



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, 12 June 2019 commencing at 5.30pm.

ATTENDANCE

Councillor: Cr Overall (Chair), Crs Biscotti, Bray AM, Brown, Harrison, Hicks, 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; J Richards, Portfolio General Manager Community Choice and P Neil, Portfolio General Manager Organisational Capability.

Also Present: W Blakey (Clerk of the Meeting) and D Ferguson (Minute Secretary).

1. OPENING

The Mayor informed those present that Council has adopted a new Code of Meeting Practice, which includes the adjournment at Item 4 of the agenda to hear presentations of up to three minutes each from members of the public who have registered to speak. The Public Forum also includes petitions and responses to questions on notice from the public. The Forum is webcast live and its minutes are placed on Council's website.

ACKNOWLEDGEMENT OF COUNTRY

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

2. DISCLOSURES OF INTEREST

PLA050/19

RESOLVED (Taylor/Schweikert)

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 Brown declared a significant non-pecuniary interest in Items 6.1, 6.2, 6.3, and 6.4, stating that he is a director of a company currently investigating commercial opportunities in the proposed development, and that he proposed to leave the Chambers while these items were discussed.

Cr Noveska declared a significant non-pecuniary interest in Items 6.1, 6.2, 6.3, and 6.4, stating that she is a director of a company currently investigating commercial opportunities in the proposed development, and that she proposed to leave the Chambers while these items were discussed.

Cr Winchester declared a less than significant non-pecuniary in Item 6.8, stating that he is the Vice-President of the Respite Centre for Queanbeyan Foundation, and that he proposed to leave the Chamber while this item was discussed.

3. APOLOGIES

PLA051/19

RESOLVED (Schweikert/Taylor)

That apologies for non-attendance be received from Cr Marshall and that leave of absence be granted.

The resolution was carried unanimously.

4. ADJOURNMENT FOR PUBLIC FORUM

At this stage of the proceedings, the time being 5.35pm, Cr Overall advised that the meeting be adjourned to conduct the Public Forum.

PLA052/19

RESOLVED (Overall/Taylor)

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

At the conclusion of the item, the meeting resumed at 6.00pm.

STAFF REPORTS

5. REPORTS OF COMMITTEES

5.1 Minutes of the QPRC Heritage Advisory Committee Meeting held on 16 May 2019

PLA053/19

RESOLVED (Schweikert/Taylor)

That Council note the minutes of the QPRC Heritage Advisory Committee Meeting held on 16 May 2019.

The resolution was carried unanimously.

In accordance with Resolution PLA050/19, Crs Brown and Noveska, having declared an interest in this item of business, left the meeting room at 6.01pm.

6. ENVIRONMENT, PLANNING AND DEVELOPMENT

6.1 Development Application 446-2018 - Takeaway Food and Drink Premises - 6 Ferdinand Lane, Jerrabomberra

PLA054/19

RESOLVED (Overall/Schweikert)

That:

1. Council advise the applicant for DA 446-2018 that it does not support the inclusion of a free-standing 9.0m high pylon sign on the Tomsitt Drive boundary of the proposal as the sign, which is located on the main entry point to an established, low density, suburban residential area is considered:

- To be inconsistent with the existing and desired future character of the area or locality in which it is proposed to be located; and
- To detract from the amenity and visual quality of the nearby residential area.
- To protrude above buildings, structures and tree canopies in the area.
- To detract from the amenity of residences in the local area as it is illuminated during all night-time hours.

2. DA 446-2018 be deferred to allow discussion between staff and the applicant on the submission of amended application and plans showing:

(a) EITHER

A maximum 6m high free-standing pylon sign with an advertising area no greater than 8m² located on the Ferdinand Lane frontage of the property;

OR

The incorporation of a higher sign element either flush with or integrated into the building design, such element to be no higher than 9.0m.

- (b) Hours of operation including loading and waste removal.
3. Once the abovementioned amendments have been received, the application be bought back to Council for consideration.

The resolution was carried unanimously.

In accordance with Resolution PLA050/19, Crs Brown and Noveska, having declared an interest in this item of business, were absent from the meeting room.

6.2 Development Application 505-2018 - Takeaway Food and Drink Premises - 10 Ferdinand Lane, Jerrabomberra

PLA055/19

RESOLVED (Overall/Schweikert)

1. That Council advise the applicant for DA 505-2018 that it does not support the inclusion of a free standing 8.5m high pylon sign on the Tomsitt Drive boundary of the proposal as the sign, which is located on the main entry point to an established, low density, suburban residential area is considered:
 - To be inconsistent with the existing and desired future character of the area or locality in which it is proposed to be located; and
 - To detract from the amenity and visual quality of the nearby residential area.
 - To protrude above buildings, structures and tree canopies in the area.
2. That DA 505-2018 be deferred to allow discussion between staff and the applicant on the submission of amended application and plans showing:
 - (a) EITHER
 - A maximum 6m high free standing pylon sign with an advertising area no greater than 8m² located on the Ferdinand Lane frontage of the property;
 - OR
 - The incorporation of a higher sign element either flush with or integrated into the building design, such element to be no higher than 9.0m.
 - (b) Hours of operation including loading and waste removal.
3. That once the abovementioned amendments have been received the application be bought back to Council for consideration.

The resolution was carried unanimously.

In accordance with Resolution PLA050/19, Crs Brown and Noveska, having declared an interest in this item of business, were absent from the meeting room.

6.3 Development Application 507-2018 - Shop (ALDI Supermarket) - 9 Ferdinand Lane, Jerrabomberra

PLA056/19

RESOLVED (Harrison/Schweikert)

That:

1. The CEO be granted delegated authority to determine development application 507-2018 for a shop on proposed Lot 5 DP 1246134, 9 Ferdinand Lane, Jerrabomberra, subject to formal creation of the title for the proposed allotment.
2. The conditions be amended regarding hours of operation, loading and waste collection to be broadly consistent with the other premises in the precinct; and loading be adjusted on Sundays and public holidays to 7.00am - 10.00pm.
3. Those persons who lodged a submission on the application be advised in writing of the determination of the application.

The resolution was carried unanimously.

In accordance with Resolution PLA050/19, Crs Brown and Noveska, having declared an interest in this item of business, were absent from the meeting room.

6.4 Development Application 549-2018 - Health Services Facility (Medical Centre & Pharmacy) - 14 Ferdinand Lane, Jerrabomberra

PLA057/19

RESOLVED (Hicks/Schweikert)

That:

1. The CEO be granted delegated authority to determine development application 549-2018 for a Health Services Facility (Medical Centre and Pharmacy) on proposed Lot 4 DP 1246134, 14 Ferdinand Lane Jerrabomberra, subject to formal creation of the title for the proposed allotment.
2. Condition 15 be amended for hours of operation to 8.00am - 10.00pm, and the waste collection hours be consistent with the other premises in the precinct.

The resolution was carried unanimously.

Crs Brown and Noveska returned to the meeting room at 6.37pm.

6.5 Development Application 449-2017 - Three Lot Torrens Title Subdivision - 1866 Old Cooma Road, Royalla

PLA058/19

RESOLVED (Taylor/Schweikert)

That:

1. Approval be granted to a variation to Clause 4.6 of Queanbeyan Local Environmental Plan 2012 to allow proposed Lot 3 to have a reduced minimum lot size of 5.42ha for the following reasons:
 - (a) It is less than a 10% variation to the standard;
 - (b) It will not adversely impact the heritage values of the site;
 - (c) It will not adversely impact the environmental values of the site; and,
 - (d) It meets the objectives of Clause 4.1 of the LEP.
2. Approval be granted to a variation to Clause 6.3 of Queanbeyan Local Development Control Plan 2012 to allow proposed Lot 1 and proposed Lot 2 to have a reduced minimum side and rear setback respectively for the following reasons:
 - (a) The positioning of the building envelope on proposed Lot 1 assists in avoiding the environmental and heritage constraints impacting the subject site.
 - (b) Proposed Lot 2 is concealed from Old Cooma Road and will still have a good distance between proposed Lot 3.
3. Development application 449-2017 for a three lot Torrens Title subdivision on Lot 22 DP 556417, No. 1866 Old Cooma Road, Royalla be granted conditional approval.

The resolution was carried unanimously.

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

Against: Cr Harrison

6.6 Amendment to Review of Environmental Factors - South Jerrabomberra - Water and Sewer Infrastructure

PLA059/19

RESOLVED (Harrison/Hicks)

That Council grant approval to the Amended Review of Environmental Factors - Trunk Infrastructure South Jerrabomberra, subject to the additional safeguards and management measure proposed in the amended REF and the following additional condition:

It is noted that a section of the trunk gravity sewer main has been removed from the original REF. The installation and approval of that main has been transferred to the Part 4 approval process for the urban release area of South Tralee. Village Building Company Pty Limited is to ensure that each stage of subdivision of South Tralee shall provide a gravity sewer main of sufficient size and appropriate location to service future development land to the south of their land.

The resolution was carried unanimously.

6.7 Request for Use of Section 94 Funds - RFS Improvements

PLA060/19

RESOLVED (Schweikert/Bray)

That:

1. A total of \$19,874 (plus GST) be authorised from developer contributions collected under Tallaganda Shire Council Section 94 Contributions Plan No. 4 Bushfire Control and Suppression for the construction of a water tank pad and a road around the shed at the Boro/Mt Fairy rural fire station.
2. Council be advised by the applicant when the works above are completed so that these can be viewed.
3. A total of \$28,000 be authorised from developer contributions collected under Tallaganda Shire Council Section 94 Contributions Plan No. 4 Bushfire Control and Suppression for the use of preliminaries associated with the submission of development applications for the construction of new rural fire stations at Araluen and Mulloon.
4. The RFS be requested to advise whether future fire sheds are likely to be required to house larger vehicles.

The resolution was carried unanimously.

In accordance with Resolution PLA050/19, Cr Winchester, having declared an interest in this item of business, left the meeting room at 6.48pm.

6.8 Further Use 16 Agnes Avenue, Queanbeyan

Contrary Motion

MOVED (Hicks)

That

1. That the report be received and noted.
2. That subject to the successful re-categorisation to "General Community Use" of lots 33-35 DP14341 comprising the " Ross Road site", Council agree in principle to enter into a thirty (30) Year lease with Respite Care for Queanbeyan for development of the Respite Centre subject to the required approval being received and Local Government Act 1993 procedures being complied with.
3. That a planning proposal be prepared to:
 - a) change the Community Land classification for Lot 53, 54 & 55 DP 14341 (Agnes Avenue Site) to Operational Land in accordance with the Local Government Act 1993.
 - b) change the zoning of Lot 53, 54 & 55 DP 14341 (Agnes Avenue Site) from RE1 to a Residential zoning in accordance with the Environmental Planning and Assessment Act 1979

PLA061/19

RESOLVED (Brown/Bray)

That:

1. The report be received and noted.
2. Subject to the successful re-categorisation to "General Community Use" of lots 33-35 DP14341 comprising the "Ross Road site", Council agree in principle to enter into a thirty (30) Year lease with Respite Care for Queanbeyan for development of the Respite Centre subject to the required approval being received and *Local Government Act 1993* procedures being complied with.
3. Council support in principle the change of the Community Land category for Lot 53, 54 & 55 DP 14341 (Agnes Avenue Site) from "Sportsgrounds" to "Parks" and commence procedures for this change accordance with the *Local Government Act 1993*.

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

For: Crs Brown, Harrison, Noveska, Overall, Taylor and Bray

Against: Crs Biscotti, Hicks and Schweikert

Absent: Crs Marshall and Winchester

Cr Winchester returned to the meeting at 7.00pm.

6.9 Re-recategorisation of land - 16 Agnes Street, Crestwood - Proposed Respite Care Centre

PLA062/19

RESOLVED (Harrison/Bray)

That Council:

1. Publicly exhibit the Draft Plan of Management for Lots 33-35 DP14341 to re-categorise the land from Sportsground to General Community Use consistent with the requirements of the *Local Government Act 1993*.
2. Publicly exhibit an amended Plan of Management for Sportsgrounds to remove Lots 33-35 DP14341 from the Plan and to reflect the re-categorisation of Lots 53-55 DP14341 to the Parks Plan of Management.
3. Publicly exhibit an amended Plan of Management for Parks to include Lots 53-55 DP14341 in that Plan.

The resolution was carried unanimously.

7. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

- 7.1 **Boer War Memorial Relocation**
PLA063/19 **RESOLVED (Taylor/Bray)**
That
1. The report be received for information.
2. Council support the relocation of the Memorial to Moore Park as proposed and funded by the RSL.
The resolution was carried unanimously.
- 7.2 **Update - Comprehensive Local Environmental Plan and Other Matters**
PLA064/19 **RESOLVED (Harrison/Hicks)**
That the report be received for information.
The resolution was carried unanimously.
- 7.3 **Transfer of Crown land - Reclassification of Lots to Operational land**
PLA065/19 **RESOLVED (Harrison/Noveska)**
That the report be received for information.
The resolution was carried unanimously.

8. SUPPLEMENTARY REPORTS

- 8.1 **Site Inspection - 446-2018, 507-2018, 505-2018, and 549-2019 - 6, 9, 10, and 14 Ferdinand Lane, Jerrabomberra - Various Commercial Tenancies**
PLA066/19 **RESOLVED (Harrison/Brown)**
That the report be received for information.
The resolution was carried unanimously.

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

There were no items on the Agenda to be dealt with in Closed Session.

10. CONCLUSION OF THE MEETING

The time being 7.10pm Cr Overall announced that the Agenda for the meeting had now been completed.

**CR TIM OVERALL
MAYOR
CHAIRPERSON**