

Addendum – DA.2023.0602

1. Introduction

This document provides an addendum to the Statement of Environmental Effects submitted to accompany a DA.2023.0602 for Shop Top Housing. The Development Application (DA) was submitted to Queanbeyan-Palerang Regional Council via the planning portal 4 December 2023. This document should be read in conjunction with the following:

- » DA submitted to Council via the planning portal 4 December 2023
- » Request for information (RFI) dated 6 and 24 June 2023, and response provided 29 November 2024

In preparing this Addendum consideration was also given to correspondence via email, meetings with Council planning staff and correspondence dated 26 February 2025 in relation the proposal.

The determinative matter appears to be the loss of carparking and whether the public interest associated with the provision of affordable housing outweighs the historic assumption as to the anticipated parking demand that would be generated by the extension of the Riverside Plaza shopping centre in 1996.

The Addendum provides clarification so far as the DA seeks:

- » Approval for Shop Top Housing
- » An Affordable Housing component of 50% captured in a VPA
- » Modification for DA950033 to remove the parking requirement attributed to land at 50 Morisset Street

The relevant matters are addressed below.

2. Background

During consideration of the DA, the NSW State Government amended State Environmental Planning Policy (Housing) 2021 (Housing SEPP) to incentivise the provision of affordable housing. The application was submitted before these provisions commenced. However, the proposal was included in an application for Housing Australia Future Fund (HAFF) by a Community Housing Provider (CHP) in March 2024. Council provided a letter of in principle support for the application which was provided as part of the submission by the CHP.

Lockbridge were notified by the CHP that the HAFF application was successful in mid-September 2024. This Addendum has been prepared, in part to confirm that the DA now includes the provision of 50% Affordable Housing. The built form outcomes in relation to height and FSR are not being relied on, however, a Clause 4.6 variation has been provided that addresses minor variations to development standards. The provision of affordable housing adds weight to the public interest consideration of the DA. The considerable public benefit of the affordable housing should also be a consideration.

As Regionally Significant Development, the DA was referred to the Southern Regional Planning Panel in April 2024.

An additional information request was made 24 June, 2024 following an assessment of the DA by Council and an independent planner. In June 2024, Council staff advised that there was an existing consent for the

Riverside Plaza that also included the subject site. Following discussion with Council, including the existing consent, parking and the application of the Housing SEPP, Council extended the timeframe for a response to the RFI to 30 November, 2024.

A meeting was held between staff, the applicant and Lockbridge, the outcome of which was to hold a workshop with Councillors and provide feedback as to the support, or otherwise of the parking approach. It is understood that this workshop was held 19th February 2025.

A further RFI was uploaded to the portal dated 26 February 2025 notifying the outcome of the assessment. Council provided, in separate communication via email, the opportunity to provide clarification by way of an amended SEE or SEE Addendum.

3. DA950033 – Extension of Riverside Plaza

The RFI response dated 29 November 2024 confirms the intention that the application would modify DA950033 using the mechanism available under section 4.17(1)(b) of the *Environmental Planning and Assessment Act, 1979* (EP&A Act). The RFI included a Memorandum of Advice outlining the application of section 4.17(1)(b).

A condition imposed under section 4.17(1)(b) is not contingent on the separate application to modify a development consent under section 4.55. Section 4.17(1)(b) enables the consent authority to regulate the relationship between two consents through conditions. In this way, it allows a condition to be imposed on the new consent that limits, suspends or modifies aspects of an existing consent but does not formally alter the term of the original consent in the way that a section 4.55 modification would. This approach avoids the need for a separate modification application.

In circumstances such as the situation at 50 Morisset Street, the consent authority may impose a condition of consent that the car park use, under the previous consent must cease once commencement of construction.

The DA for land on which there is an existing consent, for which the land owner has provided authorisation for the making of that DA, is sufficient. The relevant land parcels, address, applicant and owner details have been provided in DA.2023.0602 for Shop Top Housing.

For the avoidance of doubt, the following information is provided consistent with that which has been provided on the planning portal:

Applicant – Lockbridge Pty Ltd

Owner – Riverside Morisset Developments Pty Ltd

Land to which the applicant applies – Lot 7 Section 9 DP 758862, Lot A DP 162373, Lot 2 DP 349095, Lot 1 DP 817801 and Lot 1 DP 124593 as per the land titles at the time of lodgement. Note that the land has been consolidated and is now known as Lot 100, DP1308422.

Right to be modified – the application is for Shop Top Housing on land currently approved for the use of a car park under a separate DA.

Whether the consent will be modified – development consent DA950033 will be modified to the extent that a condition of consent will be imposed on a subsequent development consent applying to the same land under section 4.17(1)(b). It is unnecessary that the original development consent also be modified under section 4.55.

The implications of the change of use of the car park in DA.2023.0602 are addressed in the supporting documentation, RFI dated 29 November 2024 and the additional information provided in the amended Traffic impact Assessment (TIA) submitted 31 January 2025.

Carparking requirement of DA950033

DA950033 Extension to Riverside Plaza resulted in a requirement for 588 carparking spaces circa 1996. With the actual provision being 593 spaces. The carpark on the Riverside Plaza site accommodates 436 spaces and 50 Morisset Street accommodates 196 spaces. The starting point is, on the current use of the commercial floor area alone, is 436 spaces sufficient? Carparking generation rates are based on theoretical demand. While this is necessary, in this case it can be demonstrated that, the volume of parking provided in 1996, with the benefit of 29 years of operation, may have resulted in an oversupply and the shopping centre and CBD will continue to function, should the 50 Morisset Street site be repurposed for affordable housing without a detrimental impact on parking.

The TIA references a GLFA of 21,522sqm. The current parking rate applied to a commercial use including shops in the CBD under the QDCP, Part 2 is 1 space per 60sqm of GFA. Applying this to the GLFA the Riverside Plaza would generate demand for 359 parking spaces. The additional 77 parking spaces on site might be attributed to the non leasable GFA which includes common areas and circulation space. On this basis the 436 spaces provided on site at the Plaza are more than sufficient to accommodate the demand generated by the current use. It follows that, the contemporary operational demand of the Riverside Plaza is less than the assumed demand of the 1996 DA (being 566 spaces). The 196 spaces provided at 50 Morisset Street are, therefore, not required for the operation of the Riverside Plaza. This is supported by the TIA surveys of usage.

The TIA considered the utilisation rate of the existing carparks within proximity to the 50 Morisset Street site and found that the displacement of parking spaces in lieu of the proposed development would not have a significant impact on the supply of available parking within the CBD (refer Traffic Impact Assessment). The Collett Street public car park is underutilised.

4. Affordable Housing

The application was submitted prior to the commencement of the In-fill Affordable Housing incentives introduced into the Housing SEPP.

This matter was addressed in the RFI dated 29 November 2024. The project has been successful in the receipt of funding under the Housing Australia Future Fund Rund 1 notified 16 September 2024.

A VPA offer has been made to reinforce the commitment of the project to provide 50% affordable housing equating to 80 units.

The public benefit of Affordable Housing is well documented. We propose that the nature of the development proposal, signified by the impact it will have in terms of providing key worker accommodation should be considered alongside the impact on car parking, which, as noted above, we view as moderate.

As noted above, the proposal will result in the repurposing of a car park for housing. The development generates demand for 163 car parking spaces and provides 212 on site car parking spaces. Surveys undertaken to determine the utilisation rate of the Riverside Plaza parking pre and post development have been provided in the TIA. While the post development utilisation rate may be high, as noted in the TIA, there is also sufficient capacity within the CBD such that it is unlikely that the overall impact would be unacceptable.

The public benefits of affordable housing outweigh the inconvenience of parking, if that were the case, and include:

- » Social Benefit - Across Australia we are in the midst of housing shortages and rising costs, making it difficult for lower-income residents, key workers, and vulnerable populations to access stable

housing. A diverse, inclusive community with mixed-income housing fosters social cohesion, reducing social isolation and inequality.

- » Economic Benefit - Queanbeyan has a distinct lack of contemporary unit development in the CBD and across the LGA. More residents in affordable housing mean increased spending in local businesses, supporting job creation and economic vitality.

The proposal supports the activation of the CBD by integrating housing with retail and services create vibrant, pedestrian-friendly environment with a high level of amenity.

- » Aligns with Government Priorities: The NSW Government has made changes to the Housing SEPP to incentivise Affordable Housing across the State. Affordable housing is considered as a critical infrastructure need. The application has demonstrated that this site is well suited for the use. The location is consistent with the criteria set out by the Commonwealth and was a consideration in the awarding of the HAFF funding.
- » Parking Solutions Exist: Parking demand can be managed in the Queanbeyan CBD across the existing public and private parking assets as demonstrated in the TIA.

5. Public interest

The proposal is in the public interest. Affordable housing is a critical issue in Queanbeyan, where demand for housing is increasing due to its proximity to Canberra, a growing population, and economic shifts that impact housing affordability. In the initial assessment of the proposal council has concerns that the development proposal seeks to prioritise affordable housing over car parking in the CBD. However, it is critical to assess the proposal through the lens of public interest, as outlined in Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979 (EP&A Act).

Justification

Addressing housing affordability is part of the council's policy agenda. Queanbeyan faces housing pressure due to Canberra's high property costs and local population growth. Increased affordable housing supply will contribute to a reduction in housing stress, it will support key workers, and strengthen the local economy.

The Queanbeyan CBD is well-serviced by public transport, walking, and cycling infrastructure. The subject site is opposite the bus interchange and the underutilised Collette Street Public Carpark.

As noted above, the NSW Government has made amendment to the policy framework to incorporate incentives for Affordable Housing. While these have not been utilised, in part due to adverse urban design and streetscape outcomes that may result from an additional 30% in height, the proposal is consistent with the intended outcomes.

The CBD can accommodate the perceived loss of parking associated with the development without resulting in major parking issues. The operation of Riverside Plaza since the approval of the extension in 1996 has relied largely on the parking on the site rather than the overflow at 50 Morisset Street.

Providing affordable housing at the expense of some car parking in Queanbeyan CBD is in the public interest because it supports social and economic inclusion, aligns with planning strategies, and promotes sustainable urban development while ensuring parking concerns are mitigated effectively. By adopting a balanced approach that includes parking management strategies and alternative transport incentives, Queanbeyan CBD can accommodate both affordable housing needs and urban accessibility, ultimately serving the greater public interest.