



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Council Chambers, 10 Majara Street, Bungendore on Wednesday, 22 February 2017 commencing at 5.30pm.

ATTENDANCE

Administrator: Administrator: T. Overall (Chair)

Staff: P Hansen, Acting Interim General Manager; M Thompson, Acting Director Environment, Planning and Development; G Cunningham, Acting Director of Works and Utilities; D Fulton, Acting Director Economic and Community and S-J Abigail, Acting Executive Manager Finance.

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

1. APOLOGIES

038/17

RESOLVED (Overall)

The Administrator noted Council's Interim General Manager, Peter Tegtart, is an apology for tonight's meeting and Phil Hansen is Acting Interim General Manager.

No further apologies were received.

2. DISCLOSURES OF INTERESTS

039/17

RESOLVED (Overall)

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 were received.

3. CONFIRMATION OF MINUTES

3.1 Minutes of the Ordinary Meeting of Council held on 25 January 2017

040/17

RESOLVED (Overall)

The Administrator resolved that the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 25 January 2017 be confirmed.

3.2 Minutes of the Planning and Strategy Committee of the Whole held on 8 February 2017

041/17

RESOLVED (Overall)

The Administrator resolved that the Minutes of the Planning and Strategy Committee of the Whole held in the Queanbeyan Council Chambers on Wednesday 8 February 2017 be confirmed.

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

042/17

RESOLVED (Overall)

The Administrator resolved that all presenters be heard.

Greg Roberts - 12.1 - Development Application 2016.206 - 65 Forster and 104 Butmaroo Streets, Bungendore - Seniors Living for 40 Community Title Dwellings

Greg Nye - 12.1 - Development Application 2016.206 - 65 Forster and 104 Butmaroo Streets, Bungendore - Seniors Living for 40 Community Title Dwellings

Robert Beith - 12.1 - Development Application 2016.206 - 65 Forster and 104 Butmaroo Streets, Bungendore - Seniors Living for 40 Community Title Dwellings

Sophie Olsen - 12.2 - Rural Lands Study - Draft Strategy and Revised Native Vegetation Layer

Katrina Willis tabled a petition of further signatures opposing the Ellerton Drive Extension.

9. MAYORAL MINUTES**S.2 Carwoola Bushfire Support**

The Administrator recorded that the Queanbeyan-Palerang Regional Council recognises the plight and the traumatic circumstances facing many residents of the Carwoola area following the catastrophic bushfire on Friday, 17 February 2017. We sympathise with all the residents affected by the fire particularly those who have suffered the devastating loss of a home - destroyed or severely damaged, loss of personal effects, pets, livestock and property.

The Administrator acknowledged and extended a thank you to the Monaro Local Area Command, the NSW and ACT emergency services including RFS units near and from afar, the volunteers - many of whom put their own lives at risk, and all the government and welfare agencies, service organisations, assistance groups and volunteers. The Administrator also extended appreciation to all QPRC staff who assisted with front line incident response and who continue to be involved in recovery services and coordination.

043/17

RESOLVED (Overall)

The Administrator resolved:

1. That Council establish the Carwoola Bushfire Appeal with all funds collected through the appeal going to those property owners and occupiers whose homes have been destroyed or substantively damaged by the fire and any administrative costs associated with the Appeal be covered by the Council.
2. That a Carwoola Bushfire Appeal Panel be established comprising the General Manager or nominee, a member of the Audit Committee, and up to two members of the community. Once formed the Panel shall determine the operational framework for the Appeal.
3. That Council donate \$10,000 to the Carwoola Bushfire Appeal.
4. That Council provide the opportunity for those property owners whose home has been destroyed or substantively damaged to apply for postponing of rates through the Hardship Policy.
5. That until a replacement dwelling is occupied, the Council meet any waste charges applied to a property where the dwelling has been destroyed or is unable to be occupied.
6. That the following application fees associated with the construction of a replacement dwelling or partial rebuild of a substantively damaged dwelling be met by the Council:
 - a. Development application fees under the Environmental Planning and Assessment Act
 - b. Section 68 Activity application fees under the Local Government Act
 - c. Any applicable notification fees

7. That Council approach State Government about waiving the long service levy and planning levy fees payable at the time of lodging a development application for a replacement dwelling house for the current owner of the land.
8. For a period of two months from the date of the fire, Council will cover the waste disposal charge at its Bungendore transfer facility for the disposal of general waste and debris generated as a direct result of the fire subject to that material not being contaminated with any form of asbestos material. The General Manager may extend the period in exceptional circumstance or circumstances.
9. That Council advise the owners of properties destroyed or substantively damaged in the Carwoola Bushfire of the decision and the relevant processes and procedures.
10. That concessions 4 to 9 above also be applied to the Currandooley Fire.
11. Where Council has agreed to meet the cost of services specified in 5, 6 and 8 above those costs be met from Council's donations budget.

9.1 Crown and Private Roads Review

044/17

RESOLVED (Overall)

The Administrator resolved that Council conduct workshops and prepare a report to consider and develop an appropriate policy to address requests of Council to convert crown or private roads into public roads, or to maintain such roads.

10. NOTICES OF MOTIONS OF RESCISSION

Nil

11. NOTICES OF MOTIONS

Nil

12. DETERMINATION REPORTS**12.1 Development Application 2016.206 - 65 Forster and 104 Butmaroo Streets, Bungendore - Seniors Living for 40 Community Title Dwellings**

045/17

RESOLVED (Overall)

The Administrator resolved:

1. That approval be granted to a variation to Part C2.2.2 Setbacks of the Palerang Development Control Plan 2015 to allow the street setbacks specified below for the development, for the reasons stated:

Setbacks

- Dwellings 10-20 are setback to Forster Street 2.67m, with dwellings 6 & 32 being setback 1.59m.
- Building setbacks of 1.3m for dwellings 1 & 6 are provided to Butmaroo and Majara Streets.
- The primary dwelling frontages face the private internal roads with garages setback 5.5m and 6.71m.

Reasons for Permitting Variation

- i. The development is for seniors living and not dwelling houses. Technically the dwelling house setbacks under the PDCP do not apply. However, the development is designed to achieve rear and side boundary setbacks under the PDCP. These setbacks provided are more than specified under the PDCP.
- ii. The design creates a sense of community for the development with an attractive palisade steel and brick column fence proposed to complement the streetscape and avoid rear solid fences being erected along the street frontages
- iii. Landscaping works will be provided along the street frontages to enhance the streetscape. The development design utilises Forster, Majara and Butmaroo Streets as the rear boundaries hence the reduced setbacks.
- iv. Table 13 of the PDCP 2014 specifies in R2 zone for dwelling houses a 0.9m setback where the building is less than 3.6m high otherwise the setback is 3m.
- v. The proposed dwellings are less than 3.6m in height (height defined under Seniors Living SEPP). If the Streets are treated as the rear setback for the dwelling houses the proposed setbacks are adequate under the PDCP.
- vi. Should Council require setbacks of 7m to Forster Street frontage and 3m to the side streets of Butmaroo and Majara Streets the development would need to be redesigned.

2. That approval be granted to a variation to Part C30.2 Gates and Fencing of the Palerang Development Control Plan 2015 to allow a brick column and steel palisade style fencing height of 1.8m along Forster, Majara and Butmaroo Streets for the following reasons:
 - i. The applicant requests in their design that the street frontages be treated as the rear and side boundaries. As a consequence the development is designed so that dwellings face each other internally to encourage a sense of community. The proposed fence heights are suitable given that the development is designed with the street frontages as rear and side boundaries.
 - ii. The design creates a sense of community for the development with the dwellings facing inwards to the private road).
 - iii. An attractive palisade steel and brick column fence is proposed to complement the streetscape and avoid rear solid fences being erected along the street frontages.
 - iv. Landscaping works will be provided along the street frontages to enhance the streetscape.
3. That development application DA.2016.206 for seniors independent living development comprising 40 x 2 bedroom dwellings and community building in single storey construction and 40 lot Community Title subdivision located at 65 Forster Street and 104 Butmaroo Street, Bungendore, being Lots 1,2,3,7,8 and 9 Section 8 DP 976608 be granted conditional approval subject to Condition 23 being amended to permit works on Saturdays between the hours of 7.00am and 4.00pm.
4. That those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.

12.2 Rural Lands Study - Draft Strategy and Revised Native Vegetation Layer

046/17

RESOLVED (Overall)

The Administrator resolved:

1. That Council adopt the following recommendations from the report to the Rural Lands Study Committee meeting held on 18 August 2016:
 - a. A review of the zoning of land, minimum lot size and possible rural residential infill areas be part of the development of a new comprehensive local environmental plan for the Queanbeyan-Palerang Regional Council.
 - b. Dot point eight under 5.3 to state "land that is class 3 agricultural land should have a minimum lot size equal to or greater than 16 hectares."
 - c. Dot point 7 under section 5.4 be amended to state "agricultural/education/cultural tourism land uses (that do not conflict with agricultural activities)."
 - d. Action 8C3 be amended to the following:

"Possible development trade-offs. For example, a planning proposal may be supported that would allow cluster development in a well serviced part of a property and the other parts of the property would protect natural resources."
 - e. The request for the rezoning of Lots 53, 54, 55 and 56 DP 774754 from RU1 Primary Production to E4 Environmental Living be considered in the next stage of the Rural Lands Study - the consideration of rezoning and requests for the erection of a dwelling on a lot using the criteria in the draft Rural Lands Strategy (p38).
 - f. The minimum lot size and lot 'averaging' in RU1 Primary Production be considered as a subproject in the preparation of the new comprehensive local environmental plan.
 - g. A dot point "lots which would contain structures are not on a visually prominent ridge" be added to land use categories 5.1, 5.3, 5.4 and 5.5.
 - h. The word 'genuine' be removed from Strategy 1C of the draft Rural Lands Strategy.
 - i. The land use categories used in the draft Rural Lands Strategy be changed to:
 - i. 5.1 Rural Residential
 - ii. 5.1.1 Hamlet
 - iii. 5.1.2 Rural Living
 - iv. 5.1.3 Small Lot Agriculture
 - j. The revised draft Rural Lands Strategy at Attachment 1 to this report be adopted by Council.

- k. Council proceeds with replacing the current Palerang Local Environmental Plan 2014 Terrestrial Biodiversity map with the revised native vegetation GIS layer as part of the development of the new comprehensive local environmental plan once a criterion for the level of data to be included has been determined.
 - l. The revised GIS layer and associated report Native Vegetation of the Palerang Local Government Area, November 2015 and GIS data be made available for viewing on Council's website.
2. That land zoned E4 Environmental Living under the Palerang Local Environmental Plan 2014 be considered in terms of its fit for purpose and that this be part of the preparation of a new comprehensive local environmental plan for the Queanbeyan-Palerang Regional Council.
 3. That Council note the advice of NSW Department of Planning and Environment on considering lands fit for purpose in land use rezoning decisions.
 4. That the Minutes of the Rural Lands Study Committee held on 18 August 2016 as per Attachment 6 of this report be noted.
 5. That the members of the Rural Lands Study Committee be thanked for their input.

12.3 Investment Report - January 2017

047/17

RESOLVED (Overall)

The Administrator resolved that Council:

1. Note the investment income for January 2017 is \$379,542 bringing the total interest earned on Cash and Cash Equivalent Investments for the 2016/17 Financial Year to \$3,031,635 which is \$631,943 above the year to date original budget;
2. Note the investments have been made in accordance with the Local Government Act 1993, the Local Government General Regulations, and Council's proposed investment policy;
3. Adopt the Investment Report for the month of January 2017.

12.4 Quarterly Budget Review Statement for the Quarter Ending 31st December 2016

048/17

RESOLVED (Overall)

The Administrator resolved that Council:

1. Adopt the December 2016 Quarter Budget Review Statement and variations as outlined in this report.
2. Note the predicted consolidated deficit of \$220k.

12.5 Licence Agreement - Italian Community Hall 14 Carinya Street.

049/17

RESOLVED (Overall)

The Administrator resolved that:

1. The report be received and noted.
2. The Council agree in principle to entering into a 21 year Licence Agreement with the Italian Community Festival Association Inc for the use of a Community Hall and associated car parking at Lot 100 DP1194186, 14 Carinya St, Queanbeyan.
3. In accordance with the provisions of S 47 of the Local Government Act 1993, public notice of the proposal be provided and if any submissions are received that the comment be subject of a further report to the Council.
4. If no public submissions are received that the Licence Agreement as proposed be executed.
5. The annual rental be \$479 and be indexed to the Department of Lands minimum annual rental amount.

12.6 Sports Facilities Strategic Plan

050/17

RESOLVED (Overall)

The Administrator resolved that:

1. That the draft Sports Facilities Strategic Plan Page 16, second paragraph, third sentence be amended to read "Initial concept designs have been developed, Appendix 2, providing high level Hockey and Football , Aquatic Centre with 50m indoor competition standard pool and associated facilities, 4 – 6 court indoor sports facility, gym, child care and sports related businesses."
2. That Council endorse the draft Sports Facilities Strategic Plan for public exhibition and comment, with a consultation report coming back to Council for consideration before final adoption.

12.7 Oktoberfest 2017

051/17

RESOLVED (Overall)

The Administrator resolved that Council:

1. Endorse the Canberra German Harmonie Club Oktoberfest 2017, to be held at Queanbeyan Showground.
2. Agree to a fixed annual showground hire fee for the Oktoberfest for the first five years.
3. Consider an amount of \$25,000 be included in the draft 2017-2018 budget for Council's promotion and wider community engagement in the event.

12.8 Building Better Region Fund - Round 1 2017

052/17

RESOLVED (Overall)

The Administrator resolved that Council:

1. Endorse Project 1 – Braidwood and Captains Flat Pools and Project 2 - Braidwood Town Centre from the Infrastructure Project Stream projects and Project 1 QPRC Economic Development Strategy (including Retail Plan, QPRC Prospectus and implementable strategies) from the Community Investment Stream projects.
2. Note that the future development of a heritage themed roundabout needs to be excluded from Project 2, Infrastructure Project Stream, given the BBRF project completion criteria.
3. Note that should any of the grant applications be successful, further reports may be bought back to Council seeking matching funding.

12.9 South East Region Academy of Sport

053/17

RESOLVED (Overall)

The Administrator resolved that Council:

1. Renew its membership to South East Region Academy of Sport (SERAS).
2. Note the current 'Memorandum of Understanding' whereby Council provides a workspace at its Bungendore office to SERAS for an annual rental fee.
3. If necessary, nominate a staff member to the SERAS board in an interim capacity up until an elected body of Councillors has been established after the election in September 2017.

- 054/17 **12.10 Tender Evaluation - Queanbeyan Park Playground Toilet Facility**
RESOLVED (Overall)
The Administrator resolved that Council award Contract no. 16/2017 (VP62268) to Tenderer number 1, Exeloo Pty Ltd, for the Queanbeyan Park Playground Toilet Facility at a total cost of \$149,900 (Ex GST).

9. INFORMATION REPORTS

- 055/17 **13.1 Site Inspection - DA.2016.163 - 55-59 Ellendon Street Bungendore**
RESOLVED (Overall)
The Administrator resolved that the report be received for information.

- 056/17 **13.2 Site Inspection - Review of Determination - 35 Trucking Yard Lane Bungendore - Childcare Centre - REV.2016.0003**
RESOLVED (Overall)
The Administrator resolved that the report be received for information.

- 057/17 **13.3 Pedestrian and Traffic Study of Antill Street and Collett Street**
RESOLVED (Overall)
The Administrator resolved that the report be received for information.

- 058/17 **13.4 Integrated Planning for 2017-18**
RESOLVED (Overall)
The Administrator resolved that the report be received for information.

- 059/17 **13.5 Q-One - Summer Activation Program**
RESOLVED (Overall)
The Administrator resolved that the report be received for information.

- 060/17 **13.6 Submission on the development of a Model Code of Meeting Practice**
RESOLVED (Overall)
The Administrator resolved that the report be received for information.

13.7 Merger Transition Plan - Progress

061/17

RESOLVED (Overall)

The Administrator resolved that the report be received for information.

S.3 Site Inspection - DA.2016.206 - 65 Forster Street & 104 Butmaroo Street BUNGENDORE NSW 2621

062/17

RESOLVED (Overall)

The Administrator resolved that the report be received for information.

14. COMMITTEE REPORTS**14.1 The Q Board Meeting - 30 Jan 2017**

063/17

RESOLVED (Overall)

The Administrator resolved that Council:

1. Note the minutes of The Q Board held on 30 January 2017.
2. Adopt recommendations TQB01/17 to TQB14/17, excluding TQB 10/17.

TQB 01/17 That the Board Resolution Outcome Report be noted.

TQB 02/17 The Board recommend that the Chairperson's report be noted.

TQB 03/17 That the Internal Production Review be accepted.

TQB 04/17 That staff look at the development of a budget for the inclusion of a performance to be a part of the 2018 Q-One Summer Activation Program. A budget is to then be tabled at the next Q Board meeting.

TQB 05/17 That the External Production Review be noted.

TQB 06/17 The Board noted the Publicist Report and Marketing Report.

TBQ 07/17 That the season brochure be included in the welcome packs given at the citizenship ceremonies conducted by Council.

TQB 08/17 That the Marketing Supervisor contact the University of Canberra and announce individuals whose marketing plans were chosen in the Board's top three. Second that the Marketing Supervisor organise the delivery and presentation of the prize money.

TQB 09/17 That the Marketing Supervisor organise a workshop, whereby the Board and select staff from the Q can further develop the Q's brand.

TQB 11/17 That staff create a policy, to be tabled for adoption by Council, outlining the financial parameters of Council in

supporting the creation of original works.

- TBQ 12/17 That the Program Manager discuss royalty arrangements with Francesco Sofo and provide a written agreement to the next Board Meeting.
- TBQ 13/17 That the Performing Arts Team Leader investigate the legal position of Council in relation to Council owning or co-owning the IP to a show. Information collected is to then be tabled at the next Q Board meeting.
- TQB 14/17 The Board recommends that whilst the show cannot be accommodated in the regular season, that Bicentennial Hall be offered for general hire to the group.

14.2 Queanbeyan-Palerang Regional Sports Council - 6 February 2017

064/17

RESOLVED (Overall)

The Administrator resolved that:

1. Council note the minutes of Queanbeyan-Palerang Regional Sports Council held on 6 February 2017.
2. Recommendations TQB 01/17 to TQB 14/17, excluding TBQ 10/17, be adopted.

14.3 Local Traffic Committee Meeting - Minutes - 7 February 2017

065/17

RESOLVED (Overall)

The Administrator resolved that Council:

1. Note the minutes of Local Traffic Committee held on 7 February 2017.
2. Adopt recommendations 01/17 to 08/17 from the meeting held on 07 February 2017.

LTC 01/17 Under Roads Act 1993 approve the proposed road closures for 2017 ANZAC Day Ceremonies in Queanbeyan

LTC 02/17 Under Roads Act 1993 approve the proposed road closures for 2017 ANZAC Day Ceremonies in Bungendore

LTC 03/17 Under Roads Act 1993 approve the proposed road closures for 2017 ANZAC Day Ceremonies in Captains Flat.

LTC 04/17 Under the Roads Act 1993 approve the closure of High Place and Powell Street, to all traffic except local traffic and approved vehicles from 1.00pm – 9.00pm on Saturday 18 February 2017 for the NRL Trial Game

LTC 05/17 Under the Road Transport Act 2013 install 'No Stopping' signs, remove the 'Loading Zone' and implement 2 hour

timed parking for 30 marked parking bays as per the concept design at Jerrabomberra Community Car Park.

LTC 06/17 Under the Road Transport Act 2013 install additional line marking on Early Street as per design and replace the 'Give Way' sign with a 'Stop Sign' at the intersection of Early Street/Agnes Avenue

LTC 07/17 Under the Road Transport Act 2013 install two disability car parking bays with required shared zone at Freebody Oval as per design.

LTC 08/17 Under the Road Transport Act 2013 extend the loading zone in Morisset Street Car Park as per concept design.

15. DELEGATES' REPORTS

Nil

16. RESPONSES TO COUNCILLORS' QUESTIONS

Nil

17. COUNCILLORS' QUESTIONS FOR NEXT MEETING

Nil

18. 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.

066/17

RESOLVED (Overall)

The Administrator resolved 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.1 Potential Land Acquisition

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 No068/17 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.1 Potential Land Acquisition

The Administrator resolved that Council agree to enter into a Contract to purchase land at 1187 – 1241 Old Cooma Road, Royalla generally in accordance with the conditions outlined in the report.

At this stage in the proceedings, the time being 6.50pm Mr Overall announced that the Agenda for the meeting had now been completed and declared the meeting closed.

**TIM OVERALL
ADMINISTRATOR
CHAIRPERSON**