



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 April 2017 commencing at 5.30pm.

ATTENDANCE

Administrator: T. Overall (Chair)

Staff: P Tegart, Interim General Manager; M Thompson, Acting Director Environment, Planning & Development; P Hansen, Acting Director Asset & Projects; P Spyve, Acting Director Economic and Community Development and S-J Abigail, Acting Executive Manager Finance.

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

1. APOLOGIES

No apologies were received.

2. PRESENTATIONS/DEPUTATIONS/PETITIONS

- 2.1 Auditors Presentation – Brett Hanger – Item 6.1 – Annual Financial Statements – Former Palerang Council – 1 July 2015 to 12 May 2016

2. PRESENTATIONS/DEPUTATIONS/PETITIONS (Continued)

PLA026/17

RESOLVED (Overall)

That all presenters be heard for up to 5 minutes with no extension of time.

David Ahearn – Item 4.1 - Development Application 2016.105 - 233 Burra Road, Burra - Truck Depot, Ancillary Office and Access Road Construction

Roslind Bush – Item 4.1 - Development Application 2016.105 - 233 Burra Road, Burra - Truck Depot, Ancillary Office and Access Road Construction

Tanya and Antoni Latter – Item 4.1 - Development Application 2016.105 - 233 Burra Road, Burra - Truck Depot, Ancillary Office and Access Road Construction

Allan Longhurst – Item 4.1 - Development Application 2016.105 - 233 Burra Road, Burra - Truck Depot, Ancillary Office and Access Road Construction

Kylie MacKay – Item 4.1- Development Application 2016.105 - 233 Burra Road, Burra - Truck Depot, Ancillary Office and Access Road Construction

Jim Langier – Item 4.1- Development Application 2016.105 - 233 Burra Road, Burra - Truck Depot, Ancillary Office and Access Road Construction

Margaret Dorsch – Item 4.1- Development Application 2016.105 - 233 Burra Road, Burra - Truck Depot, Ancillary Office and Access Road Construction

Dean Crampton – Item 4.1- Development Application 2016.105 - 233 Burra Road, Burra - Truck Depot, Ancillary Office and Access Road Construction

Anthony McDonald – Item 4.2 - Development Application 382-2016 - 85 Monaro Street, Queanbeyan - Commercial Alterations - Royal Hotel

Elizabeth Ward – Item 10.1 – Land and Access – Mountain Creek Road, Harolds Crossing

No Petitions were received.

3. DECLARATIONS OF INTEREST

PLA027/17

RESOLVED (Overall)

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.

No declarations of interest were received.

STAFF REPORTS**4. ENVIRONMENT, PLANNING AND DEVELOPMENT****4.1 Development Application 2016.105 - 233 Burra Road, Burra - Truck Depot, Ancillary Office and Access Road Construction**

PLA028/17

RESOLVED (Overall)

The Administrator resolved:

1. That development application No 2016.105 for a Truck Depot, Ancillary Office and Access Road Construction on Lot 11 DP 255493, No. 233 Burra Road, Burra and Right of Carriageway 20 metres wide (DP 1163537 & DP 294305) over Lots 19, 32 & 70 DP 754881 be Refused for the following reasons:

REASONS FOR REFUSAL:

- a) The development is considered to be in conflict with the objectives of the RU1 Primary Production Zone - being to encourage sustainable primary industry production by maintaining and enhancing the natural resource base and to encourage diversity in primary industry enterprises and systems appropriate to the area. While the Palerang Local Environment Plan 2014 RU1 Primary Production includes "Depots" and "Truck depots" in the "Permitted with consent" listing, it is considered the primary activity associated with this particular development, being storage and maintenance and operation of heavy earthmoving equipment and trucks for commercial enterprise purposes, is in conflict with the general objectives of the zone and not appropriate for the area.
 - b) The development does not meet the RU1 Primary Production zone objective to minimise conflict between land uses within this zone and land uses within adjoining zones. The increase in traffic movements resulting from truck vehicles and earthmoving machinery accessing and exiting the site via Burra Road, a major route from Old Cooma Road into the Burra Valley, has the potential to compromise road safety in a largely rural residential character environment where this number of heavy vehicle movements would not be the norm.
 - c) That as the development is located within the Googong Dam Catchment it has the potential to adversely impact on the quality of water entering water courses in the locality and subsequently on the water quality extracted for drinking purposes from the Googong Dam,
2. That those persons and the Commonwealth Department of Finance who lodged a submission(s) on the application be advised in writing of the determination of the application.

4.2 Development Application 382-2016 - 85 Monaro Street, Queanbeyan - Commercial Alterations - Royal Hotel

PLA029/17

RESOLVED (Overall)

The Administrator resolved:

1. That development application DA 382-2016 for commercial alterations including upstairs meeting and function rooms, kitchen, lift, staircase and toilets at the Royal Hotel, Lot 1 DP 624770, No. 85 Monaro Street, Queanbeyan be granted conditional Approval.
2. That Council note the requirement for an additional 36 car parking spaces and waive the requirement for any payment of Section 94 Developer Contributions for the following reasons and subject to a condition that the "Future Function Room" shown on the development plans not being used for such purpose in the future (any alternative use of this area being subject to further consent of Council):
 - i. The footprint for the building has not changed and does not include any additional floor area.
 - ii. The sites prominent position and the sites ongoing use of providing public facilities in the CBD particularly outside business hours.
 - iii. Councils DCP – Parking, Clause 2.2 permitting variation to parking standards were 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.
 - iv. Councils 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.
 - v. 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.
3. That Council undertake a survey of the CBD parking to determine the availability of parking during business hours and availability of parking outside business hours to determine whether Councils DCP 2012 – Parking standards should be discounted having regard to businesses that predominantly operate outside business hours. The survey to take into account any potential redevelopment plans in the Morisset car park.

4.3 Planning Certificates (Section 149 of Act) - Progress and Proposed Changes

PLA030/17

RESOLVED (Overall)

The Administrator resolved that Council endorse the following items being listed in future section 149(5) Planning Certificates issued by Queanbeyan-Palerang Regional Council as described in this report and subject to resolution of accessing data records and software compatibility:

- Development Applications issued on the land in the last five years;
- Access to the land from a public road maintained by council or the NSW Government;
- Aircraft noise (ANEF data) if it is applicable to the land.

4.4 Proposed Street Names - Fisher Road, Currawang and Goorooyarroo Lane, Sutton

PLA031/17

RESOLVED (Overall)

The Administrator resolved that Council:

1. adopt in principle the following proposed road names:
 - a. "Fisher Road" – Renaming the current Mooney's Road (North) which is accessed off Currawang Road and leads onto Carney's Road,
 - b. "Goorooyarroo Lane" – Unnamed Crown Road accessed from Sutton Road approximately 1.3km north of the intersection with Norton Road;
2. advertise the names for public comment in accordance with Section 162 of the Roads Act 1993.
3. publish a notice in the NSW Government Gazette if no objections are received.

4.5 QPRC Branding

PLA032/17

RESOLVED (Overall)

The Administrator resolved that Council:

1. note the report on QPRC Branding;
2. adopt the branding manual and the uppercase version of the branding for QPRC;
3. commence implementation of the new brand across the organisation;

4. use the new branding to finalise the Signage Policy, with a further report to Council in the coming months to consider the draft Policy. Upon finalisation of the Signage Policy, Council commence the revision of all boundary, entry, CBD and facility signage.

5. STRATEGIC DEVELOPMENT

5.1 Planning Proposal - Malbon Street, Bungendore

PLA033/17

RESOLVED (Overall)

The Administrator resolved that Council adopt and take all actions necessary to make the draft local environmental plan to allow the rezoning of Part of Lot 5 DP 1204393 (Malbon Street, Bungendore) from B2 Local Centre to SP2 Infrastructure (public car park).

5.2 Planning Proposal - Captains Flat flood map and miscellaneous matters

PLA034/17

RESOLVED (Overall)

The Administrator resolved that Council adopt and take all actions necessary to make the draft local environmental plan to allow the insertion of Captains Flat flood planning area map, the amendment of the heritage schedule and heritage map no. 4 and the renumbering of a clause.

6. DETERMINATION REPORTS

6.1 Annual Financial Statements - Former Palerang Council

PLA035/17

RESOLVED (Overall)

The Administrator resolved that Council:

1. note the presentation from Council's Auditor.
2. adopt the 2015/2016 Financial Statements for the former Palerang Council and accept the Auditor's Reports, as submitted by Hill Rogers;
3. note that the Internal Audit Committee have received a copy of the Financial Statements with no adjustments being advised;

6.2 Queanbeyan-Palerang Regional Council Donations Policy 2017

PLA036/17

RESOLVED (Overall)

The Administrator resolved that Council:

1. adopt the draft Queanbeyan-Palerang Regional Council Donations Policy 2017 deleting Schedule 1.2 Cemetery Plots from Schedule 1; and
2. rescind the following policies:
 - a. the QPRC Rental Rebate Policy 2016,
 - b. the former Queanbeyan City Council Donations Policy 2013,
 - c. the former Palerang Council Donations Policy 2015,
 - d. the former Queanbeyan City Council Rates and Charges Relief Policy 2013.

6.3 Request for Sponsorship - Immune Deficiencies Foundation Australia - Razzamatazz Variety Show

PLA037/17

RESOLVED (Overall)

The Administrator resolved that Council sponsor 25 children for the Razzamatazz event at a cost of \$1,500.

7. INFORMATION REPORTS**7.1 NBN progress in rural areas**

PLA038/17

RESOLVED (Overall)

The Administrator resolved that the report be received for information.

7.2 Site Inspection - DA 382-2016 - 85 Monaro Street, Queanbeyan - Commercial Alterations - Royal Hotel

PLA039/17

RESOLVED (Overall)

The Administrator resolved that the report be received for information.

7.3 Site Inspection - DA 2016.105 - 233 Burra Road, Burra - Truck Depot, Ancillary Office and Access Road Construction

PLA040/17

RESOLVED (Overall)

The Administrator resolved that the report be received for information.

8. INFRASTRUCTURE SERVICES**8.1 Proposed Satellite Dish Captains Flat**

PLA041/17

RESOLVED (Overall)

The Administrator resolved:

1. that Council support in principle a proposal by Broadcast Australia for the establishment and operation of a radio & telecommunications equipment at a site off Old Mines Road Captains Flat subject to:
 - a. a Licence Agreement being entered into in accordance with the provisions of Local Government Act 1993,
 - b. the term of the Licence Agreement being ten years with two renewal options of 5 years each,
 - c. the required approvals include that a Development Approval be obtained,
 - d. the rental be as per the Council valuation;
2. that the Administrator and the General Manager be authorised to execute the Licence Agreement under the seal of the Council.

9. 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

There were no presentations requested.

PLA042/17

RESOLVED (Overall)

The Administrator resolved 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 10.1 Land and Access - Mountain Creek Road, Harolds Crossing

"Item 10.1 is confidential in accordance with s10(A) (b) (g) of the Local Government Act 1993 because it contains discussion in relation to the personal hardship of a resident or ratepayer; AND 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."

Item 10.2 Queanbeyan Regional Conservatorium

"Item 10.2 is confidential in accordance with s10(A) (di) 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 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. PLA045/17 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.

10.1 Land and Access - Mountain Creek Road, Harolds Crossing

The Administrator resolved that Council:

1. note the report and the late submission;
2. progress Options 3 and 5 outlined in the report with a further report provided to Council.

10.2 Queanbeyan Regional Conservatorium

The Administrator resolved that Council:

1. Continue negotiations with the Conservatorium, towards the establishment of a regional conservatorium service based in Queanbeyan
2. Develop costings for retrofitting parts of the civic precinct or existing facilities to accommodate a Queanbeyan Regional

Conservatorium, and

3. Consider inclusion of these works in the Operational Plan to enable opening of the facility by early 2019.

At this stage in the proceedings, the time being 7.17pm Mr Overall announced that the Agenda for the meeting had now been completed and declared the meeting closed.

TIM OVERALL
ADMINISTRATOR
CHAIRPERSON