



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Queanbeyan Council Chambers on Wednesday, 22 April 2020 commencing at 5.30pm.

ATTENDANCE

Councillors: Cr Overall (Chair), Crs Biscotti, Bray AM, Brown, 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.

4. CONFIRMATION OF MINUTES

4.1 Minutes of the Ordinary Meeting of Council held on 25 March 2020

RESOLVED (Taylor/Bray)

That the Minutes of the Ordinary Meeting of Council held in the Bungendore Council Chambers on Wednesday 25 March 2020 be confirmed.

The resolution was carried unanimously.

085/20

4.2 Minutes of the Planning and Strategy Committee of the Whole held on 8 April 2020

086/20

RESOLVED (Taylor/Bray)

That the Minutes of the Planning and Strategy Committee of the Whole held in the Queanbeyan Council Chambers on Wednesday 8 April 2020 be confirmed.

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

087/20

RESOLVED (Taylor/Bray)

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.

Cr Taylor declared a less than significant non-pecuniary interest in Item 9.1: DA.2018.224 - Construction of a Single Dwelling - Variation to Minimum Lot Size - 11 Wilson Street, Majors Creek, stating she is long-time friends of the owners of a neighbouring property.

6. 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
Mr Matt Darwon	9.1	DA.2018.224 - Construction of a Single Dwelling - Variation to Minimum Lot Size - 11 Wilson Street, Majors Creek	Against
Mrs Kylie Coe	9.1	DA.2018.224 - Construction of a Single Dwelling - Variation to Minimum Lot Size - 11 Wilson Street, Majors Creek	Against

**7. MAYORAL MINUTE
SUPPLEMENTARY REPORT**

7.1 Condolence Motion for the Late Dr David Madew

088/20

RESOLVED (Overall)

That Council, with deep respect, offer sincere sympathy to the immediate and extended family of former Mayor of Queanbeyan City Council, Dr David Madew.

The resolution was carried unanimously.

8. NOTICES OF MOTION OF RESCISSION

There were Notices of Motion of Rescission.

Cr Taylor declared an interest in the following item and left the zoom meeting at 5.34pm.

9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION**9.1 DA.2018.224 - Construction of a Single Dwelling - Variation to Minimum Lot Size - 11 Wilson Street, Majors Creek**

089/20

RESOLVED (Harrison/Bray)

That:

1. Development application DA.2018.224 for the construction of a single dwelling on Lot 245 DP DP755934, 11 Wilson Street, Majors Creek be refused for the following reasons.

Reasons for Refusal:

- (a) The proposed development fails to satisfy the provisions of Clause 4.2A – Erection of dwelling houses on land in certain rural, residential and environment protection zones of the Palerang Local Environmental Plan 2014;
 - (b) While the subject application was accompanied by a request to vary a development standard prepared in accordance Clause 4.6 of the Palerang Local Environmental Plan 2014, this request fails to adequately demonstrate that compliance with the development standard is unreasonable or unnecessary and that there are sufficient environmental planning ground to justify contravening the development standard;
 - (c) The proposed development fails to satisfy the minimum lot size provisions of Clause 4.2A of the Palerang Local Environmental Plan 2014 and as such the proposed development is considered to be contrary to the public interest.
2. Those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.
 3. The Department of Planning, Industry and Environment be forwarded a copy of Council's Notice of Determination.

The resolution was carried unanimously.

Cr Taylor returned to the meeting at 5.38pm.

- 090/20 **9.2 Draft Local Strategic Planning Statement - 'Towards 2040'**
RESOLVED (Bray/Schweikert)
That Council:
1. Publicly exhibit the draft Local Strategic Planning Statement.
2. Undertake community consultation as outlined in this report.

The resolution was carried unanimously.
- 091/20 **9.3 Embellishment of Proposed Park - 16 Agnes Avenue,
Queanbeyan - Outcome of Public Exhibition**
RESOLVED (Harrison/Hicks)
That Council:
1. Endorse the landscape concept Option A (Attachment 3)
 developed by Indesco for embellishment of the park at 16
 Agnes Avenue, Queanbeyan.
2. Receive a report on potential staging options and associated
 estimates for the project.
3. Support the investigation of grant sources to fund the
 embellishment of the Park at 16 Agnes Avenue Queanbeyan.
4. Consider inclusion of the project in the next Delivery Program.

The resolution was carried unanimously.
- 092/20 **9.4 Draft Sustainable Events Management Policy**
RESOLVED (Schweikert/Overall)
That the draft Sustainable Events Management Policy be deferred
for discussion at a workshop.

The resolution was carried unanimously.
- 9.5 Foxlow Bridge**
MOVED (Hicks/Harrison)
That Council receive an updated report on the Foxlow Bridge
including options and costs of a low level crossing.

AMENDMENT (Marshall/Schweikert)
That:
1. Council receive an updated report on the Foxlow Bridge
 including options and costs of a low level crossing.
2. This matter be considered at a Councillor workshop prior to
 coming back to Council.

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

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

093/20

RESOLVED (Marshall/Schweikert)

That:

1. Council receive an updated report on the Foxlow Bridge including options and costs of a low level crossing.
2. This matter be considered at a Councillor workshop prior to coming back to Council.

The resolution was carried unanimously.

9.6 Palerang Community Development Servicing Plans for Water Supply and Sewerage

094/20

RESOLVED (Harrison/Overall)

That Council:

1. Endorse release of the draft Palerang Community Water Supply and Sewerage Development Servicing Plans for public exhibition between the dates 28 April 2020 and 9 June 2020 (inclusive).
2. Receive a further report at the conclusion of the exhibition period that considers any submissions that are received.

The resolution was carried unanimously.

9.7 Tender Recommendation for Bungendore Flood Risk Management Implementation Measure 1 - Contract 2020-19

095/20

RESOLVED (Schweikert/Harrison)

That Council award the tender for Contract 2020-19 for the Bungendore flood risk management implementation measure 1 works to Guideline ACT as recommended in the Tender Evaluation Report when project approvals are obtained.

The resolution was carried unanimously.

9.8 Select Tender following Expression of Interest - Bungendore Roundabout

096/20

RESOLVED (Taylor/Schweikert)

That Council resolve to call Select Tenders following an Expression of Interest for the Bungendore Roundabout project.

The resolution was carried unanimously.

- 097/20
- 9.9 Abbeyfield Project Bungendore**
RESOLVED (Schweikert/Harrison)
- That:
1. The report be noted.
 2. Council agree to enter into a 50 year lease with Abbeyfield for the use of Council land at 4 – 6 Majara St, Bungendore for the development of a 12 – 14 unit complex for independent living for low income seniors.
 3. The rental be \$1 per annum when and if demanded.
 4. The lease is subject to successful development approval and substantial commencement within five years.
- The resolution was carried unanimously.

- 098/20
- 9.10 Draft Revenue Policy 2020-2021**
RESOLVED (Schweikert/Harrison)
- That Council:
1. Endorse the Draft 2020-21 Revenue Policy for public exhibition from 24 April to 1 June 2020.
 2. Note that in accordance with sections 520 and 531 of the *Local Government Act*, written notice of subcategory changes will be provided to each rateable person.
 3. Prepare additional consultation resources to provide information about land revaluation and the impact on individual rates assessments, to be timed with the release of new land values by the NSW Valuer General.
 4. Revise and harmonise water, wastewater and waste charges to commence from 2021/22.
 5. Note the deferral of stormwater charges for Bungendore and Braidwood until 2021/22.
- The resolution was carried unanimously.

- 099/20
- 9.11 Financial Assistance Policy - Drought, Bushfire, COVID-19**
RESOLVED (Marshall/Schweikert)
- That Council endorse the draft Financial Assistance Policy – Drought, Bushfire, COVID-19, 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.

- 100/20
- 9.12 Investment Report - March 2020**
- RESOLVED (Bray/Taylor)**
- That Council:
1. Note the investment return for March 2020 was -\$1,760,101.
 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 March 2020.
- The resolution was carried unanimously.
- 101/20
- 9.13 Draft Operational Plan and Fees and Charges 2020-21**
- RESOLVED (Marshall/Taylor)**
- That Council endorse the draft Operational Plan and Fees and Charges for public exhibition from 24 April until 1 June 2020.
- The resolution was carried unanimously.
- 102/20
- 9.14 Queanbeyan CBD - Monaro Street Project**
- RESOLVED**
MOVED (Hicks/Biscotti)
- That Council:
1. Thank the NSW Government and accept the offer of grant of \$10m for the Monaro Street refurbishment.
 2. Arrange loan funding of \$5.7m as co-contribution for the project.
 3. Engage with business, property owners and relevant agencies to prepare design and detailed estimates; and through the construction phase.
- For: Crs Biscotti, Bray, Brown, Harrison, Hicks, Noveska, Overall, Schweikert, Taylor and Winchester
- Against: Cr Marshall

10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

- 103/20
- 10.1 Summary of Maintenance Grading and Gravel Resheeting Activities - Quarter 3, 2019/20**
- RESOLVED (Schweikert/Winchester)**
- That the report be received for information.
- The resolution was carried unanimously.

104/20 **10.2 Successful Community Building Partnership Program 2019
Funding Application - Fernleigh Park**

RESOLVED (Taylor/Hicks)

That the report be received for information.

The resolution was carried unanimously.

105/20 **10.3 Resolution Action Sheet**

RESOLVED (Harrison/Hicks)

That the report be received for information.

The resolution was carried unanimously.

11. REPORTS OF COMMITTEES

There were no Reports of Committees.

12. NOTICES OF MOTION

There were no Notices of Motion.

13. REPORTS TO COUNCIL - DELEGATES REPORTS

106/20 **13.1 Delegates Report**

RESOLVED (Harrison/Schweikert)

That the report be received for information.

The resolution was carried unanimously.

14. QUESTIONS WITH NOTICE

107/20 **14.1 Responses to Councillors' Questions**

RESOLVED (Marshall/Taylor)

That the report be received for information.

The resolution was carried unanimously.

**15. 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.

16. REPORTS FOR CLOSED SESSION

108/20

RESOLVED (Overall/Taylor)

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 16.1 Writing Off Water Usage Account due to Undetectable Leak

Item 16.1 is confidential in accordance with s10(A) (b) of the Local Government Act 1993 because it contains discussion in relation to the personal hardship of a resident or ratepayer and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Item 16.2 Sewerage Discharge Calculation - User Charge

Item 16.2 is confidential in accordance with s10(A) (b) of the Local Government Act 1993 because it contains discussion in relation to the personal hardship of a resident or ratepayer 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 6.40pm to discuss the matters listed above.

16.1 Writing Off Water Usage Account due to Undetectable Leak

109/20

RESOLVED (Marshall/Harrison)

That Council write off a total of \$2,168.58 in water usage charges for the property listed in this report.

The resolution was carried unanimously.

16.2 Sewerage Discharge Calculation - User Charge

110/20

RESOLVED (Hicks/Harrison)

That Council:

1. Recalculate the sewer usage charge for the property listed in this report, using average water meter consumption over the prior two years to determine sewer usage, resulting in a write off of \$2,703.77.
2. Adjust the Revenue Policy to make allowance for sewerage usage charges to be recalculated based on comparable prior period consumption history, where there was a significant undetected leak, where the owner provides evidence that the leak was rectified as soon as reasonably possible, and where there is evidence that the leaked water was not discharged into the sewerage system.

The resolution was carried unanimously.

111/20

RESOLVED (Overall/Taylor)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 6.41pm.

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.

17. CONCLUSION OF THE MEETING

The time being 6.43pm, Cr Overall announced that the Agenda for the meeting had now been completed.

**CR TIM OVERALL
MAYOR
CHAIRPERSON**