



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, 8 May 2019 commencing at 5.30pm.

ATTENDANCE

Councillor: Cr Overall (Chair), Crs Bray AM, Brown, Harrison, Hicks, Marshall, Noveska, Schweikert, Taylor and Winchester (from 5.36pm).

Staff: P Tegart, CEO/General Manager; M Thompson, Portfolio General Manager Natural and Built Character; J Richards, Portfolio General Manager Community Choice; P Neil, Portfolio General Manager Organisational Capability and D Tooth, A/Portfolio General Manager Community Connections.

Also Present: W Blakey (Clerk of the Meeting) and L Ison (Minute Secretary).

1. OPENING

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

2. DECLARATIONS OF INTEREST

PLA040/19

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 declarations.

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

PLA041/19

RESOLVED (Taylor/Schweikert)

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

The resolution was carried unanimously.

4. ADJOURNMENT FOR PUBLIC FORUM

PLA042/19

RESOLVED (Taylor/Schweikert)

That this meeting is adjourned for the commencement of the Public Forum and upon its completion the meeting will reconvene.

The resolution was carried unanimously.

ADJOURNMENT: The meeting adjourned for the Public Forum at 5.34pm and resumed at 8.00pm.

During the Public Forum, Cr Winchester joined the meeting at 5.36pm.

STAFF REPORTS

5. REPORT TO COUNCIL - ENVIRONMENT, PLANNING AND DEVELOPMENT

5.1 Development Application - DA.2018.192 - Recreation Facility (Outdoor) Rifle Range - 2155 Collector Road, Currawang

MOVED (Schweikert/Hicks)

That:

1. Development application DA.2018.192 for a Recreation Facility (Outdoor) on Lots 114 and 200 DP750008 and Lot 149 DP750013, 2155 Collector Road, Currawang be granted conditional approval subject to a reduced development footprint.
2. Condition 11B be deleted.
3. Condition 10 be added – noise monitoring be undertaken for reporting to the Planning and Strategy committee as an information report.
4. Those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.
5. The Department of Industry (Crown Lands) be forwarded a copy of Council's Notice of Determination.

During discussion Cr Marshall raised a point of order stating Cr Schweikert's time to speak had run-out and if required he could move a motion to extend his time. The Mayor upheld the point of order and called for a motion.

PLA043/19

RESOLVED (Marshall/Taylor)

That Cr Schweikert be given an extension of three minutes to speak.

The resolution was carried unanimously.

Cr Bray foreshadowed a CONTRARY motion: ["That:

1. Development application DA.2018.192 for a Recreation Facility (Outdoor) on Lots 114 and 200 DP750008 and Lot 149 DP750013, 2155 Collector Road, Currawang be refused for the following reasons:

a. The proposed development is not compatible with the general aims of the Palerang Local Environmental Plan 2014, specifically the following Aims:

Cl.1.2(2)(a) To protect and improve the economic environmental, social and cultural resources and prospects of the Palerang community

Cl.1.2(2)(c) To retain, protect and encourage sustainable primary industry and commerce

b. The proposed development fails to comply with the Zone Objectives of the RU1 Primary Production zone, specifically:

• *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base*

• *To minimise conflict between land uses within this zone and land uses with adjoining zones*

c. The proposed development is not compatible with surrounding land uses and will have significant adverse impact on the amenity of adjoining and surrounding land uses because of noise generated by the intensive use of a range of firearms. Surrounding land uses include broad scale agricultural grazing, residential, small farms, hobby farms, bush retreats, wellness retreats, horse riding, animal husbandry and a range of home based occupations including musical recording and teaching.

d. The proposed development is considered to be contrary to the public interest due to the significant adverse social impacts and incompatibility with adjoining and surrounding land uses and significant adverse impact on the amenity of adjoining and surrounding land uses.

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

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

For: Crs Brown, Hicks, Noveska and Schweikert

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

The foreshadowed motion (of Cr Bray) was brought forward at this juncture, seconded by Cr Taylor, PUT and CARRIED.

PLA044/19

RESOLVED Bray/Taylor

That:

1. Development application DA.2018.192 for a Recreation Facility (Outdoor) on Lots 114 and 200 DP750008 and Lot 149 DP750013, 2155 Collector Road, Currawang be refused for the following reasons:

a. The proposed development is not compatible with the general aims of the Palerang Local Environmental Plan 2014, specifically the following Aims:

Cl.1.2(2)(a) To protect and improve the economic environmental, social and cultural resources and prospects of the Palerang community.

Cl.1.2(2)(c) To retain, protect and encourage sustainable primary industry and commerce.

b. The proposed development fails to comply with the Zone Objectives of the RU1 Primary Production zone, specifically:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base*
- *To minimise conflict between land uses within this zone and land uses with adjoining zones*

c. The proposed development is not compatible with surrounding land uses and will have significant adverse impact on the amenity of adjoining and surrounding land uses because of noise generated by the intensive use of a range of firearms. Surrounding land uses include broad scale agricultural grazing, residential, small farms, hobby farms, bush retreats, wellness retreats, horse riding, animal husbandry and a range of home based occupations including musical recording and teaching.

d. The proposed development is considered to be contrary to the public interest due to the significant adverse social impacts and incompatibility with adjoining and surrounding land uses and significant adverse impact on the amenity of adjoining and surrounding land uses.

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

For: Crs Bray, Brown, Harrison, Marshall, Overall, Taylor and Winchester

Against: Crs Hicks, Noveska and Schweikert

PLA045/19 **Procedural Motion**
RESOLVED (Overall/Taylor)
That the Planning and Strategy meeting be extended by 30 minutes to complete the agenda.

The resolution was carried unanimously.

ADJOURNMENT: The meeting adjourned at 9.04pm and resumed at 9.25pm.

5.2 Planning Proposal - West Jerrabomberra

PLA046/19 **RESOLVED (Hicks/Bray)**
That Council:

1. Note the outcomes of the public exhibition process.
2. Agree to the changes to the draft plan for West Jerrabomberra as outlined in this report.
3. Forward the planning proposal to the Department of Planning and Industry requesting the Minister (or delegate) make the draft plan as amended.
4. Commit to revisiting the proposed additional uses raised in submissions to determine the suitability of including these in a planning proposal at a later date.

The resolution was carried unanimously.

5.3 Planning Proposal - Exempt and Complying Development in the Landuse Zones E4 Environmental Living, RU5 Village and RU1 Primary Production

PLA047/19 **RESOLVED (Harrison/Marshall)**
That pursuant to Section 3.35(4) of the *NSW Environmental Planning and Assessment Act 1979*, Council request that the Minister no longer proceed with Planning Proposal PP_2015_PALER_002_00 exempt and complying development in the land use zoned E4 Environmental Living, RU5 Village and RU1 Primary Production.

The resolution was carried unanimously.

5.4 Draft Voluntary Planning Agreement - 18 Mecca Lane, Bungendore

PLA048/19 **RESOLVED (Marshall/Schweikert)**
That Council:

1. Exhibit the draft Voluntary Planning Agreement in accordance with section 7.5 of the *Environmental Planning and Assessment Act 1979* for a minimum of 28 days.
2. Following the exhibition of the draft Voluntary Planning Agreement, consider a report on the results of the exhibition.

The resolution was carried unanimously.

6. REPORT TO COUNCIL - ITEMS FOR INFORMATION

6.1 ALGA Election Advocacy

PLA049/19

RESOLVED (Harrison/Overall)

That Council:

1. Note the report.
2. Support the ALGA's recommendation and endorse the 12 Key Federal Election initiatives.

The resolution was carried unanimously.

The time being 9.42pm, Cr Overall announced that the Agenda for the meeting had now been completed.

**CR TIM OVERALL
MAYOR
CHAIRPERSON**