

DATE OF DEFERRAL	14 August 2024
DATE OF PANEL DECISION	13 August 2024
DATE OF PANEL MEETING	6 August 2024
PANEL MEMBERS	Chris Wilson (Chair), Juliet Grant, Grant Christmas
APOLOGIES	None
DECLARATIONS OF INTEREST	The Chair considered that as the Council has an interest in the DA, there is a reasonably perceived conflict of interest for Council appointed Panel members Clr Bryce Wilson and Clr John Preston given they are serving Councillors. Queanbeyan Palerang Regional Council is the registered owner of the site and is considered to have a commercial interest in the land the subject of the development application and the determination of the DA

Public meeting held by videoconference on 6 August 2024, opened at 2pm and closed at 4pm.
Papers circulated electronically on 23 July 2024.

MATTER BEING CONSIDERED

PPSSTH-224 – QUEANBEYAN-PALERANG - DA.2023.0044 at 6-12 Rutledge St and 257 Crawford St
Queanbeyan - Construction of shop-top housing, comprising:

- Two 10 storey buildings,
- Sixteen commercial premises at ground floor level,
- 178 residential units above ground floor level (including 27 'affordable housing' apartments managed by a community housing provider),
- Two levels of basement parking,
- Demolition of 3 existing single storey dwellings and 3 community/commercial buildings,
- Removal of 7 trees (6 on-site, 1 off-site),
- Retention of two heritage buildings (Old Fire Station, Dutton's Cottage),
- Consolidation of Lots 31 DP771673, Lot 2 DP748338, Lot 18 DP548244 and Part Lot 2 DP 1179998 (as described in Schedule 1).

REASONS FOR DEFERRAL

The Panel unanimously determined to defer determination of the matter.

The Panel noted that there had been difficulties for the applicant and members of the public in accessing relevant documents on the planning panel portal website. There were also several other matters that the Panel sought additional clarification on prior to making a decision. Consequently, the Panel agreed to defer the determination of the matter to allow for the following matters to be dealt with:

1. To provide members of the public a further 7 days to fully consider and if necessary, provide further submissions to Council relating to the following information **Attachment V – Cover Letter Additional Information 11 July 2024**. Attachment V includes:
 - TTW Response to TfNSW TIA comments (24 June 2024)
 - Landscape plan (TREE MANAGEMENT PLAN_240618)
 - Elevations and sections (Revised Perspectives)
 - Architectural Plans (Revised architectural plans including well treatment)

These documents can be found within the “other” folder on the planning panel website at <https://www.planningportal.nsw.gov.au/planning-panel/shop-top-housing-8>

2. To provide sufficient time for the applicant to consider the draft conditions of consent and prepare a response to Council.
3. To enable the TTW *Response to TfNSW TIA comments* (24 June 2024) to be referred to TfNSW for further comment.
4. To enable the applicant to provide a summary statement on how the proposal delivers on the transitional height requirements of the QPRLEP with a particular reference to the residential areas to the south, noting the conclusions of both Clause 4.6 exceptions.
5. To enable the applicant to provide further information on the final treatment of the heritage well, including the proposed outcomes and management of the well below floor level.
6. To enable Council to provide an additional condition of consent which requires development consent for the future use of the two heritage buildings (Old Fire Station, Dutton’s Cottage).

The Panel requests that members of the public be given 7 days from the date of this deferral to provide further submissions to Council in relation to the documents referenced in *Attachment V – Cover Letter Additional Information 11 July 2024*.

The applicant is to provide the above additional information to Council within 14 days from the date of this deferral.

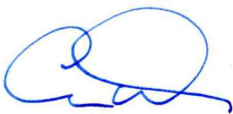


Once Council has received further comments from TfNSW, comments from the public and any additional information from the applicant, it is to finalise a supplementary assessment report which includes:

- As assessment of any further submissions received from members of the public.
- An assessment of further comments from TfNSW.
- An amended set of draft conditions.
- Consideration of any comments from the applicant about the additional information requested and the revised draft conditions of consent.

Council is requested to provide a supplementary assessment within 2 weeks of the receipt of the above information. If revised information from the applicant is not provided within four (4) weeks, the Panel may move to determine the DA based on the information currently at hand.

When this information has been received, the panel will determine the matter electronically through by the circulation of papers.

The Panel adjourned the meeting to deliberate on the matter and formulate this resolution.

PANEL MEMBERS	
 Christopher Wilson (Chair)	 Juliet Grant
 Grant Christmas	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSTH-224 – QUEANBEYAN-PALERANG - DA.2023.0044
2	PROPOSED DEVELOPMENT	<p>Construction of shop-top housing, comprising:</p> <ul style="list-style-type: none"> • Two 10 storey buildings, • Sixteen commercial premises at ground floor level, • 178 residential units above ground floor level (including 27 ‘affordable housing’ apartments managed by a community housing provider), • Two levels of basement parking, • Demolition of 3 existing single storey dwellings and 3 community/commercial buildings, • Removal of 7 trees (6 on-site, 1 off-site), • Retention of two heritage buildings (Old Fire Station, Dutton’s Cottage), • Consolidation of Lots 31 DP771673, Lot 2 DP748338, Lot 18 DP548244 and Part Lot 2 DP 1179998
3	STREET ADDRESS	6-12 Rutledge St and 257 Crawford St Queanbeyan
4	APPLICANT/OWNER	Village Building Co. Ltd / Queanbeyan-Palerang Regional Council
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million Council related development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Planning System) 2021 ○ State Environmental Planning Policy (Resilience and Hazards) 2021 ○ State Environmental Planning Policy No 65 Design Quality of Residential Apartment Development ○ State Environmental Planning Policy (Transport and Infrastructure) 2021 ○ State Environmental Planning Policy (Biodiversity and Conservation) 2021 ○ State Environmental Planning Policy (BASIX) 2004 ○ Queanbeyan-Palerang Regional Local Environmental Plan 2022 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Queanbeyan Development Control Plan 2012 • Planning agreements: Nil • Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> • Coastal zone management plan: Nil • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality • The suitability of the site for the development • Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council Assessment Report: 23 July 2024 • Cl4.6 departure from development standards - Cl. 4.3 building height and Cl. 4.4 floor space ratio • Written submissions during public exhibition: 57 (1st round 40 + 2nd round 17) • Verbal submissions at the public meeting:

		<ul style="list-style-type: none"> ○ Cr Katrina Willis obo Councils Heritage Advisory Committee, Marlene Eggert, Phillip Gray, Robert John Raison, Dominica McOwan, Steve Warren-Wilson, Helen Ferguson obo Heritage-Culture Arts Promotions Inc, Marina Lobastov, Marina Lobastov obo David Burke, Carolyn Twible, Phillip Andrew Watkins, Collin Thomas Imire obo Queanbeyan Uniting Church ○ Council Consultant Assessment Officer – Richard Nash (Purdons) ○ On behalf of the applicant – Jamie Cregan (Village Building Co), George Danassis (Village Building Co), Fred Kasperek (Kasperek Architects) <ul style="list-style-type: none"> • Total number of unique submissions received by way of objection: 37
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Applicant and Council Briefing: 9 May 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Chris Wilson (Chair), Juliet Grant, Grant Christmas ○ <u>Council assessment staff</u>: Luceille Yeomans ○ <u>Applicant representatives</u>: Kylie Coe (Village Building Co. Ltd), Fred Kasperek, Jamie Cregan (Village Building Co. Ltd), Vince Whiteside (Village Building Co. Ltd), David Carey ○ <u>DPHI</u>: Amanda Moylan • Site inspection: 6 June 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Chris Wilson (Chair), Juliet Grant, Grant Christmas ○ <u>Council assessment staff</u>: Luceille Yeomans, Graeme Harlor ○ <u>DPHI</u>: Amanda Moylan • Briefing: 24 October 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Chris Wilson (Chair), Juliet Grant, Grant Christmas ○ <u>Council assessment staff</u>: Luceille Yeomans ○ <u>Council Consultant Assessment Planner</u>: Maggie Li (Purdon), Richard Nash (Purdon) ○ <u>DPHI</u>: Amanda Moylan , Tracey Gillett, Tim Mahoney • Briefing: 4 June 2024 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Chris Wilson (Chair), Juliet Grant, Grant Christmas ○ <u>Council assessment staff</u>: Luceille Yeomans, Tim Reich ○ <u>Council Consultant Assessment Planner</u>: Maggie Li (Purdon), Richard Nash (Purdon) ○ <u>Applicant representatives</u>: Kylie Coe (Village Building Co. Ltd), George Danassis (Village Building Co. Ltd), Jamie Cregan (Village Building Co. Ltd), Vince Whiteside (Village Building Co. Ltd) ○ <u>DPHI</u>: Amanda Moylan, Tracey Gillett, Tim Mahoney • Final briefing to discuss council's recommendation: 6 August 2024 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Chris Wilson (Chair), Juliet Grant, Grant Christmas ○ <u>Council assessment staff</u>: Luceille Yeomans, Tim Reich, Ruth Ormella ○ <u>Council Consultant Assessment Planner</u>: Maggie Li (Purdon), Richard Nash (Purdon) ○ <u>DPHI</u>: Amanda Moylan, Tracey Gillett, Rach Harlock
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report