



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

ATTENDANCE

Administrator: T. Overall (Chair)

Staff: P Tegart, Interim General Manager; M Thompson, Acting Director Environment, Planning & Development; P Hansen, Acting Director Asset & Projects and P Spyve, Acting Director Economic and Community Development. S-J Abigail, Acting Executive Manager Finance; and S Taylor, Acting Executive Manager Systems.

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

1. APOLOGIES

No apologies were received.

2. DISCLOSURES OF INTERESTS

069/17

RESOLVED (Overall)

The Administrator resolved that the Administrator and staff 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 22 February 2017

070/17

RESOLVED (Overall)

The Administrator resolved that the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 22 February 2017 be confirmed.

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

071/17

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 March 2017 be confirmed.

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

072/17

RESOLVED (Overall)

The Administrator resolved that all presenters be heard.

Kristy Moyle – 8.1 - Development Application 2016.233 - New Dwelling - 19 Glenmore Road, Braidwood

5. MAYORAL MINUTES

Nil

6. NOTICES OF MOTIONS OF RESCISSION

Nil

7. NOTICES OF MOTIONS

Nil

8. DETERMINATION REPORTS**8.1 Development Application 2016.233 - New Dwelling - 19 Glenmore Road, Braidwood**

073/17

RESOLVED (Overall)

The Administrator resolved that:

- 1) Approval be granted to a variation under Clause 4.2A(3)(a) of the Palerang Local Environmental Plan 2014 (PLEP2014) to permit the erection of a dwelling house on a lot size of 1.124ha being less than the minimum lot size of 2ha specified under the PLEP 2014 for the following reasons:
 - i) The provisions of Clause 4.6 of Palerang LEP 2014 permit the granting of consent even though the development would contravene a development standard. The clause requires the applicant to make a written request that seeks to justify the contravention of the standard. Pursuant to this clause the applicant has demonstrated that :
 - (1) Compliance with the development standard is unreasonable or unnecessary in the particular circumstances

- (2) That there are sufficient environmental grounds to justify contravening the development standard
- ii) The applicant's written request adequately addresses the matters required in the clause
- iii) The approval of the development would not be contrary to the public interest as it is consistent with the objectives of the standard and the objectives for the development within the zone:
 - (1) The objective of the standard is to minimise unplanned residential development. In this regard the originally approved subdivision permitted a dwelling on the site and the land adjoins other similar sized residential holdings
 - (2) The development satisfies the zone objectives in that it is low impact residential development; it does not have an adverse effect on the ecological, scientific and aesthetic values; it is visually compatible with the landscape and it minimises impact on the natural environment; it does not unreasonably increase the demand for public services or facilities and there is not expected to be any conflict with adjoining land use.
 - (3) The NSW Government Secretary of the Department of Planning and Environment has granted concurrence pursuant Clause 4.6(4) to vary the 2ha minimum lot size to permit the erection of a dwelling. The Secretary advised concurrence in this instance was granted as contravention of the standard did not raise any matter of State or regional significance and there would no public benefit in maintaining the 2ha minimum lot size on the subject land.
- 2) Development application DA.2016.233 for the erection of a dwelling house and shed at 19 Glenmore Road, Braidwood, being Lots 2 DP 1217315 be granted conditional approval.

8.2 Proposals to Update the Environmental Planning and Assessment Act 1979

074/17

RESOLVED (Overall)

The Administrator resolved that Council:

- 1. Make a submission on the proposed changes to the *Environmental Planning and Assessment Act 1979* generally based on the comments contained in this report.
- 2. In particular raise the issue of assessing poultry farms with any number of birds being designated development, when the land is within a drinking water catchment, with a view to identifying an appropriate number of birds before the poultry farm becomes designated development.

8.3 Investment Report - February 2017

075/17

RESOLVED (Overall)

The Administrator resolved that Council:

1. Note the investment income for February 2017 is \$336,324 bringing the total interest earned on Cash and Cash Equivalent Investments for the 2016/17 Financial Year to \$3,367,959 which is \$659,480 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 February 2017.

8.4 Staff report - Nominations for 2017 QPRC Cultural Development & Public Art Panel

076/17

RESOLVED (Overall)

The Administrator resolved that Council appoint all eight nominees who submitted expressions of interest and response to Selection Criteria as members of the Cultural Development and Public Art Advisory Panel for a three year term.

8.5 Draft Disability Inclusion Action Plan - Public Consultation

077/17

RESOLVED (Overall)

The Administrator resolved the Draft Disability Inclusion Action Plan be placed on public exhibition for 28 days prior to its finalisation and adoption.

8.6 Support for Kanga Cup Event

078/17

RESOLVED (Overall)

The Administrator resolved that Council:

1. Approve financial assistance of \$7,000 in the 2017/18 Operational Plan from the community grants vote for the running a 2017 Kanga Cup age group in Queanbeyan.
2. Approve financial assistance of \$14,000 in the 2018 Delivery Program from the community grants vote for the running of the 2018 Kanga Cup age group in Queanbeyan.
3. Waive ground fees for the competition and provide logistical and marketing support.

8.7 Pedestrian Infrastructure Safety Around Schools Program - Funding Nomination Outcome

079/17

RESOLVED (Overall)

The Administrator resolved that Council:

1. Note the result of the grant nomination where one application has been successful in gaining funding.
2. Accept the funding of \$2,900 and implement the project for safety upgrades to the Collett Street Pedestrian Refuge.

8.8 Queanbeyan-Palerang Regional Council Donations Policy 2017

080/17

RESOLVED (Overall)

The Administrator resolved that:

1. Council defer this matter and a further report be submitted to a meeting of the Planning and Strategy Committee on 12 April 2017.
2. The further report also reference the Rates and Rental Rebate Policy, include a timeframe for a 14 day draft policy exhibition period; and the call for applications for donations for the 2017/18 financial year.

8.9 Stronger Communities Fund - Major Infrastructure Projects

081/17

RESOLVED (Overall)

The Administrator resolved that Council:

1. Note the establishment of the Stronger Communities Fund Assessment Panel in accordance with the membership requirements of Department of Premier and Cabinet consisting of:
 - Administrator, or delegate
 - State Member of Parliament, or representative
 - Regional Coordinator of Premier and Cabinet, or delegate
 - Other members appointed by the Administrator, as required (the Interim General Manager being so appointed).
 - An independent probity advisor appointed by the Administrator (the Chair of Council's Audit Risk and Improvement Committee being so appointed)
2. Note the QPRC community was surveyed for their comments and suggested priorities for the list of proposed major infrastructure projects. Submissions were invited during the exhibition period from 9 February – 9 March 2017.
3. Note the timing of the determination of projects for funding under the Stronger Communities Fund accords with Department of Premier & Cabinet guidelines.
4. Adopt the recommendations of the Local Representation

Committee as recorded in the report.

5. Fund from the Stronger Communities Fund – Major Projects, the list of projects and amounts listed in Attachment 2, being:-

Community Facilities & Infrastructure Projects:

Committed in first round Various	\$281,543
Araluen s.355 (previously committed): Araluen facilities	\$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	\$500,000
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
Contribution to water storage infrastructure, Braidwood Servicemen's	
Club and Braidwood community facilities	\$ 45,000
	\$8,812,543

6. Note that a number of the projects are capable of further augmented funding from Council reserves, S94 contributions and external sources.
7. Investigate flood protection berm structures including low cost construction systems and appropriate landscaping in regard to "Flood Proof the Dip, Bungendore Rd Queanbeyan" alternative project with a report to a future meeting of Council.

8.10 Strategic Directions

082/17

RESOLVED (Overall)

The Administrator resolved that Council:

1. Note the draft Statement of Strategic Directions.
2. Seek feedback on the draft Statement of Strategic Directions in conjunction with the current program of community engagement.
3. Receive a further report on the Strategic Directions.

8.11 Financial Statement by Council - Updated

083/17

RESOLVED (Overall)

The Administrator resolved that:

1. The financial statements to 12 May 2016 for the former Palerang Council be presented for audit and invite submissions from the public.
2. The statement required by Section 413(2)(c) of the Local Government Act 1993 in relation to former Palerang Council's Financial Statements for the period ending 12 May 2016 be completed on receipt of the Auditor's Certificate.
3. Hill Rogers Auditors be invited (in accordance with regulations) to complete the audit and present to Council.

9. INFORMATION REPORTS**9.1 Carwoola Bushfire Update**

084/17

RESOLVED (Overall)

The Administrator resolved that the report be received for information.

9.2 Road Closures for ANZAC Day Events at Braidwood and Jerrabomberra

085/17

RESOLVED (Overall)

The Administrator resolved that the report be received for information.

9.3 Royalla Common s.355 Committee minutes

086/17

RESOLVED (Overall)

The Administrator resolved that Council note the minutes of the Royalla Common s.355 Committee meetings held on 31 October and 7 December 2016.

9.4 Braidwood Showground Reserve Trust s.355 Committee minutes

087/17

RESOLVED (Overall)

The Administrator resolved that the minutes of the meetings of the Braidwood Showground Reserve Trust s.355 Committee, held on 15 November and 13 December 2016, be noted.

9.5 Mick Sherd Shed s.355 Committee minutes

088/17

RESOLVED (Overall)

The Administrator resolved that Council:

1. Note the minutes of the Mick Sherd Shed s.355 Committee's Annual General Meeting held on 16 November (adjourned) and reconvened on 23 November 2016.
2. Endorse the following persons as members of the Committee:
 - a. Tony Rayner (President)
 - b. Garry Cook (Vice-President)
 - c. Mel Carn (Secretary)
 - d. Ken Gordon (Treasurer)
 - e. Karen Taylor (Member)
 - f. Bruce Cantle (Member)
 - g. David Cook (Bungendore Senior Rugby League)
 - h. Jo Cave (Bungendore Junior Rugby League)
 - i. John Cooper (Bungendore Oz Tag)
 - j. Dave MacDonald (Bungendore Rugby)

9.6 Carwoola/Stoney Creek Area s.355 Committee minutes

089/17

RESOLVED (Overall)

The Administrator resolved that Council:

1. Note the minutes of the Carwoola Stoney Creek Area s.355 Committee meeting held on 23 February 2017.
2. Endorse the following persons as members of the Committee:
 - a. Sue Whelan (LRC Member and Chairperson)
 - b. Lynton Bond (Secretary/Treasurer)
 - c. Gary Anderson (Member)
 - d. David Rowley (Member)
 - e. Ian Johnsson (Carwoola Community Association representative)

10. COMMITTEE REPORTS**10.1 Report of the Palerang Heritage Advisory Committee –
14 February 2017**

090/17

RESOLVED (Overall)

The Administrator resolved that Council note the minutes of Palerang Heritage Advisory Committee held on 14 February 2017 and adopt the recommendation therein:

PHAC 001/17 That the Report of the meeting of the Committee held on 20 September 2016 be confirmed.

**10.2 Report of the Queanbeyan Heritage Advisory Committee –
20 February 2017**

091/17

RESOLVED (Overall)

The Administrator resolved that Council note the minutes of Queanbeyan Heritage Advisory Committee held on 20 February 2017 and:

1. Adopt HAC 001/17: That the Report of the meeting of the Committee held on 21 November 2016 be confirmed.
2. Note HAC 002/17: That no objections be raised to the modified application for development of the Warrigal Aged Care Facility (being DA 100-2012/B) subject to the inclusion of a condition on any development consent requiring the aluminium louvre screen to the lift overrun and roofing planting area being coloured to match the colour of the roof.

10.3 Report of Local Representation Committee - 10 March 2017

092/17

RESOLVED (Overall)

The Administrator resolved that Council:

1. Note the minutes of Local Representation Committee held on 10 March 2017.
2. Adopt Recommendations LRC01/2017 to LRC02/2017 from the meeting held on 10 March 2017.

LRC 01/2017 That the minutes of the meeting held on 13 December 2016 be confirmed as a true and accurate record of the meeting.

LRC 02/2017 That the Local Representation Committee:

1. acknowledges the priority ratings nominated for the proposed major infrastructure projects by the Queanbeyan-Palerang community during the exhibition period;

2. recognises the need to consider input to relevant projects from Council's s.355 committees;
3. noting that road and bridge infrastructure projects have not been nominated as potential grant recipients, reinforces the view that these are nonetheless vital elements of community infrastructure, particularly in rural areas, and no effort should be spared to secure appropriate levels of funding to support the upgrade of these assets;
4. recommends to Council that all proposed projects be supported;
5. recommends that Council continue to explore alternative sites for the Abbeyfield Bungendore project in an endeavour to maximise community benefit from the grant funding;
6. recommends that the projects relating to town centre improvements in Braidwood, Bungendore and Captains Flat be subject to community consultation prior to commencement to ensure the project deliverables are clearly defined and appropriate, and
7. encourages Council to pursue additional grant funding opportunities for appropriate projects and consider the augmentation of the present grant funding from reserves that have been earmarked for the same purpose where either option is applicable.

11. DELEGATES' REPORTS

Nil

12. RESPONSES TO COUNCILLORS' QUESTIONS

Nil

13. COUNCILLORS' QUESTIONS FOR NEXT MEETING

Nil

14. 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

There were no presentations.

093/17

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 15.1 Illegal Water Usage

"Item 15.1 is confidential in accordance with s10(A)(g) of the Local Government Act 1993 because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege 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 Session by virtue of Resolution No. 094/17 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.

15.1 Illegal Water Usage

The Administrator resolved that the report be received for information.

At this stage in the proceedings, the time being 6.28pm Mr Overall announced that the Agenda for the meeting had now been completed and declared the meeting closed.

**TIM OVERALL
ADMINISTRATOR
CHAIRPERSON**