



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Council Chambers, 10 Majara Street, Bungendore on Wednesday, 22 June 2016 commencing at 5.30pm.

ATTENDANCE

Administrator:	T Overall (Chair)
Staff:	P Tegart, General Manager; P Bascomb Deputy General Manager; J Wright, Director of Planning and Environmental Services; G. Cunningham, Director of Works; M Thompson, Director Environment, Planning & Development; P Hansen, Director Infrastructure; P Spyve, Acting Director Economic and Community Development; S-J Abigail, Chief Financial Officer and S Taylor, Acting Finance Manager.
Also Present:	W Blakey, Management Accountant (Clerk of the Meeting) and H. Hone (Minute Secretary) and Mrs L Ison (Team Leader – Customer Service).

1. APOLOGIES

There were no apologies.

2. PRESENTATIONS/DEPUTATIONS/PETITIONS

Mr Richard Graham – Conduct of Extraordinary Council Meeting 15 June 2016.

Mr Paul Bombardier – Item 6.1 - Development Application DA.2016.081 – 317 Royalla Drive, Royalla – Community Hall.

Mr Paul Cockram – Item 6.14 - Local Representation Committee establishment.

Mr Des Page – Item 15.2 - Review of Penalty Notice - 1291 Old Cooma Road, Royalla.

3. CONFIRMATION OF MINUTES**3.1 Minutes of the Ordinary Meeting of Council held on 8 June 2016**

056/16

RESOLVED (Overall)

The Administrator resolved that the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Chambers on Wednesday 8 June 2016 be confirmed.

3.2 Minutes of the Extraordinary Meeting of Council held on 15 June 2016

057/16

RESOLVED (Overall)

The Administrator resolved that the Minutes of the Extraordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 15 June 2016 be confirmed.

4. DECLARATIONS OF INTEREST

058/16

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.

Mr Overall declared a conflict of interest in regard to Item 6.11 being donations numbers 9 and 26. He is a Life Member of the Queanbeyan Red Cross and his wife is the President of Meals on Wheels Queanbeyan Inc. He will delegate this part to the General Manager in accordance with S.377 of the Local Government Act.

5. MAYORAL MINUTES

Nil

6. GENERAL MANAGER'S REPORTS**6.1 Development Application DA.2016.081 – 317 Royalla Drive, Royalla – Community Hall**

059/16

RESOLVED (Overall)

The Administrator resolved that as the consent authority, pursuant to Section 80 of the Environmental Planning and Assessment Act 1979, grant consent for Development Application DA.2016.081 for the construction of a Community Hall on Lot 33 DP 1037260, 317 Royalla Drive, Royalla, subject to the conditions in Attachment 3.

6.2 Determination of Building Certificate for Riverside North Carpark Fence - 50 Morisset Street, Queanbeyan

060/16

RESOLVED (Overall)

The Administrator resolved:

1. That the Building Certificate Application for the fence at Riverside Plaza North Carpark be refused for the following reasons:
 - a. The fence contravenes Development Consent DA95003 in which the fence was deleted from the proposed plans by a resolution of Council. The reason for the deletion of fence in DA95003 was to ensure adequate pedestrian access between the carparks. This reason is still valid today.
 - b. Development Consent would not have been granted if a Development Application had been lodged with Council as it obstructs informal pedestrian access between the carparks. It is in the public interest for the access to be kept open.
 - c. The fence has the potential to impact on safety by obstructing the escape route for pedestrians during flood events.
 - d. The fence has the potential to impact on safety as it reduces passive surveillance that is generated by the pedestrians utilising the informal linkages through the carparks or users of the carpark.
 - e. The fence has the potential to impact on safety as it may trap victims of crime with the low turnover of cars and restricted escape options.
 - f. The installation of the fence is neither maintenance nor like-for-like replacement of the previous log barriers.
2. That Council note that the fence is therefore unauthorised development and will be required to be removed to comply with Development Consent DA95003.
3. That enforcement action be commenced by issuing a Notice of Proposed Order (NOPO) under the Environmental Planning and Assessment Act 1979 requiring the fence to be removed (or altered by agreement) in order to comply with development consent DA95003.

6.3 Exhibition Draft South Tralee Local Planning Agreement

061/16

RESOLVED (Overall)

The Administrator resolved to execute the South Tralee Local Planning Agreement subject to incorporating the recommended changes specified in Attachment 1 to this report and any other minor administrative or housekeeping changes identified noting that the recommended action for Item 29 has been amended to read 'no change be made to LPA as result of this submission'.

6.4 Pobje Lane - Naming of Unnamed Laneway - Queanbeyan East

062/16

RESOLVED (Overall)

The Administrator resolved:

1. That the unnamed laneway adjacent to the western boundary of 47 Mowatt Street be named Pobje Lane.
2. That the name change be gazetted as soon as possible.

6.5 Renaming of Dunn Place to Clara Place - Proposed Gazettal

063/16

RESOLVED (Overall)

The Administrator resolved:

1. To approve a change of street name from Dunn Place to Clara Place.
2. That the name change be gazetted as soon as possible.

6.6 Draft Variation to ACT Territory Plan (Draft Variation No 353)

064/16

RESOLVED (Overall)

The Administrator resolved:

1. To lodge a submission on ACT Territory Plan Draft Variation No 353 in terms of the matters raised in this report.
2. That the ACT Environment and Planning Directorate be advised that Council would like to establish a more robust protocol for early consultation and public notification of land use proposals that could impact on nearby areas on either side of the ACT/NSW border.
3. That the Administrator and the General Manager raise the matters with the ACT Chief Minister informing him of Council's concerns and the potential impact on Queanbeyan businesses.

6.7 QPRC Consolidated Investment Report - 13 May 2016 to 31 May 2016

065/16

RESOLVED (Overall)

The Administrator resolved to:

1. Note the investment income from 13 May 2016 to 31 May 2016 is \$181,410 bringing the total interest earned on Cash and Cash Equivalent Investments for the 2016/17 Financial Year to \$181,410 which is \$52,017 above the year to date 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 period 13 May 2016 to 31 May 2016.

6.8 QPRC Consolidated Investment Policy

066/16

RESOLVED (Overall)

The Administrator resolved that the Draft QPRC Investment Policy be placed on public exhibition for 28 days.

6.9 Basin Priority Projects - Queanbeyan

067/16

RESOLVED (Overall)

The Administrator resolved to endorse the project sites within Queanbeyan and approve ACT TAMS to proceed, subject to relevant approvals and continued community engagement.

6.10 Proposed Hot Rod Event 2018

068/16

RESOLVED (Overall)

The Administrator resolved to endorse the Canberra Hot Rod Association (CHRA) event and staff continue to work with organisers to facilitate the event in 2018.

6.11 General Donations Distribution 2016/17

Mr Overall declared a conflict of interest in regard to Item 6.11 donations numbers 9 and 26. He will delegate this part to the General Manager in accordance with S.377 of the Local Government Act.

069/16

RESOLVED (Overall)

The Administrator resolved with the exception of Donation Numbers 9 and 26: that:

1. Council make donations as listed in Attachment 1 with the following adjustments
 - Donation No1. allocation: \$2,000
 - Donation No.6 allocation: \$2,000
 - Donation No.7 allocation: \$1,500
 - Donation No.8 allocation: \$1,500
 - Donation No.33 allocation: \$3,000
2. Council note the amount is \$45,368.81.
3. Council agree to increase the allocation by \$5,368.81 for the financial year 2016/17.
4. Funds allocated to Schools as Community Centres for the financial year 2015/16 be transferred for use in the 2016/17 financial year.
5. All recipients of donations under Category A be required to complete an acquittal form.
6. Unallocated funds (\$4,631.19) be retained for the "Emergency" Vote and/or other defined Donations as agreed to by Council.
7. Staff consolidate the general donations grant schemes of the former Queanbeyan City and Palerang Councils for the 2017/18 financial year and a report be submitted to a meeting of Council.

6.12 Potable and Recycled Water Supply Policy

070/16

RESOLVED (Overall)

The Administrator resolved to adopt the attached Potable and Recycled Water Supply policy document as amended.

6.13 Councillor Fees - Local Government Remuneration Tribunal Determination for 2016

071/16

RESOLVED (Overall)

The Administrator resolved:

1. To note that the Local Government Remuneration Tribunal set new remuneration levels for Mayors and Councillors in its 29 March 2016 Determination.
2. That in accordance with the Tribunal's Determination adopt the remunerations levels as follows:
 - ☐ Councillors - \$18,840;
 - ☐ Mayor - \$41,090 in addition to the Councillor fee;and apply 'Councillor' remuneration levels to the members of its Local Representation Committee as of 1 July 2016.

6.14 Local Representation Committee establishment

072/16

RESOLVED (Overall)

The Administrator resolved to:

1. Note the establishment of the Queanbeyan-Palerang Local Representation Committee, and
2. Note the remuneration of the LRC members has been established as per the Committee's Terms of Reference and in line with the Local Government Remuneration Tribunal's determinations for the former Queanbeyan City Councillors.

6.15 Council Property Strategy and Policy

073/16

RESOLVED (Overall)

The Administrator resolved:

1. To adopt the Property Strategy and Policy and Rental Rebate Policy as amended.
2. That a review of operational properties surplus to the new QPR Council be undertaken and assessed against the criteria established with the Property Strategy and Policy.
3. That a schedule be brought to Council outlining properties proposed for sale or acquisition, with respective development options.

6.16 Asset and Financial Sustainability Review

074/16

RESOLVED (Overall)

The Administrator resolved:

1. To adopt the Financial Strategy and Policy
2. To endorse the Narrow the Gap principle to progressively map and match asset and service expenses to related revenue sources
3. To engage Percy Allan and Associates to undertake an Asset and Financial Sustainability Review of the former Palerang Council
4. Following that review, revise Council's Revenue and Pricing policies to reflect the Optimal Scenario; and revise the Asset Strategy and Asset Management Plans and policies to reflect the condition, values and intervention levels outlined in the GHD report on infrastructure assets, and align with Special Schedule 7 in the Financial Statements.

S.1 Merger - Transitional Staffing Arrangements

075/16

RESOLVED (Overall)

The Administrator resolved to:

1. note the report on transitional staffing arrangements, and
2. adopt the interim organisational structure 2016/17.

7. COMMITTEE REPORTS

Nil

8. NOTICES OF RESCISSION

Nil

9. NOTICES OF MOTION

Nil

10. QUESTIONS ON NOTICE

Nil

11. RESPONSES TO QUESTIONS ON NOTICE

Nil

12. COUNCILLORS' REPORTS

Nil

13. INFORMATION ITEMS**13.1 Site Inspection - DA 64-2016 - For a Place of Public Worship (Mosque) - 183-185 Gilmore Road, Queanbeyan**

076/16

RESOLVED (Overall)

The Administrator resolved that the report be received for information.

13.2 Strategic Land Use Planning Projects - former Queanbeyan area - Status

077/16

RESOLVED (Overall)

The Administrator resolved that the report be received for information.

14. NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION

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

Mr Overall then asked that, in accordance with Clause 27 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.

Item 15.1 Write off of Water Charges due to water loss from an undetected leak

Item 15.1 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 15.2 Review of Penalty Notice - 1291 Old Cooma Road, Royalla

Item 15.2 is confidential in accordance with s10(A) (e) (g) of the Local Government Act 1993 because it contains information that would, if disclosed, prejudice the maintenance of law; AND 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.

No presentations were made.

078/16

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:

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

The meeting returned to Open Sessions by virtue of Resolution No. 081/16 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.

Item 15.1 Write off of Water Charges due to water loss from an undetected leak

The Administrator resolved to write off Water Consumption Charges of:

- 1 \$298.66 from Resident 1's water account,
- 2 \$863.78 from Resident 2's water account, and
- 3 \$7,271.56 from Resident 3's water account.

Item 15.2 Review of Penalty Notice - 1291 Old Cooma Road, Royalla

The Administrator resolved:

1. That Council advise the State Debt Recovery Office that it has reviewed Penalty Notice (PN 3043054044) in relation to unauthorised works carried out at 1291 Old Cooma Road and has determined that the penalty should stand.

2. That Council take no action to enforce the removal of the unauthorised fill at the above mentioned address until such time as Council is satisfied that the applicant has had an opportunity to lodge a development application for proposed works utilising the fill material.

At this stage in the proceedings, the time being 6.44pm Mr Overall announced that the Agenda for the meeting had now been completed and declared the meeting closed.

**TIM OVERALL
ADMINISTRATOR
CHAIRPERSON**