



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, 8 November 2017 commencing at 5.30pm.

ATTENDANCE

Councillor: Cr Overall (Chair), Crs Biscotti, Bray AM, Brown, Harrison, Hicks (from 5.43pm), Marshall, Noveska, Schweikert, Taylor and Winchester.

Staff: P Tegart, CEO/General Manager; M Thompson, Portfolio General Manager Natural and Built Character; P Hansen, Portfolio General Manager Community Connections and J Richards, Portfolio General Manager Community Choice.

Also Present: W Blakey (Clerk of the Meeting) and L Ison (Minute Secretary).

1. APOLOGIES

There were no apologies.

2. PRESENTATIONS/DEPUTATIONS/PETITIONS

The following presenters were heard:

Mr Richard Graham - Item 4.3 - Development Application DA.2017.050 - New Dwelling at 867 Butmaroo Road, Mulloon and Item 4.4 - Modification Application - MOD.2017.064 - Relocation of Reception Building and Carpark at Carrington Inn - 55-59 Ellendon Street, Bungendore.

Mr Graham prefaced his presentation with the advice that he, as the applicant of MOD.2017.064 (Item 4.4), wished to correct the mistake he had made on the application and declared that he had not made any donation or gift to any Councillor or staff.

PLA339/17

RESOLVED (Schweikert/Hicks)

That Mr Graham be granted an extension of four minutes to speak.

The resolution was carried unanimously.

Cr Hicks joined the meeting at 5.43pm.

Mr Alan Longhurst - Item 4.4 - Modification Application MOD.2017.064 - Relocation of Reception Building and Carpark - Carrington Inn, 55-59 Ellendon Street, Bungendore.

Mrs Emma Brooks - Item 5.2 - Planning Proposal - Housekeeping Amendments to Queanbeyan Local Environmental Plan 2012.

3. DECLARATIONS OF INTEREST

PLA340/17

RESOLVED (Taylor/Bray)

That Councillors and staff now disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.

The resolution was carried unanimously.

Mr Peter Tegart (CEO/General Manager): Declared a significant pecuniary interest for Item 4.1 - Development Application 345-2017 - 17 Feagan Street - Erection of a single storey dwelling house, as he is the joint owner of 17 Feagan Street, Googong.

Cr Tim Overall: Declared a non-pecuniary, less than significant interest, for Item 5.3 - Minor amendment - Section 94 Development Contributions Plan No 11 for the provision of public off-street carparking at Bungendore, as his residence is located in Greenleigh. The draft amendments include clarity on boundary setbacks in the suburb of Greenleigh.

STAFF REPORTS

4. ENVIRONMENT, PLANNING AND DEVELOPMENT

4.1 Development Application 345-2017 - 17 Feagan Street - Erection of a Single Storey Dwelling House

Mr Tegart declared an interest in this item and left the meeting at 5.55pm.

PLA341/17

RESOLVED (Winchester/Marshall)

That Council grant conditional approval to development application 345-2017 on the basis that it is compliant with all sections of the Queanbeyan Local Environmental Plan 2012, the relevant sections of the Queanbeyan Development Control Plan 2012 and Part 6 of the Googong Development Control Plan.

The resolution was carried unanimously.

Mr Tegart returned to the meeting at 5.57pm.

4.2 Development Application DA.2016.192 - Proposed Eco-Tourist Facility - Lot 39 and 40 DP754886 Gumms Road, Harolds Cross

PLA342/17

RESOLVED (Schweikert/Taylor)

That this item of business be deferred to the Ordinary meeting on 22 October 2017, at the request of the applicant.

The resolution was carried unanimously.

4.3 Development Application DA.2017.050 - New Dwelling - 867 Butmaroo Road, Mulloon

PLA343/17

RESOLVED (Schweikert/Bray)

That:

1. Approval be granted under Clause 4.6 of the Palerang Local Environmental Plan 2014 to a 1.57m or 15.7% variation to the Clause 4.3 – Height of buildings development standard of the Palerang Local Environmental Plan 2014 for the following reasons:
 - a. the additional building height accommodates the proposed basement structure that removes the need for an expanded building footprint while accommodating the operational needs of the existing agricultural practices undertaken upon the site;
 - b. strict compliance with the development standard serves no practical planning purpose as the impacts of the dwelling are no greater than that of a compliant structure, and
 - c. the proposed building is appropriately sited below ridge lines as to minimise visual prominence within the visual catchment of surrounding dwelling houses which are located more than 2.8km from the proposed dwelling site.

2. Development application DA.2017.050 for the construction of a two (2) storey dwelling house and secondary dwelling at, 867 Butmaroo Road, Mulloon be granted conditional approval.
3. Council notes the applicant's agreement to remove the kitchenette from the caretaker area, thereby negating the presence of a second dwelling.

The resolution was carried unanimously.

4.4 Modification Application - MOD.2017.064 - Relocation of Reception Building and Carpark - Carrington Inn - 55-59 Ellendon Street, Bungendore

MOVED Schweikert/Bray

That:

1. Council grant conditional consent to Modification Application MOD.2017.064 including:
 - Modify conditions 41, 44, 45, 80, 81 and 82 relating to the design standard of onsite car parking, internal roadway and forecourt areas so as to allow for a lowering of the construction standard from a minimum 7mm primer seal and 40mm thick asphalt concrete surfacing to a 100mm 2% cement stabilised treatment of the existing decomposed granite surfaces
 - Modification of condition 43 relating to the design standard of the onsite car parking and internal roadway to allow for the use of castellated (slotted) kerb for stormwater drainage purposes
 - Modification of condition 53 relating to the use of non-potable water.
 - With the exception of: *Deletion of conditions 54, 56 and 91 referencing the use of onsite stormwater detention (OSD) tanks*).
2. A plan to manage the stormwater on site and discharge into Council's system be submitted to Council.
3. Those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.

Cr Harrison foreshadowed a CONTRARY motion: ["That Council defer this item of business to the Ordinary Council meeting on 22 November 2017."]

The motion (of Crs Schweikert and Bray) was PUT and CARRIED.

PLA344/17

RESOLVED (Schweikert/Bray)

That:

1. Council grant conditional consent to Modification Application MOD.2017.064 including:
 - Modify conditions 41, 44, 45, 80, 81 and 82 relating to the design standard of onsite car parking, internal roadway and forecourt areas so as to allow for a lowering of the construction standard from a minimum 7mm primer seal and 40mm thick asphalt concrete surfacing to a 100mm 2% cement stabilised treatment of the existing decomposed granite surfaces
 - Modification of condition 43 relating to the design standard of the onsite car parking and internal roadway to allow for the use of castellated (slotted) kerb for stormwater drainage purposes
 - Modification of condition 53 relating to the use of non-potable water.
 - With the exception of: *Deletion of conditions 54, 56 and 91 referencing the use of onsite stormwater detention (OSD) tanks*).
2. A plan to manage the stormwater on site and discharge into Council's system be submitted to Council.
3. Those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.

For: Crs Biscotti, Bray, Hicks, Overall, Schweikert and Taylor
Against: Crs Brown, Harrison, Marshall, Noveska and Winchester

4.5 Guidelines for Reporting Development Applications to Council

PLA345/17

RESOLVED (Harrison/Marshall)

That the "Guidelines for Referral of Development Applications to Council and Independent Assessment of Development Applications" as shown in Attachment 1 be endorsed by Council with points 8 and 9 amended as follows:

- 8a. Six or more written submissions are received opposing a development.
- 8b. Where valid concerns have been raised that cannot be overcome with the conditions of consent.
- 8c. When submissions relate to concerns or substantial adverse impact and where plans cannot be or will not be amended to overcome such concerns.
9. Where the CEO/General Manager receives a request signed from three Councillors to have the development application referred to Council for determination.

The resolution was carried unanimously.

4.6 Council Representatives on the Southern Joint Regional Planning Panel

PLA346/17

RESOLVED (Taylor/Schweikert)

That:

1. Council note that Cr Harrison is now the principal Councillor representative on the Southern Region Joint Regional Planning Panel.
2. Council nominate another Councillor to act as an alternate on the Panel should Cr Harrison be unable to attend JRPP matters.
3. Consultant Planner, Ms Lorena Blacklock, be nominated as the second Council appointed member and planning expert on the Southern Region Joint Regional Planning Panel.
4. The Minister for Planning be notified accordingly.
5. The remuneration level for both representatives on the Southern Joint Regional Planning Panel be set as follows:

A flat minimum of \$600 per meeting plus \$120 per hour of meeting time up to a maximum total of \$1,440 per meeting (inclusive of the base \$600 payment). This is inclusive of all incidental costs including travel and accommodation. The \$120 per hour would be paid in relation to any briefing meetings or site visits held as well as the main JRPP meeting. All fees are exclusive of GST.

6. Council review the nominations following the election of the new Council in September 2020.

The resolution was carried unanimously.

PLA347/17

RESOLVED (Noveska/Taylor)

That Cr Brown be appointed as Council's alternate representative on the Joint Regional Planning Panel.

The resolution was carried unanimously.

4.7 **Fire Safety - Eaglehawk Holiday Park, 200 Bidges Road, Sutton**
PLA348/17 **RESOLVED (Schweikert/Harrison)**

1. That Council issue Order No.6 under section 121B of the *Environmental Planning and Assessment Act 1979* to rectify the matters listed below, and further, advise the Commissioner of New South Wales Fire Brigades of this decision, as required by section 121ZD(4) of the Act.
 - a. Install smoke detectors in common areas of lodges.
 - b. Ensure all fire hose reels are maintained and in working order.
 - c. Ensure all exit signs are maintained and in working order.
 - d. Submit certification from a suitably qualified fire consultant that the smoke alarms, exit signs and fire hose reels are operating in accordance with the relevant Australian Standards.
 - e. All egress travel paths to exits are to be cleared and are to remain unobstructed.
 - f. Install self-closing solid core doors in lodges.
 - g. Provide an evacuation plan in accordance with AS 3745-2010, Planning for Emergencies in Facilities.
 - h. A copy of a current Annual Fire Safety Statement is to be prominently displayed.
 - i. The property is to be provided with fire hydrant system. Prior to its installation the design of the hydrant system shall be certified by a suitably qualified fire consultant and submitted to Council. Following its installation in accordance with the approved design certification is to be provided to Council confirming the hydrant system is operating in accordance with the relevant Australian Standards.
 - j. Works to be carried out within the following time frames:
 - a. Items a to e above – 21 days
 - b. Items f to h – 60 days
 - c. Item i above – 90 days unless otherwise agreed by Council in writing.

The resolution was carried unanimously.

4.8 **Bungendore Entrance Signage and CBD Wayfinding Signage**
PLA349/17 **RESOLVED (Schweikert/Biscotti)**

That Council:

1. Endorse entrance signage to Bungendore to be modelled on the railway sleeper concept, as listed in Option 2 of the online survey.
2. Endorse the wayfinding signage modelled on the railway sleeper structure as listed as Option 3 in the online survey.
3. Proceed with the purchase and installation of street furniture, i.e. bench seats and bin enclosures to take into the account the requirement for recycling for the Bungendore CBD, with the concurrence with the Bungendore and Town Centre Environs Committee.

The resolution was carried unanimously.

4.9 Naming of Dog Park Googong

PLA350/17

RESOLVED (Schweikert/Biscotti)

That:

1. Council endorse "Barkley Park" as the proposed name for the new dog park at Googong and that the name be placed on public exhibition for a period of 28 days.
2. A report be submitted to Council detailing the outcomes of the public exhibition period.

The resolution was carried unanimously.

5. STRATEGIC DEVELOPMENT

5.1 Progressing New Comprehensive Local Environmental Plan for Amalgamated Council Area

PLA351/17

RESOLVED (Harrison/Winchester)

That:

1. Council note the report to progress a new combined local environmental plan, and that further workshops on this issue are proposed.
2. In conjunction with the outcomes of the workshops and subsequent reports to Council, all necessary actions be taken to prepare a planning proposal for a new combined local environmental plan for the Queanbeyan-Palerang local government area.

The resolution was carried unanimously.

5.2 Planning Proposal - Housekeeping Amendments to Queanbeyan Local Environmental Plan 2012

PLA352/17

RESOLVED (Marshall/Schweikert)

That Council:

1. Take all necessary actions to finalise the draft plan as exhibited.
2. Request the consultant appointed to review and finalise the Floodplain Risk Management Plan for Queanbeyan liaise with residents who have made a submission or made a presentation to the Planning and Strategy Committee meeting on 8 November 2017, to provide further advice in respect of the modelling used to inform the plan and any implications for their respective properties.

The resolution was carried unanimously.

5.3 Amendment to Queanbeyan Development Control Plan 2012

Cr Overall declared an interest in this item, vacated the Chair, and left the meeting at 6.59pm.

The Deputy Mayor, Cr Hicks, assumed the Chair.

PLA353/17

RESOLVED (Schweikert/Taylor)

That pursuant to the *Environmental Planning and Assessment Act 1979* and Regulations 2000, Council adopt the draft amendments to the Queanbeyan Development Control Plan 2012, with the inclusion of the amendments as set out in this report.

The resolution was carried unanimously.

Cr Overall returned to the meeting at 7.09pm and assumed the Chair.

5.4 Proposed Amendments to South Jerrabomberra Development Control Plan (DCP) 2015

PLA354/17

RESOLVED (Schweikert/Harrison)

That the South Jerrabomberra Development Control Plan 2015 be amended as set out in this report and placed on public exhibition.

The resolution was carried unanimously.

5.5 Minor amendment - Section 94 Development Contributions Plan No 11 for the provision of public off-street carparking at Bungendore

MOVED (Schweikert/Hicks)

That:

1. Palerang Section 94 Development Contributions Plan No. 11 For The Provision Of Public Off-Street Carparking At Bungendore be renamed Section 94 Development Contributions Plan No. 11 For The Provision Of Public Off-Street Carparking At Bungendore (Amendment No. 2), and that a note to this effect be put into the body of the Plan reflecting this.
2. Clause 2.13 of the Section 94 Development Contributions Plan No. 11 For The Provision Of Public Off-Street Carparking At Bungendore be amended to state June 2019 (Amendment No. 2).
3. The Section 94 Development Contributions Plan No. 11 For The Provision Of Public Off-Street Carparking At Bungendore be amended to include:
 - a. The land use zones B2 Local Centre and B4 Mixed Use instead of referring to the commercial precinct in the repealed 2(V) Village Zone Development Control Plan.
 - b. Reference(s) to Queanbeyan-Palerang Regional Council rather than Palerang Council.
 - c. Reference(s) to the Palerang Local Environmental Plan 2014 rather than the Yarrowlumla Local Environmental Plan 2002.
 - d. Updated population and land development information.
 - e. An adjustment to the contributions rate for each car space from May 2011 to that currently, based on movements to the Consumer Price Index (All Groups Index) for Sydney.
 - f. Other minor administrative changes as necessary.

4. The Section 94 Development Contributions Plan No. 11 For The Provision Of Public Off-Street Carparking At Bungendore (Amendment No. 2) be further reviewed once the review of Bungendore Structure Plan has been adopted by Council.
5. The revised Section 94 Development Contributions Plan No. 11 For The Provision Of Public Off-Street Carparking At Bungendore (Amendment No. 2) be exhibited for a minimum of 28 days.

Cr Brown foreshadowed a CONTRARY motion: ["That:

1. Palerang Section 94 Development Contributions Plan No. 11 For The Provision Of Public Off-Street Carparking At Bungendore be renamed Section 94 Development Contributions Plan No. 11 For The Provision Of Public Off-Street Carparking At Bungendore (Amendment No. 2), and that a note to this effect be put into the body of the Plan reflecting this.
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5. The revised Section 94 Development Contributions Plan No. 11 For The Provision Of Public Off-Street Carparking At Bungendore (Amendment No. 2) be exhibited for a minimum of 28 days.
6. Council receive a report on the need for Council carparking in Bungendore in light of the building of the supermarket and its carpark."]

The motion (of Crs Schweikert and Hicks) was PUT and CARRIED.

PLA355/17

RESOLVED (Schweikert/Hicks)

That:

1. Palerang Section 94 Development Contributions Plan No. 11 For The Provision Of Public Off-Street Carparking At Bungendore be renamed Section 94 Development Contributions Plan No. 11 For The Provision Of Public Off-Street Carparking At Bungendore (Amendment No. 2) and that a note to this effect be put into the body of the Plan reflecting this.
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 - g. The land use zones B2 Local Centre and B4 Mixed Use instead of referring to the commercial precinct in the repealed 2(V) Village Zone Development Control Plan.
 - h. Reference(s) to Queanbeyan-Palerang Regional Council rather than Palerang Council.
 - i. Reference(s) to the Palerang Local Environmental Plan 2014 rather than the Yarrowlumla Local Environmental Plan 2002.
 - j. Updated population and land development information.
 - k. An adjustment to the contributions rate for each car space from May 2011 to that currently, based on movements to the Consumer Price Index (All Groups Index) for Sydney.
 - l. Other minor administrative changes as necessary.
4. The Section 94 Development Contributions Plan No. 11 For The Provision Of Public Off-Street Carparking At Bungendore (Amendment No. 2) be further reviewed once the review of Bungendore Structure Plan has been adopted by Council.
5. The revised Section 94 Development Contributions Plan No. 11 For The Provision Of Public Off-Street Carparking At Bungendore (Amendment No. 2) be exhibited for a minimum of 28 days.

For: Crs Biscotti, Bray, Harrison, Hicks, Marshall, Noveska, Overall, Schweikert, Taylor and Winchester

Against: Cr Brown

6. INFORMATION REPORTS

6.1 Information Forums - *Crown Lands Management Act 2016*

PLA356/17

RESOLVED (Marshall/Winchester)

That the report be received for information.

The resolution was carried unanimously.

6.2 Applications for Local Places Heritage Grants
PLA357/17 **RESOLVED (Marshall/Schweikert)**

That the report be received for information.

The resolution was carried unanimously.

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

There were no items for closed session.

The time being 7.22pm, Cr Overall announced that the Agenda for the meeting had now been completed.

**CR TIM OVERALL
MAYOR
CHAIRPERSON**