



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 February 2018 commencing at 5:30pm.

ATTENDANCE

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

Staff: 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 L Ison (Minute Secretary).

1. APOLOGIES

PLA001/18

RESOLVED (Taylor/Harrison)

That apologies from Crs Brown and Schweikert for non-attendance be received and that leave of absence be granted.

2. DECLARATIONS OF INTEREST

PLA002/18

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.

There were no disclosures.

3. PRESENTATIONS/DEPUTATIONS

The Mayor presented Ms Sue Redstone with the Mayoral Community Service Award in recognition of outstanding contribution and service to children and families of Queanbeyan for a period of over ten years.

PLA003/18

RESOLVED (Bray/Taylor)

That all presenters be heard.

The resolution was carried unanimously.

Ms Alix Burnett – Item 4.1 - Modification Application MOD.2017.060 - 62 Ellendon Street, Bungendore - Modification

Ms Kerry Douch – Item 4.1 - Modification Application MOD.2017.060 - 62 Ellendon Street, Bungendore - Modification

Ms Kate Soulsby – Item 4.1 - Modification Application MOD.2017.060 - 62 Ellendon Street, Bungendore - Modification

Mr John Taylor – Item 4.1 - Modification Application MOD.2017.060 - 62 Ellendon Street, Bungendore - Modification

Ms Annabel Beith – Item 4.1 - Modification Application MOD.2017.060 - 62 Ellendon Street, Bungendore - Modification

Ms Clare Gilligan – Item 5.1 - Proposed South Tralee Essential Infrastructure Planning Agreement

Mr Malcolm Leslie – Item 5.2 - Amendment to Jumping Creek Planning Proposal

MAYORAL MINUTE

PLA004/18 **S.1 Disposal of Waste Collected during Clean Up Australia Day**

RESOLVED (Overall)

That as a matter of policy, Council permit residents to dispose of the waste collected during Clean Up Australia Day events at Council's waste facilities free of charge.

The resolution was carried unanimously.

STAFF REPORTS

4. ENVIRONMENT, PLANNING AND DEVELOPMENT

PLA005/18 **4.1 Modification Application MOD.2017.060 - 62 Ellendon Street, Bungendore - Modification**

RESOLVED (Winchester/Taylor)

That Modification Application MOD.2017.060 to modify DA.2016.009 by the inclusion of dormer windows to the attic and construction of an external staircase to access that attic be approved except for the dormer windows on the southern elevation which are not approved and shall be deleted from the plans. The approval is issued for the following reasons and with amendments to the conditions as shown in Schedule 1 below:

- (a) The proposed development as modified satisfies the requirements of Section 96(1A) of the Environmental Planning and Assessment Act 1979 as the proposal will not create any additional environmental impact from the parent consent and is substantially the same development.
- (b) The development is consistent with all relevant requirements of the Palerang Local Environmental Plan 2014.
- (c) The development satisfies the Palerang Development Control Plan 2015, specifically sections B10- Heritage & C2- Residential Development.
- (d) The southern dormer windows have not been approved because of the potential impacts to privacy on neighbouring premises.

Schedule 1 – Amendments to Conditions

Amend Condition 1 as follows:

The development referred to in the application is to be carried out in accordance with the original approved plans except as modified by the plans numbered MOD.2016.113, MOD.2017.060 and in accordance with this schedule of conditions with the exclusion of the dormer windows on the southern elevation.

Reason: Development is undertaken in accordance with this consent & is used for the approved purpose only.

Add new condition.

Use of Attic Space

The existing attic space is to remain a non-habitable space and for storage purposes only.

Reason: Development is undertaken in accordance with this consent & is used for the approved purpose only.

Add new condition.

Privacy – Treatment to Existing Raised Deck and Proposed Staircase Landing

Prior to the issue of the Construction Certificate (Building) the applicant shall submit to, and have endorsed by Council, a design for privacy screening on the southern elevation of the existing deck and on the southern elevation of the proposed staircase landing. The screening shall be a minimum height of 1.8m from the deck/landing surface and shall be constructed in materials and colours that are sympathetic to the heritage character of the existing dwelling.

Screening of the deck and landing shall be permanently installed prior to the issue of any Occupation Certificate.

Reason: To reduce privacy concerns to the neighbouring lot.

Add new condition.

All construction work associated with this development shall be carried out from within the premises unless otherwise authorised by the owners of neighbouring premises.

Reason: To reduce impacts from construction activities on neighbouring premises.

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

Against: Cr Overall

5. STRATEGIC DEVELOPMENT

5.1 Proposed South Tralee Essential Infrastructure Planning Agreement

PLA006/18

RESOLVED (Hicks/Harrison)

That Council:

1. Note the report on the proposed South Tralee Essential Infrastructure Planning Agreement.
2. Subject to legal advice, support the changes to the proposed South Tralee Essential Infrastructure Planning Agreement submitted by Village Building Company in regard to surplus value.
3. Note the parties differing views on Village Building Company's proposed inclusions/changes for the definitions of Independent Certifier, Practical Completion and Practical Completion Certificate and Clause 19 Completion of Work of the proposed South Tralee Essential Infrastructure Planning Agreement, and concerns regarding time taken to certify works.
4. Note Village Building Company's offer to secure a solution to this matter outside the local planning agreement process, including the option of resourcing.
5. Draft an enabling clause for inclusion in the Local Planning Agreement to provide for private certification, notwithstanding the accepted practice of Council staff certifying practical completion of infrastructure works and issuing practical completion certificates.
6. Delegate authority to the CEO/General Manager to negotiate and enter agreements for alternative means for providing certification services subject to there being no additional cost to Council.
7. On the above basis, proceed to finalise the draft South Tralee Essential Infrastructure Planning Agreement for endorsement by Council and its exhibition.

The resolution was carried unanimously.

5.2 Amendment to Jumping Creek Planning Proposal

PLA007/18

RESOLVED (Harrison/Biscotti)

That Council agree to:

1. The preparation of an amended planning proposal for Jumping Creek as set out in this report, and that this be forwarded to the Department of Planning & Environment seeking a revised Gateway determination.
2. Continuing discussions with the developers of Jumping Creek in respect of potentially dedicating the environmental and recreational zoned sections of the site to Council in the future.

The resolution was carried unanimously.

6. ITEMS FOR INFORMATION

6.1 2016 Census and Your Population Forecast Queanbeyan-Palerang Regional Council

PLA008/18

RESOLVED (Taylor/Bray)

That the report be received for information.

The resolution was carried unanimously.

SUPPLEMENTARY REPORT

S.2 Site Inspection - MOD.2017.060 - 62 Ellendon Street, Bungendore - Modification of DA.2016.009

PLA009/18

RESOLVED (Harrison/Hicks)

That the report be received for information.

The resolution was carried unanimously.

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

At this stage of the proceedings Cr Overall advised that there were items on the 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, there were any presentations as to why the matters listed below should not be dealt with in Closed Session.

PRESENTATIONS

There were no presentations.

PLA010/18

RESOLVED (Marshall/Taylor)

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 8.1 Road Issues - Harold's Crossing.

"Item 8.1 is confidential in accordance with s10(A)(c) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Item 8.2 Review of a Representation on a Notice of Proposed Order.

"Item 8.2 is confidential in accordance with s10(A)(e) of the Local Government Act 1993 because it contains information that would, if disclosed, prejudice the maintenance of law 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. PLA013/18 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, the Mayor then read out the decisions of Council made in Closed Session.

8.1 Road Issues - Harolds Cross

That Council:

1. Take no further action in regard to this compulsory acquisition.
2. Develop a policy to address properties that do not have a practical access that coincides with the legal access location.

8.2 Review of a Representation on a Notice of Proposed Order.

That Council issue the Order as per the draft Order in Attachment 4.

The time being 6.50pm Cr Overall announced that the Agenda for the meeting had now been completed.

CR TIM OVERALL

MAYOR

CHAIRPERSON