



## 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 August 2019 commencing at 5.30pm.

### ATTENDANCE

**Councillor:** Cr Overall (Chair), Crs Biscotti, Bray AM, Harrison, Hicks, Marshall, 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 L Ison (Minute Secretary).

#### 1. OPENING

The meeting opened at 5.30pm.

#### 2. ACKNOWLEDGEMENT OF COUNTRY

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

**3. APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS**

PLA073/19

**RESOLVED (Taylor/Noveska)**

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

The resolution was carried unanimously.

**Procedural Motion**

PLA074/19

**RESOLVED (Overall/Bray)**

That Council:

1. Notes the request from ABC News Canberra to record Council meetings.
2. Agrees to ABC News Canberra recording meetings of the Planning and Strategy Committee and Ordinary Meetings of Council for the purposes of accurate reporting, up until and including the August 2020 meeting of Council.

The resolution was carried unanimously.

**4. DISCLOSURES OF INTEREST**

PLA075/19

**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.

There were no disclosures.

**5. ADJOURNMENT FOR PUBLIC FORUM**

PLA076/19

**RESOLVED (Overall/Taylor)**

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

At the conclusion of the Public Forum, the meeting resumed at 5.47pm.

**6. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION**

**6.1 Development Application 289-2018 - Proposed Boarding House  
- 288 Crawford Street Queanbeyan**

PLA077/19

**RESOLVED (Taylor/Harrison)**

That:

1. Development application DA 289-2018 for a Boarding House on Lot B DP 155580 No.288 Crawford Street, Queanbeyan be refused for the following reasons:
  - (a) The development application has not been able to demonstrate the development can operate in an orderly way as sought by clause 1.2(a), of Queanbeyan Local Environmental Plan 2012 in that there is unsatisfactory vehicle parking, manoeuvring and safe egress from the site.
  - (b) The proposed development is not considered to recognise and protect Queanbeyan's natural, cultural and built heritage as sought by clause 1.2(d), of Queanbeyan Local Environmental Plan 2012 in that the proposal does not recognise or protect the built heritage of the conservation area through the impact of car parking forward of the building line.
  - (c) The development application has not been able to demonstrate satisfactorily that the proposed development will meet the Objective of the R2 zone at Clause 2.3 of the Queanbeyan Local Environmental Plan which seeks to encourage development that considers the low density amenity of existing and future residents.
  - (d) The location of the proposed on-site vehicle parking facilities are considered unsatisfactory having regard to Clause 5.10 Heritage of Queanbeyan Local Environmental Plan 2012.
  - (e) The proposal is not considered to meet the relevant Objectives for Car Parking in Part 2 of the Queanbeyan Development Control Plan 2012 in that the proposed development has not demonstrated that sufficient car parking spaces can be provided on site for the increased demand.
  - (f) The design and layout of proposed on-site vehicle parking facilities are considered unsatisfactory having regard to the relevant provisions of Part 2 Car parking of the Queanbeyan Development Control Plan 2012.
  - (g) The design and layout of proposed on-site vehicle parking facilities are considered unsatisfactory having regard to the relevant provisions of Part 4 Heritage of the Queanbeyan Development Control Plan 2012.
  - (h) The proposed development is considered to have an unacceptable impact under the following matters for consideration of Section 4.15 of the *Environmental*

*Planning and Assessment Act 1979:*

- i) Context & Setting
- ii) Access, Transport & Traffic
- iii) Public domain
- iv) Heritage
- v) Noise
- vi) Social impact in the locality
- vii) Site design and internal design
- viii) Cumulative impacts
- ix) Suitability of the site
- x) The public interest
- xi) Government and Community interests

2. Those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.

The resolution was carried unanimously.

**6.2 Application for Renewal of Caravan Park Approval - Capital Country Holiday Park - 47 Bidges Road, Sutton**

PLA078/19

**RESOLVED (Harrison/Bray)**

That:

1. The Section 68, F2 activity approval application for a caravan park at Lot 2 DP 246156, 47 Bidges Road, Sutton be granted conditional approval.
2. Subject to satisfying all the conditions of the abovementioned activity approval, the owners of the Capital Country Holiday Park be invited to submit a Planning Proposal to seek amendment to the appropriate Local Environmental Plan that will allow for the continued use of up to 50 existing long term sites for permanent residential accommodation.

The resolution was carried unanimously.

**6.3 Draft Planning Proposal - Comprehensive Local Environmental Plan 2020**

PLA079/19

**RESOLVED (Harrison/Taylor)**

That Council forward the draft planning proposal for the Comprehensive Local Environment Plan to the Department of Planning, Industry and Environment seeking an amended Gateway determination.

The resolution was carried unanimously.

**6.4 Proposed Housekeeping Amendments to Queanbeyan Local Environmental Plan 2012**

PLA080/19

**RESOLVED (Hicks/Harrison)**

That Council:

1. Note the report and attached draft planning proposal.
2. Seek a Gateway determination from the Department of Planning, Industry and Environment to proceed with the proposed amendments set out in the draft planning proposal.

The resolution was carried unanimously.

**6.5 Proposed Amendments to South Jerrabomberra Local Infrastructure Contributions Plan 2018**

PLA081/19

**RESOLVED (Harrison/Bray)**

That Council:

1. Note the proposed amendments to South Jerrabomberra Local Infrastructure Contributions Plan 2018 as outlined in this report.
2. Publicly exhibit the draft amended plan for a period of 28 days.

The resolution was carried unanimously.

**6.6 Pooling of Local Roads Contributions**

PLA082/19

**RESOLVED (Schweikert/Hicks)**

That Council agree to:

1. The preparation of a local infrastructure contribution plan for non-urban roads pursuant to Section 7.11 of the *Environmental Planning and Assessment Act 1979* and Clause 26(2) of the Environmental Planning and Assessment Regulations 2000.
2. Inclusion of the following for consideration in preparing the local infrastructure contribution plan for non-urban roads:
  - a. A contribution for development resulting in new dwellings or new lots.
  - b. The authorisation of the pooling of non-urban road contributions collected under previous plans.
  - c. A Works Schedule based on projects within catchments and which also has regard to the local road works identified in:
    - i. Queanbeyan City Section 94 Contribution Plan Non-Urban Roads 2012.
    - ii. Mulwaree Section 94 Development Contributions Plan 2003-2008.
    - iii. Tallaganda Section 94 Contributions Plan No.3 – Roadworks.
    - iv. Yarrowlumla Council Section 94 Contributions Plan (No.2) for Provision of Access Road.
    - v. Cooma–Monaro Section 94 Contributions Plan

(Roads & Open Space)

- vi. Gunning Section 94 Provision of Public Amenities and Services.
  - d. Incorporation of a planning administration contribution.
  - e. A clause which repeals those Section 94 contribution plans listed above in Recommendation 2c. i-vi where these are found to be redundant.
3. Undertaking community consultation for a minimum period of 28 days on the local infrastructure contribution plan.
  4. Reporting back to Council at the end of the community consultation process.

The resolution was carried unanimously.

**6.7 Proposed New Street Name - Environa Drive (Jerrabomberra and Environa)**

PLA083/19

**RESOLVED (Taylor/Bray)**

That Council:

1. Adopt in principle the name 'Environa Drive' as the proposed name for the new road created by the construction of the new Northern Entry Road servicing The Poplars, North Tralee and South Tralee.
2. Change the name of a small section of Territory Parade to Environa Drive as shown in Attachment 1.
3. Advertise the new name and proposed road name change for public comment for 30 days.
4. Publish a notice in the NSW Government Gazette if no objections are received.

The resolution was carried unanimously.

**6.8 Community Representative Vacancy on Environment and Sustainability Advisory Committee**

PLA084/19

**RESOLVED (Marshall/Harrison)**

That Council:

1. Seek Expressions of Interest for one new community representative on the Environment and Sustainability Advisory Committee for the period to September 2020.
2. Re-appoint all existing committee members after September 2020.

The resolution was carried unanimously.

**6.9 Outdoor Dining Policy**

PLA085/19

**RESOLVED (Biscotti/Schweikert)**

That Council:

1. Note the Outdoor Dining Policy established by the NSW SBC to encourage businesses to provide outdoor dining by removing barriers to entry, consequently increasing city vibrancy and growth.
2. Adopt the NSW Outdoor Dining Policy for the Local Government Area (LGA), noting the Policy supports the current position of QPRC not to charge fees for outside dining.
3. Rescind the previous QCC Outdoor Dining Policy.

The resolution was carried unanimously.

**6.10 Annual Community Grants Program**

**MOVED (Schweikert/Biscotti)**

That Council:

1. Approve a Category B donation of \$750 from Council's Annual Community Grants Program 2019/2020 to Wamboin Social Club for hire costs for weekly use of Wamboin Community Hall.
2. Approve a Category A donation of \$539 from Council's Annual Community Grants Program 2019/2020 to Bungendore War Memorial Committee for the hire of a PA system and advertising costs for the Bungendore ANZAC Day commemoration in 2020.
3. Provide additional funding of \$1,461 to the Bungendore War Memorial Committee from the Events budget.

During discussion Cr Harrison foreshadowed a CONTRARY motion: ["That the applicants be encouraged to make their submissions for the next round of funding."]

The motion (of Crs Schweikert and Biscotti) was PUT and CARRIED.

PLA086/19

**RESOLVED (Schweikert/Biscotti)**

That Council:

1. Approve a Category B donation of \$750 from Council's Annual Community Grants Program 2019/2020 to Wamboin Social Club for hire costs for weekly use of Wamboin Community Hall.
2. Approve a Category A donation of \$539 from Council's Annual Community Grants Program 2019/2020 to Bungendore War Memorial Committee for the hire of a PA system and advertising costs for the Bungendore ANZAC Day commemoration in 2020.
3. Provide additional funding of \$1,461 to the Bungendore War Memorial Committee from the Events budget.

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

Against: Cr Harrison

**6.11 Stronger Country Communities Fund Round 3**

**MOVED (Taylor/Biscotti)**

That Council:

1. Submit the following projects as priority for Round 3 of the Stronger Country Communities fund:
  - Upgrades to Braidwood Pool - \$1,000,000
  - Menslink Services to the Queanbeyan-Palerang region - \$100,000
  - Upgrades to Queanbeyan Pool - \$300,000
  - Flood lights for Steve Mauger and Halloran Ovals - \$425,000
2. Consider submitting applications for the following projects under the current NSW Infrastructure Grants Club grants Category 3 program which opened on 5 August and closes 26 August 2019:
  - Heating of Bungendore Pool - \$150,000
  - Noel Templeton Archery Range amenities - \$250,000
3. Put forward the following further projects should other funding be available:
  - Heating of Bungendore Pool - \$150,000
  - Noel Templeton Archery Range amenities - \$250,000
  - Other Items as listed in the business paper

During discussion, Cr Marshall foreshadowed a CONTRARY motion: ["That Council put forward all the proposals as listed in the business paper, excluding the Menslink proposal."]

**AMENDMENT (Winchester)**

That Council:

1. Submit the following projects as priority for Round 3 of the Stronger Country Communities fund:



- Upgrades to Wright Park - \$1,000,000
  - Menslink Services to the Queanbeyan-Palerang region - \$100,000
  - Upgrades to Queanbeyan Pool - \$300,000
  - Flood lights for Steve Mauger and Halloran Ovals - \$425,000
2. Consider submitting applications for the following projects under the current NSW Infrastructure Grants Club grants Category 3 program which opened on 5 August and closes 26 August 2019:
- Heating of Bungendore Pool - \$150,000
  - Noel Templeton Archery Range amenities - \$250,000
3. Put forward the following further projects should other funding be available:
- Heating of Bungendore Pool - \$150,000
  - Noel Templeton Archery Range amenities - \$250,000
  - Other Items as listed in the business paper

The AMENDMENT (of Cr Winchester) LAPSED for want of a seconder.

The motion (of Crs Taylor and Biscotti) was PUT and CARRIED.

PLA087/19

**RESOLVED (Taylor/Biscotti)**

That Council:

1. Submit the following projects as priority for Round 3 of the Stronger Country Communities fund:
  - Upgrades to Braidwood Pool - \$1,000,000
  - Menslink Services to the Queanbeyan-Palerang region - \$100,000
  - Upgrades to Queanbeyan Pool - \$300,000
  - Flood lights for Steve Mauger and Halloran Ovals - \$425,000
2. Consider submitting applications for the following projects under the current NSW Infrastructure Grants Club grants Category 3 program which opened on 5 August and closes 26 August 2019:
  - Heating of Bungendore Pool - \$150,000
  - Noel Templeton Archery Range amenities - \$250,000
3. Put forward the following further projects should other funding be available:
  - Heating of Bungendore Pool - \$150,000
  - Noel Templeton Archery Range amenities - \$250,000
  - Other Items as listed in the business paper

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

Against: Crs Marshall and Winchester

6.12 **Oktoberfest - Queanbeyan Showground 2019**

**MOVED (Hicks/Schweikert)**

That Council accede to the request of the Harmonie German Club to replace 'in-kind' support with a payment of up to \$20,000 to assist with the marketing campaign for Oktoberfest annually for five years.

During discussion, Cr Harrison foreshadowed a CONTRARY motion: ["That Council provide funding of up to \$20,000 per year for the remainder of the five-year period to assist with a joint marketing campaign between Council and the Harmonie German Club, including banners, to benefit the Oktoberfest event and Queanbeyan."]

The motion (of Crs Hicks and Schweikert) was PUT and LOST.

For: Crs Hicks and Schweikert

Against: Crs Biscotti, Bray, Harrison, Marshall, Noveska, Overall, Taylor and Winchester

The foreshadowed motion (of Crs Harrison) was brought forward, seconded by Cr Biscotti, PUT and CARRIED.

PLA088/19

**RESOLVED (Harrison/Biscotti)**

That Council provide funding of up to \$20,000 per year for the remainder of the five-year period to assist with a joint marketing campaign between Council and the Harmonie German Club, including banners, to benefit the Oktoberfest event and Queanbeyan.

The resolution was carried unanimously.

**7. REPORTS TO COUNCIL - ITEMS FOR INFORMATION**

**7.1 QPRC Food Surveillance Activity Report 2018-19**

PLA089/19

**RESOLVED (Taylor/Noveska)**

That the report be received for information.

The resolution was carried unanimously.

**7.2 National Tree Day 2019**

PLA090/19

**RESOLVED (Schweikert/Taylor)**

That the report be received for information.

The resolution was carried unanimously.

**8. REPORTS OF COMMITTEES**

**8.1 Minutes of the QPRC Heritage Advisory Committee Meeting held on 18 July 2019**

PLA091/19

**RESOLVED (Hicks/Schweikert)**

That Council note the Minutes of the QPRC Heritage Advisory Committee Meeting held on 18 July 2019.

The resolution was carried unanimously.

**9. 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.

There were no presentations.

**10. REPORTS FOR CLOSED SESSION**

PLA092/19

**RESOLVED (Overall/Schweikert)**

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 Legal Costs Recovery**

*Item 10.1 is confidential in accordance with s10(A)(g) of the Local Government Act 1993 because it contains 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.*

The resolution was carried unanimously.

The meeting then moved into Closed Session at 7.12pm to discuss the matters listed above.

**10.1 Legal Costs Recovery**

PLA093/19

**RESOLVED (Schweikert/Harrison)**

That:

1. The report be received and noted.
2. Council progress the recovery of legal costs as outlined in the report.

The resolution was carried unanimously.

PLA094/19

**RESOLVED (Overall/Marshall)**

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 7.13pm.

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.

**11. CONCLUSION OF THE MEETING**

The time being 7.14pm, Cr Overall announced that the Agenda for the meeting had now been completed.

**CR TIM OVERALL  
MAYOR  
CHAIRPERSON**