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Mr Tim Reich
Director Development and Environment
PO Box 90
Queanbeyan NSW 2620

Via ePlanning portal

Dear Tim

Response – RFI DA.2023.0602 Mixed Use Development – 50 Morisset Street, Queanbeyan

I refer to the RFI dated 24 June 2024 in relation to the above DA. Thank you for affording the extension of time. We have reviewed the request and provide a response to each of the matters raised below.

In the first instance, we would highlight that the site has been the subject of a plan of consolidation, registered 30 August 2024. On lodgement of the DA, the property was referenced as Lot 1 DP 124593, Lot A DP 162373, Lot 2 DP 349095, Lot 7 Sec 9 DP 758862 and Lot 1 DP 817801. The property is now known as **Lot 100 DP1308422**. The area of the site has also been confirmed as 5,978sqm (previously referenced as 5,940sqm). A reference in submitted technical documents to the former land tile should be read as Lot 100 DP1308422.

Affordable Housing – Letter of Offer

The project has been the subject of discussion in relation to the opportunity to incorporate an affordable housing component. Kieran Fordham, Director Lockbridge on behalf of the proponent met with Rebecca Ryan, CEO and Ruth Ormella Director Development and Environment on 22 October 2024 to confirm the commitment to the provision of 80 affordable long term rental dwellings to be managed by a CHP. This represents 50% of the 160 units proposed to be constructed under the DA. This commitment has been formalised in a separate Letter of Offer (**Attachment 1**).

The Queanbeyan-Palerang Affordable Housing Strategy was adopted by Council in April 2023 (AHS) and acknowledges the challenges in the delivery of affordable housing. The AHS states that

*There is a very limited opportunity for the private market to provide housing that is affordable to meet most current and projected affordable housing need, meaning that **deep subsidies, strong planning intervention** and **direct funding** is likely to be required to meet the affordable housing need of most of the target groups in the local housing market context.*

The AHS includes a number of strategies aimed at bolstering the supply of affordable housing. Under *Strategy 2.5 Direct Creation of Affordable Housing*, 2.5.1 recommends the use of Council land for partnership developments. The DA at 50 Morisset Street can readily deliver the intended outcome should this be supported by Council through the adoption of the AHS in April 2023 without the need for direct funding from Council.

It is acknowledged that the existing site provides addition parking for the Riverside Plaza under an historic DA. The car park is removed from the Riverside Plaza, and it functions as a public car park supporting the adjacent uses. Therefore, we acknowledge that there may be a perception in the community that the removal of the opportunity to use the car park equates to the loss of a public benefit. The material impact of the removal of the car park is discussed below and supported by evidence.

An offer to enter into a planning agreement with Council to provide 50% of the development as affordable housing has been made in relation to the DA. The affordable housing offer will generate a measurable public benefit to the community and supports the work of Council through the implementation of the AHS. Importantly, the offer is made without the need of any significant concessions that would have been available had the proposal been amended to an infill affordable housing development under Chapter 2 of the Housing SEPP.

Under Chapter 2, the residential component of the development generates the need for only 120 car parking spaces. The proposal provides 189 spaces. The infill affordable housing provisions, if applied would have enabled up to an additional 10m of height at this location. In our view both the limitations on residential parking in a regional context such as Queanbeyan and the height controls would have resulted in an adverse planning outcome.

We are confident that the proposal will be an exemplar example of an industry led affordable housing project for all of NSW.

1. RFI relating to Development Consent 950033 (as Amended)

The Development Consent 950033 relates to the Extension of the Shopping Centre and Construction of the Carpark. The consent requires 588 car parking spaces for the Riverside Plaza and the retention of 196 spaces on land at 50 Morisset Street. The Riverside Plaza has operated with basement car parking since its completion in 1996. We have attached correspondence from Riverside Plaza supporting the redevelopment of the 50 Morisset Street site (**Attachment 2**).

The DA.3023.0602, on approval, will have the effect of modifying DA950033 through a condition of consent pursuant to section 4.17(1)(b) of the *Environmental Planning and Assessment Act 1979* rather than it being necessary to modify DA950033 under section 4.55 of the (EP&A Act). This pathway is supported by a Memorandum of Advice (**Attachment 3**).

The Morisset Street car park component of the Riverside Plaza is significantly removed from the shopping centre itself and functions as a de facto public carpark for adjoining retail development to the west and north west. Quantum Traffic have undertaken an assessment of the parking supply and usage within 200m of the site (attached). The assessment of car parking available within the CBD has found that the number of car parking spaces provided, including the Collett Street public car park at 66 Morisset Street adjacent to the proposal, satisfy the existing and immediate short to medium term car parking demand in the CBD.

Further, given the utilisation of the 50 Morisset Street car park as a general public car park, the nexus between the development to which it originally related, and its operation has been lost. The basement car park at Riverside Plaza more than caters for the existing demand from that development without the need for the overflow that is otherwise provided some 100m away.

Quantum Traffic undertook an assessment of demand for parking within 200m of the site as part of the Traffic Impact Assessment in 2023. The survey identified between 1253-1262 car parking spaces with a peak occupancy of 62% at 9am falling to 23% at 7pm. Additional surveys were undertaken in November 2024 as well as eight spot surveys of both the on-site car park and the Collett Street car

park using NearMap imagery between May 2023 and November 2024. The on-site car park at 50 Morisset Street had an occupancy ranging from 24% to 65% and the Collett Street car park experienced very low occupancy across the same period of between 1% and 10%. The additional analysis demonstrates that there is sufficient capacity to absorb demand for parking in the vicinity of the site following the redevelopment (**Attachment 4**).

This is also supported by Council's own policy approach to car parking supply in the CBD under the development contributions framework which providing for the long term provision of a multideck car park for which council currently collect a levy from development under the Queanbeyan Section 7.12 Fixed Levy Development Contributions Plan (Contributions Plan).

Contributions plan

The Development Contributions Plan commenced in 2020 and covers the demand for community infrastructure based on population growth to 2041. The plan levies development at a fixed rate for monetary contributions towards a range of community infrastructure and facilities to be funded through the plan and set out in a Works Schedule. These are also ranked by priority of high and medium based on a scoring system.

The in drafting the Contributions Plan, the council considered relevant supporting documents including the Queanbeyan CBD Retail Growth Strategy – September 2018, Queanbeyan CBD Transformation Strategy – June 2017 and the Queanbeyan CBD Spatial Masterplan Plan – Refresh April 2019.

One of the facilities is a multideck carpark at 66 Morisset Street. The car park has been costed at \$15,048,096 and achieves the highest priority and ranking.

One of the benefits of a fixed levy plan is that council can both pool funds and direct contributions from an individual development wholly to a single infrastructure project, rather than being bound by the approach in the 7.11 Contribution regime where there needs to be a nexus between the levy and the infrastructure being funded.

In this case, the proposal will generate \$571,158.11 in contributions that could be attributed to the multideck carpark in the Schedule of Work in the Contribution Plan.

2. Clause 4.6 Variation

A Clause 4.6 Variation request was submitted with the DA. The variation related to the height of the building. The variation was for an additional 2m to accommodate the parapet resulting in a height of 32m. The request has been updated to reflect the comments from council and revised architectural drawings (**Attachment 5**).

3. Non-Discretionary Standards in the Housing SEPP

Clause 148 of the Housing SEPP includes non-discretionary development standards that apply to apartment development under the Housing SEPP.

The proposal satisfies the parking requirements under the ADG, referencing the RMS Guide to Traffic Generating Development in respect to the total number of parking spaces, however, a 4.6 variation is required to address the shortfall in dedicated visitor parking (**Attachment 5**).

Ceiling heights

The plans have been amended to satisfy the ceiling height requirement under the ADG providing 2.7m ceilings to the kitchen areas.

4. Design verification statement

Please refer to the updated Design Verification Statement attached which has been updated to reference Chapter 4 of Housing SEPP (**Attachment 6**).

5. BASIX and SEPP (Sustainable Buildings) 2022

Updated BASIX certificate which has been finalised is attached. Given the BASIX certificate includes for the embodied emissions of the residential element of the proposal LID Consulting have summarised these emissions and provide an embodied emissions material form for any areas not included within the BASIX calculations (**Attachment 7**).

6. Active Street Frontages

The building addresses both Collett and Morisset Streets and has been designed having regard to the functionality associated with the building typology and the heritage context. In considering the requirements for an active street frontage, the whole of the frontage and its elements should be read together.

The treatment of the corners and use of materials is in response to pre-DA meeting advice from the Council Heritage Consultant. In order to address the issues raised, awnings have been added and additional glazing provided in the corner ground floor tenancy. Refer to the updated Architectural Plan set plans DA006 DA103 DA104 (**Attachment 8**).

7. Residential Lobbies

The southern lobby design section has been provided to show adequate natural light into lobby.

New northern lobby signage has also been provided to increase legibility for users. The design intention is to separate residential use from commercial use.

Refer to the updated Architectural Plan set plans DA102 & DA810 (**Attachment 8**).

8. Tree Removal

An arborist report was prepared to support the development (**Attachment 9**). As part of this report the Arborist has recommended the removal of tree 7 which is located on the adjoining site as it is *'considered to be a problematic and pest species, due to its prolific weed potential'*. Removal of the tree is not required to accommodate the development and it will be up to the neighbouring landowner to progress removal.

It is not proposed to remove the Quercus Palustris (tree 13 in the arborist report) in the Collett Street verge. This tree has now been added Civil Drawings. Protection measures have been included in the Civil Drawing set with a notation that hydro excavation around the tree is required where work is within the root zones. The drawings indicate that the stormwater connection is outside of the tree canopy. Tree protection works can be reinforced as a condition of consent.

9. Apartment design Guide Clarifications

The ADG Statement of Compliance has been updated (**Attachment 6**). The following response has been included:

Communal Open Space – the COS area plan has been revised and the proposed design now achieves 25% required area. We achieve between 43.6%-66.4% 2hr solar access where the ADG notes 50% required. The ADG notes in CBD areas compliance may not be achievable although is acceptable if the application can “demonstrate good proximity to public open space and facilities” which we believe we have done with the adjoining Queen Elizabeth II playground/park. Refer Drawings DA411 & DA412.

Solar Access - - Units (901, 909, 910, 911, 919, 920) are provided with larger skylight and openings on the roof (Drawing DA112 & DA401) to provide solar access to both living and POS areas.

Setbacks – It is noted that the ADG provide a guide to the setback applicable to the western elevation of the building. These provisions work alongside the relevant development control plan.

The objectives regarding boundary setbacks in the QDCP section 6.2.2 have been satisfied by the proposal to the extent that the development potential of the adjoining site has been retained.

The height and setback envelope are consistent with the QDCP controls explicitly referencing this site which requires a 6m side and rear setback for buildings to 10 stories and 9m above that height.

The proposal has provided a setback that is sufficient to accommodate the redevelopment of the adjoining site and further setback on this elevation are not considered necessary in this case given that the proposal satisfies the requirement of the QDCP coupled with the uncertainty of the redevelopment and end use of the adjoining site if this were to occur.

Apartment layouts – the discrepancy between the Architectural Plan Set and SEE is noted. The Plans should be read as prevailing to the extent of any inconsistency. The largest size apartment has a floor area of 90sqm.

Visual privacy/overlooking - - Drawing A802 provides more information regarding adjoining part as driveway which shows that we have scaled a 9m driveway zone on the neighbour's boundary.

Unit size and layout - - Drawing A150, DA151, DA152 updated as per requested. The plans show room depths measured from the nearest window and excluding the back Kitchen bench.

Private open space - - Drawing A150, DA151, DA152 has been updated as per requested to confirm the areas of the POS at 10sqm for type 2A and 8sqm for type 1B.

Overall amenity – the reference to amenity in the RFI is limited to the outlook from apartment on the western elevation. The typology and location of the building is such that there will be apartments that have better outlooks than others. However, the overall amenity of the development is positive. All apartments have equal access to the communal rooftop open space. The location of the building and proximity to open space, retail and commercial development, services and recreational opportunity provide a positive outcome in terms of amenity.

Housing mix and diversity – the housing mix of 1 and 2 bedroom apartments in this location responds to the Queanbeyan Palerang Affordable Housing Strategy and the need to provide additional housing stock within the CBD to satisfy the unmet demand. The mix of 50/50 is considered a good outcome for the site.

10. Communal Open Space

The landscaping of the COS area considers a range of factors including maintenance, amenity and privacy. The use of synthetic lawn is suitable for the roof-top location.

Where possible and at ground level, deep soil planting has been accommodated. It is noted that the ADG does not require compliance with the deep soil zones in the CBD.

11. Groos Floor Area

The GFA has been updated on Drawing DA015 revision DA02 (**Attachment 6**). The GFA update is now in accordance with the definition within the QPRLEP.

12. Contamination

A Preliminary Site Investigation (PSI) has been prepared by Agon Environmental (**Attachment 10**). The PSI does not identify any potential contamination for the uses proposed under the Development Application.

13. Waste

The Waste Management Plan has been updated to include requirements of the QPRC. The update package includes food and organic waste for both the commercial and residential, additional bin storage and location for mechanical tug parking. Swept paths for both the 10m and 12.5m trucks have also been provided (**Attachment 11**).

With regards to waste holding room path of travel to the waste collection room these bins will be moved via the internal carpark.

14. Noise

A Noise Assessment was undertaken by SLR and submitted with the DA. The initial Noise Assessment sufficiently addressed the relevant matters including noise associated with waste, the location being within the CBD and traffic. The report also included recommendations as to waste collection which can be accommodated in the operational management of the building. Glazing and sound insulation ratings and performance solutions are also addressed.

The Noise Assessment has been updated to clarify the items identified with the RFI and Revision 02 of the report has been provided (**Attachment 12**).

The information provided is considered sufficient to address the issues and for assessment of the application to proceed.

15. Flooding

A Flood Impact Statement was completed by Rienco Consulting and submitted with the DA. This statement has been updated to include a response to LEP Clause 5.21 and provides a statement in respect to the hydraulic effect of the development. Revision 2 of the Flood Impact Statement has been provided (**Attachment 13**).

16. Civil

Updated civil drawings have been provided (**Attachment 11**). These drawings now address the trees nominated within the arborist report. All references now include the NSW and QPRC guidelines. The external services plan has been updated to include the required 3m clearance to the new pad mounted substation proposed.

With regards to the stormwater, the stormwater management plan has included the pre development and post development areas which show a negligible increase. The extract from the Treatment Train effectiveness has been included for reference as well. The Civil Engineer is able to share the stormwater model file with relevant council engineering staff.

17. Pedestrian Movement

Pedestrian movement within the site has been reviewed. Line marking has been provided on revised DA102 to provide a path of travel for the 4 parallel residential visitor parking bays to Morisset Street.

It is expected that the 8 residential visitor bays to the rear of the site will utilise the connection to Collett Street to either enter the North lobby or egress out on to Collett Street.

18. Parking and traffic

As noted above, the parking rates that have been applied are the non-discretionary development standards in the Housing SEPP Chapter 4 Design of residential apartment development, clause 148(2)(a) *the car parking for the building must be equal to, or greater than, the recommended minimum amount of car parking specified in Part 3J of the Apartment Design Guide.*

The number of parking spaces required for the residential component of the development is 152. The proposal provides 201. There is a shortfall in dedicated visitor parking on site. This is a variation to the development standard and has been included in the Clause 4.6 Variation request (**Attachment 5**).

Car parking for the building

The development standard relates to that part of the development not otherwise subject to the car parking provision in Chapter 4, clause 148 non-discretionary development standards and refers to the RMS guideline for Traffic Generating Development 2002 as the relevant parking rate.

On that basis, the parking requirement is:

ADG/RMS Guide to Traffic Generating Development	<i>Required</i>	<i>Proposed</i>
0.6 spaces per 1 bed	48	189
0.9 spaces per 2 bed	72	
Visitor (1 per 5 units)	32	12
<i>Sub-total</i>	<i>152</i>	<i>201</i>
QDCP Part 2		
Commercial	11	11
Service vehicles	5*	1
<i>Sub-total</i>	<i>16</i>	<i>12</i>
Total	168	213

A variation to the provision of parking for visitor parking and service vehicles is requested. The Traffic Impact Assessment found it was unnecessary to accommodate additional capacity for service vehicles (**Attachment 14**). *The proposed development contains a single dedicated service vehicle space with dimensions suitable to accommodate a 10m truck. This space is considered to be sufficient to satisfy the once weekly waste collection and anticipated removalist demands (assumed to be approximately once weekly based on residents living on-site for an average duration of three years. It is further noted that the 12 unallocated car parking spaces (including the four contiguous parallel spaces) could be utilised by smaller delivery vehicles serving the commercial component* (Traffic Impact Assessment Report, p25).

19. Heritage

An addendum to the Heritage Impact Assessment (HIA) has been prepared to address the requirement for a visual impact assessment (**Attachment 15**). As requested the visual impact assessment contains multiple views of the proposed building in context to the heritage items. The addendum to the HIA provides additional information sufficient to demonstrate that the development will not have a adverse impact on the adjoining heritage items. The visual impact assessment is attached to this letter and should be read in conjunction with the submitted HIA.

Conclusion

The proposal for the mixed-use development of the 50 Morisset Street site represents an opportunity for a transformative redevelopment of this eastern edge of the Queanbeyan CBD. The proposal demonstrates an urban design response entirely consistent with the vision for the site adopted by council in the CBD Masterplan and the QDCP in terms of land use, bulk and scale.

The development is necessitating a condition addressing the modification of the current DA950033 and evidence has been provided to demonstrate that there is sufficient capacity within the immediately surrounding area to accommodate the loss of public parking on the site.

The proposal is an example of how this form of housing development can be achieved with a good design outcome and generally consistent with the ADG without reliance on concessions or compromises that could otherwise lead to adverse outcomes for the community.

Following successful negotiations and in partnership with a CHP, Lockbridge is also in a position to commit 50% of the development to affordable housing. This outcome is unprecedented in regional

NSW. It will have an immeasurable impact on our community and the ability for council to continue to attract key workers in the areas of health, education, police and community services to Queanbeyan.

I trust that the information provided above sufficiently addresses the matters raised in the RFI and will provide for the finalisation of the assessment of the application by council and determination by the regional Planning Panel early in the new year.

Should you have any questions about this fee proposal please do not hesitate to contact me on 0438 744 384 or via email lizdensley@8mileplanning.com.au.

Yours sincerely



Liz Densley
Director



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Attachments

Attachment 1 – Letter of Offer

Attachment 2 - EIG – Riverside Plaza parking capacity letter

Attachment 3 – Memorandum of Advice

Attachment 4 - Quantum Traffic Assessment of Public Car Parking

Attachment 5 – Amended Clause 46 Variation request

Attachment 6 – Revised Appendix B ADG Report

Attachment 7 – Revised Appendix M BASIX and Embodied Emissions

Attachment 8 - Revised Appendix A Architectural Plans

Attachment 9 - Arborist Report

Attachment 10 – Contamination – Preliminary Site Investigation

Attachment 11 – Revised Appendix D Civil Drawing Set inc. updated Swept Paths for Waste

Attachment 12 – Revised Appendix H Noise Assessment Report

Attachment 13 – Revised Appendix F Flood Impact Statement

Attachment 14 – Revised Appendix G Traffic Impact Assessment

Attachment 15 – Addendum to Appendix E Statement of Heritage Impact