

QPRC



PLANNING AND STRATEGY COMMITTEE OF THE WHOLE MEETING

Council at its meeting of 23 November 2016 resolved (M/N 295/16) as follows:

The Planning and Strategy Committee of the Whole be delegated authority in accordance with Section 377 of the Local Government Act 1993 to determine matters pursuant to the:

- Environmental Planning and Assessment Act 1979
- Local Government Act 1993
- Swimming Pools Act 1992.
- Roads Act 1993
- Public Health Act 2010
- Heritage Act 1977
- Protection of the Environment Operations Act 1997

MINUTES OF THE PLANNING AND STRATEGY COMMITTEE OF THE WHOLE OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Council Chambers, 253 Crawford St, Queanbeyan on Wednesday, 14 June 2017 commencing at 5.30pm.

ATTENDANCE

Administrator: T. Overall (Chair)

Staff: P Tegart, Interim General Manager; M Thompson, Portfolio General Manager Natural and Built Character; P Hansen, Portfolio General Manager Community Connections; J Richards, Portfolio General Manager Community Choice and A Aksenoff, Portfolio General Manager Organisational Capability.

Also Present: W Blakey, Management Accountant (Clerk of the Meeting) and R Potter (Minute Secretary).

1. APOLOGIES

Recommendation

Nil

1.1 SUSPEND STANDING ORDERS

RESOLVED (Overall)

The Administrator resolved that Item 4.4 will be dealt with as first item under staff reports.

PLA056/17

4.4 **Preparation of a Planning Proposal for the Proposed Memorial Park (Cemetery) - Corner Old Cooma Road and Burra Road**

PLA057/17

RESOLVED (Overall)

The Administrator resolved to defer the matter to the next meeting of Council for further consideration of this matter and for additional clarification of the planning process and conditions that might apply.

2. PRESENTATIONS/DEPUTATIONS/PETITIONS

PLA058/17

RESOLVED (Overall)

The Administrator resolved all presenters be heard.

Paul Hubbard - Item 4.4 - Preparation of a Planning Proposal for the Proposed Memorial Park (Cemetery) - Corner Old Cooma Road and Burra Road

Rowena Oliver - Item 4.1 - Development Application 2016.203 - Six Lot Subdivision - 8360 Monaro Highway, Royalla

Rob Smith - Item 4.1 - Development Application 2016.203 - Six Lot Subdivision - 8360 Monaro Highway, Royalla

Gavin Jackson - Item 4.3 - Development Application 131-2017 - Queanbeyan Indoor Sports Centre Extension - 1A & 1B Yass Road, Queanbeyan East

3. DECLARATIONS OF INTEREST

PLA059/17

RESOLVED (Overall)

The Administrator resolved that the Administrator and staff now disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.

Nil

STAFF REPORTS

4. ENVIRONMENT, PLANNING AND DEVELOPMENT

4.1 **Development Application 2016.203 - Six Lot Subdivision - 8360 Monaro Highway, Royalla**

PLA060/17

RESOLVED (Overall)

The Administrator resolved:

1. That Council agree to the use of Council owned land being part of Lot 29 DP 1015516 classified as Operational Land for construction and use as a road to serve the proposed subdivision.
2. That the applicant be responsible for paying market value of the land required for the road over Council's land being part Lot 29 DP 1015516 and the agreed costs being paid prior the release of the Subdivision Certificate.
3. That Council accept the road over part of Lot 29 DP

1015516 as a public road by dedication on registration of the Subdivision Certificate for the 6 lot subdivision with legal, surveying, registration and any other ancillary costs associated with the dedication being met by the applicant.

4. That development application 2016.203 for a six (6) lot subdivision on Lots 1 & 2 DP 456367, Lot 2 DP 131294, Lot 1 DP 1067259 and road on part Lot 29 DP 1015516, No. 8360 Monaro Highway, Royalla be granted conditional approval.
5. That those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.
6. That Council continue negotiations with the owners of Lot 24 DP 1015516 with a view to their possible purchase of a portion of Council's operational land to preserve existing plantings.

4.2 Development Application 14-2017 - Commercial Alterations and Additions to the Tourist Hotel - 31 Monaro Street, Queanbeyan

PLA061/17

RESOLVED (Overall)

The Administrator resolved:

1. That Development Application 14-2017 for Commercial Alterations and Additions to the Tourist Hotel on Lot 10 DP 530627, No.31 Monaro Street be granted conditional approval.
2. That Council note the requirement for an additional 30 car parking spaces and waive the requirement for any payment of Section 94 Developer Contributions for the reasons stated below:
 - i. Councils DCP – Parking, Clause 2.2 permits variation to parking standards where justified by a Traffic and Parking Impact Study. The applicant has submitted a consultants Traffic and Parking Statement giving their reasons why variation of the DCP is warranted.
 - ii. As the major new use that generates additional car parking is the café operating during the day, it is more likely to generate patronage through pedestrian traffic. While the same building will be used as a function centre in the evenings and will generate a greater need for parking its core business will be outside of business hours when more public parking will be available within the vicinity of the proposed development, including the adjacent public car park.
 - iii. Council's long term promotion of active businesses in the CBD through its planning controls and community business support forums particularly where development encourages more people in the shopping centre during business hours and particularly at night.
 - iv. Council's DCP Clause 7.3.3 - Change of Use provisions

encourage continued use and reuse of existing commercial premises in the CBD to make it more financially viable for landowners, purchasers and lessees to establish their proposed business and promote continued commercial uses, to avoid empty premises and encourage establishment of a vibrant Queanbeyan commercial centre.

4.3 Development Application 131-2017 - Queanbeyan Indoor Sports Centre Extension - 1A & 1B Yass Road, Queanbeyan East

PLA062/17

RESOLVED (Overall)

The Administrator resolved:

1. That Council accept a variation to Clause 2.2.6 QDCP 2012 to the on-site car parking requirements for the existing indoor sports centre building and the proposed extensions from a total of 144 vehicle spaces to 92 vehicle spaces for the following reasons:
 - a) The existing indoor sports centre parking was assessed on the basis of 3 spaces per 100m² of Gross Floor Area and it is considered appropriate that this same parking rate apply to the combined existing and proposed extensions i.e. 92 spaces which includes two disabled spaces. Based on the current usage of the QISC this is considered to be adequate onsite parking for both buildings. Note: six additional spaces will be required should the two proposed squash courts proceed.
 - b) During times when full operation of Seiffert Oval is being used for major sporting events, the Queanbeyan Indoor Sports Centre will not operate allowing these events to utilise car parking spaces at Seiffert Oval.
 - c) The development satisfies the parking control objectives of the QDCP 2012:
 - To provide general standards for car parking.
 - To maintain the amenity of Queanbeyan by ensuring adequate parking is provided for.
2. That Council agree with the alternative access to Seiffert Oval for service, emergency and heavy vehicles from Thurrallilly Street that will comply with AS2890.1 and remove traffic safety concerns by NSW Roads and Maritime Services with the use of Yass Road access for heavy and service vehicles to the site.
3. That Council agree that the existing J W Seiffert Memorial Gates and entrance to Seiffert Oval remain in place without any alteration to protect their heritage significance.
4. That Condition 25 be amended to remove the requirement for 6 additional car parking spaces should the two proposed squash courts be constructed.
5. That prior to the issue of a construction certificate Council and

the QLC/Blues agree to the form of fencing and gates appropriate to the proposed Seiffert Oval carpark.

6. That the landscaping plan to be submitted for Council approval prior to the release of the Construction Certificate include selective plantings on the southern side of the complex to soften the visual impact from David Campese Field.
7. That development application 131-2017 for extensions to the Queanbeyan Indoor Sports Centre, New Carpark arrangements on Crown Reserve R 83463 & R85019 being Lots 7-10 inclusive DP 758862, and Lot 7305 DP 1137212, Taylor Park being 1A & 1B Yass Road and Lot 117 DP 823483, Seiffert Oval being 36 Thurrallilly Street, Queanbeyan be granted conditional approval.
8. That NSW Roads and Maritime Services be advised of Council's determination.

4.5 Amendment to Queanbeyan Development Control Plan 2012

PLA063/17

RESOLVED (Overall)

The Administrator resolved:

1. That Council place the proposed draft amendments to the Queanbeyan Development Control Plan 2012 on public exhibition for a period of 28 days.
2. That the Oaks Estate Progress Association be advised in regard to the draft DCP.
3. That following receipt of submissions, a report on the Draft DCP be submitted to the Council for determination.

4.6 Review of Section 94 Fees Applicable to Small Scale Commercial Development in Rural Areas

PLA064/17

RESOLVED (Overall)

The Administrator resolved:

1. That Council apply the \$20,000 section 94 contribution cap to small scale commercial developments fitting the following criteria:
 - An estimated cost of works less than \$250,000.
 - Where the contribution would be levied under a section 94 plan adopted by the former Tallaganda or Yarrowlumla Shire Councils.
2. That this concession only apply until Council's section 94 plans are reviewed and consolidated, which is scheduled in the next twelve months.

4.7 Housing Industry Association ACT/Southern NSW Housing Awards 2017-2019 - Partnership Proposal

PLA065/17

RESOLVED (Overall)

The Administrator resolved:

1. That Council accept the offer to partner the Housing Industry Association in the ACT and Southern NSW Housing Awards in a residential home category at a cost of \$4400 per year for the next three years.
2. That support for Council's participation in the awards be further reviewed in 2020.

5. INFORMATION REPORTS

5.1 Shop Local Christmas Promotion Campaign in Bungendore and Braidwood

PLA066/17

RESOLVED (Overall)

The Administrator resolved that Council approve funding of \$17,500 towards the 2017 Shop Local Christmas campaign in Bungendore and Braidwood, for inclusion in the 2017/18 Operational Plan.

5.2 Site Inspection - DA 14/2017 - The Tourist Hotel - 31 Monaro Street, Queanbeyan

PLA067/17

RESOLVED (Overall)

The Administrator resolved that the report be received for information.

5.3 Site Inspection - DA 131/2017 Queanbeyan Indoor Sports Facility

PLA068/17

RESOLVED (Overall)

The Administrator resolved that the report be received for information.

6. INFRASTRUCTURE SERVICES

6.1 Sports Facilities Strategic Plan

PLA069/17

RESOLVED (Overall)

The Administrator resolved that Council adopt the Sports Facilities Strategic Plan and its recommendations.

- 6.2 **Pencil Pines Farrer Place Queanbeyan**
PLA070/17 **RESOLVED (Overall)**
The Administrator resolved that Council retain the pencil pines in Farrer Place, infill missing trees with the same species and reinstate low shrub and ground cover plantings along the Farrer Place median.
- 6.3 **Queanbeyan Integrated Water Cycle Management Strategy - Tender Approval**
PLA071/17 **RESOLVED (Overall)**
The Administrator resolved that Council:
1. Award the contract for Part A of the IWCM Strategy development to Aecom for the sum of \$214,760.
 2. Approve, subject to additional council report to extend the contract to include Parts 2, 3 and 4, subject to successful completion of previous work and agree fixed fee amounts.
 3. Approve a total project budget for the full development of the IWCM strategy, Strategic Business Plan and Financial Plan of \$1,400,000 (ex GST) over a period of 18 months.
- 6.4 **Tender Report - QISC Extension**
PLA072/17 **RESOLVED (Overall)**
The Administrator resolved that Council award the contract to extend the QISC including the squash courts to Kane Construction, for the sum of \$4,308,181 with a total project budget of \$4,950,000 (Inclusive of GST).

7. NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION

At this stage of the proceedings Mr Overall advised that there were items on the Agenda that should be dealt with in Closed Session.

Mr Overall then asked that, in accordance with Clause 59.6 of the Council's Code of Meeting Practice, were there any presentations as to why the matters listed below should not be dealt with in Closed Session.

PRESENTATIONS

Katrina Willis - Item 8.1 - Appeal to the Land and Environment Court - Cannchar Pty Ltd Compensation for Just Terms Acquisition of EDE Road Corridor.

Les Manning – Item 8.1 - Appeal to the Land and Environment Court - Cannchar Pty Ltd Compensation for Just Terms Acquisition of EDE Road Corridor

PLA073/17

RESOLVED (Overall)

That pursuant to Section 10A of the Local Government Act, 1993 the following items on the agenda for the Ordinary Council meeting be dealt with in Closed Session for the reasons specified below:

Item 8.1 Appeal to the Land and Environment Court - Cannchar Pty Ltd Compensation for Just Terms Acquisition of EDE Road Corridor.

"Item 8.1 is confidential in accordance with s10(A) (g) of the Local Government Act 1993 because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

The meeting then moved into Closed Session to discuss the matters listed above.

The meeting returned to Open Session by virtue of Resolution No.PLA075/17 made in Closed Session.

The doors of the chamber were opened to allow the public to enter.

In accordance with Clause 253 of the Local Government (General) regulations 2005, Mr Overall then read out the decisions of Council made in Closed Session.

8.1 Appeal to the Land and Environment Court - Cannchar Pty Ltd Compensation for Just Terms Acquisition of EDE Road Corridor.

The Administrator resolved that Council note the report.

At this stage in the proceedings, the time being 6.37pm Mr Overall announced that the Agenda for the meeting had now been completed.

**TIM OVERALL
ADMINISTRATOR
CHAIRPERSON**