



## **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 February 2017 commencing at 5.30pm.

### **ATTENDANCE**

**Administrator:** Tim Overall (Chair)

**Staff:** P. Tegart, Interim General Manager; M. Thompson, Acting Director Environment, Planning & Development.

**Also Present:** W Blakey, Management Accountant (Clerk of the Meeting) and R Potter (Minute Secretary).

#### **1. APOLOGIES**

No apologies were received.

**2. PRESENTATIONS/DEPUTATIONS/PETITIONS**

PLA001/17

**RESOLVED (Overall)**

The Administrator resolved that all presenters be heard for up to five minutes.

Michael Gartner – Photon Energy - DA 389-2016 – Proposed Solar Farm – 502 Lanyon Drive, Jerrabomberra

Kristen Risby – Item 4.1 – 13 Myrtle Close, Jerrabomberra – Modification of Consent DA 201-2015/A

Marguerite Gardner – Item 4.2 – Submission – Jupiter Windfarm Project at Tarago – SSD 13-6277

Winston Nash – Item 4.2 – Submission – Jupiter Windfarm Project at Tarago – SSD 13-6277

Anthony Gardner – Item 4.2 – Submission – Jupiter Windfarm Project at Tarago – SSD 13-6277

John Fern – Item 4.2 – Submission – Jupiter Windfarm Project at Tarago – SSD 13-6277

Jenny Hajek – Item 4.2 – Submission – Jupiter Windfarm Project at Tarago – SSD 13-6277

Sue Whelan – Item 5.1 – Queanbeyan CBD Carparking

Les Manning – Item 5.1 – Queanbeyan CBD Carparking

**3. DECLARATIONS OF INTEREST**

PLA002/17

**RESOLVED (Overall)**

The Administrator resolved that the Administrator now disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.

No declarations.

**STAFF REPORTS**

**4. ENVIRONMENT, PLANNING AND DEVELOPMENT**

**4.1 13 Myrtle Close Jerrabomberra Modification of Consent DA 201-2015A**

PLA003/17

**RESOLVED (Overall)**

The Administrator resolved:

1. That the application to modify Development Consent 201-2015/A for a two storey dwelling house and swimming pool on Lot 170 DP 1057626, 13 Myrtle Close, Jerrabomberra be granted approval subject to the original conditions of consent and the inclusion of the following:

(a) Amend condition 35

**35 PRIVACY SCREEN**

A 1.8m privacy screen is required to be erected as shown on the approved plans prior to the issue of the Occupation Certificate. The material of the privacy screen is required to be powder coated steel "Monument" horizontal slats with a maximum aperture of 25mm.

**REASON:** To safeguard the privacy of the adjoining northern neighbour

b) Insert new condition 14A

**14A IN ACCORDANCE WITH THE APPROVED PLANS**

The clothes line must be relocated to the lower level RL 696.1 and be installed on the inside of the powder coated steel privacy screen as amended in red on modified plans submitted with the Application to Modify a Consent on 29 November 2016.

**REASON:** To reduce the visibility of the clothes line from the reserve at the rear of the subject site, the adjoining properties and Aspen Rise.

c) Insert new Condition 37A

**37A MODIFY PAVING EXTENT**

Prior to the issue of a final occupation certificate the existing paving between the side retaining wall and boundary fence (marked in red on the approved plan) shall be modified to ensure that any paving or fill material is supported independently and separated from the sheet metal fencing by a clear space of at least 25mm. This paved area shall be graded to direct surface runoff away from the property boundary.

**REASON:** The paving has been constructed in such a way that it relied on the fencing material for support. Removing paving and supporting fill material so that it is clear of the fence will ensure that the fence is not damaged by any material placed against it and that it can be maintained in the future.

2. That the Principal Certifying Authority (PCA) provide to Council a certificate from a practising structural engineer confirming that the rear retaining wall in excess of 2.2m high is structurally sound.
3. That Council take no further action in relation to privacy concerns resulting from the height of existing paving between the side retaining wall and boundary fence (as shown in Figure 6 of the report) as the likely impacts are minimal.
4. That Council notes that the small section of grass landscaping adjacent to the rear laundry door shown on the modified plans has been paved and calculated as impervious area in the landscaping coverage calculation.
5. That the applicant submit a proposed pool barrier fencing design to the PCA prior to the pool being filled to ensure the PCA is satisfied that the barrier when completed will comply with the provisions of the Swimming Pool Act 1992.
6. That those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.

**4.2 Submission - Jupiter Windfarm Project at Tarago - SSD 13\_6277**

PLA004/17

**RESOLVED (Overall)**

The Administrator resolved that Council lodge a submission to the NSW Department of Planning and Environment on SSD 13\_6277 for the Jupiter Wind Farm Project on Kings Highway, Tarago that raises the issues outlined in this report and objects to the proposal as presented, with the following additional comments:

- a) the January 2017 Currandooley fire reinforcing the Town Planner's comments about the potential obstruction of aerial firefighting, and
- b) that if approved, the Jupiter Windfarm will be an impediment to further residential and infrastructure development in this largely rural residential area

**4.3 Review of Section 64 Water and Sewer Contribution - Home Businesses**

PLA005/17

**RESOLVED (Overall)**

The Administrator resolved:

1. That under the Queanbeyan and Googong Water and Sewer Development Servicing Plans, Council confirm as policy that approved uses associated with a home business or home occupation are exempt from the payment of S64 contributions for any additional equivalent tenements generated.
2. That any approval for a home business or home occupation that generates trade waste discharges be conditioned to require the annual submission of a trade waste application and associated fee for consideration by Council.

**4.4 Road Naming Proposal - Brimble Close - Bungendore**

PLA006/17

**RESOLVED (Overall)**

The Administrator resolved that Council:

1. Adopt in principle the name 'Brimble Close' as the proposed name for the new road created within the subdivision of Lot 8 DP976608, subject to concurrence from the Geographical Names Board;
2. Advertise the name for public comment for 30 days.
3. Subject to no objections being received, publish a notice in the NSW Government Gazette confirming the selection of the new name.
4. Include on the street sign a commemoration to the individual's contribution to World War 1.

**4.5 Road Naming Proposal - Jacombs Street - Bungendore**

PLA007/17

**RESOLVED (Overall)**

The Administrator resolved that Council:

1. Adopt in principle the name "Jacombs Street" as the proposed name for the new road created as part of the subdivision of Lots 3, 4 and 5 DP 1195030 and Lot 30 DP 1217652, Bungendore, subject to concurrence from the Geographical Names Board.
2. Advertise the name for public comment for 30 days.
3. Subject to no objections being received, publish a notice in the NSW Government Gazette confirming the selection of the new name.
4. Include on the street sign a commemoration to the individual's contribution to World War 1.

**4.6      Proposal for Naming of Several Parks and Reserves - Googong**

PLA008/17

**RESOLVED (Overall)**

The Administrator resolved:

1. That Council endorse the following proposed names for parks and reserves in Googong for the purposes of public exhibition for a period of 28 days.
  - Googong Common - Bunburung Thina
  - Hill 800 - Nangi Pimble
  - Playground area adjacent to the second display village within NH1B - Yerradhang Nguru
  - Open Space at Montgomery Rise - Munnagai Woggabaliri
2. That the Nambri Local Aboriginal Land Council be provided with a copy of the report and be afforded the opportunity to comment during the exhibition period.
3. That a report be submitted to Council detailing the outcomes of the public exhibition period.

**5.      STRATEGIC DEVELOPMENT**

**5.1      Queanbeyan CBD Carparking**

PLA009/17

**RESOLVED (Overall)**

The Administrator resolved that Council:

1. Receive and note the report on Queanbeyan CBD Carparking.
2. Defer consideration of the updated carparking strategy, pending a further report on estimates and options to construct a formal carpark at the Showground, and multi deck carpark at Morisset north and south carparks, including consideration of a cinema and commercial space with the Morisset south carpark.

## 6. DETERMINATION REPORTS

### 6.1 Applications under the \$9m Stronger Communities Fund – Major Infrastructure Projects

PLA010/17

#### RESOLVED (Overall)

The Administrator resolved that Council:

1. Note the following list of major infrastructure projects proposed by the community and the Assessment Panel under the \$9m second round of the Stronger Communities Fund;

#### Community Facilities & Infrastructure Projects:

Committed in first round Various	\$281,543
Araluen s.355 (previously committed) Araluen	\$15,000
Eastern Pools (previously committed) Braidwood, Bungendore & Captains Flat	\$400,000
Town Centre Improvements Braidwood	\$500,000
Town Centre Improvements Bungendore	\$500,000
Rusten House Queanbeyan	\$550,000
Abbeyfield Aged Accommodation Bungendore	\$1,000,000
Dog Park Googong	\$125,000
Refurbish Netball Courts Karabar	\$175,000
Wet Play Area Queanbeyan Aquatic Centre	\$450,000
Showground Grandstand Queanbeyan	\$350,000
Seiffert Oval Lights Queanbeyan	\$200,000
BWD Rec Ground Stage 2 Braidwood	\$300,000
BGD Rec Ground Stage 1 Bungendore	\$1,500,000
River path incl. low level foot bridge Queanbeyan	\$760,000
Streetscape improvements, commercial precinct Karabar	\$46,000
Queanbeyan Park central playground equipment Queanbeyan	\$250,000
Glebe Park Playground Queanbeyan	\$90,000
Henderson Road Recreation Area Queanbeyan	\$125,000
Aquatic Centre – paint and restore domes and archway Queanbeyan	\$150,000
Seiffert Oval spectator entrance improvements Queanbeyan	\$200,000
Upgraded community facilities Captains Flat	\$100,000
Lascelles Street upgrade Braidwood	\$800,000
Upgrade Lighting Margaret Donohue Oval Queanbeyan	\$200,000
Queens Bridge approach enhancement from Yass Road Queanbeyan	\$200,000

#### Also proposed by the Assessment Panel - as one alternative:

Flood proof "the Dip" Bungendore Road Queanbeyan	\$1,746,000
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2. Note that the Queanbeyan Tigers Club applied for and were granted \$50,000 to upgrade lighting at Margaret Donohue Oval under the Stronger Communities Fund Community Grants Program and based on recent technical advice there is now an estimated funding shortfall of \$200,000 on the estimated project value of \$510,000;
3. Seek community feedback in accord with the adopted schedule and consideration by the Assessment Panel;
4. Consider the comments and feedback from the community and the Local Representation Committee about the projects at Council's Ordinary meeting on 22 March 2017, prior to formal approval.

**6.2      Canberra Symphony Orchestra Event**

PLA011/17

**RESOLVED (Overall)**

The Administrator resolved that Council

1.      Approve expenditure of \$37,900 to conduct the Canberra Symphony Orchestra event in Queen Elizabeth II Park on 4 March 2017;
2.      Approve the suspension of the Alcohol Free Zone in Queen Elizabeth II Park for the duration of the event.
3.      Consider the annual inclusion of the Canberra Symphony Orchestra event in the long term financial plan.

**7.      INFORMATION REPORTS**

**S.1      Queanbeyan Reserves Reserve Trust Management Committee Meeting 2 February 2017**

PLA012/17

**RESOLVED (Overall)**

That the report be received for information.

**Site Inspection - DA Modification 201-2015/A - 13 Myrtle Close,**

PLA013/17

**RESOLVED (Overall)**

That the report be received for information.

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

At this stage of the proceedings Mr Overall advised that there were items on the Agenda that should be dealt with in Closed Session.

Mr Overall then asked that, in accordance with Clause 59.6 of the Council's Code of Meeting Practice, were there any presentations as to why the matters listed below should not be dealt with in Closed Session.

**PRESENTATIONS**

No presentations were made.



PLA014/17

**RESOLVED (Overall)**

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 S.2 Request for Acquisition of Property**

*Item S.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) 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 Sessions by virtue of Resolution No. PLA016/17 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, Mr Overall then read out the decisions of Council made in Closed Session.

**S.2 Request for Acquisition of Property**

The Administrator resolved:

1. That the report be received and noted;
2. That the Council agree to the proposal to sell an area of 445 m2 at 155A Crawford Street Queanbeyan to the adjoining property owner and authorise the General Manager to negotiate a sale price guided by Council's valuation with any costs associated with the land acquisition be met by the purchaser;
3. That a Deed of Agreement be executed for the sale subject to the adjoining property owner obtaining the required Development Approval for the combined site.

At this stage in the proceedings, the time being 7.05pm Mr Overall announced that the Agenda for the meeting had now been completed and declared the meeting closed.

**TIM OVERALL  
ADMINISTRATOR  
CHAIRPERSON**