



## 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 November 2018 commencing at 5.30pm.

### ATTENDANCE

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

**Staff:** 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. OPENING

The Mayor acknowledged the traditional custodians of the land upon which the meeting was held.

#### 2. APOLOGIES

There were no apologies.

**3. DECLARATIONS OF INTEREST**

PLA133/18

**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.

Cr Overall declared a less than significant non-pecuniary interest in Item 5.4 - Assessment of Addendum Review of Environmental Factors (REF) September 2018 - Ellerton Drive Extension Project, stating he is a resident of Severne Street.

Cr Taylor declared a less than significant non-pecuniary interest in Item 5.5 - Googong Urban Development Local Planning Agreement Review, stating she is a joint owner of a property in Googong.

Cr Winchester declared a less than significant non-pecuniary interest in Item 5.5 - Googong Urban Development Local Planning Agreement Review, stating he owns a property in Googong.

Cr Winchester declared a less than significant non-pecuniary interest in Item 5.5 - Googong Urban Development Local Planning Agreement Review, stating he was formerly a member of the Googong Resident's Association Executive.

Cr Biscotti declared a less than significant non-pecuniary interest in Item 5.5 Googong Urban Development Local Planning Agreement Review, stating he owns a property in Googong.

Cr Biscotti declared a less than significant non-pecuniary interest in Item 5.6 - Applicability of Developer Contributions Charges - Water and Sewer - Googong Neighbourhood Centre, stating his wife runs a home business in Googong.

**4. PRESENTATIONS/DEPUTATIONS**

The following presenters were heard:

Mr Stephen Bartlett – Item 5.1 - Development Application 177-2018 - Extension to Function Centre (Tourist Hotel) - 31 Monaro Street, Queanbeyan

PLA134/18

**RESOLVED (Winchester/Hicks)**

That Mr Bartlett be granted an extension of time to speak.

The resolution was carried unanimously.

Mr Shane McNamee – Item 5.3 - Development Application 397-2018 - Demolition of Existing Dwelling and Garage - 151 Crawford Street, Queanbeyan

PLA135/18

**RESOLVED (Marshall/Schweikert)**

That Mr McNamee be granted an extension of two minutes to speak.

The resolution was carried unanimously.

Mr Don Mathewson – Item 5.4 - Assessment of Addendum Review of Environmental Factors (REF) September 2018 - Ellerton Drive Extension Project.

Mr Neil Evans – Item 5.4 - Assessment of Addendum Review of Environmental Factors (REF) September 2018 - Ellerton Drive Extension Project.

Mr Malcolm Leslie – Items 5.5 - Googong Urban Development Local Planning Agreement Review and 5.6 - Applicability of Developer Contributions Charges - Water and Sewer - Googong Neighbourhood Centre.

Mr John Bennett – Item 5.6 - Applicability of Developer Contributions Charges - Water and Sewer - Googong Neighbourhood Centre.

**STAFF REPORTS**

**5. ENVIRONMENT, PLANNING AND DEVELOPMENT**

**5.1 Development Application 177-2018 - Extension to Function Centre (Tourist Hotel) - 31 Monaro Street, Queanbeyan  
MOVED (Marshall)**

That Council defer this item until Councillors have the opportunity for a site visit.

The motion (of Cr Marshall) lapsed for want of a seconder.

PLA136/18

**RESOLVED (Hicks/Winchester)**

That Development Application 177-2018 for Alterations and Additions to the Function Centre/Café at the rear of the Tourist Hotel on Lot 10 DP 530627, No.31 Monaro Street be granted conditional approval, including a condition that a parking contribution be required in lieu of 6 car parking spaces being unable to be provided on site.

For: Crs Biscotti, Brown, Hicks, Noveska, Schweikert and Winchester

Against: Crs Bray, Harrison, Marshall, Overall and Taylor

**5.2 Development Application 364-2018 - Gymnasium - 201 Gorman Drive, Googong**

PLA137/18

**RESOLVED (Biscotti/Marshall)**

That:

1. Approval be granted to a variation to Clause 1.8 and Clause 10.4 of Googong Development Control Plan (which requires compliance with Section 2.2 of Part 2 of Queanbeyan Development Control Plan 2012) to allow for a reduction of parking spaces for the following reasons:
  - (a) The applicant's Traffic Impact Assessment demonstrates that the car parking proposed is able to accommodate peak parking demand for the uses proposed on site.
2. Development application DA-364-2018 for a recreational facility (indoor) on Lot 621 DP 1208212, 201 Gorman Drive, Googong be granted conditional approval.

The resolution was carried unanimously.

**5.3 Development Application 397-2018 - Demolition of Existing Dwelling and Garage - 151 Crawford Street, Queanbeyan**

PLA138/18

**RESOLVED (Hicks/Bray)**

That development application 397-2018 for the demolition of a dwelling house and detached garage on Lot 11 DP 715626, 151 Crawford Street, Queanbeyan be granted conditional approval for the following reasons:

- a) The dwelling is not heritage listed or within a heritage conservation area.
- b) It is considered that the proposed development generally satisfies the objectives of the zone; specifically, the proposal is removing a low density residential use from the subject site. This promotes new opportunities for commercial development within the B3 Commercial Core zone.
- c) Currently, the site is unviable for commercial purposes as it was designed to be used as a dwelling and not as a commercial building. As such, to fully utilise the commercial potential of the site it is economically viable to demolish the structure and place a commercial building in its place.
- d) There are cubist forms of architecture still remnant in Queanbeyan and pure forms within Canberra.
- e) Council's Heritage Advisor notes the poor condition and significant damage to the dwelling and the fact that what is remaining of it could be re-purposed for other structures.

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

Against: Cr Marshall

Cr Overall declared an interest in this item, vacated the Chair, and left the meeting at 6.26pm. Cr Schweikert assumed the Chair.

**5.4 Assessment of Addendum Review of Environmental Factors (REF) September 2018 - Ellerton Drive Extension Project**

PLA139/18

**RESOLVED (Hicks/Marshall)**

That Council grant approval to the proposed addendum REF for the Ellerton Drive Extension dated 28 September 2018, subject to the implementation of the additional safeguards and management measures proposed in the addendum REF and conditions QPRC1 to 4 in the conclusion of this report.

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

Against: Cr Winchester

Cr Overall returned to the meeting at 6.45pm and assumed the Chair.

**Procedural Motion**

PLA140/18

**RESOLVED (Schweikert/Bray)**

That Council deal with Item 5.5 in Closed Session under Section 10(A)(2)(d)(i) of the *Local Government Act 1993* because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion on it in an open meeting would be, on balance, contrary to the public interest.

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

Against: Crs Winchester and Marshall

**5.5 Googong Urban Development Local Planning Agreement Review**

This item to be dealt with in Closed Session.

Cr Biscotti declared an interest in this item and left the meeting at 6.48pm.

**5.6 Applicability of Developer Contributions Charges - Water and Sewer - Googong Neighbourhood Centre**

PLA141/18

**RESOLVED (Schweikert/Harrison)**

That:

1. Council note the report on the imposition of Developer Services Plan (DSP) charges on commercial development at Googong.
2. Council note that any such charges levied are to be passed on to Googong Township Pty Ltd as per the requirements of the Googong Urban Development Local Planning Agreement in place.
3. Council note that Googong Township Pty Ltd have indicated that it was not their intention to recover the costs of water and sewer infrastructure through the imposition of DSP charges on

commercial development in Googong.

4. In view of the above Council enter into an agreement with GTPL to dispense with the need to levy DSP charges on commercial development at 201 Gorman Drive, Googong.
5. Subject to an agreement being reached with GTPL:
  - a) Any DSP charges already paid to Council for commercial development in Googong be refunded.
  - b) Any conditions imposed on existing development consents requiring the payment of DSP charges be determined as being satisfied.
6. A review of the DSP for Googong be undertaken to provide clarity around how DSP charges will be levied against other commercial development in the proposed Googong Town Centre and other future neighbourhood centres.

The resolution was carried unanimously.

Cr Biscotti returned to the meeting at 6.49pm.

**5.7 Proposed New Street Name - Subdivision of Lot 3 DP 1167872 – Bungendore**

PLA142/18

**RESOLVED (Schweikert/Bray)**

That Council:

1. Adopt in principle the name 'Davis Close' as the proposed name for the new road created by the subdivision of Lot 3 DP 1167872, Bungendore.
2. Advertise the name for public comment for 30 days.
3. Publish a notice in the NSW Government Gazette if no objections are received.
4. Include on the street sign a commemoration to the individual's contribution to World War 1.

The resolution was carried unanimously.

**5.8 Report on the Management of Abandoned Shopping Trolleys**

PLA143/18

**RESOLVED (Biscotti/Winchester)**

That:

1. Council place the Draft Shopping Trolley and Litter Management Policy on public exhibition for 28 days.
2. The Draft Shopping Trolley and Litter Management Policy be sent to the retailer network during the public exhibition period, advising that should the Policy be adopted by Council in the future, they may be issued with a Prevention Notice under the Protection of the Environment Operation Act 1997 if they fail to comply with that Policy.
3. Comments on the Draft Shopping Trolley and Litter Management Policy be considered at a future meeting of

Council.

4. A further report be brought back to Council on the costs and issues associated with employing a Council staff member to carry out trolley collections within Queanbeyan.
5. Council retain the charge for release of impounded trolleys at \$80.00.
6. Council work with Strata Managers to install trolley return signage on multi-unit shared waste facility enclosures.
7. Council consider allocating funds in the 2019-20 Operational Plan for the installation of trolley collection bays at the following three locations:
  - At the taxi rank on Morisset Street;
  - Outside Blooms Chemist;
  - Bus stop on Morisset St.

The resolution was carried unanimously.

## **6. STRATEGIC DEVELOPMENT**

### **6.1 Regional Economic Development Strategy**

PLA144/18

#### **RESOLVED (Schweikert/Harrison)**

That Council:

1. Note and receive the Community Engagement Report.
2. Endorse the Regional Economic Development Strategy.

The resolution was carried unanimously.

### **6.2 Easy To Do Business**

PLA145/18

#### **RESOLVED (Schweikert/Biscotti)**

That Council:

1. Delegate authority to the CEO to enter into an easy to do business agreement with Service NSW; and,
2. Approve that any necessary documents be authorised for execution under the Common Seal of Council.

The resolution was carried unanimously.

### **6.3 Cross Border Smart Parking App Development with the ACT Government**

PLA146/18

#### **RESOLVED (Schweikert/Noveska)**

That Council endorse the development of a cross border Smart Parking App with the ACT.

The resolution was carried unanimously.

**7. ITEMS FOR INFORMATION**

PLA147/18 7.1 **Delay to Planning Proposal for Proposed Memorial Park - Old Cooma Road, Googong**

**RESOLVED (Hicks/Harrison)**

That the report be received for information.

The resolution was carried unanimously.

PLA148/18 7.2 **Site Inspection - DA 397-2018 - 151 Crawford Street, Queanbeyan - Demolition of Existing Dwelling and Garage**

**RESOLVED (Harrison/Schweikert)**

That the report be received for information.

The resolution was carried unanimously.

PLA149/18 **Procedural Motion**

**RESOLVED (Schweikert/Taylor)**

That Items 8.1 to 8.4 be dealt with as a bloc.

The resolution was carried unanimously.

**8. COMMITTEE REPORTS AND RECOMMENDATIONS**

PLA150/18 8.1 **Braidwood and Curtilage Heritage Advisory Committee Meeting of 13 September 2018**

**RESOLVED (Schweikert/Taylor)**

That Council note the minutes of Braidwood and Curtilage Heritage Advisory Committee Meeting held on 13 September 2018.

The resolution was carried unanimously.

PLA151/18 8.2 **Minutes of the QPRC Heritage Advisory Committee Meeting of 20 September 2018**

**RESOLVED (Schweikert/Taylor)**

That Council:

1. Note the minutes of Queanbeyan-Palerang Heritage Advisory Committee meeting held on 20 September 2018.
2. Note the recommendations QPRC HAC 09/18 to QPRC HAC 011/18 from the meeting held on 20 September.

QPRC HAC 09/18

1. That the Committee generally supports the replacement dwelling, subject to the submission of a satisfactory heritage impact statement in regard to the demolition of the existing dwelling.

2. That subject to the overall height and other features of the tabled plans not changing, the Committee does not

require the application to be resubmitted to a future meeting of the Committee.

QPRC HAC 010/18 That the Committee to supplied with application details to review and approve in an out of session meeting for the October Council meeting.

QPRC HAC 011/18 The Committee to be supplied with application details on the 18 October meeting.

The resolution was carried unanimously.

**8.3 Minutes of the QPRC Heritage Advisory Committee Meeting held on 18 October 2018**

PLA152/18

**RESOLVED (Schweikert/Taylor)**

That Council:

1. Note the minutes of the Queanbeyan-Palerang Heritage Advisory Committee meeting held on 20 October 2018.
2. Note the recommendations QPRC HAC 012/18 to QPRC HAC 014/18 from the meeting held on 20 October 2018.

QPRC HAC 12/18 That the apology be received and noted.

QPRC HAC 13/18 That the Committee be supplied with the heritage impact statement for 46 Alice Street.

QPRC HAC 14/18 1. That the Committee does not support the application for demolition plan as a replacement development has not been identified.

2. The Committee noted that the Statement of Heritage Impact assessed the dwelling in terms of Criteria 6 and 7 of the NSW Office of Environment and History rating system as being exceptional.

The resolution was carried unanimously.

**8.4 Minutes to the Environment and Sustainability Advisory Committee 3 October 2018**

PLA153/18

**RESOLVED (Schweikert/Taylor)**

That Council note the minutes of the Environment and Sustainability Committee held on 3 October 2018.

The resolution was carried unanimously.

**9. INFRASTRUCTURE SERVICES**

**9.1 Construction Tender - Contract 2019-02 - Old Cooma Road Duplication Stage 2**

PLA154/18

**RESOLVED (Schweikert/Hicks)**

That Council accept the tender from WBHO Infrastructure Pty Ltd for the provision of works under Contract 2019-02, being for the construction of Old Cooma Road Duplication – Stage 2, for the schedule of rates price of \$29,146,065.98 (including GST).

The resolution was carried unanimously.

**10. NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION**

At this stage of the proceedings Cr Overall advised that there was an item Agenda that should be dealt with in Closed Session.

Cr Overall then asked if, 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**

There were no presentations.

PLA155/18

**RESOLVED (Hicks/Bray)**

That pursuant to Section 10A of the *Local Government Act, 1993* the following item on the agenda for the Planning and Strategy Committee of the Whole meeting be dealt with in Closed Session for the reasons specified below:

**Item 5.5 Googong Urban Development Local Planning Agreement Review**

*Item 5.5 is confidential in accordance with s10(A)2di of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion on it in an open meeting would be, on balance, contrary to the public interest.*

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

Against: Crs Marshall and Winchester

The meeting then moved into Closed Session at 7.12pm to discuss Item 5.5.

Crs Biscotti, Taylor and Winchester declared an interest in this item.

Crs Biscotti and Taylor left the meeting at 7.13pm.

**5.5 Googong Urban Development Local Planning Agreement Review**

PLA156/18

**RESOLVED (Overall/Bray)**

That:

- a) Council agree in principle to vary the Googong Urban Development Local Planning Agreement with the proposed changes identified in Attachment 1 to this report excluding proposed change No.6a.
- b) Council not endorse the proposal as outlined in Attachment 2 to this report.
- c) Council refer Council's proposed alterations as specified in a) and b) above to Googong Township Pty Ltd for their consideration and determination as to whether they would support the proposed changes to the Agreement.
- d) The response from Googong Township Pty Ltd be the subject of a further report to Council.

The resolution was carried unanimously.

PLA157/18

**RESOLVED (Harrison/Schweikert)**

That Council return to Open Session.

The resolution was carried unanimously.

Crs Taylor and Biscotti returned to the meeting at 7.24pm.

The meeting returned to Open Session at 7.24pm.

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

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

The time being 7.26pm, Cr Overall announced that the Agenda for the meeting had now been completed.

**CR TIM OVERALL  
MAYOR  
CHAIRPERSON**