



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Bungendore Council Chambers on Wednesday, 19 December 2018 commencing at 5:30PM.

ATTENDANCE

Councillors: Cr Overall (Chair), Crs Biscotti, Bray AM, Brown, Harrison, Hicks, Marshall, Schweikert and Taylor.

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

2. APOLOGIES

437/18

RESOLVED (Taylor/Schweikert)

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

The resolution was carried unanimously.

3. DISCLOSURES OF PECUNIARY INTERESTS

438/18

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.

4. CONFIRMATION OF MINUTES

4.1 Minutes of the Ordinary Meeting of Council held on 28 November 2018

439/18

RESOLVED (Schweikert/Harrison)

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 28 November 2018 be confirmed.

The resolution was carried unanimously.

5. PRESENTATION BY DEPARTMENTAL OR OTHER REPRESENTATIVES

There were no presentations.

6. BUSINESS ARISING FROM THE MINUTES

There were no presentations.

7. PRESENTATIONS FROM THE GALLERY RELATING TO LISTED ITEMS ON THE AGENDA AND PETITIONS

The following presenters were heard:

Mr Travis Doherty – Item 12.2 - South Jerrabomberra Planning Proposal

Mrs Carmel Johnston – Item 12.3 – Rural Land Requests

Mrs Val Johanson – Item 12.3 – Rural Land Requests

440/18

RESOLVED (Taylor/Bray)

That Mrs Johanson be granted an extension of one minute to speak.

The resolution was carried unanimously.

Mrs Kylie Coe – Item 12.3 – Rural Land Requests

441/18

RESOLVED (Schweikert/Taylor)

That Mrs Coe be granted an extension of one minute to speak.

The resolution was carried unanimously.

Mr Paul Johanson – Item 12.3 – Rural Land Requests

Mr John Meads – Item 12.3 – Rural Land Requests

8. MAYORAL REPORT

There was no Mayoral Report.

9. MAYORAL MINUTE

There was no Mayoral Minute.

10. NOTICES OF MOTIONS OF RESCISSION

There were no Notices of Motions of Rescission.

11. Notices of Motions

11.1 Graffiti Wall Trial

442/18

RESOLVED (Schweikert/Taylor)

That Council establish a trial Graffiti Wall in Bungendore for review in 18 months to examine:

- its utility;
- applicability to graffiti reduction;
- acceptance by the community;
- long term viability, and
- for potential roll out in to other parts of the LGA.

The resolution was carried unanimously.

Procedural Motion

443/18

RESOLVED (Marshall/Schweikert)

That item 12.3 be brought forward at this juncture.

The resolution was carried unanimously.

12.3 Rural Land Requests

MOVED (Overall/Biscotti)

That:

1. The request to allow a dwelling to be erected on Lot 9 DP 754867 Boro be progressed for the following reasons:
 - a. The Applicant is requesting a building entitlement for a dwelling on an existing lot and given that there are existing properties in the immediate area that are below the 40ha minimum, that have established dwellings, granting a building entitlement would not set a precedent.
 - b. Council provide in principle support for a variation under Clause 4.6 of the Palerang Local Environmental Plan 2014 subject to the applicant making a written submission which addresses the matters of Clause 4.6 in conjunction with a development application for a dwelling on that land. Specifically, the variation would permit a reduction in the minimum lot size from 40ha to 33.5ha a variation of 16.25% while also noting that the concurrence of the Secretary of the Department of Planning and Environment will be

required as the lot size varies by more than 10% of the minimum lot size for this Zone. A variation is supported in principle as:

- a. The proposed development is compatible with the character of the existing locality and satisfies the objectives of the RU1 Primary Production zone under the Palerang Local Environmental Plan 2014 (4.15(1)(a)(i) Environmental Planning and Assessment Act 1979).
 - b. The material already submitted by the Applicant demonstrates that they are likely to be able satisfy the requirements of clause 4.6 under the Palerang Local Environmental Plan 2014 (4.15(1)(a)(i) Environmental Planning and Assessment Act 1979).
2. The PLEP 2014 minimum lot size for the R5 Large Lot Residential portion of Lot 11 DP 1058499, Llewellyn Drive, Braidwood remain at 5,000m².
 3. The request to allow small residential lots on Lot 15 DP 1044797, Little River Road, Braidwood be deferred for a maximum of 12 months.
 4. The request to rezone Lot 15 DP 270600, Lot 1 DP 669141, Lots 82 and 83 DP 754922 Carwoola for development as a residential area not be progressed.
 5. The request to remove the E3 Environmental Management zone on Lot 21 DP 1018890 Lake George and to rezone the land to permit residential subdivision not be progressed.
 6. The request for Lot 16 DP 846996, Williamsdale to be subdivided to allow an existing dwelling to be on a separate lot not be supported.

Cr Harrison foreshadowed CONTRARY motion: ["That:

1. The request to allow a dwelling to be erected on Lot 9 DP 754867 Boro not be progressed.
2. The PLEP 2014 minimum lot size for the R5 Large Lot Residential portion of Lot 11 DP 1058499, Llewellyn Drive, Braidwood remain at 5,000m².
3. The request to allow small residential lots on Lot 15 DP 1044797, Little River Road, Braidwood not be progressed.
4. The request to rezone Lot 15 DP 270600, Lot 1 DP 669141, Lots 82 and 83 DP 754922 Carwoola for development as a residential area not be progressed.
5. The request to remove the E3 Environmental Management zone on Lot 21 DP 1018890 Lake George and to rezone the land to permit residential subdivision not be progressed.
6. The request for Lot 16 DP 846996, Williamsdale to be subdivided to allow an existing dwelling to be on a separate lot not be supported."]

The motion (of Crs Overall and Biscotti) was WITHDRAWN.

444/18

RESOLVED (Schweikert/Taylor)

That:

1. The request to allow a dwelling to be erected on Lot 9 DP 754867 Boro be progressed for the following reasons:
 - a. The Applicant is requesting a building entitlement for a dwelling on an existing lot and given that there are existing properties in the immediate area that are below the 40ha minimum, that have established dwellings, granting a building entitlement would not set a precedent.
 - b. Council provide in principle support for a variation under Clause 4.6 of the Palerang Local Environmental Plan 2014 subject to the applicant making a written submission which addresses the matters of Clause 4.6 in conjunction with a development application for a dwelling on that land. Specifically, the variation would permit a reduction in the minimum lot size from 40ha to 33.5ha a variation of 16.25% while also noting that the concurrence of the Secretary of the Department of Planning and Environment will be required as the lot size varies by more than 10% of the minimum lot size for this Zone. A variation is supported in principle as:
 - a. The proposed development is compatible with the character of the existing locality and satisfies the objectives of the RU1 Primary Production zone under the Palerang Local Environmental Plan 2014 (4.15(1)(a)(i) *Environmental Planning and Assessment Act 1979*).
 - b. The material already submitted by the Applicant demonstrates that they are likely to be able satisfy the requirements of clause 4.6 under the Palerang Local Environmental Plan 2014 (4.15(1)(a)(i) *Environmental Planning and Assessment Act 1979*).
2. The PLEP 2014 minimum lot size for the R5 Large Lot Residential portion of Lot 11 DP 1058499, Llewellyn Drive, Braidwood remain at 5,000m².
3. The request to allow small residential lots on Lot 15 DP 1044797, Little River Road, Braidwood be deferred for a maximum of 12 months.
4. The request to rezone Lot 15 DP 270600, Lot 1 DP 669141, Lots 82 and 83 DP 754922, Carwoola for development as a residential area not be progressed.
5. The request to remove the E3 Environmental Management zone on Lot 21 DP 1018890 Lake George and to rezone the land to permit residential subdivision not be progressed.
6. The request for Lot 16 DP 846996, Williamsdale to be subdivided to allow an existing dwelling to be on a separate lot be progressed.

For: Crs Biscotti, Bray, Hicks, Schweikert and Taylor

Against: Crs Brown, Harrison, Marshall and Overall

12. ITEMS FOR DETERMINATION

445/18

12.1 Modified Development Application 4-2009/B - Industrial Storage Units - 45 Bayldon Road, Queanbeyan West

RESOLVED (Schweikert/Bray)

That:

1. Modified development application 4-2009/B for the erection of eight (8) storage units on Lot 2 DP 1113242, No. 45 Bayldon Road, Queanbeyan West be granted conditional approval.
2. Enforcement action commence to resolve the matter of the unauthorised erection of the building marked as “not approved” on the original approved plans and identified as Units 15 – 21 on the plans for modification application 4-2009/B.

The resolution was carried unanimously.

446/18

12.2 South Jerrabomberra Planning Proposal

RESOLVED (Brown/Biscotti)

That Council:

1. Note the report.
2. Authorise staff to take all necessary actions to finalise the draft planning proposal for South Jerrabomberra.

The resolution was carried unanimously.

12.3 Rural Land Requests

This item was dealt with in earlier business.

447/18

12.4 Street Naming Proposal - Ricketts Place - Bungendore

RESOLVED (Schweikert/Hicks)

That Council:

1. Adopt in principle the name ‘Ricketts Place’ as the proposed name for the new road created by the subdivision of Lot 21 DP 1231346, Bungendore.
2. Advertise the name for public comment for 30 days.
3. Publish a notice in the NSW Government Gazette if no objections are received.
4. Include on the street sign a commemoration to the individual’s contribution to World War 1.

The resolution was carried unanimously.

- 448/18 **12.5 Braidwood Archaeological Management Plan**
RESOLVED (Schweikert/Taylor)
That Council:
1. Adopt the draft Braidwood Archaeological Management Plan in principle.
2. Place the draft document on public exhibition.
- The resolution was carried unanimously.
- 449/18 **12.6 Swimming Pool Inspection Program**
RESOLVED (Harrison/Schweikert)
That Council adopt the QPRC Swimming Pools Inspection Program as attached.
- The resolution was carried unanimously.
- 450/18 **12.7 Council Operations Sustainability Policy**
RESOLVED (Marshall/Brown)
That the policy be referred to Council's Environmental Sustainability Advisory Committee.
- The resolution was carried unanimously.
- 451/18 **12.8 Proposal from NRMA to Install Electric Car Charging Facilities at Braidwood**
RESOLVED (Hicks/Brown)
That Council:
1. Agree to the inclusion of an electric vehicle charging station as part of any future car park redevelopment of 88 Wallace Street Braidwood, if and when it occurs.
2. Consent to a formal arrangement with the NRMA by signing the Letter of Intent (attached).
- The resolution was carried unanimously.
- 452/18 **12.9 Request for Tender 2019-16 - Irrigation Upgrade to Mick Sherd Oval in Bungendore**
RESOLVED (Harrison/Schweikert)
That Council:
1. Award Tender 2019-16 to Tenderer number 1 Waterland Pty Ltd for the Mick Sherd Oval Irrigation Project for \$132,958.35 excl GST.
2. Assign a total budget cost of \$165,000 for the project.
- The resolution was carried unanimously.

12.10 Southern Lights Project

453/18

RESOLVED (Hicks/Taylor)

That Council:

1. Note the preparation of a business case for funding of the smart street lighting program by the NSW Government at a cost of \$61.4M and seek support for the project from the local member for Monaro.
2. Support in principle, the rollout of LED lighting with smart technology capability for all street lights in the local government area.
3. Receive a report following assessment of the business case, for estimates and any further involvement of Council.

The resolution was carried unanimously.

12.11 Updating and Harmonisation of Council Policies

454/18

RESOLVED (Bray/Schweikert)

That Council:

1. Endorse Council's Document Framework as set out in Attachment 2.
2. Adopt the following policies:
 - Development Adjacent to Water, Sewer and Stormwater Mains Policy
 - Signs as Remote Supervisor Policy
 - Sewer Connections – Limit of Council Responsibility Policy
 - Backflow and Cross Connection Policy
 - Playground Management Policy
 - Private Works – Pre-payment Policy
3. Rescind the relevant former Council's Policies.

The resolution was carried unanimously.

12.12 Investment Report - November 2018

455/18

RESOLVED (Bray/Schweikert)

That Council:

1. Note the 2018/19 investment income for November 2018 was \$168,144.63.
2. Note the investment portfolio has been made in accordance with the *Local Government Act 1993*, and the *Local Government (General) Regulation 2005*.
3. Adopt the Investment Report for the month of November 2018.

The resolution was carried unanimously.

456/18 **12.13 Licence Agreement - Riverside Cafe Queanbeyan**
RESOLVED (Biscotti/Schweikert)

That:

1. The Report be received and noted.
2. The Council agree in principle to a five year extension to the Licence Agreement for the Riverbank Café at Ray Morton Park, Queanbeyan and the application be progressed in accordance with S 47A of the *Local Government Act 1993*.
3. The matter be considered again by the Council only if there are objections to the proposal.
4. Council consider amending the licence to incorporate the improvements, subject to relevant planning approvals
5. The improvements be funded initially by the Council and repaid by the tenant as an extra facility payment during the tenancy.

The resolution was carried unanimously.

457/18 **12.14 Licence Agreement - Queanbeyan Children with Special Needs Group**
RESOLVED (Bray/Taylor)

That:

1. Council agree to the following variations to the Licence Agreement with the Queanbeyan Children Special Needs Group (QCWSNG) for the use of the building in Queanbeyan Park known as the "Treehouse":
 - To enable the Group to sublet the facility to the NSW Police to be used as a site office during the rebuild of the Queanbeyan Police Station, subject to the building being refurbished for future community use at the end of the tenure.
 - That the end date of the Licence Agreement be varied to align with the sublet period.
2. In accordance with S 47 of the *Local Government Act 1993* public notice of the proposal be provided.
3. The matter only be reconsidered by the Council if objections to the proposal are received.

The resolution was carried unanimously.

SUPPLEMENTARY REPORT

12.15 Site for Pre School - Queanbeyan

458/18

RESOLVED (Hicks/Schweikert)

That:

1. The report be received and noted.
2. Council support in principle the provision of a suitable site for the development of a third Pre School in Queanbeyan, either within part of Council Reserve off Hoover Road, or at 126A Morton Street Queanbeyan.
3. Planning issues associated with the two potential sites identified be investigated.
4. If either site is suitable and supported by the Queanbeyan Pre School Association, then Council agree to progress a Licence Agreement for the use of the land in accordance with the provisions of the *Local Government Act 1993*.
5. Subject to the above, the Council agree to progress the appropriate planning assessments for the development of the Pre School, upon lodgement of relevant development applications by the Queanbeyan Pre School Association.

The resolution was carried unanimously.

13. ITEMS FOR INFORMATION

13.1 New Comprehensive Local Environmental Plan - Gateway Determination

MOVED (Harrison/Marshall)

That the report be received for information.

AMENDMENT (Schweikert/Overall)

That:

1. Council receive the report for information.
2. Without delaying preparation of the Comprehensive LEP, Council develop a detailed justification report to include the policy matters a and c contained in the report, for consideration with the comprehensive LEP.
3. The report incorporate relevant resolutions of Council that arise from Council's consideration of the report from the consultants undertaking the Review of Zone E4 in the localities of Bywong and Wamboin.
4. The detailed justification report be submitted to Council no later than June 2019.
5. The Mayor write to the Minister informing them of Council's intention to provide that justification.

The amendment (of Crs Schweikert and Overall) was PUT and CARRIED and became the motion.

For: Crs Biscotti, Bray, Hicks, Overall, Schweikert and Taylor
Against: Crs Brown, Harrison and Marshall

459/18

RESOLVED (Schweikert/Overall)

That:

1. Council receive the report for information.
2. Without delaying preparation of the Comprehensive LEP, Council develop a detailed justification report to include the policy matters a and c contained in the report, for consideration with the comprehensive LEP.
3. The report incorporate relevant resolutions of Council that arise from Council's consideration of the report from the consultants undertaking the Review of Zone E4 in the localities of Bywong and Wamboin.
4. The detailed justification report be submitted to Council no later than June 2019.
5. The Mayor write to the Minister informing them of Council's intention to provide that justification.

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

Against: Crs Brown, Harrison and Marshall

13.2 Funding Agreement - Development of Plans of Management for Crown Land

460/18

RESOLVED (Hicks/Schweikert)

That the report be received for information.

The resolution was carried unanimously.

13.3 Queanbeyan Indoor Sport Centre Extension - 4 Star Green Star rating.

461/18

RESOLVED (Marshall/Taylor)

That the report be received for information.

The resolution was carried unanimously.

13.4 Queanbeyan CBD Transformation - Business Case

462/18

RESOLVED (Schweikert/Brown)

That the report be received for information.

The resolution was carried unanimously.

13.5 Major Projects Status - Stronger Communities Fund

463/18

RESOLVED (Schweikert/Biscotti)

That the report be received for information.

The resolution was carried unanimously.

13.6 Canberra Region Joint Organisation documents

464/18

RESOLVED (Harrison/Hicks)

That the report be received for information.

The resolution was carried unanimously.

13.7 Stronger Communities Fund and New Council Implementation Fund Programs

465/18

RESOLVED (Bray/Schweikert)

That the report be received for information.

The resolution was carried unanimously.

Procedural Motion

466/18

RESOLVED (Marshall/Brown)

That Council not adjourn for the scheduled meal break but continue with the meeting.

The resolution was carried unanimously.

13.8 Resolution Action Sheet

467/18

RESOLVED (Schweikert/Harrison)

That the report be received for information.

The resolution was carried unanimously.

14. COMMITTEE REPORTS AND RECOMMENDATIONS

14.1 Braidwood and Curtilage Heritage Advisory Committee Meeting held 8 November 2018

MOVED (Marshall/Schweikert)

That Council:

1. Note the minutes of the Braidwood and Curtilage Heritage Advisory Committee Meeting held on 8 November 2018.
2. Consider recommendation B&C HAC 004/18 from the meeting held on 8 November 2018.

B&C HAC 004/18 That Council propose to the Office of Environment and Heritage that they provide funding to support the 2006 State Heritage listing of Braidwood and Curtilage.

AMENDMENT (Marshall/Schweikert)

That:

1. Council note the minutes of the Braidwood and Curtilage Heritage Advisory Committee Meeting held on 8 November 2018.
2. Council prepare a submission to the Office of Environment and Heritage for funding to support the 2006 State Heritage listing of Braidwood and Curtilage and that the submission be prepared following the adoption of the planned Braidwood Structure Plan.
3. The Braidwood and Curtilage Heritage Advisory Committee be consulted in the preparation of the draft submission.
4. The Mayor and CEO seek a meeting with the Minister for Heritage to advise the Minister of intentions in this regard and importance of ongoing and new funding for the heritage of Braidwood.

The amendment (of Crs Marshall and Schweikert) was PUT and CARRIED unanimously and became the motion.

468/18

RESOLVED (Marshall/Schweikert)

That:

1. Council note the minutes of the Braidwood and Curtilage Heritage Advisory Committee Meeting held on 8 November 2018.
2. Council prepare a submission to the Office of Environment and Heritage for funding to support the 2006 State Heritage listing of Braidwood and Curtilage and that the submission be prepared following the adoption of the planned Braidwood Structure Plan.
3. The Braidwood and Curtilage Heritage Advisory Committee be consulted in the preparation of the draft submission.
4. The Mayor and CEO seek a meeting with the Minister for Heritage to advise the Minister of intentions in this regard and importance of ongoing and new funding for the heritage of Braidwood.

The resolution was carried unanimously.

15. DELEGATES' REPORTS

Cr Schweikert reported on his attendance at the following:

- Googong Anglican School presentation day
- Braidwood St Bedes presentation day
- Announcement of Jerrabomberra and Bungendore High Schools
- National Local Government awards
- Second Cyber Safety for parents seminar
- Australia Day Committee meeting
- Bungendore and Queanbeyan Christmas street parties

Cr Harrison reported on his attendance at the Dargues Reef Community Consultative Committee.

Cr Bray reported on his attendance at the following:

- Queanbeyan Legacy function
- Terribly British car show
- Queanbeyan Men's Shed function
- QPRC Staff Christmas function
- Launch of 'The Q' program for 2019

Cr Marshall reported on his attendance at the Waste Strategy Working Group meeting.

Cr Overall reported on his attendance at the following:

- Canberra and Urban Regional Future's forum
- Braidwood, Bungendore and Queanbeyan community Christmas events
- Legacy Ward's Christmas party
- Terribly British car show
- CRJO Board meeting
- 'The Q' 2019 season launch
- QPRC staff Christmas party
- Funding announcements for Queanbeyan SES, Northern entry road, Jerrabomberra High School and Bungendore High School
- Ten school and TAFE presentation events

16. RESPONSES TO COUNCILLORS' QUESTIONS

16.1 Responses to Councillors' Questions

469/18

RESOLVED (Taylor/Marshall)

That the report be received for information.

The resolution was carried unanimously.

18. MATTERS OF WHICH NOTICE HAS NOT BEEN GIVEN BUT RULED BY THE CHAIR TO BE CONSIDERED

There were no matters.

19. COUNCILLORS' QUESTIONS FOR NEXT MEETING

1. Cr Schweikert requested a report on the 'Food for Fines' campaign held in the QPRC libraries.
2. Cr Schweikert requested an update on the trial of the Bungendore taxi sign.
3. Cr Schweikert requested information on how residents and property owners deal with stormwater run-off from neighbouring properties.

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

At this stage of the proceedings Cr Overall advised that there was an item 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.

470/18

RESOLVED (Schweikert/Marshall)

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 20.1 Award of RFS Infrastructure Tender

Item 20.1 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.

The resolution was carried unanimously.

Council moved into Closed Session at 7.50pm to discuss the matter listed above.

20.1 Award of RFS Infrastructure Tender

471/18

RESOLVED (Hicks/Schweikert)

That Council:

1. Not Award tender 18/2018 for the design and construction of the Captains Flat Rural Fire Station demountable.
2. Manage the construction of Captains Flat Rural Fire Station using the existing Council trades panel where possible.

The resolution was carried unanimously.

472/18

RESOLVED (Taylor/Schweikert)

That Council return to the Ordinary meeting.

The resolution was carried unanimously.

The meeting returned to Open Session at 7.51pm.

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.

The Mayor and CEO thanked councillors and staff for their contributions over 2018, and wished all a merry Christmas and safe new year.

The time being 7.53pm Cr Overall announced that the Agenda for the meeting had now been completed.

**CR TIM OVERALL
MAYOR
CHAIRPERSON**