



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 March 2018 commencing at 5:30pm.

ATTENDANCE

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

Staff: P Tegart, CEO/General Manager; M Thompson, Portfolio General Manager Natural and Built Character; D Tooth, A/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 L Ison (Minute Secretary).

1. APOLOGIES

PLA014/18

RESOLVED (Taylor/Bray)

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

The resolution was carried unanimously.

2. DECLARATIONS OF INTEREST

PLA015/18

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 Biscotti declared a non-pecuniary interest, less than significant, in Item 7.1 - Update on Proposed Shooting Range - DA.2017.289 - 2155 Collector Road, Currawang, and stated he will leave the Chambers when the item is considered.

3. PRESENTATIONS/DEPUTATIONS

The following presenters were heard.

Mr Sedat Erol – Item 4.1 - Development Application 1-2018 - Cinema - 30 Morisset Street, Queanbeyan

PLA016/18

RESOLVED (Taylor/Bray)

That Mr Erol be given an extension of one minute to speak.

The resolution was carried unanimously.

Mr Sam Mustaca – Item 4.1 - Development Application 1-2018 - Cinema - 30 Morisset Street, Queanbeyan

Dr Anne Goonan – Item 5.1 - Abbeyfield Planning Proposal at Bungendore

Mr Jason Shepherd – Item 7.1 - Update on Proposed Shooting Range - DA.2017.289 - 2155 Collector Road, Currawang

Mr James McKay – Item 7.1 - Update on Proposed Shooting Range - DA.2017.289 - 2155 Collector Road, Currawang

Mr Greg Akhurst – Item 7.1 - Update on Proposed Shooting Range - DA.2017.289 - 2155 Collector Road, Currawang

PLA017/18

RESOLVED (Taylor/Bray)

That Mr Akhurst be given an extension on one minute to speak.

The resolution was carried unanimously.

Mr Geoff Grey – 7.1 - Update on Proposed Shooting Range - DA.2017.289 - 2155 Collector Road, Currawang

PLA018/18

RESOLVED (Schweikert/Taylor)

That Mr Grey be given an extension of one minute to speak.

The resolution was carried unanimously.

Mr Paul Burns – 7.1 - Update on Proposed Shooting Range - DA.2017.289 - 2155 Collector Road, Currawang

Mr Mat Harwood – 7.1 - Update on Proposed Shooting Range - DA.2017.289 - 2155 Collector Road, Currawang

During the presentations, Cr Noveska left the meeting at 5.51pm and returned at 5.53pm.

STAFF REPORTS

4. ENVIRONMENT, PLANNING AND DEVELOPMENT

4.1 Development Application 1-2018 - Cinema - 30 Morisset Street, Queanbeyan

MOVED – Overall/Bray

1. That in relation to development DA 1-2018 Council note the requirement for an additional 17 parking spaces which cannot be accommodated on site and waive the requirement for any payment of developer contributions for these additional off-site parking spaces for the following reasons:
 - i. Council's DCP – Parking, Clause 2.2 permits a 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 a variation of the DCP is warranted.
 - ii. There is sufficient car parking for the proposed development in existing car parking areas within the Queanbeyan Central Business District, which are within a reasonable walking distance to the subject site.
 - iii. The primary hours of use for the proposed development and peak demand for car parking is not consistent with other businesses, which operate during regular business hours Monday to Friday.
 - iv. The sites proposed use of providing a highly desirable facility in Queanbeyan, the establishment of which, has been supported by the general community for many years.
 - v. The use of a site in a prominent position in the CBD particularly outside business hours.
 - vi. 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.
 - vii. 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.

2. That development application DA 1-2018 for alterations to an existing commercial building for the purposes of constructing a cinema on Lot 1 DP 556476, 30 Morisset Street, Queanbeyan, be granted conditional approval.
3. That in noting that Council has waived the requirement for the payment of offsite parking contributions the following additional conditions of consent be imposed:
 - a. Prior to the issue of a Construction Certificate (Building) the applicant shall submit to and have endorsed by Council, a revised layout design for the existing on-site car parking which addresses the following matters:
 - i. Removal of the existing boom gates, associated kerbing and other redundant parking treatments.
 - ii. The provision of a minimum of four (4) disabled parking spaces located such that two (2) spaces shall be provided to service the ground floor tenancy and two (2) spaces shall be provided to service the cinema.
 - iii. Reconfiguration of kerbing, guttering and pedestrian footways to ensure access for people with disabilities is provided from the car parking area to the entry points of the tenancies on the lower and upper floors.
 - iv. Revising the layout to maximise the number of carparks that can be configured within the existing area subject to compliance with Australian Standard 2890 - Off Street Parking and ensuring that a minimum of 117 parking spaces (including disabled spaces) are provided. The reconfiguration shall give consideration to the provision of parking for motorbikes and bicycles.
 - v. Showing the installation of a sign at the entry to the carpark indicating that additional public parking is available in Council's Collett Street Carpark adjacent to the Bus Interchange.
 - b. Prior to the issue of any Occupation Certificate the existing on-site car parking shall be reconfigured as endorsed by Council in the condition above. Any damaged car parking pavement made good, any new kerbing and footways completed, any landscaping reinstated and any new line marking completed.
4. That while noting the applicant's efforts to improve the appearance of the external facades of the building, further discussions between staff and the architects take place to refine the final design and that the following additional condition of consent be imposed to facilitate that discussion.
 - a. Prior to the issue of the Construction Certificate (Building) the applicant shall lodge and have endorsed by Council revised plans showing improved treatment on all façades

of the building utilising a variation in materials and orientation of architectural elements.

5. That the following additional condition be included permit the use of the premises for limited blockbuster screenings between the hours of 12.00am and 3.00am.

a. HOURS OF OPERATION

Operating hours of the cinema complex and associated bar are restricted to the following hours:

- Generally - Monday – Sunday: 9:00 am to midnight
- National Blockbuster Release Screenings - Cinema complex and associated candy bar/restaurant are restricted to 12:00am midnight to 3:00am. No entry is permitted 15 minutes after the blockbuster release screening commencement.

Note: National blockbuster release screenings typically occur on a Thursday night / Friday morning, 10 to 15 times per annum.

6. That the applicant be requested to make approaches to the landowners of adjoining carparks to improve pedestrian access by developing a plan that consolidates the movement of pedestrians through the various carparks as safely as possible.

ADJOURNMENT: The meeting adjourned 6.13pm and resumed at 6.20pm.

PLA019/18

RESOLVED (Overall/Bray)

1. That in relation to development DA 1-2018 Council note the requirement for an additional 17 parking spaces which cannot be accommodated on site and waive the requirement for any payment of developer contributions for these additional off-site parking spaces for the following reasons:
- i. Council's DCP – Parking, Clause 2.2 permits a 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 a variation of the DCP is warranted.
 - ii. There is sufficient car parking for the proposed development in existing car parking areas within the Queanbeyan Central Business District, which are within a reasonable walking distance to the subject site.
 - iii. The primary hours of use for the proposed development and peak demand for car parking is not consistent with other businesses, which operate during regular business hours Monday to Friday.
 - iv. The sites proposed use of providing a highly desirable facility in Queanbeyan, the establishment of which, has been supported by the general community for many years.

- v. The use of a site in a prominent position in the CBD particularly outside business hours.
 - vi. 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.
 - vii. 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.
2. That development application DA 1-2018 for alterations to an existing commercial building for the purposes of constructing a cinema on Lot 1 DP 556476, 30 Morisset Street, Queanbeyan, be granted conditional approval.
 3. That in noting that Council has waived the requirement for the payment of offsite parking contributions the following additional conditions of consent be imposed:
 - a. Prior to the issue of a Construction Certificate (Building) the applicant shall submit to and have endorsed by Council, a revised layout design for the existing on-site car parking which addresses the following matters:
 - i. Removal of the existing boom gates, associated kerbing and other redundant parking treatments.
 - ii. The provision of a minimum of four (4) disabled parking spaces located such that two (2) spaces shall be provided to service the ground floor tenancy and two (2) spaces shall be provided to service the cinema.
 - iii. Reconfiguration of kerbing, guttering and pedestrian footways to ensure access for people with disabilities is provided from the car parking area to the entry points of the tenancies on the lower and upper floors.
 - iv. Revising the layout to maximise the number of carparks that can be configured within the existing area subject to compliance with Australian Standard 2890 - Off Street Parking and ensuring that a minimum of 117 parking spaces (including disabled spaces) are provided. The reconfiguration shall give consideration to the provision of parking for motorbikes and bicycles.
 - v. Showing the installation of a sign at the entry to the carpark indicating that additional public parking is available in Council's Collett Street Carpark adjacent to the Bus Interchange.
 - b. Prior to the issue of any Occupation Certificate the existing on-site car parking shall be reconfigured as endorsed by

Council in the condition above. Any damaged car parking pavement made good, any new kerbing and footways completed, any landscaping reinstated and any new line marking completed.

4. That while noting the applicant's efforts to improve the appearance of the external facades of the building, further discussions between staff and the architects take place to refine the final design and that the following additional condition of consent be imposed to facilitate that discussion.
 - a. Prior to the issue of the Construction Certificate (Building) the applicant shall lodge and have endorsed by Council revised plans showing improved treatment on all façades of the building utilising a variation in materials and orientation of architectural elements.
5. That the following additional condition be included permit the use of the premises for limited blockbuster screenings between the hours of 12.00am and 3.00am.
 - a. HOURS OF OPERATION

Operating hours of the cinema complex and associated bar are restricted to the following hours:

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Note: National blockbuster release screenings typically occur on a Thursday night / Friday morning, 10 to 15 times per annum.

6. That the applicant be requested to make approaches to the landowners of adjoining carparks to improve pedestrian access by developing a plan that consolidates the movement of pedestrians through the various carparks as safely as possible.

The resolution was carried unanimously.

- 4.2 **Amendment No 2 (Minor Amendment) - Exhibition of Local Infrastructure Contributions Plan No 11 For the Provision of Public Off-street Car Parking at Bungendore**
- PLA020/18 **RESOLVED (Schweikert/Harrison)**
- That Council adopt the Local Infrastructure Contributions Plan for the Provision of Public Off-Street Carparking at Bungendore with Amendment No 2.
- The resolution was carried unanimously.
- 4.3 **Jupiter Windfarm Update - Referral to Planning Assessment Commission for Determination**
- PLA021/18 **RESOLVED (Hicks/Schweikert)**
- That the Mayor make representations on the Department of Planning and Environment's report on the Jupiter Wind Farm to the Planning Assessment Commission's public meeting to be held in Bungendore on Wednesday 21 March 2018, supporting Council's previous submissions objecting to the proposal.
- The resolution was carried unanimously.
- 4.4 **Road Naming of Unnamed Roads in Bendoura, Wyanbene, Marlowe and Durran Durra**
- PLA022/18 **RESOLVED (Schweikert/Harrison)**
- That Council:
1. Adopt in principle the proposed names detailed below:
 - a. 'Brookvale Lane' for the Right of Carriageway accessed from Nerriga Road, approximately 3.9km South from the Stewarts Crossing Road turn off on the left hand side (Road Ref 1027).
 - b. 'Hobbs Creek Road' for the Right of Carriageway accessed from Nerriga Road, continues South-East through to Back Creek Road. It intersects with Cookanulla Road approximately 2.75km in from Nerriga Road (Road Ref 1025).
 - c. 'Hockey Lane' This Right of Carriageway is accessed from the proposed Hobbs Creek Road, approximately 1.6km along the road on the left hand side (Road Ref 1026).
 - d. 'Brick Kiln Lane' for the Crown Public road accessed from Cooma Road, approximately 3.4km North of Wallaces Gap Road on the right hand side (Road Ref 1030).
 - e. 'Mackeys Lane' for the Right of Carriageway accessed from Cooma Road, approximately 3.3km South of Kain Cross Road on the right hand side (Road Ref 1028).
 2. Advertise the name 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.

The resolution was carried unanimously

5. STRATEGIC DEVELOPMENT

5.1 Abbeyfield Planning Proposal at Bungendore

PLA023/18

RESOLVED (Schweikert/Harrison)

That Council take all actions to progress a planning proposal to amend Schedule 1 (Additional Permitted Uses) of Palerang Local Environmental Plan 2014, to allow for Seniors Housing as a permissible use with consent at 4-6 Majara Street Bungendore (Lot 13 DP 1139067 & Lot 14 DP 1139067).

The resolution was carried unanimously.

PLA024/18

RESOLVED (Marshall/Bray)

That Item 7.1 be brought forward for consideration.

The resolution was carried unanimously.

7. ITEMS FOR INFORMATION

Cr Biscotti declared a non-pecuniary interest in this item of business and left the room at 6.36pm.

7.1 Update on Proposed Shooting Range - DA.2017.289 - 2155 Collector Road, Currawang

PLA025/18

RESOLVED (Schweikert/Bray)

That the report be received for information.

The resolution was carried unanimously.

Cr Biscotti returned to the meeting at 6.40pm.

6. ITEMS FOR DETERMINATION

6.1 Strategies and Plans Adopted during QPRC Administration

PLA026/18

RESOLVED (Taylor/Schweikert)

That Council nominate for review the relevant QPRC strategies and plans adopted during the period of administration.

The resolution was carried unanimously.

PLA027/18

RESOLVED (Brown/Noveska)

That all plans and strategies adopted during the period of administration be reviewed by a report to Council.

The resolution was carried unanimously.

7. ITEMS FOR INFORMATION

7.1 Update on Proposed Shooting Range - DA.2017.289 - 2155 Collector Road, Currawang

This item was dealt with in earlier business.

7.2 Queanbeyan Integrated Water Cycle Management (IWCM) - Consultation Outcomes

PLA028/18

RESOLVED (Marshall/Schweikert)

That the report be received for information.

The resolution was carried unanimously.

7.3 Outcome of Delivery Program - Stage 1 community engagement

PLA029/18

RESOLVED (Schweikert/Hicks)

That the report be received for information.

The resolution was carried unanimously.

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

There were no items.

The time being 6.46pm Cr Overall announced that the Agenda for the meeting had now been completed.

**CR TIM OVERALL
MAYOR
CHAIRPERSON**