



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Council Chambers, 257 Crawford Street, Queanbeyan on Wednesday, 27 March 2024 commencing at 5.32pm.

## ATTENDANCE

**Councillors:** Cr Winchester (Chairperson)  
Cr Biscotti  
Cr Grundy  
Cr Livermore  
Cr Macdonald  
Cr Preston  
Cr Taskovski  
Cr Willis  
Cr Wilson

**Staff:** R Ryan, General Manager  
K Monaghan, Director Corporate Services  
R Ormella, Director Development and Environment  
D Tooth, A/Director Infrastructure Services  
M Goiser, A/Director Community, Arts and Recreation

**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

107/24

#### **RESOLVED (Winchester/Grundy)**

That apology for non-attendance from Cr Burton be received and that leave of absence be granted.

The resolution was carried unanimously.

**4. CONFIRMATION OF MINUTES****4.1 Minutes of the Ordinary Meeting of Council held on 13 March 2024**

108/24

**RESOLVED (Winchester/Taskovski)**

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 13 March 2024 be confirmed.

The resolution was carried unanimously.

**5. DISCLOSURES OF INTERESTS**

109/24

**RESOLVED (Winchester/Preston)**

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.

**6. ADJOURNMENT FOR PUBLIC FORUM**

110/24

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

**RESOLVED (Winchester/Taskovski)**

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 5.59pm.

**7. MAYORAL MINUTE**

There was no Mayoral Minute.

**8. NOTICES OF MOTIONS OF RESCISSION**

There were no Notices of Motions of Rescission.

**9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION****9.1 DA.2023.0273 - Partial Demolition, alterations and additions to structures associated with The Albion Hotel - 119 Wallace Street Braidwood****MOVED (Grundy/Biscotti)**

That development application DA.2023.0273 for partial demolition, alterations and additions to structures associated with the Albion Hotel on Lot 1 DP598830 at 119 Wallace Street Braidwood be granted conditional consent.

**AMENDMENT (Willis/Preston)**

That:

1. Development application DA.2023.0273 for partial demolition, alterations and additions to structures associated with the Albion Hotel on Lot 1 DP598830 at 119 Wallace Street Braidwood be granted conditional consent:
2. Council refuse consent to demolish the T-shaped metal sheds for the following reasons:
  - a. There is doubt about whether s4.48 of the Environment Planning and Assessment Act is intended to constrain Council from protecting a local heritage item.
  - b. The section 60 approval for the works (s60/2021/102) relied upon to support demolition of the T-shaped sheds in this development application, is based on the prior section 60 approval of a sub-division, not heritage grounds, and the consent authority, being QPRC, has not given consent for that sub-division.
  - c. There has not been a thorough heritage assessment of the T-shaped sheds.
  - d. Council's heritage adviser has recommended against the demolition of the sheds.
  - e. The development application is not compliant with the Braidwood Development Control Plan 2006 with regards to the requirements for demolition of a heritage item.
  - f. The authorised demolition of a heritage item that forms part of the State heritage listing *Braidwood and its setting*, and that is not in such condition as to meet the threshold for demolition set out in the Braidwood Development Control Plan 2006 is not in the public interest because:
    - i. There is extensive community support to retain the T-shaped sheds, which are estimated to be 100 years old.
    - ii. Demolition would undermine public confidence in the administration of Council's planning regulations.
    - iii. Heritage is integral to Braidwood's economic success as a living, working heritage-listed town, and the outbuildings of the Albion complex including the T-shaped sheds are an integral part of the town's fabric that support its economic success and vitality.

The AMENDMENT (of Willis and Preston) was PUT and LOST.

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

Cr Willis moved a second amendment, seconded by Cr Preston.

**AMENDMENT (Willis/Preston)**

That Council:

1. Defer consideration of development application DA.2023.0273 for the partial demolition, alterations and additions to structures associated with the Albion Hotel on Lot 1 DP598830 at 119 Wallace Street Braidwood until:
  - a. The full development application has been referred to Council's Heritage Advisory Committee for advice and recommendations, as the committee requested at its meeting of 24 August 2023; and consistent with that committee's Terms of Reference.
  - b. Council clarifies with the NSW Heritage Council whether:
    - i. The Heritage NSW approval under delegation of the demolition of the T-shaped sheds was based on the prior s60 sub-division and not on heritage grounds; and
    - ii. QPRC is constrained from refusing the development application on heritage grounds.
2. Receive a report from Council staff on:
  - a. How the local heritage listing, *The Albion and Outbuildings*, was removed in the making of the Queanbeyan-Palerang Local Environmental Plan 2022 (QPRLEP 2022);
  - b. Whether any other local heritage listings were removed in the making of the QPRLEP 2022; and
  - c. The steps required to prepare amendments to the QPRLEP 2022 to correct any listing errors that have occurred.

The AMENDMENT (of Crs Willis and Preston) was PUT and LOST.

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

Cr Willis moved a third amendment, seconded by Cr Wilson.

**AMENDMENT (Willis/Wilson)**

That:

1. Development application DA.2023.0273 for partial demolition, alterations and additions to structures associated with the Albion Hotel on Lot 1 DP598830 at 119 Wallace Street Braidwood be granted conditional consent.
2. The demolition and removal of the T-shaped sheds is not part of this consent. The T-shaped sheds are to be retained on the subject site, supported by a structural integrity report. A plan showing the proposed new location is to be submitted to Council for approval prior to works commencing.

*Reason: Retention promotes Aim 1.2(2)(a) of the QPRC LEP to protect and improve the economic environmental social and cultural resources and prospects of the community.*

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

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

The amendment became the motion.

111/24

**RESOLVED (Willis/Wilson)**

That:

1. Development application DA.2023.0273 for partial demolition, alterations and additions to structures associated with the Albion Hotel on Lot 1 DP598830 at 119 Wallace Street Braidwood be granted conditional consent.
2. The demolition and removal of the T-shaped sheds is not part of this consent. The T-shaped sheds are to be retained on the subject site, supported by a structural integrity report. A plan showing the proposed new location is to be submitted to Council for approval prior to works commencing.

*Reason: Retention promotes Aim 1.2(2)(a) of the QPRC LEP to protect and improve the economic environmental social and cultural resources and prospects of the community.*

The resolution was carried.

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



- 116/24
- 9.6 Bungendore Swimming Pool Lease Extension Offer**  
**RESOLVED (Willis/Livermore)**
- That Council:
1. Accept the offer from NSW Department of Education to extend the lease of the Bungendore Swimming Pool until 31 March 2025, and authorise the General Manager to execute the addendum to the Lease Agreement.
  2. Continue to budget for the operating of the current Bungendore Swimming Pool for the season in the 24/25 Operational Plan.
  3. Notwithstanding paragraph 2 above, request the NSW Government to contribute to the cost that Council will incur to operate the pool for the 2024/25 season.
- The resolution was carried.
- For: Crs Biscotti, Livermore, Macdonald, Preston, Taskovski,  
Willis, Wilson and Winchester
- Against: Cr Grundy

- 117/24
- 9.7 Investment Report - February 2024**  
**RESOLVED (Willis/Grundy)**
- That Council:
1. Receive the Investment Report for the month of February 2024.
  2. Note the investment return for February 2024 was \$1,422,800.
  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.

## **10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION**

- 118/24
- 10.1 Use of Aero Ranger System for Parking Enforcement**  
**RESOLVED (Willis/Winchester)**
- That the report be received for information.
- The resolution was carried.
- For: Crs Grundy, Livermore, Macdonald, Preston, Taskovski,  
Willis, Wilson and Winchester
- Against: Cr Biscotti

- 119/24            **10.2    Review of Rural Area Developer Contribution Plans**  
**RESOLVED (Willis/Livermore)**  
That the report be received for information.  
  
The resolution was carried unanimously.
- 120/24            **10.3    Affordable Housing - Contributions Scheme Update**  
**RESOLVED (Willis/Preston)**  
That the report be received for information.  
  
The resolution was carried unanimously.
- 121/24            **10.4    Delivery Program Update - July December 2023**  
**RESOLVED (Willis/Wilson)**  
That the report be received for information.  
  
The resolution was carried unanimously.
- 122/24            **10.5    Questions With Notice - Bungendore Heritage Study**  
**RESOLVED (Willis/Winchester)**  
That the report be received for information.  
  
The resolution was carried unanimously.
- 123/24            **10.6    Questions With Notice - Braidwood Water Leaks**  
**RESOLVED (Willis/Livermore)**  
That the report be received for information.  
  
The resolution was carried unanimously.
- 124/24            **10.7    Councillor Workshops**  
**RESOLVED (Winchester/Preston)**  
That the report be received for information.  
  
The resolution was carried unanimously.
- 11.    REPORTS OF COMMITTEES**
- 125/24            **11.1    QPRC Heritage Advisory Committee Minutes - 22 February 2024**  
**RESOLVED (Willis/Livermore)**  
That Council:  
  
1. Note the minutes of the QPRC Heritage Advisory Committee (HAC) held on 22 February 2024.



2. Note recommendations from the meeting held on 22 February 2024:

- a. QPRC HAC – DA.2023.0380 – 97-99 Lascelles Street, Braidwood - Construction of a motel in a heritage conservation area.

The QPRC Heritage Advisory Committee supports the DA.

- b. QPRC HAC – That staff obtain quotes for the redesign or replacement of the Clark Gang Signage to amend the wording.

The resolution was carried unanimously.

126/24

**11.2 Access Committee Meeting - 12 February 2024**

**RESOLVED (Biscotti/Macdonald)**

That Council note the minutes of QPRC Access Committee held on 12 February 2024.

The resolution was carried unanimously.

127/24

**11.3 QPRC Sports Council Meeting - 5 February 2024**

**RESOLVED (Wilson/Biscotti)**

That Council note the minutes of the QPRC Sports Council held on 5 February 2024.

The resolution was carried unanimously.

**12. NOTICES OF MOTIONS**

128/24

**12.1 Notice of Motion - Bungendore Oval Fences**

**RESOLVED (Preston/Taskovski)**

That the Mayor and General Manager write to the Deputy Premier and Minister for Education, the Hon. Prue Carr MP, and the Member for Monaro, the Hon Steve Whan MP:

1. Raising ongoing community concerns regarding the legality of and necessity for the fence.
2. Noting the unkempt nature of the grounds within the fence and the poor state of NSW Department of Education banners on the fence.
3. Requesting that the Minister direct School Infrastructure New South Wales to remove the fence and re-open Majara Street until such time as work is able to proceed under a properly and legally approved DA at the site.

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

Against: Crs Biscotti, Grundy and Macdonald

**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**

There were no matters for Closed Session.

**17. CONCLUSION OF THE MEETING**

The time being 8.36pm, the Mayor announced that the Agenda for the meeting had now been completed.

**CR KENRICK WINCHESTER  
MAYOR  
CHAIRPERSON**