessed relative to sight lines at the intersection	1.2m (west) 1.36m (south)	Yes	Yes
Setback	Required	Proposed	Complies							
Primary road frontage (south & west)	To be assessed relative to sight lines at the intersection	1.2m (west) 1.36m (south)	Yes							

		and nay traffic hazard that may be created			
	East Side Setback	0	1.5m	Yes	
	North Side Setback	0	1.5m	Yes	
	The proposed development complies with the relevant setbacks required under this section of the DCP. The proposed development is unlikely to result in any adverse impacts on the sight lines at the intersection at the south-west corner.				
C7.9	Roof Pitch Comments: The proposal multiple roof pitches, 30°, 20° and 10°. The varied roof pitches significantly reduces the bulk of the proposed development and ensures it corresponds to the varied roof pitches in the locality.				Yes
7.10	Overshadowing Comments: The proposed development is single storey in nature and no overshadowing is anticipated the site is a corner lot bound by public roads on west and south.				Yes
7.11	Streetscape Objective a) To ensure that the character of the street is maintained or enhanced by the contribution of the development Control 1) The proposed building should fit comfortably within the existing streetscape of the village eg the character and scale of residential and other development within the vicinity Comments: The proposal will appropriately fit comfortably within the existing streetscape of the village with its pitched roofs facing the street frontages on either sides with timber signage fronting the streetscape along Gibraltar Street.				Yes
7.12	Waste Management Appropriate conditions are included in the consent to ensure a waste management plan is submitted to the PCA prior to the issue of a construction certificate.				Yes, conditions
Part D Area specific Provisions					
D1	Bungendore Desired Future Characteristics of Bungendore <ul style="list-style-type: none">Structures are of a low scale with a distinct divide between the town and the surrounding rural landscapeDevelopment is generally of low density with buildings well separated (except in the commercial area (precinct 2))A landscaped setting including mature trees and shrubs, grassed verges and gardens, all of which combine exotic and native speciesThe historic grid pattern is intactHeritage items are dominant featuresNew buildings are of sympathetic form and external materials relate to the existing town characterOpen space areas are not cluttered with new structures Comments: The proposed development, considering the size of the site, is generally considered to be of low scale in nature and only comprised of a single building and does not result in any impact on the historic grid pattern and unlikely to result in any adverse heritage impacts and the proposal is generally considered to be sympathetic in nature.				Yes

	<p>Precinct 2 – Gibraltar Street, Ellendon, Malbon and Molonglo Streets</p> <p><i>Desired Future Characteristics</i></p> <ul style="list-style-type: none"> • A mix of styles and building types –commercial, retail and residential use • A variety of front setbacks, including zero front setbacks for buildings facing the Gibraltar and Malbon Streets • Front awnings or verandahs • Combinations of materials including stone, timber, brick and weatherboard walls, and corrugated steel walls and roofs, slate or tiled roofs <p>Comments: The proposed development is commercial in nature and includes front verandahs facing onto the Ellendon and Gibraltar Streetscape. The proposal includes the use of a combination of materials including timber, steel walls and roofs. The proposal is generally considered to be consistent with the desired future character of the area.</p>	Yes
	<p>Controls</p> <ol style="list-style-type: none"> 1) Buildings fronting Gibraltar, Malbon or Ellendon streets may have a zero front or side setback 2) Buildings fronting Gibraltar, Malbon or Ellendon streets shall incorporate a verandah or awning on the front elevation. 3) New buildings are to align with the town grid. Roof planes are to be aligned parallel, or 90 degrees to the side boundary of the lot 4) Buildings facing the street (or both streets in the instance of a corner lot) shall have openings of a scale and proportion which is sympathetic to the existing historic buildings. Openings should read as being punctuations of the overall wall. The ratio of opening areas should be less than that of the wall area. 5) Buildings are not to contain large sections of blank walls on elevations facing the street. These elevations should be articulated. 6) New roofs should be consistent with historic roof forms. i.e narrow span gables and hips, with a high degree of articulation over the floor plan 7) Front elevations may incorporate a glazed shopfront. This should not fully glazed, ie. full width floor to ceiling but be broken up in traditional proportions with sill, head and transom and have a separately identified entry door 8) Verge design should be consistent with adjoining properties, e.g. a combination of brick or concrete paving, timber and soft landscaping and if not fully paved should continue the existing paved footpath alignment <p>Comments: The proposal makes use of the zero lot provisions and includes a veranda fronting Gibraltar Street and Ellendon Street to provide for accessible access from the streetscape. The proposed development are aligned with the lot boundaries. The street fronting walls on Gibraltar Street and Ellendon Street include openings for windows which is generally considered to be sympathetic to the existing historic buildings in the locality and is considered to be appropriately articulated to ensure there are no blank walls. The new roofs are considered to be consistent with the historic roof patterns in the locality and the front elevations include glazed windows, however, this is not considered to be a detractor to the streetscape character of the locality.</p>	Yes

4.15(1)(a)(iiia) any planning agreement or draft planning agreement

No planning agreement has been entered into under section 7.4 of the *Environmental Planning and Assessment Act 1979*.

4.15(1)(a)(iv) matters prescribed by the regulations

None of the matters under *Clause 61 of Environmental Planning and Assessment Regulations 2021* is relevant to the proposed development.

4.15(1)(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

The proposed development is generally considered to be consistent with the relevant aims and objectives of the Plan and the DCP. With the implementation of the conditions in the consent, the proposed development is unlikely to result in any adverse impacts on the environment.

4.15(1)(c) the suitability of the site for the development

The subject site is relatively unconstrained and is considered to be suitable in its current state for the purposes of the proposed development.

4.15(1)(d) any submissions made in accordance with this Act or the regulations

The application was notified in accordance with the Community Engagement and Participation Plan from **06/02/2025** to **25/02/2025**, with **20** submissions received, raising the following concerns:

- a. *Existing building on the site is of historic merit and has been recommended for a listing in the Bungendore Heritage Study 2019, which was adopted by Council on 03/03/2019*
- b. *Proposed development is unsympathetic to the streetscape character of the locality and likely result in irreversible impact on the heritage character*
- c. *Significant loss of mature vegetation*

With regards to the recommendations in the Bungendore Heritage Study 2019, the subject lot, at the time of writing of this report is neither a listed item nor is it within any heritage conservation area under Schedule 5 of QPRLEP 2022. The Bungendore Heritage Study 2019 is a strategic document and does not carry a statutory obligation for assessment under Section 4.15 of the EP&A Act 1979, as amended. Additionally, it should be noted that the existing building could be demolished as complying development under Part 7 Demolition Code within SEPP (Exempt & Complying Development) 2008. This approval for demolition would be able to be issued by a private certifier.

Since the first notification, the development has been significantly amended to ensure consistency with the streetscape character of the locality.

While the loss of vegetation is acknowledged, the majority of the vegetation with the exception of the two eucalyptus and two acacia trees, is mostly non-native in nature. The existing vegetation is scattered across the site, thereby severely restricting any development on the land. The proposal includes landscaping along the street frontages, which is considered to be a significant contribution to the streetscape character and likely to offset any vegetation loss.

The amended proposal was re-notified between **09/05/2025** to **30/05/2025** and three submissions were received who raised the following concerns:

- a. *Severe impact on the heritage, loss of mature vegetation & inadequate parking*

The concerns raised in the second round of public notification is not too dissimilar to the concerns raised during the first notification period. The concerns have been appropriately addressed above.

4.15(1)(e) the public interest

The public interest is served through the detailed assessment of this development application under the relevant local planning controls and legislation and consideration of any submissions received relating to it by Council. The proposed development is not considered to be contrary to the public interest.

SECTION 7.11 CONTRIBUTIONS

Section 7.11 of the *Environmental Planning & Assessment Act 1979* permits councils to require as a condition of development consent, the reasonable dedication of land or the payment of monies, or both, for development that is likely to require the provision of, or increase the demand for public amenities and public services within the area.

- Contribution to Bungendore Street Upgrading for a total of **\$80,169.9 (19.23 ET)**
- Contribution to Bungendore Car parking facilities (commercial development) for a total of **\$125,984.00 (16 Parking Spaces)**.

Appropriate condition are included in the consent to ensure the contributions are paid prior to the issue of an occupation certificate.

SECTION 64 CONTRIBUTIONS

Section 64 of the Local Government Act 1993 allows contributions to be levied towards the provision of water, sewerage and stormwater infrastructure.

The lot will have a credit of 1 ET for both Sewer and Water each. Hence, ETs required for this development, including Tenancy 1 and 2, are 4.78 for Water and 8.11 for Sewer.

- Section 64 Water Supply Contribution for a total of **\$41,490.40 (4.78 ET)**
- Section 64 Sewerage Contribution for a total of **\$98,350.00 (8.11 ET)**.

Appropriate conditions are included in the consent to ensure contributions are paid prior to the issue of a construction certificate.

SECTION 7.12 CONTRIBUTIONS

Section 7.12 of the *Environmental Planning & Assessment Act 1979* permits councils to require as a condition of development consent, the reasonable dedication of land or the payment of monies, or both, for development that is likely to require the provision of, or increase the demand for public amenities and public services within the area.

Section 7.12 Contributions are not applicable to the proposed development.

CONCLUSION

The application has been assessed having regard to Section 4.15 of the *Environmental Planning and Assessment Act 1979*, and is considered to be satisfactory for approval, subject to the recommended conditions of consent.

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Council Meeting Attachment

25 JUNE 2025

ITEM 9.3 DA.2025.0014 - 24 GIBRALTAR STREET, BUNGENDORE -
DEMOLITION OF EXISTING BUILDING AND
CONSTRUCTION OF MEDICAL CENTRE

ATTACHMENT 6 DRAFT CONDITIONS OF CONSENT - DA.2025.0014 - 24
GIBRALTAR STREET, BUNGENDORE



Draft Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

APPROVED DEVELOPMENT AND PLANS

1. Plans and documents

The development referred to in the application is to be carried out in accordance with the approved plans and documents including the following:

Title / Description	Prepared by	Issue/Revision & Date	Date received by Council
<i>Plans</i>			
000 - Cover Page	Studio56	Rev D, 14 May 2025	19 May 2025
101 - Demolition Site Plan	Studio56	Rev D, 14 May 2025	19 May 2025
102 - Proposed Site Plan	Studio56	Rev D, 14 May 2025	19 May 2025
103 - Area Plans	Studio56	Rev D, 14 May 2025	19 May 2025
104 - Roof Plan	Studio56	Rev D, 14 May 2025	19 May 2025
200 - Floor Plan	Studio56	Rev D, 14 May 2025	19 May 2025
201 - Signage Details	Studio56	Rev D, 14 May 2025	19 May 2025
300 - Elevations 1-4	Studio56	Rev D, 14 May 2025	19 May 2025
400 - Cross Section	Studio56	Rev D, 14 May 2025	19 May 2025
902 - Finish Selections	Studio56	Rev D, 14 May 2025	19 May 2025
Sheet 1 - Landscape Plan	Plot Design Group	Rev C, 14 October 2024	15 January 2025
<i>Documents</i>			
Pre-Demolition Asbestos Assessment	Keane Environmental	06 February 2024	08 May 2025

except as modified by any of the following conditions of consent.

Reason: Development is undertaken in accordance with this consent & is used for the approved purpose only.

SPECIAL CONDITIONS

2. Hours of Operation

Operating hours of the premises are limited to:

Days	Hours
Monday to Friday	8.00 am to 6.00 pm

OFFICES

144 Wallace St, Braidwood
13 Gibraltar St, Bungendore
257 Crawford St, Queanbeyan

POSTAL

PO Box 90, Queanbeyan NSW 2620

PHONE

P: 1300 735 025

EMAIL/WEB

E: council@qprc.nsw.gov.au
W: www.qprc.nsw.gov.au

ABN 95 933 070 982

Reason: To ensure impacts from noise and traffic are minimised on surrounding land uses.

3. Dust Management

Immediately undertake all measures as appropriate, and/or respond to any Council direction to provide dust suppression on roads leading to, adjacent to and within the site in the event that weather conditions, construction activities and associated traffic to and from the site are giving rise to abnormal generation of dust.

Reason: To ensure that local residents and activities are not disadvantaged by dust during hours of operation.

GENERAL CONDITIONS

4. Obtain Construction Certificate

Obtain a construction certificate from Queanbeyan-Palerang Regional Council or an appropriately accredited private certifier before undertaking any work. Forward a copy of any construction certificate issued by a private certifier to Queanbeyan-Palerang Regional Council at least 2 days before undertaking any work in accordance with that construction certificate.

Reason: Work is undertaken in accordance this consent & relevant construction standards.

5. Obtain Occupation Certificate

Do not occupy or use the premises until an occupation certificate has been issued by Queanbeyan-Palerang Regional Council or an appropriately accredited private certifier. Provide a copy of any occupation certificate, issued by a private certifier, to Queanbeyan-Palerang Regional Council no later than 2 days after the occupation certificate is issued.

Reason: Ensure that the building complies with relevant standards.

6. Comply with the Building Code of Australia

All work is to comply with the current edition of the Building Code of Australia.

Reason: All building work is carried out in accordance with relevant construction standards.

7. Construction within Boundaries

The development including but not limited to footings, walls, roof barges and guttering must be constructed wholly within the boundary of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Gates must be installed so they do not open onto any footpath or adjoining land.

Reason: Approved works are to be contained wholly within the subject site.

8. Retaining Walls

All excavations, backfilling and other activities associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

Excavations or fill extending to within 1m of boundary must be supported by retaining wall/s.

Retaining wall/s that exceed 600mm in height are required to be certified by a structural engineer and included in any construction certificate application for the site.

Reason: Retaining walls are structurally strong enough to bear the loads put on them.

9. Batters

No batter is to have a gradient greater than 1:4. Batters greater than 1:4 must be retained.

Reason: Prevent soil erosion, water pollution and the discharge of loose sediment on surrounding land.

10. Imported Fill

All fill delivered to site has to be certified Virgin Excavated Natural Material (VENM).

Reason: Only clean and non-contaminated fill is used on site.

11. Unauthorised Use of Public Land

No building materials are to be stored or construction activities undertaken on public or adjoining land without prior written approval from Council.

Reason: To prevent unnecessary disturbance to public land.

12. Work on Adjoining Land Is Limited

The verge and other adjoining lands must not be used for storage of materials, trade/construction vehicle parking or disturbed by construction activities with the exception of;

- a. Installation of a temporary, stabilised construction access across the verge,
- b. Installation of services,
- c. Construction of an approved permanent verge crossing.

Reason: To minimise interference with the verge and its accessibility by pedestrians.

CONDITIONS TO BE SATISFIED PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

13. Submit Flood Engineer's Certificate FLOODING

Prior to the issue of any Construction Certificate (Building) a certificate from a practising structural engineer must be submitted to the Principal Certifying Authority to certify that:

- a) for a design criteria of 48 hours, ground saturation forces transmitted by the structure to the ground can be withstood by the foundations and ground conditions existing during a flood event and,
- b) the design of the proposed works is structurally sound to withstand all flood events up to at least a 1% AEP flood.

Reason: To ensure the structural stability of the building during a flood event.

14. Water & Sewer Compliance Certificate of Compliance - Design

Prior to the release of a Construction Certificate, a Certificate of Compliance in accordance with the *Water Management Act 2000* must be obtained from Council.

Under Section 306 of the *Water Management Act 2000* Council, as the case requires, may, as a precondition to the issuing a Certificate of Compliance, impose a requirement that a payment is made or works are carried out, or both, towards the provision of water supply and sewerage under Section 64 of the *Local Government Act 1993* and as specified in Schedule 1 of this consent.

Section 64 contributions shall be indexed in accordance with the respective plans and CPI All Groups - Sydney annually.

Reason: To ensure that supply is available, and/or the hydraulic design is in accordance with the relevant specifications.

15. On-Site Detention System Design

Prior to Construction Certificate being issued, an on-site detention system, with a minimum 13.0kL storage capacity and conforming to Council's Development Design specification shall be submitted to Council. The design shall be accompanied by a certification from a suitably qualified hydraulics

engineer.

Reason: To ensure on site detention is designed in accordance with the Council's specification.

CONDITIONS TO BE SATISFIED PRIOR TO COMMENCEMENT OF WORKS

16. Appoint PCA (Building)

Appoint a principal certifying authority before any work is undertaken. Provide details of the appointed principal certifying authority (if not Queanbeyan-Palerang Regional Council) to Queanbeyan-Palerang Regional Council at least 2 days prior to any work being undertaken.

Reason: To provide for supervision of the building works.

17. Development Contributions to be Paid

Prior to the lodgement of the Notice to Commence Work and Appointment of a Principal Certifying Authority the contributions specified in Schedule 1 of this consent must be paid to Council under the provisions of Section 7.11 or 7.12 of the *Environmental Planning and Assessment Act 1979*.

Reason: To provide for the funding of augmentation and provision of services and community facilities.

18. Site Identification

The site where building work, subdivision work, or demolition work are proposed to be carried out shall be identified by a sign sited in a visually prominent position containing the following information;

- the development application number,
- name, address and telephone number of the principal certifying authority,
- name of the principal contractor (if any) and 24 hour contact telephone number, and
- a statement that "unauthorised entry to the work site is prohibited".

Reason: To satisfy the provisions of Clause 70 of the Environmental Planning and Assessment Regulation 2021.

19. Traffic Management and Section 138 Consent

Prior to undertaking any works within a public road reserve or affecting the road reserve, a traffic management plan is to be submitted to and approved by Queanbeyan-Palerang Regional Council under Section 138 of the *Roads Act 1993*.

Reason: To ensure that works carried out comply with the Roads Act.

20. Sediment and Erosion Control

A Sediment and Erosion Control Plan (S&ECP) for all site works, including road works and access, is to be approved by the principal certifying authority prior to work commencing. The plan is to cover all measures to control erosion and sediment transport in accordance with the NSW Landcom publication *Managing Urban Stormwater - Soils and Construction (4th Edition 2004 - "Blue Book")*.

Erosion and sediment controls are to be in place before the disturbance of any soils on the site, and are to be maintained during the works and for as long as necessary after the completion to prevent sediment and dirty water leaving the site and/or entering the surface water system outside of the site as follows:

- (a) divert uncontaminated run-off around cleared or disturbed areas,
- (b) erect a silt fence to prevent debris escaping into drainage systems or waterways,
- (c) prevent tracking of sediment by vehicles on roads, and
- (d) stockpile topsoil, excavated material, construction and landscaping supplies and debris within

the site.

Reason: To minimise environmental impact associated with any works & to prevent soil erosion/water pollution.

21. Asbestos Removal and Disposal

Asbestos material found on the site must be removed and disposed of in accordance with the *Work Health and Safety Act 2011*, and the NSW WorkCover Guidelines.

Asbestos material must be disposed of to a lawful landfill site approved for that purpose by the Environmental Protection Authority of NSW or equivalent authority in the ACT. Written evidence that the material has been disposed of to the approved landfill must be submitted to the Principal Certifying Authority.

Reason: To ensure the proper disposal of asbestos material.

22. Submit an Application for Trade Waste (C4)

Prior to the commencement of any building work or the approved land use a Trade Waste Application (C4) for disposal into sewer must be submitted to, and approved by, Council.

Reason: To ensure compliance with Section 68 of the Local Government Act, 1993, Council's Policy for Discharge of Liquid Trade Waste into Council's Sewer 2004/05 and to protect Council's Sewerage System.

23. Waste Management Plan

A Waste Management Plan, prepared by a suitably qualified or experienced professional, shall be submitted to Council for approval. The waste management plan shall include:

- The presence, or otherwise, of asbestos containing material (ACM) in or on the site, the nature of the ACM, estimated quantities, and the approach to managing this ACM.
- Estimated quantities of demolition waste broken down into major waste streams.
- Description of how demolition waste will be reused, recycled or otherwise safely and legally diverted from landfill for the duration of the demolition works.
- Estimated quantities of demolition waste to be landfilled, reused, recycled, or otherwise safely and legally diverted from landfill.
- Estimated quantities of construction waste broken down into major waste streams.
- Description of how construction waste will be avoided, reused, recycled or otherwise safely and legally diverted from landfill for the duration of construction works.
- Estimated quantities of construction waste to be landfilled, reused, recycled, or otherwise safely and legally diverted from landfill.
- Estimated quantities of excavated natural material (ENM), the expected classification of ENM and how ENM will be managed and disposed.
- Generally addressing how this project is contributing to the NSW Waste and Sustainable Materials Strategy 2041 (NSW DPIE, June 2021) target to achieve "80% average recovery rate from all waste streams by 2030".

Reason: To ensure that that waste management is appropriately considered and managed across the life of the development.

CONDITIONS TO BE SATISFIED DURING DEMOLITION AND/OR BUILDING WORKS

24. Hours of Operation for Works

All works associated with the construction and/or demolition of this development must be carried out between the following hours unless Queanbeyan-Palerang Regional Council agrees in writing. A written application shall be made to Queanbeyan-Palerang Regional Council if a variation of hours is required.

Weekdays:	7.00am to 6.00pm
Saturdays:	8.00am to 4.00pm
Sundays and Public Holidays:	NIL

Reason: To reduce the chance of offensive noise being created and to minimise the impacts of the development in its locality.

25. Approval Documents

Keep a copy of all stamped approved plans, specifications and documents on site while work is being undertaken.

Reason: Relevant documentation is available for perusal on site by a council officer, for compliance check.

26. Construction Facilities

Toilet facilities are to be provided at or in the close vicinity of the work site on which work involved in the erection or demolition of a building is being carried out.

Reason: To provide adequate facilities to the work site.

27. Unexpected Finds

The development is to proceed with caution. If any Aboriginal objects are found, works should stop and DECCW notified. If human remains are found work is to stop, the site is to be secured and the NSW Police and NSW Office of Environment and Heritage are to be notified.

Reason: To ensure objects discovered during construction are protected and notified in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales.

28. All Works to Be Confined to the Site

All demolition, excavation, backfilling, construction and other activities associated with the development must:-

- a) Be carried out entirely within the allotment boundaries unless otherwise approved by Council.
- b) Comply with the requirements of AS 2601-2001 - The demolition of structures.
- c) If within one metre of the verge, the site must be protected by a hoarding which must be erected prior to the commencement of the demolition works.
- d) Be kept clear of stormwater, sewer manholes and service easements on the site.
- e) Any gates must be installed so they do not open onto any footpath or adjoining land.

Reason: To ensure that all development activity associated with the development does not pose a hazard to life or property and that the effectiveness of public services is not impaired.

29. Demolition Works

The demolition of the existing building must be carried out in accordance with the:

- a) requirements of the SafeWork Authority of New South Wales,
- b) *NSW Work Health and Safety Act 2011*, and
- c) *Australian Standard AS 2601-2001: The Demolition of Structures*.

Reason: To ensure compliance with SafeWork and occupational health and safety requirements.

30. Construction Waste Management

All waste materials generated on-site during construction are to be stored in enclosed containers and deposited in an approved landfill at regular periods.

Reason: To ensure adequate waste management practices are in place during the construction phase.

31. Protection of Adjoining Structures

If any excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on adjoining land, the person causing the excavation to be made:

- (a) must preserve and protect the building from damage, and
- (b) if necessary, must underpin and support the building in an appropriate manner, and
- (c) must, at least seven days before excavating, give notice of intention to do so to the owner of the adjoining and furnish particulars of the excavation to the owner of the building being erected or demolished, and
- (d) satisfy the requirements of SafeWork.

The owner of the adjoining land is not to be liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

Reason: Excavations relating to building work do not pose a hazard to adjoining properties.

32. Excavation and Backfilling

All excavations and backfilling associated with the erection or demolition of a building must be executed in accordance with the requirements of SafeWork.

Reason: To ensure excavation does not impact on adjoining property and compliance with SafeWork requirements.

33. Maintenance of Erosion Control Measures

All measures to control erosion and sediment transport are to be maintained during the works in accordance with the NSW Landcom publication *Managing Urban Stormwater - Soils and Construction* (4th Edition 2004- "Blue Book") and for as long as necessary after the completion to prevent sediment and dirty water leaving the site and/or entering the surface water system outside of the site.

Reason: To minimise environmental impact associated with any works & to prevent soil erosion/water pollution.

34. Temporary Vehicle Access

Temporary vehicle access to the site must be stabilised to prevent the tracking of sediment onto the roads and footpath. Soil, earth, mud or similar materials must be removed from the roadway by sweeping, shovelling, or a means other than washing, on a daily basis or as required. Soil washings from wheels must be collected and disposed of in a manner that does not pollute waters.

Reason: To minimise transfer of soil from the site onto the road pavement.

35. Submit Survey Plan Showing Boundary Setbacks

The building must be set out by a Registered Surveyor in accordance with the datum shown on the approved plans. A survey plan that identifies the location of the building in relation to the allotment

boundaries must be prepared upon completion and then be submitted to the Principal Certifying Authority.

Reason: To ensure building has been sited in accordance with the approved plans.

36. Storage of Dangerous Substances is Prohibited FLOODING

The storage of the following substances in quantities, other than for isolated or occasional household purposes, is prohibited for this development:

- | | | |
|-----------|-------------|---------------------|
| • Acetone | • Celluloid | • Magnesium |
| • Ammonia | • Chlorine | • Nitric Acid |
| • Benzine | • Petrol | • Phosphorus |
| • Sodium | • Sulphur | • Potassium |
| • Carbon | • Disulfide | • Hydrochloric Acid |

Reason: To ensure that substances that are extremely vulnerable to flood conditions are not stored in quantities that will cause adverse impacts in the event of a flood as the land is located within the Flood Planning Area in the Queanbeyan-Palerang Local Environmental Plan 2022.

37. Electrical Services in New Buildings Flooding

All electrical power connections, switch boards and transformers must be installed at a level above RL 691.3m AHD.

Reason: To ensure the development is compatible with the flood risk of the area and to minimise damage to property that may occur in the event of flooding.

38. Floor Level above the 1% AEP Flood Level FLOODING

The floor level of the proposed building must be 500mm above the 1% AEP probability flood level, which for this allotment is at RL691.3m AHD. A survey plan that identifies the height of the floor must be prepared by a Registered Surveyor upon completion of the floor and then submitted to the Principal Certifying Authority.

Reason: To ensure that the floor level of the building is set at or above the 1% AEP flood level so as to minimise the risk of flood damage to the building and its occupants.

CONDITIONS TO BE SATISFIED PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

39. Occupation Certificate

The occupation certificate must not be issued until all conditions of consent have been satisfactorily complied with and all mandatory stage/required plumbing inspections undertaken. Plumbing and drainage must be inspected by Queanbeyan-Palerang Regional Council at the relevant stages of construction in accordance with the attached inspection schedule and a final plumbing certificate obtained prior to issue of any occupation certificate.

Reason: Development is safe & appropriate for occupation, and is completed in accordance with the consent.

40. Sewage Reflux Valve

A sewer reflux valve shall be fitted in accordance with AS 3500 to the internal sewer drainage system upstream of the property boundary trap / shaft so as to prevent the backflow from the sewer from the authority's sewer entering the building.

Reason: To ensure the development is compatible with the flood risk of the area and to minimise damage to

property that may occur in the event of flooding.

41. Colours and Material Finishes

The building is to be finished in materials that have a low reflectivity. Colours are to incorporate the use of muted, natural colours that will blend with, rather than stand out from, the landscape for major features such as walls, roof and fencing.

Reason: The building is not visually intrusive in the landscape and does not cause glare.

42. Lighting In Car Parks and Public Spaces

Lighting throughout the car parking area and in public spaces must comply with AS/NZS 2890.1-2004 Parking Facilities Off-Street Car Parking and AS/NZS 1158 Set:2010 - Lighting for Roads and Public Spaces.

Reason: To ensure the provision of adequate lighting within the development.

43. Stormwater Disposal and Water Quality Requirements

All stormwater from the site must be trapped and piped to the existing stormwater system via an on-site detention system to limit the discharge from the site to the pre-development rate in accordance with Council's D5 Development Design Specification.

Reason: To provide satisfactory stormwater disposal and water quality.

44. Car Parking to Comply With AS/NZS 2890

All car parks must comply with AS/NZS 2890.1-2004 Parking Facilities Off-Street Car Parking.

The development must provide and maintain a total minimum of 9 car parking spaces, including accessible space and service vehicle parking space.

Pavement line marking with bay dimensions to comply with AS/NZS 2890.1-2004, must be shown within the car parking areas to delineate parking bays.

Reason: To provide adequate off-street car parking.

45. Provide Water Service and Water Meter - Commercial

A new main water meter and water service shall be installed by Council at no cost to the Council. The size of the meter and service shall be determined by a suitably qualified hydraulic consultant at no cost to Council.

The main meter shall be installed in an easily accessible position in the common property at the front of the site, or other accessible position approved by Council.

Note: The water meter configuration is to be an 'In-Series water meter layout' as shown in Attachment A of Council's 'Water Meters and Water Supply Policy' - available on the Queanbeyan Palerang Regional Council website.

Reason: To ensure that the development is appropriately water metered.

46. Works as Executed - On-Site Detention System

Prior to Occupation Certificate, Work as Executed drawings of the constructed on site detention system certified by the designer are to be submitted to Council accompanied by evidence of restriction of land use of the land and positive covenant over the lot in favour of Council.

Reason: To ensure on site detention is constructed in accordance with the designed system and that its ongoing maintenance is enforceable by law.

47. Driveway Requirements

The development must include the construction of a new commercial type driveway over Council's footway at the location shown on the approved plans. The driveway must be:

- a. Constructed by a Council pre-qualified contractor, at no cost to the Council.
- b. Constructed using plain concrete, or 3% black oxide coloured concrete.
- c. Constructed with a 2% grade falling to the gutter.
- d. At minimum distance of one metre away from any electrical, Telstra, post box installation, other service or tree within the footway area.
- e. Constructed to the minimum width of the 6m Vehicle Kerb Crossing.
- f. In accordance with Councils Development Design Specification D13.

Reason: To ensure the construction of the driveway on public lands meets Council's requirements.

48. Driveway Application Form

A driveway application form must be submitted to and approved by Council prior to commencement of driveway works and construction of the driveway across Council's footway area must be undertaken by a Council pre-qualified contractor, at no cost to the Council.

Reason: To ensure the construction of the driveway on public land meets Council's requirements.

49. Driveway Location from Water Meter, Sewer and Stormwater Connections

The driveway within the property must maintain a clearance not less than one metre (1.0m) from the water meter.

The driveway verge cross-over is not permitted to be constructed over the water service, sewer tie point connection or stormwater tie point connection.

Reason: To ensure such service is not damaged by vehicle movements or difficult to access.

50. Repair Damaged Public and Private Property

All damage caused to public and private property during the construction operations and associated activities must be repaired or reinstated prior to Council accepting any Certificate of Completion.

Reason: To ensure that all public and neighbouring private property in the vicinity of the development is maintained in its pre-development condition.

51. Fire Safety Certificate

Prior to obtaining the final occupation certificate, provide the final fire safety certificate to Queanbeyan-Palerang Regional Council (and to the principal certifying authority if not Queanbeyan-Palerang Regional Council). A final fire safety certificate is a certificate issued by or on behalf of the owner of the premises to the effect that each essential fire safety measure specified in the current fire safety schedule for the building to which the certificate relates:

- a) has been assessed by a properly qualified person, and
- b) was found, when it was assessed, to be capable of performing to at least the standard required by the current fire safety schedule for the building for which the certificate is issued.

Note: The assessment of essential fire safety measures must have been carried out within the period of 3 months prior to the date on which a final fire safety certificate is issued

As soon as practicable after the final fire safety certificate is issued, the owner of the building to which it relates:

- a) must provide a copy of the certificate (together with a copy of the current fire safety schedule) to the Fire Commissioner, and
- b) must display a copy of the certificate (together with a copy of the current fire safety schedule)

prominently displayed in the building.

Reason: To ensure compliance with the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2001.

52. Submit Annual Fire Safety Statement

Each year, the owner of the building must submit to Council an Annual Fire Safety Statement for the building. The Annual Fire Safety Statement must address each Essential Fire Safety Measure in the building.

Reason: To ensure compliance with the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2001.

53. Tree Removal

The felling and removal of trees shall be carried out by a person who is appropriately qualified and who holds appropriate and current insurance.

Reason: To ensure a professional result and to provide protection to residents against liability for damage or harm to person(s) or property.

54. Water and Sewer Compliance Certificate - Service

Prior to the release of an Occupation Certificate, a Certificate of Compliance in accordance with the *Water Management Act 2000* must be obtained from Council.

Note: This certificate is required regardless of any other water and sewer compliance certificate previously obtained, and regardless of whether the development involved alterations to Council's infrastructure.

Reason: To ensure compliance with Section 6.14 of the Environmental Planning and Assessment Act 1979.

55. Covenant on the Land

Apply covenants under section 88B of the *Conveyancing Act 1919* to the proposed development incorporating the restrictions listed below. Queanbeyan-Palerang Regional Council shall be nominated as the sole party with the power to vary or remove the required covenants.

- a) The registered proprietor of the lot burdened shall not make or permit any alterations to the on-site stormwater detention system, without prior consent in writing of Queanbeyan-Palerang Regional Council.
- b) The registered proprietor of the lots hereby burdened will in respect of the on-site stormwater detention system;
 - i. Keep the on-site stormwater detention system clean and free from silt, rubbish and debris,
 - ii. Maintain and repair at the sole expense of the registered proprietor the system so that it functions in an efficient and safe manner,
 - iii. At reasonable times and with reasonable notice (but at any time without notice in the case of an emergency) permit Queanbeyan-Palerang Regional Council or its authorised agents to enter the land to inspect the state of repairs, ascertain whether there has been a breach of the terms of this covenant; and, remedy a breach of the terms of this covenant with expenses reasonably incurred to be recovered from the registered proprietor.

Reason: To ensure public utility services, access and restrictions are legalised over the land.

56. All Surfaces to be Concrete or Asphalt Surfaced

All parking spaces, loading bays, driveways and turning aisles must be either concrete or asphalt surfaced, with all parking spaces line marked.

Reason: To ensure car parking spaces are functional prior to use of the premises.

57. Work In Accordance with Engineering Specifications

All construction and restoration work must be carried out strictly in accordance with the approved drawings and Queanbeyan-Palerang Regional Council's current Design and Construction Specifications.

Reason: To ensure design, construction and restoration work is in accordance with Council's standards and requirements.

CONDITIONS TO BE SATISFIED DURING THE ONGOING USE OF THE PREMISES

58. Maintain Car Parking Areas and Driveway Seals

All sealed car parking areas, loading bays, manoeuvring areas and driveways must be maintained in a trafficable condition, including line/pavement marking.

Reason: To ensure car park areas are useable.

59. Vehicle and Goods Storage Confined to the Site

All loading and unloading activities in connection with the development must be carried out wholly within the site and all goods and vehicles associated with the development must be accommodated wholly within the site.

Reason: To ensure free flow of vehicular and pedestrian traffic on the road and the verge.

60. Car Parking Spaces to Be Kept Free At All Times

All car parking spaces, loading and unloading areas, vehicle manoeuvring and driveway areas must not be used for the storage of any goods or materials and must be available for their intended use at all times. The operator of the development must ensure that all vehicles associated with the development are parked within the site in the approved car parking area as line marked.

Reason: To ensure such areas are available for occupants and visitors of the site and parking on site is used for the development.

61. Surface Water

Do not re-direct surface water onto adjoining private land. Alterations to the surface contours must not impede or divert natural surface water run-off, so as to cause a nuisance to adjoining property owners or create an erosion or sediment problem.

Reason: Stormwater disposal does not impact on the building or neighbouring properties.

ACTIVITY APPROVAL - SECTION 68 OF LOCAL GOVERNMENT ACT 1993

62. Plumbing and Drainage Installation Regulations

Plumbing and drainage work must be carried out in accordance with the requirements of the Local Government (General) Regulation 2021, the Plumbing and Drainage Act 2011 and Regulations under that Act and with the Plumbing Code of Australia. Such work must be carried out by a person licensed by the NSW Department of Fair Trading.

Reason: This is a mandatory condition under the provisions of the Local Government (General) Regulation 2021.

63. Inspection of Plumbing and Drainage

Plumbing and Drainage must be inspected by Council at the relevant stages of construction in accordance with Council's inspection schedule.

Reason: To ensure compliance with the inspection requirements of Plumbing and Drainage Regulation 2017 and Council's inspection schedule.

64. Floor Level to Be 150mm Above Yard Gully

The floor level of areas with fixtures connected to sewer must be at least 150mm above overflow level of the yard gully and surface water must be prevented from entering the yard gully.

Reason: To ensure any sewage surcharges occur outside the building and to prevent surface water from entering the sewerage system.

65. Heated Water Not To Exceed 50 Degrees C

All new heated water installations, must deliver hot water at the outlet of all sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding 50° Celsius.

Reason: To prevent accidental scalding.

66. Insulate Heated and Cold Water Service Pipes

Heated and cold water service pipes installed in the following areas of the building must be insulated in accordance with the requirements of AS 3500: Plumbing and Drainage:

- a) unheated roof spaces
- b) locations near windows, ventilators and external doors where cold draughts are likely to occur
- c) locations in contact with cold surfaces such as metal roof and external metal cladding materials.

Reason: To prevent the water service being damaged by water freezing within the pipes due to local climatic conditions.

General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the [Conditions of development consent: advisory notes](#). The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

Building work must not be carried out until a construction certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

Dial Before You Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorized contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the *Criminal Code Act 1995 (Cth)* and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800810443.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means Queanbeyan-Palerang Regional Council

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021*.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Local planning panel Nil for Queanbeyan-Palerang Regional Council

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:
the collection of stormwater,

the reuse of stormwater,

the detention of stormwater,

the controlled release of stormwater, and

connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

Subdivision works certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

Sydney district or regional planning panel means Southern Regional Planning Panel (SRRP)

SCHEDULE 1

SCHEDULE 1

NOTICE OF CONTRIBUTIONS & CHARGES ASSOCIATED WITH DEVELOPMENT

PROJECT ADDRESS	24 GIBRALTAR STREET BUNGENDORE NSW 2621 Lot 23 DP 591333
PROJECT DESCRIPTION	Demolition of existing building and construction of a medical centre
APPLICATION NO	DA.2025.0014
NAME OF APPLICANT	The Trustee For Akerele Investments Trust

Important

The following contribution rates are those that apply at the date of issue of this consent. Rates are reviewed quarterly. Contributions will only be accepted at the rate applying at the date of payment. Council's Development and Environment section should be contacted to receive a current contribution notice of charges.

Fee Description	Fee Due
<i>Contribution Plan</i>	
Section 64 Development Servicing Plan – Bungendore Sewerage	\$98,350.00
Section 64 Development Servicing Plan – Bungendore Water Supply	\$41,490.40
Bungendore Section 7.11 Plan No 9 – Contribution to Street Upgrading	\$80,169.90
Bungendore Section 7.11 Plan No 11 – Contribution to Provision of Carparking Facilities	\$125,984.00

Total Contributions Payable ***\$345,994.30***

Relevant Criteria on which these calculations were made:

4.78 equivalent tenements (ETs) for Water, 8.11 ETs for Sewer & 19.23 ETs for Street Upgrading has been credited to this development.

Date Generated: 26 May 2025

Per : _____