



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held via Zoom and at the Council Chambers, 253 Crawford St, Queanbeyan on Wednesday, 26 July 2023 commencing at 5.30pm.

## **ATTENDANCE**

**Councillors:** Cr Winchester (Chairperson)  
Cr Biscotti  
Cr Burton  
Cr Grundy  
Cr Livermore  
Cr Macdonald  
Cr Preston  
Cr Taskovski  
Cr Webster – via Zoom  
Cr Willis  
Cr Wilson

**Staff:** R Ryan, General Manager  
P Hansen, Director Infrastructure Services  
J Richards, Director Community, Arts and Recreation  
K Monaghan, Director Corporate Services  
R Ormella, Director Development and Environment

**Also Present:** W Blakey (Clerk of the Meeting)  
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 12 July 2023**

288/23

**RESOLVED (Winchester/Taskovski)**

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 12 July 2023 be confirmed.

The resolution was carried unanimously.

**5. DISCLOSURES OF INTERESTS**

289/23

**RESOLVED (Winchester/Biscotti)**

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 Webster declared a less than significant non-pecuniary interest in Item 9.2: DA.2022.1610 - 26 Farrer Place Queanbeyan - Installation of a shade structure, stating her husband is a member of the Queanbeyan Bowls Club. Cr Webster proposed to disclose and vote when the matter is being considered.

Cr Willis declared a less than significant non-pecuniary interest in Item 16.1: Sale of Council Land - Red Hill Road, Majors Creek, stating one of the submissions made under the EOI to purchase Council land is known to her through her duties as a Councillor. Cr Willis proposed to disclose and vote when the matter is being considered.

Cr Winchester declared a less than significant non-pecuniary interest in Item 16.1: Sale of Council Land - Red Hill Road, Majors Creek, stating he is a friend of one of the people that submitted an EOI to purchase Council land. Cr Winchester proposed to leave the Chambers when the matter is considered.

**6. ADJOURNMENT FOR PUBLIC FORUM**

At this stage of the proceedings, the time being 5.34pm, Cr Winchester advised that the meeting should now adjourn for the Public Forum.

290/23

**RESOLVED (Winchester/Livermore)**

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

**ADJOURNMENT:**

The meeting adjourned for the Public Forum at 5.34pm and resumed at 5.44pm.

**7. MAYORAL MINUTE**

There was no Mayoral Minute.

**8. NOTICES OF MOTIONS OF RESCISSION**

There were no Notices of Motions of Rescissions.

**9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION****9.1 Modification Application - MOD.2011.077.B - 7123 Nerriga Road, Corang - Variation to Electricity Supply Arrangements and Fencing**

291/23

**RESOLVED (Willis/Grundy)**

That:

1. Conditions 9A, 10A and 10B remain unchanged and read:

Condition 9A:

The applicant is to provide a ground mounted solar electricity system with a minimum generating capacity of 7.5kW to each of the concessional lots (i.e. proposed Lots 2, 3 and 4). No infrastructure is to be installed if tree removal is required without prior consent from Queanbeyan-Palerang Regional Council. The applicant shall install the systems at their own cost and prior to the issue of a Subdivision Certificate for the land. A specification document for each system should be provided to Council prior to the release of a Subdivision Certificate.

Condition 10A:

A section 88B legal instrument burdening proposed lots 1 and 5 to 7 is to be created prior to issue of a Subdivision Certificate. It is to specify that prospective purchasers of the property will need to provide an onsite system of power generation at their own cost as the land is unlikely to be able to be serviced by a reticulated electricity supply system.

Condition 10B:

A section 88B legal instrument burdening each of the three approved concessional allotments is to be created prior to issue of a Subdivision Certificate. It is to specify that the owner of the lot at any point in time is responsible for the on-going maintenance and replacement of any panels, batteries, inverters, and any parts that form part of the operation of the solar electricity supply system and that it must be maintained in good order and condition in perpetuity. Prior to any sale, evidence as to the age of the system and its maintenance status is to be provided to any potential purchasers.

2. Condition 8 for rural fencing be amended to read:

All public road frontages and public open space areas are to be fenced to the following standards:

- height 1.2 metres (or higher depending on the type of stock)

- strainers – spacing 100 metres to 120 metres depending on terrain
  - steel posts at 6 metre centres
  - steel droppers, one at centre of span between steel posts
  - one 4.0 mm high tensile, high visibility PVC coated wire on top ('horse sighter' or similar)
  - one carry 2.5mm high tensile wire at least 300mm below the top wire
  - one bottom 2.5 mm high tensile wire at least 150mm above the ground
  - 6/70/30 hinged joint netting with each horizontal wire tied to each post and dropper
  - one standard galvanised steel farm gate with steel mesh (minimum 3.65 metres) at an approved entrance.
3. Modification application MOD.2011.077.B at Lot 3 DP 1063771, No.7123 Nerriga Road, Corang be granted conditional approval, subject to the original conditions of consent imposed TSC/80/2002/DA and MOD.2011.077.A as amended.

The resolution was carried unanimously.

Having declared a less than significant non-pecuniary interest in the following item, Cr Webster remained in the Chamber and voted.

**9.2 DA.2022.1610 - 26 Farrer Place Queanbeyan - Installation of a shade structure**

**MOVED (Willis/Grundy)**

That:

1. Council grant conditional consent for the installation of a shade structure on Lot 1 Sec 57 DP 758862, Lot 2 Sec 57 DP 758862, Lot 3 Sec 57 DP 758862 and Lot 4 Sec 57 DP 758862 at 26 Farrer Place Queanbeyan.
2. The request to waive section 7.12 fixed levy development contributions for DA.2022.1610 for the installation of a shade structure not be supported for the following reasons:
  - a. The Queanbeyan Bowls Club is a not-for-profit organisation which provides valuable social and sporting activities for its direct members and bowls visitors to the club. This is not a wider general community benefit.
  - b. The submission is not supported by a clear financial case for the waive. The absence of impact on Council's capital and services does not lead to the case for the levy to be waived.

**AMENDMENT (Wilson/Biscotti)**

That:

1. Council grant conditional consent for the installation of a shade structure on Lot 1 Sec 57 DP 758862, Lot 2 Sec 57 DP 758862, Lot 3 Sec 57 DP 758862 and Lot 4 Sec 57 DP 758862 at 26 Farrer Place Queanbeyan.
2. The request to waive section 7.12 fixed levy development contributions for DA.2022.1610 for the installation of a shade structure be supported as The Queanbeyan Bowls Club is a not-for-profit organisation which provides valuable social and sporting activities for its members and bowls visitors to the club.

The amendment (of Crs Wilson and Burton) was PUT and CARRIED.

For: Crs Biscotti, Livermore, Preston, Taskovski, Webster, Wilson and Winchester

Against: Crs Burton, Grundy, Macdonald and Willis

The amendment became the motion.

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**RESOLVED (Wilson/Biscotti)**

That:

1. Council grant conditional consent for the installation of a shade structure on Lot 1 Sec 57 DP 758862, Lot 2 Sec 57 DP 758862, Lot 3 Sec 57 DP 758862 and Lot 4 Sec 57 DP 758862 at 26 Farrer Place Queanbeyan.
2. The request to waive section 7.12 fixed levy development contributions for DA.2022.1610 for the installation of a shade structure be supported as The Queanbeyan Bowls Club is a not-for-profit organisation which provides valuable social and sporting activities for its members and bowls visitors to the club.

The resolution was carried.

For: Crs Biscotti, Livermore, Macdonald, Preston, Taskovski, Webster, Willis, Wilson and Winchester

Against: Crs Burton and Grundy

**9.3 DA.2022.1358 - 34 Wallace St Braidwood - Construction of Dwelling with Carport and a Shed**

293/23

**RESOLVED (Willis/Grundy)**

That:

1. Approval be granted to a variation to Clause 4.3 of the Palerang Local Environmental Plan 2014 to allow for the construction of a dwelling house with attached carport and installation of a shed on Lot 2 DP 778801, No 34 Wallace Street Braidwood for the following reasons:
  - a. The height of the proposed dwelling is compliant with the height controls prescribed under Braidwood Development Control Plan 2006.
  - b. The proposed development is consistent with the existing bulk, scale and form of developments in the local area
  - c. The subject site is constrained by a flood hazard that requires the dwelling to be built on a raised floor level to ensure it is not impacted during flood events, without which, the proposed dwelling would have complied with the height standard prescribed under Clause 4.3 of PLEP 2014.
  - d. The proposed development is suitably setback from the front, side and rear boundaries and it is unlikely to result in any adverse impacts on the solar access, visual privacy and residential amenity of the adjoining properties and the immediate locality.
2. Council grant conditional consent for the construction of a dwelling house with attached carport and installation of a shed on Lot 2 DP 778801, No 34 Wallace Street Braidwood.

The resolution was carried unanimously.

**9.4 Jerrabomberra Dog Park**

294/23

**RESOLVED (Wilson/Taskovski)**

That Council note the Review of Environmental Factors and endorse the South Jerrabomberra Dog Park design for construction.

The resolution was carried unanimously.

**9.5 Post Exhibition Report, Naming of Lawn South Jerrabomberra Town Park**

**MOVED (Wilson/Macdonald)**

That Council endorse the name 'Robert Winnel Village Lawn'.

**AMENDMENT (Winchester/Taskovski)**

That Council endorse the name 'Robert Winnel Oval'.

The amendment (of Crs Winchester and Taskovski) was PUT and LOST.

For: Crs Biscotti, Taskovski, Webster and Winchester  
Against: Crs Burton, Grundy, Livermore, Macdonald, Preston, Willis and Wilson

**AMENDMENT (Macdonald/Burton)**

That Council endorse the name 'Robert Winnel Lawn'.

The amendment (of Crs Macdonald and Burton) was PUT and LOST.

For: Crs Livermore, Macdonald, Taskovski, Webster and Winchester  
Against: Crs Biscotti, Burton, Grundy, Preston, Willis and Wilson

**AMENDMENT (Webster)**

That Council endorse the name 'Robert Winnel Green'.

The amendment (of Cr Webster) LAPSED for want of a seconder.

The motion (of Crs Wilson and Macdonald) was brought forward.

295/23

**RESOLVED (Wilson/Macdonald)**

That Council endorse the name 'Robert Winnel Village Lawn'.

The resolution was carried.

For: Crs Biscotti, Burton, Grundy, Livermore, Macdonald, Taskovski, Wilson and Winchester  
Against: Crs Preston, Webster and Willis

**9.6 Investment Report - June 2023**

296/23

**RESOLVED (Willis/Preston)**

That Council:

1. Receive the Investment Report for the month of June 2023.
2. Note the investment return for June 2023 was \$1,012,126.
3. Note the investment portfolio has been made in accordance with the Local Government Act (1993), the Local Government (General) Regulation (2021) and Queanbeyan-Palerang Regional Council's Investment Policy.

The resolution was carried unanimously.

**9.7 Icon Water Bulk Water Pricing Agreement and Service Level Agreement**

297/23

**RESOLVED (Taskovski/Willis)**

That Council authorise the General Manager to execute the Service Level Agreement and Pricing Agreement with Icon Water for the supply of potable water to the Queanbeyan Water Supply, with the term of the agreement to be effective from 1 July 2023 to 30 June 2028.

The resolution was carried unanimously.

**9.8 Annual Fire Safety Statement Policy**

298/23

**RESOLVED (Willis/Grundy)**

That Council adopt the Annual Fire Safety Statements Policy.

The resolution was carried unanimously.

**9.9 Council-Related Development Application Conflict of Interest Policy**

299/23

**RESOLVED (Willis/Grundy)**

That Council:

1. Place the draft Council-Related Development Application Conflict of Interest Policy on public exhibition for 28 days inviting submissions.
2. Proceed to adopt the Policy if no submissions are received.

The resolution was carried unanimously.

**10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION****10.1 Resolution Action Sheet**

300/23

**RESOLVED (Willis/Livermore)**

That the report be received.

The resolution was carried unanimously.



- 301/23                      **10.2    Responses to Councillor Questions**  
                                 **RESOLVED (Preston/Willis)**  
                                 That the report be received for information.  
  
                                 The resolution was carried unanimously.
- 302/23                      **10.3    Compliance Reporting**  
                                 **RESOLVED (Wilson/Livermore)**  
                                 That the report on Compliance and Reporting Activities for the six-month period from 1 January 2023 – 30 June 2023 be noted.  
  
                                 The resolution was carried unanimously.
- 303/23                      **10.4    Summary of Road Renewal and Maintenance Activities - Quarter 4 2022/23**  
                                 **RESOLVED (Livermore/Grundy)**  
                                 That the report be received for information.  
  
                                 The resolution was carried unanimously.
- 304/23                      **10.5    WHS Quarterly Report**  
                                 **RESOLVED (Macdonald/Willis)**  
                                 That the report be received for information.  
  
                                 The resolution was carried unanimously.
- 305/23                      **10.6    Councillor Workshops**  
                                 **RESOLVED (Preston/Wilson)**  
                                 That the report be received for information.  
  
                                 The resolution was carried unanimously.
- 306/23                      **10.7    Annual Food Act Enforcement Activity Report**  
                                 **RESOLVED (Biscotti/Preston)**  
                                 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 MOTIONS**

There were no Notices of Motions.

**13. REPORTS TO COUNCIL - DELEGATES REPORTS**

There were no Delegates' reports.

**14. QUESTIONS WITH NOTICE**

There were no Questions with Notice.

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

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

Cr Winchester 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**

307/23

**RESOLVED (Winchester/Preston)**

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 Sale of Council Land - Red Hill Road, Majors Creek**

*Item 16.1 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.

The meeting then moved into Closed Session at 6.31pm to discuss the matters listed above.

Cr Winchester, having declared a less than significant non-pecuniary interest in the following item, vacated the Chair and left the Chambers at 6.31pm.

Having declared a less than significant non-pecuniary interest in the following item, Cr Willis remained in the Chamber and voted.

The Deputy Mayor assumed the Chair.

**16.1 Sale of Council Land - Red Hill Road, Majors Creek**

308/23

**RESOLVED (Preston/Wilson)**

That Council proceed to sell Lots 11, 12 and 13 DP 574879, Red Hill Road Majors Creek, via public auction.

The resolution was carried unanimously.

309/23

**RESOLVED (Livermore/Preston)**

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 7.08pm.

Cr Winchester returned to the meeting at 7.08pm. Cr Livermore vacated the Chair and Cr Winchester resumed the Chair.

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.

**17. CONCLUSION OF THE MEETING**

The time being 7.08pm, the Mayor announced that the Agenda for the meeting had now been completed.

**CR KENRICK WINCHESTER  
MAYOR  
CHAIRPERSON**