



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held via Zoom and at the Braidwood Community Centre, 4 Park Lane, Braidwood on Wednesday, 22 November 2023 commencing at 5.30pm.

ATTENDANCE

Councillors: Cr Winchester (Chairperson)
Cr Biscotti – from 5.35pm
Cr Burton – via Zoom
Cr Grundy
Cr Livermore
Cr Macdonald
Cr Preston
Cr Taskovski
Cr Willis
Cr Wilson

Staff: R Ryan, General Manager
J Richards, Director Community, Arts and Recreation
K Monaghan, Director Corporate Services
R Ormella, Director Development and Environment
G Cunningham, A/Director Infrastructure Services

Also Present: L Ison (Minute Secretary)

1. OPENING

The meeting commenced at 5.32pm.

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**3.1 Application for Leave of Absence - Cr Bryce Wilson**

484/23

RESOLVED (Winchester/Preston)

That Council approve the Leave of Absence application submitted by Councillor Bryce Wilson for the 13 December 2023 Council meeting.

The resolution was carried unanimously.

4. CONFIRMATION OF MINUTES**4.1 Minutes of the Ordinary Meeting of Council held on 8 November 2023**

485/23

RESOLVED (Winchester/Macdonald)

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 8 November 2023 be confirmed.

The resolution was carried.

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

Against: Cr Grundy

Cr Biscotti joined the meeting at 5.35pm.

5. DISCLOSURES OF INTERESTS

486/23

RESOLVED (From the Chair)

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 Taskovski declared a significant Pecuniary Interest in Item 9.1: DA.2022.1397 - 11 Buttle Street Queanbeyan - Residential Flat Building (63 units over four storeys), stating he is an employee of the specified company or other body. He proposed to leave the Chamber when the item is considered.

6. ADJOURNMENT FOR PUBLIC FORUM

487/23

RESOLVED (Winchester/Preston)

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

ADJOURNMENT: The meeting adjourned for the Public Forum at 5.35pm and resumed at 6.02pm.

7. MAYORAL MINUTE

There was no Mayoral Minute.

8. NOTICES OF MOTIONS OF RESCISSION

There were no Notices of Motions of Rescission.

Having declared a Pecuniary Interest in the following item, Cr Taskovski left the Chamber at 6.02pm.

9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.1 DA.2022.1397 - 11 Buttle Street Queanbeyan - Residential Flat Building (63 units over four storeys)

488/23

RESOLVED (Biscotti/Wilson)

That:

1. Approval be granted to a variation to the controls of the Queanbeyan Development Control Plan 2012 to allow the development for the following reasons:
 - a. Apartment Design Guide Part 4D Apartment Size and Layout – minor variation to recognise 15.8% of units do not achieve direct sunlight between 9am – 3pm in mid winter as opposed to 15% as sought by the Guide. The development control cannot be met due to the orientation of the lot. The variation is also minor and the Architect has certified that the objectives of the Apartment Design Guide have been met.
 - b. Part 3C5.2 Queanbeyan Development Control Plan - Site Size and Design –seeks 40% site coverage with the proposal at 43.4 %. The variation is minor, all other controls for height and setbacks are met and the minor increase will have no impact on streetscape nor neighbouring amenity. The variation is able to be supported.
 - c. Part 3C5.3 Queanbeyan Development Control Plan – Building Setbacks – seeks floors above 2 storeys to be setback 7m. The proposal includes a setback to levels 3 and 4 consistent with levels 1 and 2 at 6m. The proposed upper floor setbacks are consistent with 3-4 storey development in the local area. The site is not a commercial area where a human scale at street level is required and supported by stepped back upper levels. The variation for upper floor setbacks to 6m is able to be supported.
 - d. Part 3C5.7 Queanbeyan Development Control Plan – Open Space – seeks 25% to be available for deep root planting. Deep root planting cannot be achieved on much of the site due to the basement car park. Land next to the

western side property boundary provides communal open space with medium trees proposed. The Landscape Plan offers an acceptable suitable solution and is supported.

- e. Condition 67 Provide Individual Storage Areas be amended as follows:

All individual storage areas identified on the plans are to be fully enclosed and secured with lockable doors. An area of 3m³ is to be allocated to each one bedroom unit and 4m³ is to be allocated for each 2 bedroom unit.

Reason: To provide secure storage areas for the dwellings.

2. Development application DA.2022.1397 for Residential Flat Building (63 units over 4 storeys), 11 Buttle Street Queanbeyan East be granted conditional approval.

The resolution was carried unanimously.

Cr Taskovski returned to the Chamber at 6.13pm.

9.2 DA.2023.0267 - Construction of Emergency Services Facility / Community Centre

489/23

RESOLVED (Biscotti/Willis)

That:

1. Development application DA.2023.0267 for Construction of Emergency Services Facility / Community Centre on Lot 1 DP 1166327 and Lot 1 DP 1096374, 5 Galway Street Mongarlowe be granted conditional approval.
2. The Department of Industry, Science and Resources be forwarded a copy of Council's Notice of Determination.

The resolution was carried unanimously.

9.3 Submissions Report on the Discussion Paper for the Braidwood Structure Plan

490/23

RESOLVED (Willis/Macdonald)

That Council:

1. Receive the submissions report on the exhibited Discussion Paper for the Braidwood Structure Plan.
2. Update the Discussion Paper to correct identified errors and provide clarification as identified in Submissions Assessment (Attachment 2).
3. Consult with Aboriginal communities associated with the Braidwood area to ensure a greater understanding of sites of significance and First Nations associations to Country to inform and input into the draft Braidwood Structure Plan.

4. Prepare the draft Braidwood Structure Plan taking into consideration the issues raised in submissions from the Braidwood community and stakeholder agencies, as identified by theme in Figure 1 of this report and in the attached Submissions Assessment (Attachment 2).

The resolution was carried unanimously.

9.4 Road Naming - Proposed New Road Name - Marland Court

491/23

RESOLVED (Grundy/Wilson)

That Council:

1. Adopt in principle the name 'Marland Court' as the proposed name for the first of two new roads located off Environa Drive, Environa created under Condition #69 Development Consent DA.2021.1153 and DA.2021.1153.A.
2. Advertise the proposed road name for public comment for 28 days.
3. Publish a notice in the NSW Government Gazette for the road name 'Marland Court' if no objections are received during the advertising period.

The resolution was carried unanimously.

9.5 Planning Proposal to Reclassify 19 Gibraltar Street, Bungendore from Community to Operational Land

492/23

RESOLVED (Willis/Grundy)

That Council:

1. Approves the progress of the draft planning proposal to reclassify Lot 8 Section 11 DP 758183 19 Gibraltar Street, Bungendore from 'community land' to 'operational land' under the Local Government Act 1993, and upon completion, it be forwarded to the NSW Department of Planning and Environment to seek a Gateway determination.
2. Receive a further report, following receipt of a Gateway determination so that the draft planning proposal be placed on public exhibition in accordance with any conditions in the Gateway determination.

The resolution was carried unanimously.

9.6 QPRC Local Heritage Places Grants 2023-24**MOVED (Willis/Wilson)**

That Council adopt the recommendations to provide funding under the QPRC Local Heritage Places Grant Program to the applications as listed in Attachment 3.

PROCEDURAL MOTION

493/23

RESOLVED (Biscotti/Macdonald)

That Item 9.6: QPRC Local Heritage Places Grants 2023-24, be considered in Closed Session.

The resolution was carried unanimously.

9.7 Classification of Lot 106 DP 1282739 as Operational Land

494/23

RESOLVED (Grundy/Livermore)

That Council, in accordance with section 31 of the Local Government Act, classify 202 Tarago Road, Bungendore (Lot 106 DP 1282739) as Operational land upon transfer of ownership to Council.

The resolution was carried unanimously.

9.8 QPRC Cultural Assistance Grant Application

495/23

RESOLVED (Preston/Taskovski)

That Council approve a Cultural Assistance Grant of \$1,000 to the Canberra Tamil School of Canberra Association to provide costumes for a School dance performance at the QPRC Diwali Festival.

The resolution was carried.

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

Against: Crs Burton and Grundy

9.9 Draft License Agreement - Lions Club Queanbeyan

496/23

RESOLVED (Grundy/Macdonald)

That Council:

1. Endorse a 12 month Licence Agreement with Queanbeyan Lions Club to operate a community facility and book exchange at Queanbeyan Park.
2. Approve advertising the Licence Agreement in accordance with 47A of the Local Government Act 1993.
3. If no objections are received, approve the General Manager to sign the Licence Agreement.

4. Seek Ministerial consent for Council to enter into a 5 year Licence Agreement with Queanbeyan Lions Club to operate a community facility and book exchange at Queanbeyan Park.

The resolution was carried unanimously.

9.10 Annual Report 2022-23

497/23

RESOLVED (Biscotti/Taskovski)

That Council endorse the Annual Report 2022-23.

The resolution was carried unanimously.

9.11 Investment Report - October 2023

498/23

RESOLVED (Grundy/Wilson)

That Council:

1. Receive the Investment Report for the month of October 2023.
2. Note the investment return for October 2023 was \$492,542.
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.

9.12 Draft Roadside Vegetation Management Policy and Plan

499/23

RESOLVED (Willis/Wilson)

That Council place the Draft Roadside Vegetation Management Policy and Draft Roadside Vegetation Management Plan on public exhibition for an extended period of 70 days (closing on 31 January 2024).

The resolution was carried unanimously.

9.13 Data Breach Policy

500/23

RESOLVED (Winchester/Preston)

That Council place the draft Data Breach Policy on public exhibition for 28 days.

The resolution was carried unanimously.

9.14 Crown Road Management Policy - Post Exhibition Report**MOVED (Taskovski/Biscotti)**

That Council adopt the Crown Road Management Policy.

Cr Grundy foreshadowed a CONTRARY motion: That the Crown Road Management Policy be re-exhibited.

The motion (of Crs Taskovski and Biscotti) was PUT.

501/23

RESOLVED (Taskovski/Biscotti)

That Council adopt the Crown Road Management Policy.

The resolution was carried.

For: Crs Livermore, Preston, Taskovski, Willis, Wilson and Winchester

Against: Crs Biscotti, Burton, Grundy and Macdonald

10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION**10.1 Responses to Councillor Questions - Bungendore Cemetery**

502/23

RESOLVED (Wilson/Preston)

That the report be received for information.

The resolution was carried unanimously.

10.2 Queanbeyan Sewage Treatment Plant (QTSP) Update

503/23

RESOLVED (Wilson/Willis)

That the report be received for information.

The resolution was carried unanimously.

10.3 Queanbeyan to Bungendore (Q2B) Bulk Water Supply Design Update

504/23

RESOLVED (Wilson/Preston)

That the report be received for information.

The resolution was carried.

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

Against: Cr Willis

10.4 Minutes of the Cultural Development and Public Art Advisory Committee July 2023

505/23

RESOLVED (Preston/Livermore)

That Council:

1. Note the minutes of the CDPA Advisory Committee held on 13 July 2023.
2. Endorse Recommendation CDPA 01/23 to change to the Terms of Reference regarding meeting times, term of representation and staff titles.
3. Endorse Recommendation CDPA 2/23 that the Committee develop a Cultural Policy to replace the outdated 2017 Cultural Plan, in consultation with Council, key stakeholders groups and the LGA community.

The resolution was carried unanimously.

10.5 EDE Working Group

506/23

RESOLVED (Winchester/Willis)

That the report be received for information.

The resolution was carried unanimously.

10.6 Councillor Workshops

507/23

RESOLVED (Winchester/Preston)

That the report be received for information.

The resolution was carried unanimously.

11. REPORTS OF COMMITTEES**11.1 Minutes - QPRC Sports Council Meeting - 6 November 2023**

508/23

RESOLVED (Biscotti/Wilson)

That Council note the minutes of the QPRC Sports Council held on 6 November 2023.

The resolution was carried unanimously.

11.2 Bungendore Town Centre and Environs Advisory Committee Meeting Minutes - 16 October 2023

509/23

RESOLVED (Grundy/Livermore)

That Council:

1. Note the minutes of Bungendore Town Centre and Environs Committee (BTCEC) meeting held on 16 October 2023.
2. Endorse the appointment of Lesley Harris and Graham Judge to fill the two vacant positions on BTCEC.

3. Endorse the recommendation to amend the current Terms of Reference to increase the number of community representatives from five to seven.
4. Endorse the appointment of Brent Riseborough and Gary Harb to fill the two additional vacancies, noted in recommendation 3.

The resolution was carried unanimously.

SUPPLEMENTARY REPORTS

11.3 Site Inspection - DA.2022.1397 - Construction of a Residential Flat Building – 11 Buttle Street, Queanbeyan East

510/23

RESOLVED (Winchester/Willis)

That the report be received for information.

The resolution was carried unanimously.

12. NOTICES OF MOTIONS

12.1 Riverside Oval Canteen

MOVED (Wilson/Biscotti)

That Council allocate in the 2023/24 Operational Plan, up to \$15,000 for the purpose of completing the works at Riverside Oval Canteen; from savings in the Councillor Remuneration budget.

AMENDMENT (Willis/Macdonald)

That Council consider and receive a report at the first Quarterly Budget Review Statement at the December 13 meeting about allocating in the 2023/24 Operational Plan up to \$15,000 for the purpose of completing the works at Riverside Oval canteen.

The amendment (of Crs Willis and Macdonald) was PUT.

For: Crs Burton, Macdonald and Willis

Against: Crs Biscotti, Grundy, Livermore, Preston Taskovski, Wilson and Winchester

The amendment was LOST. The motion (of Crs Wilson and Biscotti) was brought forward.

511/23

RESOLVED (Wilson/Biscotti)

That Council allocate in the 2023/24 Operational Plan, up to \$15,000 for the purpose of completing the works at Riverside Oval Canteen; from savings in the Councillor Remuneration budget.

The resolution was carried.

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

Against: Crs Burton, Grundy, Macdonald and Willis

13. REPORTS TO COUNCIL - DELEGATES REPORTS

There were no Delegates Reports.

14. QUESTIONS WITH NOTICE

There were no Questions with Notice.

ADJOURNMENT: The meeting adjourned at 7.30pm and resumed at 7.44pm.

16. 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.

17. REPORTS FOR CLOSED SESSION

512/23

RESOLVED (Winchester/Macdonald)

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 Purchase of portion 17 Gibraltar Street Bungendore

Item 16.1 is confidential in accordance with s10(A) (e) of the Local Government Act 1993 because it contains information that would, if disclosed, prejudice the maintenance of law 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 7.45pm to discuss the matters listed above.

Item 9.6 was brought forward for consideration at this juncture.

9.6 QPRC Local Heritage Places Grants 2023-24

513/23

RESOLVED (Willis/Wilson)

That Council adopt the recommendations to provide funding under the QPRC Local Heritage Places Grant Program to the applications as listed in Attachment 3.

The resolution was carried.

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

Against: Crs Grundy and Macdonald

16.1 Purchase of portion 17 Gibraltar Street Bungendore

514/23

RESOLVED (Grundy/Livermore)

That Council:

1. Resolves to authorise the General Manager to negotiate the acquisition of the rear portion of 17 Gibraltar Street, Bungendore (Lot 7 Section 11 DP 758183) for use as a carpark adjacent to 19 Gibraltar Street (the site for the new Council offices).
2. Resolves that when acquired the rear portion of 17 Gibraltar Street Bungendore will vest in Council as "Operational land".
3. Resolves that when acquired, the 16m2 that is to be compulsorily acquired from the owner of 29 Ellendon Street (Lot 2 DP 1286006), Bungendore will also vest in Council as "Operational land".

The resolution was carried unanimously.

515/23

RESOLVED (Winchester/Macdonald)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 7.54pm.

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.

18. CONCLUSION OF THE MEETING

The time being 7.56pm, the Mayor announced that the Agenda for the meeting had now been completed.

**CR KENRICK WINCHESTER
MAYOR
CHAIRPERSON**