

# Development Application Assessment Report

<b>Panel Reference</b>	PPSSTH-31
<b>DA Number</b>	DA.2020.1022
<b>LGA</b>	Queanbeyan-Palerang Regional Council (QPRC)
<b>Proposed Development</b>	<ul style="list-style-type: none"> <li>» Demolition of an existing substation that serviced the previous Council Administration building at 257 Crawford Street</li> <li>» Decommissioning and removal of existing substation adjacent to the previous Council Administration building</li> <li>» Construction of two new substations</li> <li>» Partial demolition relating to Bicentennial Hall &amp; The Q Foyer / Link</li> <li>» Demolition of existing structures and buildings at 10 and 12 Rutledge Street</li> <li>» Construction of a seven-storey public administration building at 257 Crawford Street (including basement)</li> <li>» Establishment of a new service lane from Crawford Street</li> <li>» Construction of new ground floor linkage Bicentennial Hall / The Q Foyer</li> <li>» Construction of mezzanine level from Bicentennial Hall to the new public administration building</li> <li>» Establishment and landscaping of a Crawford Street Plaza</li> <li>» Establishment and landscaping of The Q Plaza</li> <li>» Subdivision of the site to reconfigure the current lot alignment from six allotments into two allotments.</li> </ul>
<b>Street Address</b>	257 Crawford Street, Queanbeyan
<b>Applicant</b>	SMEC prepared the DA documentation on behalf of QPRC
<b>Owner</b>	QPRC
<b>Date of DA lodgement</b>	12 December 2019
<b>Integrated Development</b>	No
<b>Number of submissions</b>	Nil
<b>Recommendation</b>	Approval
<b>Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011)</b>	<p>CIV of over \$5 million</p> <p>The development is to be carried out by Council.</p>
<b>List of all relevant s4.15(1)(a) matters</b>	<ul style="list-style-type: none"> <li>» State Environmental Planning Policy (State and Regional Development) 2011</li> <li>» State Environmental Planning Policy No.55 – Remediation of Land</li> <li>» State Environmental Planning Policy No.64 – Advertising and Signage</li> <li>» Queanbeyan Local Environmental Plan 2012</li> </ul>

	» Queanbeyan Development Control Plan 2012
<b>List all documents submitted with this report for the Panel's consideration</b>	» Conditions of Consent » Assessment Report » Proposed Architectural Plans » Internal Referrals
<b>Report prepared by</b>	Will Pearson, Elton Consulting
<b>Report date</b>	28 August 2020
<b>Supplementary Report prepared by</b>	Liz Densley, Elton Consulting
<b>Report date</b>	27 October 2020

<b>Summary of s4.15 matters</b>	
Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report?	Yes
<b>Legislative clauses requiring consent authority satisfaction</b>	
Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report? <i>e.g. Clause 7 of SEPP 55 – Remediation of Land, Clause 4.6(4) of the relevant LEP</i>	Yes
<b>Clause 4.6 Exceptions to development standards</b>	
If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?	Yes
<b>Special Infrastructure Contributions</b>	
Does the DA require Special Infrastructure Contributions conditions (S7.24)? <i>Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions</i>	N/A
<b>Voluntary Planning Agreements</b>	
Does the DA propose a VPA?	N/A
<b>Conditions</b>	
Have draft conditions been provided to the applicant for comment? <i>Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report</i>	Yes – in accordance with Section 4.33(1)(b) of the EP&A Act, 1979

## Recommendation

The Supplementary Assessment Report has been prepared by Elton Consulting on behalf of Queanbeyan-Palerang Regional Council (Council) in response to the deferral of the application by the Southern Regional Planning Panel (the Panel) and request for clarification of a number of matters.

This report addressed the issues raised by the Panel and further assessment has been undertaken in the context of additional information and/or clarification provided by the applicant.

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## **Clause 4.6 Variation**

The assessment considered the written request under clause 4.6 of the Queanbeyan Local Environmental Plan to vary the height of building development standard and was satisfied that the proposed variation is acceptable and that in supporting the variation the development achieves a better outcome for the site.

### **Variation to the DCP**

The assessment considered- seven variations to the Queanbeyan Development Control Plan in relation to:

1. Clause 2.5.6 Land within flood planning area
2. Clause 2.2.9.1 Access requirements
3. Clause 4.9 Subdivision of Land
4. Clause 6.2.2 Height of Buildings
5. Clause 6.2.2 Setbacks
6. Clause 6.2.3 Architectural Character
7. Clause 6.2.9 Colour and Materials

The variations are generally considered minor in the context of the proposal. The height variation is addressed in detail in the clause 4.6 Variation. The variations are unlikely to result in a precedence and have been supported.

Having considered the application in its entirety, including the additional information provided by the applicant, it is recommended that:

The Southern Regional Planning Panel approve DA.2020.1022 for the construction of a public administration building, commercial office space, parking, landscaping, roads, demolition and subdivision at the site located at 257 Crawford Street, Queanbeyan, pursuant to Section 4.16(1)(a), and 4.16(4)(a) of the Environmental Planning and Assessment Act (EP&A Act) 1979 subject to the draft conditions of consent detailed in **Appendix A** of this report.

In making this recommendation, the assessment considered all of the relevant matters under the *Environmental Planning and Assessment Act, 1979*.

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# 1. Introduction

The Supplementary Assessment Report has been prepared by Elton Consulting on behalf of Queanbeyan-Palerang Regional Council (Council) in response to the referral of the application by the Southern Regional Planning Panel (the panel). The Supplementary Assessment Report should be read in conjunction with the Assessment Report previously prepared by Elton Consulting on behalf of Council.

The determination of the development application DA.2020.1022 at 257 Crawford Street, Queanbeyan – Public administration building including civic and cultural precinct, was deferred by the panel on Tuesday 29 September 2020 following a meeting between the Panel and the applicant (Queanbeyan-Palerang Regional Council) on Friday 25 September 2020.

The panel agreed to defer the determination to enable the provision of additional information and further assessment by Council. A supplementary report was required to be prepared to address the matters raised by the panel.

## **(1) Further information required:**

- a. An amended clause 4.6 variation request which
  - i. Includes architectural drawings and dimensions and associated commentary to quantify the departure from the QLEP 2012 height of building development standard
  - ii. Addresses part 4.3(1)(b) of the standard (heritage character) recognising the recommendations of the heritage impact statement dated December 2019
  - iii. Confirms Secretary concurrence arrangements against current planning policy
- b. A copy of the tree protection plan referenced on page 28 of the assessment report
- c. A summary of community feedback on the Concept Plan for the proposed development
- d. Clarification of whether the proposed on-site detention system will impact on the basement parking area and/or concept stormwater disposal system.

## **(2) A supplementary assessment report which:**

- a. Confirms site boundaries
- b. Assesses the amended Clause 4.6 variation request, including considering the extent to which the site is unique, and includes a clear recommendation.
- c. Clarifies the differential parking requirements between public administration and commercial space and the implications of this
- d. Collates, properly assesses (including quantifying departures) and provides a recommendations on all DCP variations, particularly in relation to flooding (2.5.6(b)(i)), development adjacent to water, sewer and stormwater mains (6.3.2), height limits and setbacks (6.2.2)
- e. Clarifies how the recommendations of the Statement of Heritage Impact and Heritage Committee have been dealt with in relation to both subdivision and building construction and how it is proposed to condition the consent to achieve these outcomes if approved
- f. Assesses the effect of the new draft Queanbeyan LEP 2020
- g. Resolves the inconsistency between references to trees to be retained and removed to remove ambiguity, clarify impacts and underpin enforceable conditions
- h. Assesses the applications against the State Environmental Planning Policy (Infrastructure) 2007
- i. Confirms whether noise impact and building sustainability can be achieved without material changes to building design which may have implications for overall assessment of the application (also see comments on conditions below)
- j. Provides amended conditions arising from the supplementary assessment and to address the following:

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- k. Delete the requirements in part (c)) of condition 62 and move them to condition 15, for example by adding a part (d) Demonstrated compliance with the recommendations of the geotechnical report prepared by d & N Geotechnical dated 6 June 2019.
  - l. Clarification of the intention of the determination notice to approve a public administration buildings and ancillary components, recognising that part of the development is proposed for a use as “commercial office space” (so that there is never any issues with the ability to leave that area out independently)
  - m. Condition 1 should specifically approve referenced plans , (as outlined in the attached schedule 1) so it is clear at a later time which plans have been approved, subject to any modifications that may result by virtue of the conditions imposed on the consent
  - n. Conditions 8, relating to noise mitigation should be reframed to require the applicant to demonstrate compliance with relevant criteria within the existing acoustics report, prior to lodgement of the construction certificate. The existing condition would allow alterations which have not been considered as part if the core assessment (for example additional shade structures/components may influence the shadow impact)
  - o. Condition 14 refers to a Remedial Action Plan – however there is no condition to require a Remedial Action Plan to be prepared, lodged and approved. This needs to be clarified.
  - p. The requirements of condition 30 in relation to sustainability should be met prior to the issue of a construction certificate
  - q. Conditions 47 and 48 in relation to parking should specify minimum numbers of parking spaces (including accessible spaces) within the basement and at grade and bicycle spaces, so there is no confusion in the future.
  - r. Review all conditions, particularly 52,53,67,74,75,76 and 77 to consider which would be more appropriately required prior to issue of a construction certificate.
  - s. Advisory notes of NSW Police should be distilled into appropriate conditions.

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# 1 Further information

The following additional information has been provided by the applicant in response to the request by the panel:

- (a) Amended clause 4.6 variation request. SMEC has prepared and submitted a Clause 4.6 Variation request on behalf of the applicant and addressing the matters stipulated by the panel (refer **Appendix B**). The variation is considered in section 2(b) below,
- (b) Tree Protection Plan. A copy of the tree protection plan as referenced in the original assessment report is included in **Appendix C**.
- (c) Community Feedback. Council undertook initial community consultation prior to the lodgement of the development application. A summary of this feedback has been provided in **Appendix D** in the form in which it was considered by the full Council.
- (d) The issue of on-site detention has been investigated by Cox Architects. Council has provided advice to that OSD is not required for the development (refer advice from Council **Appendix E**).

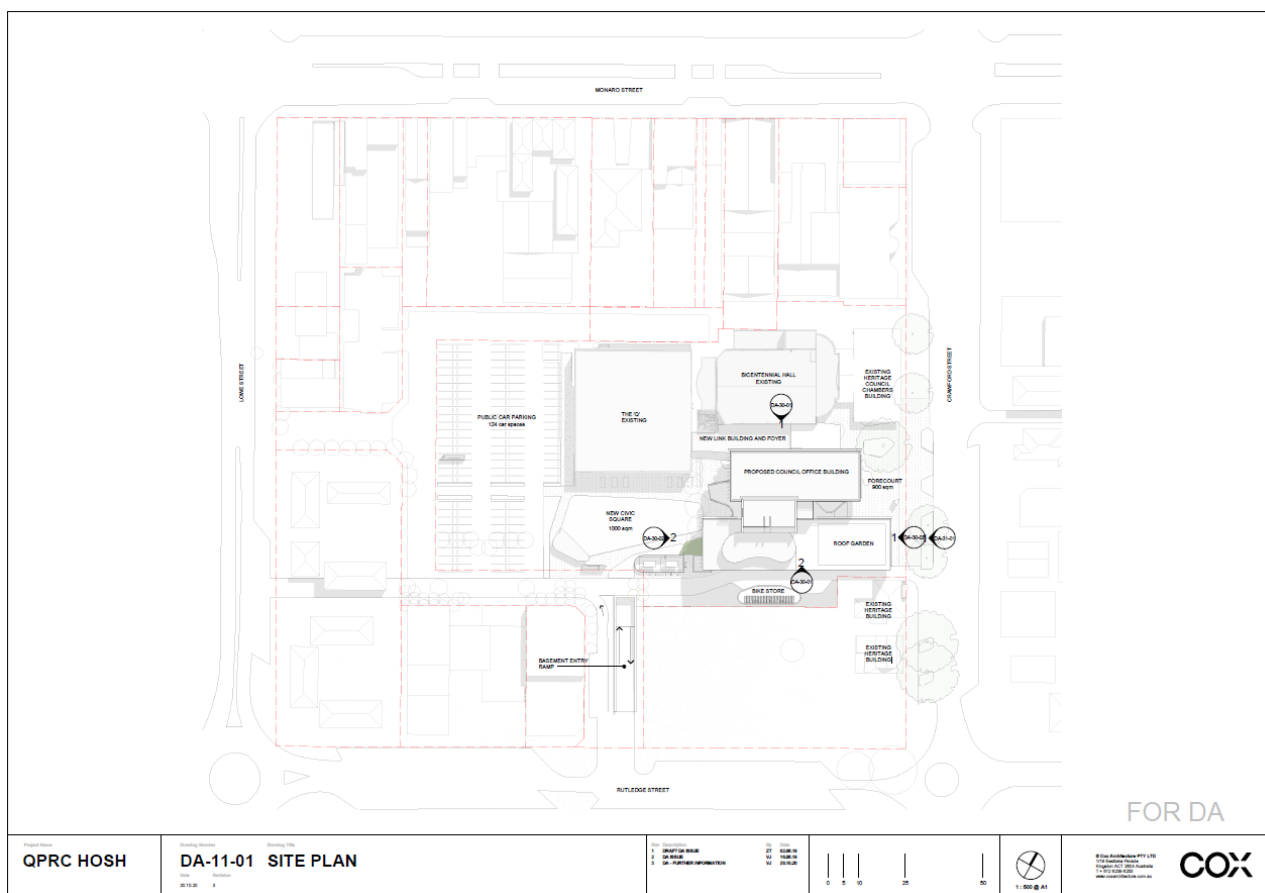
## 2 Supplementary Assessment

The panel requested that the additional information, along with a number of other matters be considered as part of a supplementary assessment report. For clarity, these issues have been considered in the order in which they were requested by the panel.

### (a) Site boundaries

The boundary of the site is shown in drawing DA-11-01 Date 10.12.19 Revision 8, Cox Architecture. The development will be contained within proposed Lot 1 DP 1179998 as shown on the subdivision plan drawing DA-10-02 Date 10.12.19 Revision 6, Cox Architecture (extract below).

### Figure 1 Revised Site Plan



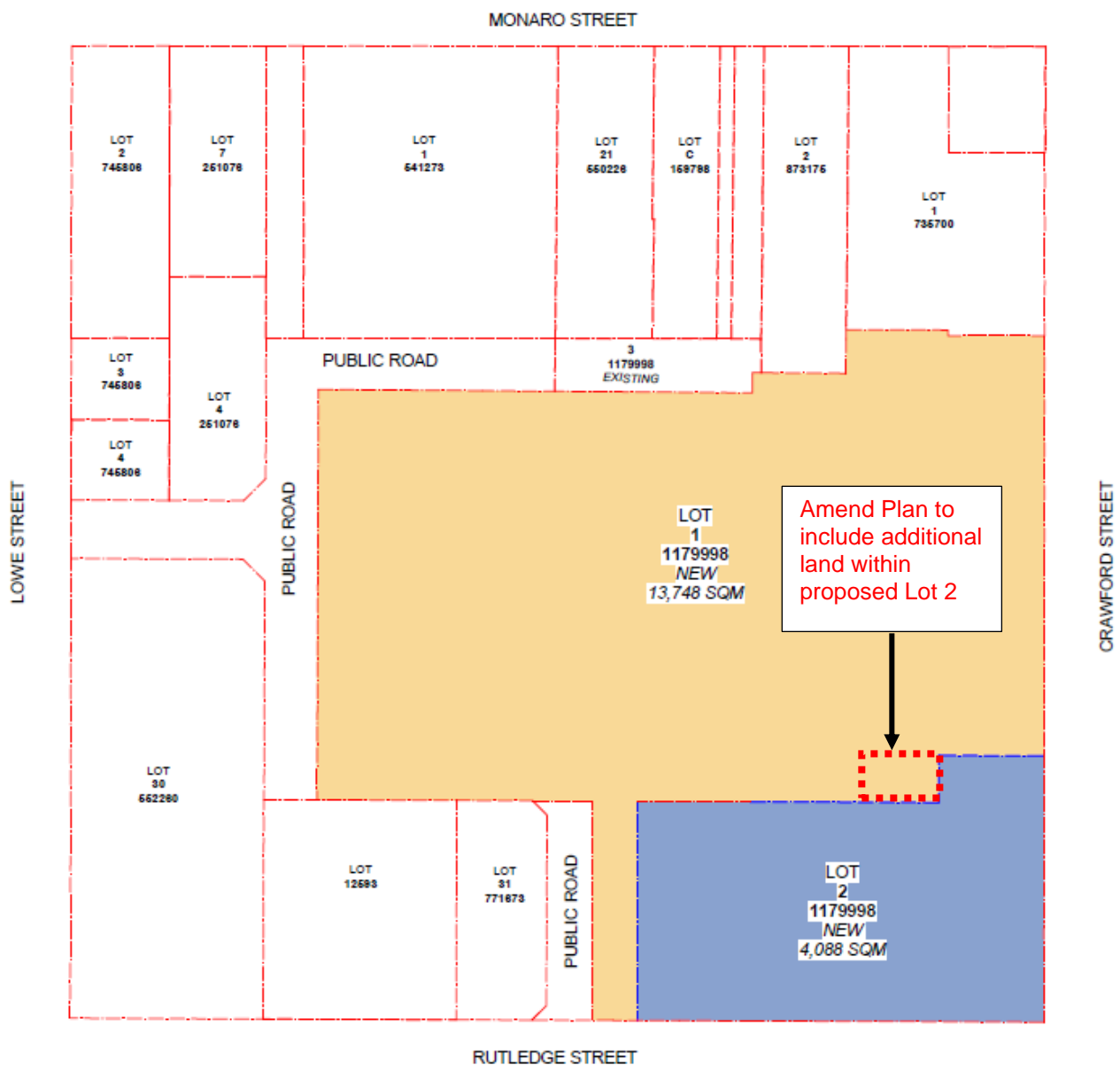
Source: Cox Architecture (refer Appendix D).

Source: Extract drawing DA-10-02 Date 10.12.19 Revision 6 Cox Architecture (notation to be added)

A revised site plan has been included in the updated package.

Following consideration of the recommendations from the Heritage Committee and Council's Heritage Advisor, a condition has been added to amend the size of the Fire Station lot to accommodate additional curtilage to the Heritage Item.

Figure 2 Site Boundary



**(b) Assesses the amended Clause 4.6 variation request, including considering the extent to which the site is unique, and includes a clear recommendation.**

Further information has been provided by SMEC to address the request to vary the development standard in relation to the height control in the LEP (Appendix B). The additional information provided included updated drawings as follows (Appendix B):

DA-30-01 Elevations rev 8 20.10.20

DA-30-02 Elevations rev 8 20.10.20

DA-40-01 Sections Rev 6 20.10.20

DA-40-02 Sections Rev 7 20.10.20



Cox Architecture have also prepared a new drawing to visually demonstrate the relationship between the height plane and finished levels of the building:

DA-80-10 Building Envelope Diagram Rev 1 07.10.20

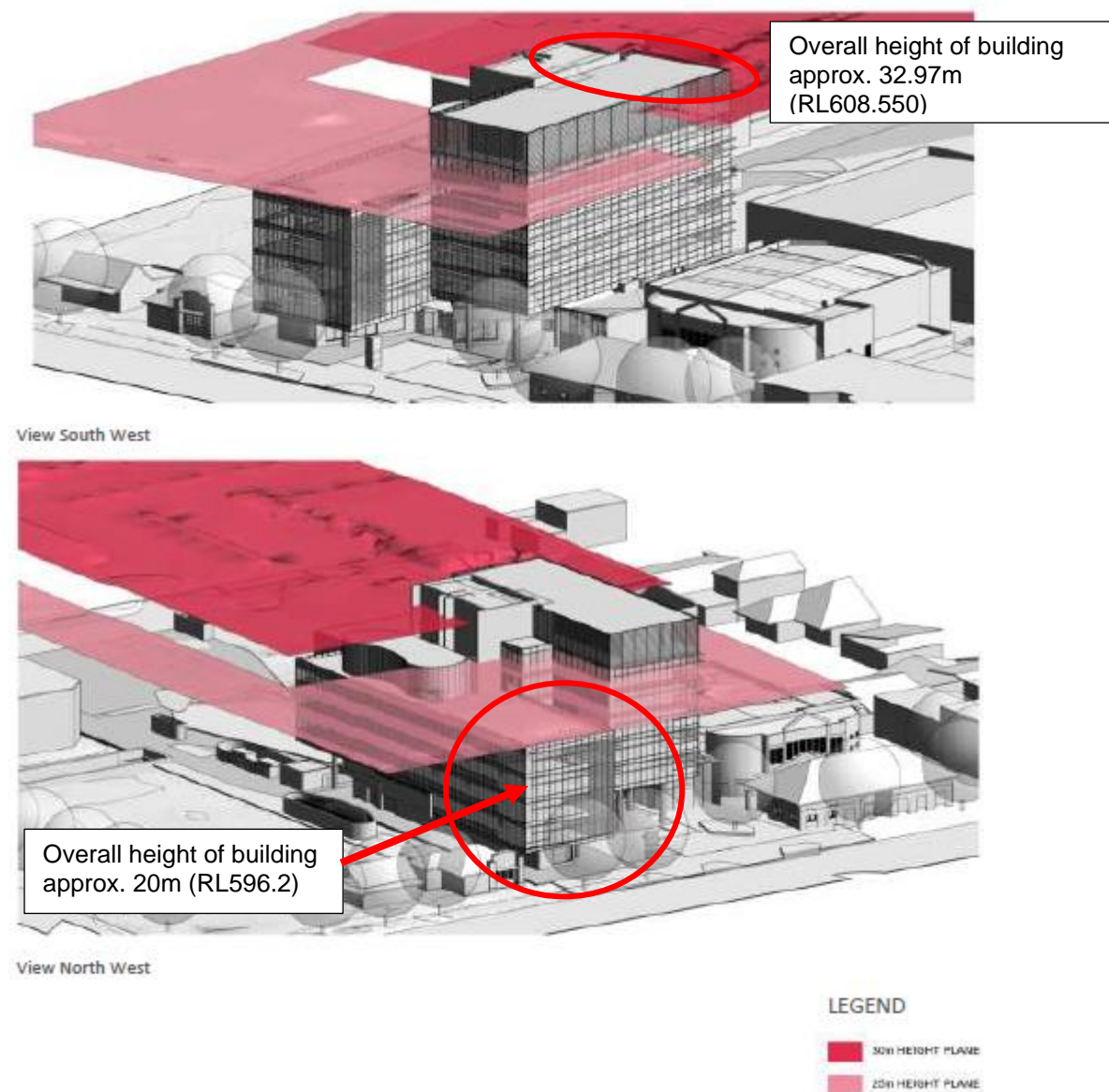
The development spans two height of building planes; 25m fronting Crawford Street and 30m through the middle of the block. The variable height plane allows for a stepping back of height such that that part of the building the is closest to the street is lower and may be less imposing. The building envelope diagram, and revised height of building drawings are shown in **Figure 3** below.

The 4.6 Variation states that:

- » Over the 25m portion of the site (shown light pink), the proposed building envelope has a maximum height of 32.97m, resulting in a maximum non-compliance of approximately 7.97m or 32%.
- » Over the 30m portion of the site (shown dark pink), the proposed building envelope has a maximum height of 32.97m, resulting in a maximum non-compliance of approximately 2.97m or 10%.

However, the height exceedance is limited to a smaller portion of the building across the two height planes as demonstrated below.

**Figure 1 Building Envelope Diagram**



Source: Cox Architecture, Drawing DA-80-10 Building Envelope Diagram Revision 1. See Appendix B



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*(b) to protect the heritage character of Queanbeyan and the significance of heritage buildings and heritage items,*

- » The office building will also introduce a new way of viewing the heritage listed buildings in Crawford Street, providing an additional viewpoint looking down onto the heritage items. It is intrinsic that by increasing views to in-tact heritage items, there is likely to be an increased public interest in conservation and appreciation.
- » The proposed public plaza will significantly improve the setting of the heritage items and upgrade their overall contribution to the streetscape by confirming the civic role of the area. The design of the landscaped public realm has also paid careful attention of the fabric and materials flanking the heritage buildings by incorporating sympathetic materials and plantings.

*c) to nominate heights that will provide a transition in built form between varying land use intensities.*

- » the height steps down from north to south and east to west, generally following the height transition foreseen by the 25m and 30m height controls.
- » The lower scale of the building facing the public forecourt and the Q Theatre play an important role in transitioning the height to human scale.

### **Sufficient planning grounds (4.6(3)(b))**

The variation is justified on the basis that the proposal has planning merit in that:

*The proposal has minimal environment impact* – the seven storey building does not dominate the streetscape. The front elevation, variable setback and development of the public domain in the forecourt provide a good design outcome. The LEP and DCP controls anticipate higher density development in this locality and the additional height is offset by the FSR.

The proposal has been designed to minimise overshadowing and provide passive solar access to the building.

*Heritage* - The additional height has been managed in the building setbacks and massing to ensure the development remains respectful to the heritage character of the area. The selection of sympathetic materials, repeated scale of building forms and landscaping will provide continuity in the streetscape. A Heritage Impact Statement was provided with the proposal and recommendations of the Heritage Advisory Panel can be included as conditions, if required by Council.

*Strategic location* - The site is within the CBD and provides an opportunity to activate the area between Crawford Street and The Q Theatre by providing a public plaza. This will strengthen the CBD by consolidating existing administrative offices into a central building and enhancing the civic importance of the precinct.

The proposed building has a civic address and with the active adjoining public plaza, will create a clearly identifiable cultural and civic hub in the centre of the CBD.

The site presents an opportunity for a landmark building that delineates a change in urban form and clearly identifies the civic hub of the CBD. The proposal capitalises on the opportunity for a landmark building and presents a quality architectural design with highly durable building materials. The additional building height assists in providing a landmark building that is readily identifiable and unique to the area.

## **Assessment**

In assessing and recommending approval of the clause 4.6 variation request, Council must be satisfied with the matters set out in clause 4.6(4). The revised clause 4.6 variation now satisfied these requirements.

The assessment against Clause 4.3 Height of Buildings demonstrates the proposal has met the objective of the clause, as per Test 1 in Wehbe (above).

Similarly, for Test 2, the proposal has demonstrated that the objectives of Clause 4.3 are met, and compliance with the height control is unnecessary and/or unreasonable in this circumstance. The intent of achieving a consistent height limit with the surrounding area is not relevant as the surrounding development

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has not yet taken advantage of the height limits, or are Heritage Items that will not be redeveloped to realise additional height.

It is noted that the height variation is only impacting a small portion of the site/building and the development still achieves the intended outcome of the LEP to step height back from street level through to the centre of the block. The interpretation by Cox has resulted in a building that adds interest to the streetscape. There is not an imposition of bulk as might have been the case with a hard approach to the height, setback and FSR controls.

The Clause 4.6 Variation Request has been addressed (3)(b) and the proposal has demonstrated that there are sufficient environmental planning grounds to justify contravening the development standard. The visual impact of the building height has been considered in the context of the surrounding Heritage Items. The proposed ground floor and mezzanine design has consciously reduced the size of the building footprint compared the upper floors to enable greater provision of public space and separation between surrounding buildings. The overall building design includes visually separate elements of the two towers and central core to give the appearance of multiple buildings to reduce the overall scale and bulk of the development. Further, the solar diagrams demonstrate that the additional building height does not create unreasonable overshadowing to new public spaces, such as the proposed public plaza at the rear of the building.

In effect the proposed combination of the proposed building's significant setbacks from the front boundary, creation of civic spaces at the front and rear, the variation in the height of the two tower elements and the relatively low percentage of the actual site area encompassed by the height variation creates a distribution of bulk and scale that offsets any adverse impacts created by the variation.

The Clause 4.6 Variation Request has is considered to have sufficiently addressed (4)(a). The argument presented in the Variation Request is accepted, and, based on the above discussion, the proposal has demonstrated that the building height exceedance is in the public interest. The proposed building seeks to become a landmark of the Queanbeyan CBD and will serve as the city's main public administration building. It is consistent with the overall character of the Queanbeyan CBD, and provides an example for future activation of redevelopment sites. The proposal meets the intent of the subject site as per the CBD Master Plan. It will contribute to a broader civic precinct that incorporate public spaces, social services, entertainment and recreation.

## **Recommendation**

That the variation to the Height of building clause be acknowledged and the variation under clause 4.6 of the LEP be accepted.

### **(c) Clarifies the differential parking requirements between public administration and commercial space and the implications of this**

The development proposal will generate the need for additional car parking on the site. The carparking rate has been determined based on the characterisation of the use as a public administration building consistent with Council's DCP.

The Panel has requested clarification regarding the following two matters relating to carparking.

1. *Where does the figure of 1 space per 100m<sup>2</sup> of floor area come from for Public Administration Buildings?*

In November 2017 the Queanbeyan DCP 2012 was reviewed. The purpose of the review was to correct a number of errors and inconsistencies. Parking rates were part of this review. The parking provisions were reviewed to provide greater incentives for changes of use particularly in the CBD.

One submission received requested the inclusion of a parking rate for public administration buildings. In adopting a rate of 1 spaces per 100m<sup>2</sup> of floor area Council accepted the following justification of both the need and quantum of the parking rate:

- » The definition of *Public Administration Building* is "a building used as offices or for administrative or other like purposes by the Crown, a statutory body, a council or an organisation established for public purposes, and includes a courthouse or a police station."
- » A public administration function is likely to require fleet vehicles to be shared between employees within the organisation.
- » Secure bicycle parking and end of trip facilities will be required to encourage employees to utilise sustainable transport options.
- » Civic and public administration buildings in the Australian Capital Territory adopt the parking rate of 1 space per 100m<sup>2</sup> GFA under the Territory Plan in the CZ1 Core and CZ2 Business zones in City Centre, Belconnen and Woden town centres.

Council was satisfied that there was sufficient justification for the introduction of an additional use-specific, off-street car parking rate for a public administration building and that the nature of the use is unique and should be categorised differently to a strictly 'commercial office' arrangement.

This information was then used in the preparation for the Queanbeyan Carparking Strategy 2018-2028 which examined the need for parking in Queanbeyan generally, but more specifically in the CBD. The Strategy was exhibited and adopted by Council in 2018.

2. *Should the carparking for the floor area not being used by the Council be calculated at a higher rate in case it is not used for public administration?*

The NSW Deputy Premier has announced that a State Government Department will be relocating to Queanbeyan and will be housed in the majority of the area not used by Council. This Government department would therefore be considered a public administration use.

Where commercial space does occur in the building the rate of 1 space per 60m<sup>2</sup> is applied.

On that basis the carparking generation has been calculated below.

The proposal will deliver 176 parking spaces as follows:

**Table 1 QDCP Assessment**

Description	GFA (m <sup>2</sup> )	Provision Rate	Spaces required	Spaces provided
Community facility	1,472	Assessed on needs basis	Merit	7
Public administration	5,094	1 space per 100m <sup>2</sup>	51	51
Commercial	1,467	1 space per 60m <sup>2</sup>	25	25
Service vehicles	8,033	1 space per 4,000m <sup>2</sup>	2	2
Replacement of existing public parking spaces	N/A	1 for 1 replacement	91	91
<b>TOTAL</b>			<b>169</b>	<b>176</b>

**(d) Collates, properly assesses (including quantifying departures) and provides a recommendations on all DCP variations, particularly in relation to flooding (2.5.6(b)(i)), development adjacent to water, sewer and stormwater mains (6.3.2), height limits and setbacks (6.2.2)**

The proposal includes 7 departures from the DCP and 1 departure from a requirement in a Council Policy. A summary and additional comment is provided in the following tables:

An updated DCP Table has been provided by SMEC in **Appendix F**.

**Table 2 Variation to the DCP**

Clause	Standard	Comment	Compliance
Clause 2.5.6	<p>b) i) Floor Level – The floor level of any approved building shall not be sited more than</p> <p>2m below the flood planning level set for such site provided that the floor area equivalent to 25% of the whole floor area of the building is sited at or above the</p> <p>flood planning level for such site. Electrical power connections, switch boards and</p> <p>transformers are to be set above the flood planning level. Floors will be self - draining after flood events.</p>	<p>The land described above is wholly within the Floodplain of the Queanbeyan River and is subject to the DCP CI 2.5.6 Land Within Flood Planning Area.</p> <p>Clause 2.5.6. b) (i) requires the floor level of any building to be sited not more than 2m below the Flood Planning Level (FPL) set for the site. The proposed floor level of the basement car park for this development is greater than 2m below the FPL for the site.</p> <p>It is noted that all entrances, both vehicular and pedestrian to the basement of the proposed development will be at or above the 1:100 ARI (Average Recurrence Interval) flood level. The basement will also have a pump-out system to remove flood waters.</p> <p>The proposed mitigation measures of this development exceed the levels and mitigations within the DCP for basement carparking noting that the vehicular exit is onto a rising plane that continues to rise from the building onto Rutledge &amp; Cooma streets</p>	The development meets the objective of Clause 2.5.6: To ensure development is compatible with the flood risks of the area.
Clause 2.2.9.1 Access requirements	a) All developments <b>require access from the frontage road to car parking</b> and service facilities. While in some instances access driveways may be sufficient some developments will require a higher standard of traffic control, such as a controlled intersection via a	Access is provided from unnamed laneway to the public car park. This reduces traffic from Crawford Street as per Infrastructure SEPP and allows the frontage to Crawford Street to remain active for pedestrians.	The variation is acceptable

Clause	Standard	Comment	Compliance
	dedicated public roadway, auxiliary lanes and/or right turn bays to maintain efficiency and safety.		
Clause 4.9 Subdivision of Land	a) Subdivision should be consistent with the predominant historic subdivision pattern in the locality or street.	The proposed changes to the subdivision further consolidate small blocks into larger blocks, facilitating a larger scale of development where Crawford Street has historically supported a fine grain of small individual buildings.	Acceptable given the nature of the uses and the physical context of the heritage items within the CBD.  Condition of consent included to provide additional area in the proposed Lot accommodating the Fire Station
Clause 6.2.2 Height of Buildings	To comply with Clause 4.3 QLEP 2012	The proposal seeks justification to exceed the height limit using Clause 4.6 to vary the development standard.	Clause 4.6 Variation has been accepted
Clause 6.2.2 Setbacks	<p>e) Height and setback limits for specific areas are summarised in Table 1 Part 6 of the DCP</p> <p>A development site fronting two or more specified areas will be limited in height and the maximum podium level to the lesser numerical standard applying between the areas.</p> <p>Higher structures should be set well back to avoid overshadowing and impression of bulk.</p>	<p>The ground and first floor of the proposed building is provided with a front setback from Crawford Street of 4.93 m where the Queanbeyan DCP requires a setback of 6m. There is no podium and the second building is set back 14.7m.</p> <p>The setbacks work with height in the DCP as demonstrated by the drawing included in the DCP. The intention is that the buildings on Crawford St maintain an appearance of a two storey development. A podium is the suggested mechanism to enable the stepping back in setback and to allow for an increase in height.</p> <p>This is reasonable in circumstances where the building has a zero setback.</p> <p>The standard is made redundant by the proposal the design of which does not take advantage of the zero setback. Therefore, the subsequent controls are out of context.</p> <p>The design of the building accommodates a large plaza and public domain in the forecourt of the building which is landscaped and takes advantage of the variable setback for Crawford Street.</p>	The variation is acceptable

Clause	Standard	Comment	Compliance
Clause 6.2.3 Architectural Character	b) Openings such as windows are recessed rather than being on the same plane as the main façade. This provides depth and shadowing that adds to visual interest.	Windows are generally on the same plane as the main façade, but are broken up with frames, louvres and sunshades.	The variation is acceptable
Clause 6.2.9 Colour and Materials	e) Materials not <i>favoured</i> include: metal siding, heavy timber frame, exposed concrete, manganese and klinker brick.	The control is vague in the language using the term “favoured”. The proposal includes form cast concrete for some feature walls and the structural columns. These materials are considered consistent with the overall palette of the building and contribute to the contemporary architectural character of the building.	The variation is acceptable

**Table 2 Variation to Council Policy**

Policy	Standard	Comment	Compliance
Development adjacent to water, sewer, and stormwater mains	6.3.2 - Building over a sewer or stormwater main may be permitted	QPRC notes that the previous Council Headquarters at 257 Crawford Street was constructed over the stormwater pipe, we acknowledge that the proposed structure described in Development Application for QCCP will be constructed above the stormwater pipe.  A diversion of Council’s stormwater main clear of the proposed structure is not considered feasible. The proposed design of the proposed development shall meet all circumstances set out in Section 6 of the Policy as far as reasonably practical.	The variation to the policy is considered acceptable.

## Recommendation

The variations to the DCP and relevant Council policies have been considered in the context of the proposal and are considered reasonable. The acceptance of the variations is not considered likely to set a precedent for other development proposal in the CBD.



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**(e) Clarifies how the recommendations of the Statement of Heritage Impact and Heritage Committee have been dealt with in relation to both subdivision and building construction and how it is proposed to condition the consent to achieve these outcomes if approved**

The Assessment Report included an assessment in relation to the heritage issues raised. The Heritage Assessment Report (HAR) included a recommendation that conditions be included in the consent, however, these were not captured in the Draft Conditions that were provided to the Panel. The Assessment Report recommended the following:

*The proposal was supported subject to the following recommendations:*

- 1. Realignment of western boundary to provide additional space around the heritage fire station.*
- 2. Separation of vehicles between the fire station wall and service laneway to be kept to 1.2m at a minimum.*
- 3. Preparation of a dilapidation report on adjacent heritage buildings to determine existing condition and determine extent of any potential damage caused by the proposed construction.*
- 4. Garden beds/raised planter beds around existing trees on Crawford Street to be installed in accordance with advice from suitably qualified arborist.*
- 5. External cleaning of adjacent heritage building to be undertaken following completion of construction.*
- 6. Interpretation signage to be installed to provide information on the social and architectural history of Crawford Street.*

These recommendations from the HAR have been considered and numbers 1, and 3 to 5 above have been included as conditions of consent.

Recommendation 2 is partially supported. The minimum distance of 1.2m cannot be accommodated without compromising the use of the laneway. However, it is considered appropriate that the wall of the existing fire station be separated from the laneway by a clearly delineated barrier such as bollards. This will ensure vehicles have a clear visual cue as to the limits of the laneway, while providing a sacrificial barrier should this be exceeded. A condition to this effect is recommended in the conditions of consent.

Recommendation 6 is not considered necessary as Council has already embarked on this project throughout the CBD. The following excerpt from Council's October newsletter to residents shows how such signage is already being installed throughout the City.

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## History signs in Queanbeyan

If you have been walking around the Queanbeyan CBD recently, you may have seen some of these new information signs. We have installed a series of these signs at 10 historic sites in Queanbeyan. The signs provide some brief information about each site and an old photo of the original building or site.

The signs can be found at the Queanbeyan Council Chambers (which was formerly the School of Arts), the Tree of Knowledge (near intersection of Crawford/Monaro streets), the Queanbeyan Suspension Bridge, the Visitor Information Centre (formerly the Council Chambers), the old school house at Queanbeyan Public School, Christ Church on Rutledge Street, St Gregory's Catholic Church (Molonglo Street), Rusten House (Antill St), St Stephen's Church (Morisset Street), and the Collett Memorial Gate Showground entrance.

The Visit Queanbeyan-Palerang team has developed interactive heritage walk maps for Bungendore, Braidwood, Captains Flat and Queanbeyan, which you can find at [visitqueanbeyanpalerang.com.au](http://visitqueanbeyanpalerang.com.au). Why not read about the history of some significant sites and plan your own walk?



Suspension bridge



Memorial Gate at Showground

Given the action already being taken by Council the inclusion of a condition of consent in relation to recommendation 6 above is not warranted.

In addition to the recommendations from the Heritage Assessment the following additional comment was received from the Council's Heritage Advisory Committee (a Committee of interested community representatives) held on 20 February 2020

The Committee's preference arising out of recommendation 2 above, was for the laneway immediately to the north of the fire station to be pedestrian only with access for emergency vehicles only. This matter was referred to the QPRC Heritage Advisory Service (a specialist heritage architect employed by Council to give professional advice) and the following response was provided:

*"Restricting the use of the laneway to emergency vehicles and pedestrians only is not supported as a condition of approval. The laneway is proposed as a service vehicle path for deliveries and waste collection. We note the use of access control from the Crawford Street entrance will prevent its use as a thoroughfare for private vehicles. Similarly, restricting the service lane to one-way access will reduce the impacts of the lane on the tree."* QPRC Heritage Advisory Service, 27 February 2020.

As a consequence of this advice it is not recommended that the Committee's preference arising out of recommendation 2 above be supported.

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## Recommendation

The following conditions have now been included in the consent:

In response to recommendation 1 from the HAR

*Prior to the Issue of a Subdivision Certificate*

*The proposed Lot 2 DP 1179998 be amended to include an additional 100m<sup>2</sup> of land at the rear of the Fire Station as shown marked up in red on drawing DA-10-02 Subdivision Plan New Rev 6 10.12.2020.*

In response to recommendation 2 from the HAR

*Prior to the Issue of Occupation Certificate*

*Bollards to a minimum height of 1000mm and spaced 1000mm apart (or such other barrier approved by Council) shall be erected along the edge of the laneway to maximise the separation of the traffic using the laneway from the wall of the existing fire station building.*

In response to recommendation 3 from the HAR

*Prior to Issue of a Construction Certificate*

*The applicant to prepare a dilapidation report on adjacent heritage buildings to determine existing condition and determine extent of any potential damage caused by the proposed construction.*

*A structural assessment shall be undertaken of the former Fire Station. The Assessment shall be undertaken by a suitably qualified person and include recommendations as to whether monitoring is required at any time during excavation or construction.*

In response to recommendation 4 from the HAR

*General Conditions Landscaping*

*Garden beds/raised planter beds around existing trees on Crawford Street to be installed in accordance with advice from suitably qualified arborist.*

In response to recommendation 5 from the HAR

*Prior to the issue of an Occupation Certificate*

*External cleaning of adjacent heritage buildings to be undertaken following completion of construction.*

## **(f) Assesses the effect of the new draft Queanbeyan LEP 2020**

Council is in the process of preparing a Comprehensive Local Environmental Plan (LEP) for the Queanbeyan-Palerang local government area (LGA). The former Queanbeyan City Council and Palerang Council were merged into a single LGA in 2016. As a consequence, Council now needs to combine the respective LEPs that applied to the former areas into one comprehensive plan.

**Current Local Environmental Plans** There are currently seven LEPs in force in the Queanbeyan-Palerang LGA. These are:

- » Palerang Local Environmental Plan 2014
- » Queanbeyan Local Environmental Plan (Poplars) 2013
- » Queanbeyan Local Environmental Plan (South Jerrabomberra) 2012
- » Queanbeyan Local Environmental Plan 2012
- » Yarrawlumla Local Environmental Plan 2002
- » Queanbeyan Local Environmental Plan 1998
- » Queanbeyan Local Environmental Plan 1991

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Council is seeking to have all these instruments combined into a single comprehensive plan.

In relation to the controls for the town centre of Queanbeyan under the Queanbeyan Local Environmental Plan 2012, it is not intended that the draft Plan make any changes to zones or development standards and no general policy changes are proposed. Rather, the draft LEP will primarily address inconsistencies between respective planning instruments applying to the LGA in order for the plans to be combined into a single comprehensive planning instrument. These inconsistencies are largely in respect of permissible development in the land use tables under the various plans, but also include differences in various provisions in some instances. As a general approach, Council will be seeking to minimise the number of new policy matters in the proposed comprehensive plan, and seek to transfer existing provisions with as little planning/policy change as possible. Where certain zones or provisions are unique to a particular plan, Council intends to wholly carry forward those provisions into the new plan. It is only where there is some difference in common provisions between the various instruments that changes will be made.

There are no changes proposed that impact the proposal.

### **(g) Resolves the inconsistency between references to trees to be retained and removed to remove ambiguity, clarify impacts and underpin enforceable conditions**

The proposal included a Landscaping Plan that identified the trees within the locality that may be impacted by the development. The Landscape Plan identifies 12 trees, of which 5 will be retained. The retained species are pin oaks and one London Plane tree on the Crawford Street frontage and they will be integrated into the proposed forecourt.

Council commissioned a Construction Impact Report, which included a Tree Protection Plan that will be incorporated into approval conditions.

## **Recommendation**

The Tree Protection Measures and accompanying Tree Protection Plan outlined in the Construction Impact Report prepared by Homewood Consulting Pty Ltd and dated 17 September 2019 be implemented. The recommendations of the Tree Protection Plan shall be satisfied prior to the commencement of construction works on the site.

### **(h) Assesses the applications against the State Environmental Planning Policy (Infrastructure) 2007**

Additional information has been provided by SMEC addressing relevant provision of the Infrastructure SEPP, refer **Appendix G**.

In addition, the provisions of the ISEPP under Division 14 Public administration buildings and buildings of the Crown where considered, however, found not to be relevant as permissibility is enabled by the QLEP and reliance on the ISEPP unnecessary.

### **(i) Confirms whether noise impact and building sustainability can be achieved without material changes to building design which may have implications for overall assessment of the application (also see comments on conditions below)**

The Draft conditions of consent included a condition relating to an Acoustic Report and a condition requiring compliance with the Council's Sustainable Building Policy. There was a concern that a change required to the material to achieve a sustainability criteria may impact internal acoustic comfort.

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The relationship between the requirement to satisfy noise and building sustainability has been further considered by Cox and SMEC.

The Noise Assessment finds the level of acoustic risk to be minor. Having regard to this Cox have advised that they do not anticipate any changes to materiality intent driven by either sustainability or acoustic requirements.

The noise levels from plant and machinery are unlikely to be significant.

- » The acoustic report addresses plant and machinery only, as there are no external noise sources (road or otherwise) under the INP or SEPP (Infrastructure).
- » The acoustic report can only make broad recommendations at DA stage, as the plant and machinery to be used in the development has not yet been selected – this would only occur following detailed design.
- » There are no sensitive receivers in close proximity of the site.
- » With plant and machinery being located on the eighth storey of the building, noise will be directed upwards and would be unlikely to be noticeable closer to ground level on adjoining sites.

The draft condition requires a post-occupation measurement of noise. If required, post-construction measures, such as acoustic treatments, could be incorporated inside of the louvered rooftop area (and not directly visible) without impacting on sustainability of the building.

### **(j) Provides amended conditions arising from the supplementary assessment and to address the following:**

- » Delete the requirements in part (c)) of condition 62 and move them to condition 15, for example by adding a part (d) Demonstrated compliance with the recommendations of the geotechnical report prepared by d & N Geotechnical dated 6 June 2019.

Noted and amended. (Note: condition 62 is now condition 63)

- » Clarification of the intention of the determination notice to approve a public administration buildings and ancillary components, recognising that part of the development is proposed for a use as “commercial office space” (so that there is never any issues with the ability to leave that area out independently)

Noted and amended.

- » Condition 1 should specifically approve referenced plans , (as outlined in the attached schedule 1) so it is clear at a later time which plans have been approved, subject to any modifications that may result by virtue of the conditions imposed on the consent
- » Noted and amended.

- » Condition 8, relating to noise mitigation should be reframed to require the applicant to demonstrate compliance with relevant criteria within the existing acoustics report, prior to lodgement of the construction certificate. The existing condition would allow alterations which have not been considered as part of the core assessment (for example additional shade structures/components may influence the shadow impact)

Noted and amended. (Note: condition 8 is now condition 11)

- » Condition 14 refers to a Remedial Action Plan – however there is no condition to require a Remedial Action Plan to be prepared, lodged and approved. This needs to be clarified.

Noted. Condition deleted. The matter is sufficiently covered by condition relating to the *Disposal of Surplus Excavated Material*.

- » The requirements of condition 30 in relation to sustainability should be met prior to the issue of a construction certificate.

The Green Star Certification cannot be issued prior to completion. (Note: condition 30 is now condition 23).

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- » Conditions 47 and 48 in relation to parking should specify minimum numbers of parking spaces (including accessible spaces) within the basement and at grade and bicycle spaces, so there is no confusion in the future.

Noted and amended. (Note: Condition 47 is now 48 and condition 48 is now 49)

- » Review all conditions, particularly 52 (now condition 53), 53 (now condition 54), 67 (now condition 69), 74 (now condition 76), 75 (now condition 77), 76 (now condition 78) and 77 (now condition 79) to consider which would be more appropriately required prior to issue of a construction certificate.

Noted. Conditions are prior to Occupation Certificate. Conditions 74-77 (now conditions 76-79) relate to approval under s68. No change.

- » Advisory notes of NSW Police should be distilled into appropriate conditions.

The advice from NSW Police has been reviewed. Where appropriate conditions have been included in the consent. Some matters are covered by the BCA and others are operational. A separate advice note may be provided.

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# A     **Draft Conditions of Consent**

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## **B 4.6 Variation and Supporting Plans**



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# **C      Construction Impact Report – Trees**

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## **D      Summary of Council Consultation**

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# **E      OSD Advice from Council**

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# **F      DCP Compliance SMEC**

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# G ISEPP – SMEC