



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 April 2020 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 A Knight, Portfolio General Manager Organisational Capability.

Also Present: L Ison (Minute Secretary).

1. OPENING

The meeting commenced 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

There were no apologies. It was noted that Cr Brown was attempting to join the meeting via audio-visual link and may be a late attendee.

4. DISCLOSURES OF INTEREST

PLA027/20

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.

5. ADJOURNMENT FOR PUBLIC FORUM

Due to COVID-19, there was no Public Forum, but it was noted that the following on-line submissions had been received:

Name	Item no	Item description	For/Against/Neutral
Mrs Val Johanson	6.1	Notice of Motion of Rescission	For
Mrs Val Johanson	10.1	Notice of Motion: Further Consideration of Planning Proposal Request - Lot 16 DP 849996, Williamsdale Road, Williamsdale	Against
Mrs Kylie Coe	6.1	Notice of Motion of Rescission	For

6. NOTICES OF MOTION OF RESCISSION

6.1 Notice of Motion of Rescission

MOVED (Taylor/Schweikert)

That Council rescind resolution number PLA021/20 of the Planning and Strategy Committee held on 11 March 2020.

The motion was PUT and LOST.

For: Crs Biscotti, Schweikert, Taylor and Winchester

Against: Crs Bray, Harrison, Hicks, Marshall, Noveska and Overall

7. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

7.1 DA.2018.239 - Erection of Dual Occupancy - Variation to Height Limit - 7A Park Lane and 62 Elrington Street, Braidwood

PLA028/20

RESOLVED (Hicks/Schweikert)

That:

1. In respect of DA.2018.239, approval be granted to a variation to Clause 4.3- Building Height of Palerang Local Environmental Plan 2014 to allow a height encroachment of 0.3m over the 6.5m height limit for the following reasons:
 - (a) The proposal is consistent with the objectives of the Palerang Local Environmental Plan 2014- R2- Low Density Zone.
 - (b) The proposal is consistent with the Palerang Local Environmental Plan 2014 objectives of c4.3 - Building height maximum.
 - (c) The Proposed Dual Occupancy is consistent with the controls of the Braidwood Development Control Plan 2006, specifically Precinct 2.
 - (d) The variation presents no adverse impacts on the heritage Item, character of the site and/or the Braidwood area.
 - (e) The variation has no foreseen impacts on views of surrounding lots.
2. Development application DA.2018.239 for a dual occupancy, alterations and additions to an existing dwelling (Hawthorn Hollow) and subdivision on Lot 1 DP 255840, Lot 1 DP 194296 & Lot 6 DP 1114480, 7A Park Lane and 62 Elrington Street, Braidwood, be granted conditional approval.

The resolution was carried unanimously.

7.2 Outcomes of Public Exhibition of Sutton Planning Proposal - Lot 3 DP 1074706, 202 Goolabri Drive, Sutton

PLA029/20

RESOLVED (Schweikert/Hicks)

That:

1. Council progress the planning proposal for Lot 3 DP 1074706, Goolabri Drive, Sutton by negotiating a solution with the property owner to identify and protect the vegetated areas included in the conservation areas identified by the Department of Planning, Industry and Environment – Biodiversity and Conservation.
2. Where the planning proposal for Lot 3 DP 1074706, Goolabri Drive, Sutton requires significant amendment as a result of the negotiated solution in recommendation 1 above, then a report be prepared for Council, prior to further progressing the planning proposal.

The resolution was carried unanimously.

- 7.3 **Amendment to Development Control Plans Following Adoption of Community Engagement and Participation Plan**
- PLA030/20 **RESOLVED (Harrison/Schweikert)**
- That Council adopt the amendments to the Queanbeyan Development Control Plan 2012 and the Palerang Development Control Plan 2015.
- The resolution was carried unanimously.
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- 7.4 **Googong Urban Development Local Planning Agreement - Second Deed of Variation**
- PLA031/20 **RESOLVED (Taylor/Schweikert)**
- That Council:
1. Agree to vary the Googong Urban Development Local Planning Agreement as identified in Attachments 1 and 2 to this report.
 2. Authorise the Mayor and Chief Executive Officer to execute the Second Deed of Variation to the Googong Urban Development Local Planning Agreement.
 3. Authorise the Mayor and Chief Executive Officer to execute the Googong Urban Development Local Planning Agreement with the proposed changes as outlined in 1 above.
- The resolution was carried unanimously.
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- 7.5 **Draft Local Strategic Planning Statement - 'Towards 2040'**
- PLA032/20 **RESOLVED (Taylor/Schweikert)**
- That Item 7.5 'Draft Local Strategic Planning Statement – Towards 2040' be deferred to the April Ordinary meeting.
- The resolution was carried unanimously.

7.6 Developer Contributions - Residential Accommodation Destroyed by Bushfire or Other Natural Disasters

PLA033/20

RESOLVED (Biscotti/Schweikert)

That:

1. Council not charge developer contributions (either section 7.11 or 7.12 contributions under the *Environmental Planning and Assessment Act 1979* or section 64 contributions under the *Local Government Act 1993*) for the reconstruction of residential accommodation destroyed by bushfire or other natural disaster where that dwelling:
 - a. Has a lawful consent or was lawfully constructed; and
 - b. Does not involve the creation of an additional developable lot or an additional dwelling.
2. This approach be incorporated into Council's Section 7.11 Plans, Local Infrastructure Contribution Plans and Section 64 Plans as they are reviewed.

The resolution was carried unanimously.

7.7 Queanbeyan Civic and Cultural Precinct - Tender for Multi Discipline Engineering Design Services

PLA034/20

RESOLVED (Schweikert/Taylor)

That Council accept the tender from Norman Disney & Young for the provision of Multi Discipline Engineering design services for the Queanbeyan Civic and Cultural Precinct following the recommendations of the Tender Evaluation Report for Contract 2020-14.

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

Against: Cr Marshall

7.8 Queanbeyan Civic and Cultural Precinct - Tender for Architectural and Interior Design Services

PLA035/20

RESOLVED (Schweikert/Taylor)

That Council accept the tender from Cox Architecture Pty Ltd for the provision of Architectural and Interior Design Services for the Queanbeyan Civic and Cultural Precinct following the recommendations of the Tender Evaluation Report for Contract 2020-12.

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

Against: Cr Marshall

7.9 Queanbeyan Civic and Cultural Precinct - Tender for Civil and Structural Engineering Design Services

PLA036/20

RESOLVED (Schweikert/Taylor)

That Council accept the tender from Indesco Pty Ltd for the provision of Civil and Structural Engineering design services for the Queanbeyan Civic and Cultural Precinct following the recommendations of the Tender Evaluation Report for Contract 2020-13.

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

7.10 Queanbeyan Riverside Tourist Park

Procedural Motion

PLA037/20

RESOLVED (Harrison/Schweikert)

That Item 7.10 - Queanbeyan Riverside Tourist Park, be deferred to the end of the Agenda and in Closed Session 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.

The resolution was carried unanimously.

7.11 Draft Probity Policy

PLA038/20

RESOLVED (Schweikert/Taylor)

That Council endorse the draft Probity Policy and place it on public exhibition for 28 days to seek community comment prior to reporting back for consideration of submissions and its final adoption.

The resolution was carried unanimously.

7.12 Updating and Harmonisation of Council Policies

PLA039/20

RESOLVED (Harrison/Hicks)

That Council:

1. Place the following policies on public exhibition and report back for adoption consisting of:
 - Draft Records Policy
 - Draft Unsolicited Proposals Policy
 - Draft Public Art Policy
2. Agree to amend the Sewer Connections – Limit of Council Responsibility Policy to clarify property-owner responsibilities in respect of sewer connections as amended.

The resolution was carried unanimously.

7.13 COVID-19 - Financial Impacts

PLA040/20

RESOLVED (Overall/Winchester)

That:

- A. Council agree to the following measures to assist residents, business and community organisations during the COVID-19 crisis, and the financial sustainability of local government:
1. Extend the modified approach to apply for hardship relief to residential and business ratepayers suffering under the COVID-19 pandemic.
 2. Promote the options for deferred and extended rate payments and waiver of interest charges, under approved payment plans.
 3. Extend the maximum period of those payment plans to two years.
 4. Waive or defer rents for commercial operators leasing Council property who can demonstrate financial distress due to the coronavirus, in line with Commonwealth/State Government codes and delegate to the CEO to action accordingly.
 5. Increase the budget allocation for Donations under categories C (rates and charges) and D (rental rebate), to consider further requests for relief from rent and rate charges from eligible groups and organisations, noting recipients of donations under Category A (general assistance) and B (facility hire/lease) that are now the subject of event cancellations or facility closures, may retain those donations for use next financial year.
 6. Continue to waive footpath hire and related fees for business.
 7. Continue to provide and subsidise Council-initiated online training, marketing and other support programs to local business.
 8. Offer subsidised private works, within the programmed works capacity of Council, under terms of the Act.
 9. Defer direct tourism and other marketing until Government orders are lifted and residents and business can travel interstate.
 10. Offer deferred developer contributions for developments related to business in the COVID-19 recovery period.
 11. Defer the proposed Bungendore and Braidwood stormwater levy and associated works by one year.
 12. Work with local service providers for a coordinated COVID-19/Bushfire neighbourhood program in support of vulnerable members of the community to assist drop offs, call ins and the like.

- B. Council agree to join with the Local Government sector in advocacy measures outlined in the report, including those measures advocated to all councils by LGNSW in i. - iv. below, to assist funding of local government and economic stimulus.
- i. Commends the NSW and Federal Governments on their stewardship during this crisis and commits to working in partnership to protect community health and sustain local economies through this crisis.
 - ii. Calls on the Federal Government and NSW Government to urgently deliver comprehensive and multifaceted financial support and stimulus packages to local government to enable them to continue to operate effectively and provide essential services during the COVID-19 pandemic.
 - iii. Calls for the packages to include the following measures:
 - Increasing Financial Assistance Grants payments to 1% of total Commonwealth tax revenues to help councils maintain essential functions and services, acknowledging the increased costs and mounting revenue losses arising from COVID-19 (and drought and bushfire where affected) as well as giving councils capacity to provide hardship assistance to businesses and residents.
 - Immediate financial assistance to support Council employees, especially in early education and care.
 - Providing stimulus funding to councils for projects that will help sustain council operations and boost local economies. This could be achieved through increasing or bringing forward funding under existing funding programs or introducing new programs.
 - Increased access to TAFE, VET and other apprenticeship opportunities that council staff can undertake to address skill shortages, especially for staff in non-essential services who are unable to be redeployed.
 - iv. Write to the local Federal and State Members, the Prime Minister, and the NSW Premier to confirm their support for increased financial assistance and stimulus funding for local government to help councils maintain essential services and employment during the COVID-19 pandemic.
- C. Council not apply any forthcoming annual increase in Councillor and Mayor fees, as may be determined by the Local Government Remuneration Tribunal, for an initial period of six months.
- D. Council arrange appropriate communications for COVID-19 assistance and advocacy.
- E. A report on the effectiveness of these measures be presented to Councillors every two months or as required.

F. All measures be reviewed in six months for potential re-endorsement.

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

7.14 Investment Report - February 2020

PLA041/20

RESOLVED (Bray/Hicks)

That Council:

1. Note the investment return for February 2020 was -\$458,919.
2. Note the investment portfolio has been made in accordance with the *Local Government Act 1993*, the *Local Government (General) Regulation 2005* and Queanbeyan-Palerang Regional Council's Investment Policy.
3. Receive the Investment Report for the month of February 2020.

The resolution was carried unanimously.

8. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

8.1 Update on Development Applications Under Consideration by Southern Regional Planning Panel

PLA042/20

RESOLVED (Harrison/Schweikert)

That the report be received for information.

The resolution was carried unanimously.

8.2 NSW Planning Portal - Online Lodgements

PLA043/20

RESOLVED (Hicks/Schweikert)

That the report be received for information.

The resolution was carried unanimously.

8.3 Proposed Memorial Park - Old Cooma Road, Googong

PLA044/20

RESOLVED (Taylor/Schweikert)

That the report be received for information.

The resolution was carried unanimously.

8.4 Maintenance Grading and Gravel Resheeting Update

PLA045/20

RESOLVED (Schweikert/Harrison)

That the report be received for information.

The resolution was carried unanimously.

- PLA046/20 **8.5 Local Government General Election Postponement**
RESOLVED (Taylor/Schweikert)

That the report be received for information.

The resolution was carried unanimously.

- PLA047/20 **8.6 Status of Major Projects - Stronger Communities Fund**
RESOLVED (Taylor/Hicks)

That the report be received for information.

The resolution was carried unanimously.

- PLA048/20 **8.7 Delegates Report**
RESOLVED (Schweikert/Taylor)

That the report be received for information.

The resolution was carried unanimously.

9. REPORTS OF COMMITTEES

- PLA049/20 **9.1 Wamboin Hall Management s.355 Committee Minutes**
RESOLVED (Harrison/Hicks)

That Council note the minutes of Wamboin Hall Management s.355 Committee's meeting held on 27 February 2020.

The resolution was carried unanimously.

10. NOTICE OF MOTIONS

- 10.1 Notice of Motion: Further Consideration of Planning Proposal Request - Lot 16 DP 849996, Williamsdale Road, Williamsdale**

As Item 6.1 - Notice of Motion of Rescission, was LOST, this item lapsed.

11. QUESTIONS WITH NOTICE

- PLA050/20 **11.1 Responses to Councillors' Questions**
RESOLVED (Taylor/Schweikert)

That the report be received for information.

The resolution was carried unanimously.

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

As resolved previously, Item 7.10 Queanbeyan Riverside Tourist Park, be dealt with in Closed Session 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.

PLA051/20

RESOLVED (Overall/Taylor)

That Council move into Closed Session.

The resolution was carried unanimously.

The meeting then moved into Closed Session at 7.05pm to discuss the matter listed above.

7.10 Queanbeyan Riverside Tourist Park

PLA052/20

RESOLVED (Overall/Biscotti)

That Council agree to the outstanding terms of the lease of the Queanbeyan Riverside Tourist Park as proposed in Attachment 1, but with the Lease Term being five (5) years, plus five (5) years right of refusal, subject to satisfactory performance and criteria being included in the lease agreement.

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

Against: Crs Harrison, Schweikert and Taylor

PLA053/20

RESOLVED (Overall/Taylor)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 7.21pm.

In accordance with Clause 253 of the *Local Government (General) Regulations 2005*, the Mayor then read out the decision of Council made in Closed Session.

It was noted that Cr Brown was absent from the meeting as he was unable to join via audio-visual link.

13. CONCLUSION OF THE MEETING

The time being 7.22pm, Cr Overall announced that the Agenda for the meeting had now been completed.

**CR TIM OVERALL
MAYOR
CHAIRPERSON**