



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

ATTENDANCE

Councillors: Cr Overall (Chair), Crs Biscotti, Bray AM, Brown, Harrison, Hicks, Marshall, Noveska, Schweikert, Taylor and Winchester.

Staff: P Tegart, CEO/General Manager; M Thompson, Portfolio General Manager Natural and Built Character; P Hansen, Portfolio General Manager Community Connections; J Richards, Portfolio General Manager Community Choice; P Neil, Portfolio General Manager Organisational Capability and S Taylor, Service Manager Finance.

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

1. APOLOGIES

There were no apologies.

1A. DISCLOSURES OF INTERESTS

358/17

RESOLVED (Taylor/Bray)

That Councillors and staff now disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.

Mr Shane Taylor (Service Manager Finance) declared a pecuniary interest for Item 5.4 - Rates Issues, as he is the owner of a property at Googong, and stated that he will leave the Chambers when the item is considered.

Cr Kenrick Winchester declared a pecuniary interest for Item 5.4 - Rates Issues, as he is a resident of Googong and any change to the rates will have a financial impact, and stated that he will leave the Chambers when the item is considered.

Mr Peter Tegart (CEO/General Manager) declared a pecuniary interest for Item 5.4 - Rates Issues, as he is the owner of land at Googong, and stated that he will leave the Chambers when the item is considered.

Cr Trudy Taylor declared a pecuniary interest for Item 5.4 - Rates Issues, as she is a ratepayer in Googong, and stated that she will leave the Chambers when the item is considered.

Cr Michele Biscotti declared a pecuniary interest for Item 5.4 - Rates Issues, as he is the owner of a property at Googong, and stated that he will leave the Chambers when the item is considered.

Cr Michele Biscotti declared a non-pecuniary interest, less than significant, for Item 6.4 - Q-One Indoor Sports & Monaro Panthers - Junior Futsal League - Affiliation Program, as he is the Premier League Coach at the Monaro Panthers, and stated that he will leave the Chambers when the item is considered.

Cr Radmila Noveska declared a non-pecuniary interest, significant, for Item 6.6 - Summer Activation Event January 2018, as she is a member of the specified company or other body, and stated that she will leave the Chambers when the item is considered.

Cr Peter Bray declared a non-pecuniary interest, less than significant, for Item 6.6 - Summer Activation Event January 2018, as he is the President of the Treehouse (Queanbeyan Children's Special Needs Group) which is one of the recipient organisations for distribution of donations from this event, and stated that he will leave the Chambers when the item is considered.

Cr Kenrick Winchester declared a non-pecuniary interest in Item 6.9 - Local Places Heritage Grants, as he is a friend of one of the applicants, and stated that he will disclose and not vote.

Cr Winchester declared a non-pecuniary interest, significant, in Item 6.12 - Plant Hire Tender, as he is a full-time employee of a vehicle and equipment leasing company, and stated that he will leave the Chambers when the item is considered.

Cr Trevor Hicks declared a non-pecuniary interest, less than significant, for Item 7.2 - Molonglo Rail Trail Feasibility, as he is a member of the specified company or other body, and stated that he will disclose and not vote when the item is considered.

2. CONFIRMATION OF MINUTES

2.1 Minutes of the Ordinary Meeting of Council held on 25 October 2017

359/17

RESOLVED (Taylor/Bray)

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 25 October 2017 be confirmed.

2.2 Minutes of the Planning and Strategy Committee of the Whole held on 8 November 2017

360/17

RESOLVED (Schweikert/Harrison)

That the Minutes of the Planning and Strategy Committee of the Whole held in the Queanbeyan Council Chambers on Wednesday 8 November 2017 be confirmed.

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

The following presenters were heard:

Mr Richard Graham – Items 4.1 and 5.1 - Modification Application MOD.2017.064 - Carrington Inn, 55-59 Ellendon Street, Bungendore.

Mr Owen McGuire – Item 6.1 - Development Application DA.2016.192 - Proposed Eco-Tourist Facility - Lots 38 and 39 DP754886 Gumms Road, Harolds Cross.

Mr John Santolin – Item 6.4 - Q-One Indoor Sports & Monaro Panthers - Junior Futsal League - Affiliation Program.

Mr Bill Taylor – Item 7.2 - Molonglo Rail Trail Feasibility.

Mr David Dempster – Item 7.4 - Overview and Update of Weed Management.

3A. MAYORAL MINUTES

There were no Mayoral Minutes.

4. NOTICES OF MOTIONS OF RESCISSION

4.1 Modification Application - MOD.2017.064 - Carrington Inn - 55-59 Ellendon Street, Bungendore.

Cr Marshall withdrew this item.

5. NOTICES OF MOTIONS

5.1 Modification Application - MOD.2017.064 - Carrington Inn - 55-59 Ellendon Street, Bungendore.

Cr Marshall withdrew this item.

5.2 Street Lighting in Queanbeyan, Bungendore and Braidwood

RESOLVED (Schweikert/Hicks)

That:

1. An audit be carried out of all street lighting in Queanbeyan, Bungendore and Braidwood to identify defective lights and report the results no later than the April meeting of Council.
2. A maintenance/rectification demand, based on the data above, be prepared for Council to send to the provider for rectification.
3. Council make representations to the provider in advance to alert them to the proposed audit and to ascertain to what programs they have in place to rectify the issues.

The resolution was carried unanimously.

361/17

5.3 Off-leash Dog Area for Captains Flat

362/17

RESOLVED (Marshall/Hicks)

That Council request a report from the CEO/General Manager on options for an off-leash dog exercise area in Captains Flat.

The resolution was carried unanimously.

5.4 Rates Issues

Cr Biscotti, Cr Taylor, Cr Winchester, Mr Taylor and Mr Tegart declared an interest in this item and left the meeting at 6.11pm

Cr Marshall withdrew this item.

Cr Biscotti, Cr Taylor, Cr Winchester, Mr Taylor and Mr Tegart returned to the meeting at 6.12pm.

6. DETERMINATION REPORTS

6.1 Development Application DA.2016.192 - Proposed Eco-Tourist Facility - Lot 38 and 39 DP754886 Gumms Road, Harolds Cross

363/17

RESOLVED (Hicks/Harrison)

That:

1. Development Application DA.206.192 for an eco-tourist facility at Lots 38 & 39 DP754886, Gumms Road, Harolds Cross be refused for the following reasons:

Reasons for Refusal:

- a) The subject site fails to satisfy the requirements of Clause 4.2A Erection of dwelling houses in certain rural, residential and environment protection zones of the Palerang Local Environmental Plan 2014 as it does not possess a dwelling entitlement. As such, Council is unable to grant consent to the proposed manager's residence (Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979).
- b) The subject application was accompanied by insufficient information to satisfactorily establish the proposed development's compliance with the requirements of Clause 5.13 Eco-tourist facilities of the Palerang Local Environmental Plan 2014. As such, Council is unable to grant consent to the proposed Eco-tourist facility (Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979).
- c) The subject application was accompanied by insufficient information to the determine the likely impacts of the development upon the natural and built environment (Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979).
- d) By contravening development standards established under the Palerang Local Environmental Plan 2014 the proposed development is contrary to the public interest

(Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*).

2. Those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.
3. The NSW Rural Fire Service be forwarded a copy of Council's Notice of Determination.

The resolution was carried unanimously.

6.2 Proposed Memorandum of Understanding with NSW Department of Education Relating to Beneficial Co-funding and Co-use of New Community and Sports Facilities at School Sites in the Region

364/17

RESOLVED (Taylor/Winchester)

That Council sign a memorandum of understanding with the NSW Department of Education in relation to the potential joint use of facilities.

The resolution was carried unanimously.

6.3 Queanbeyan Carparking Plan
MOVED (Overall/Biscotti)

That Council:

1. Receive and note the report on Queanbeyan CBD Carparking.
2. Name the draft document the "Queanbeyan CBD Carparking Strategy 2018-2028".
3. Delete from the draft references to formalised at-grade parking at the showground and old nursery site.
4. Include in the draft a section on the indicative phasing of the various carparking initiatives.
5. Seek business and community feedback on the draft Queanbeyan CBD Carparking Strategy 2018-2020, carpark sites and pedestrian connections, in conjunction with community engagement on the QCBD Masterplan.
6. Consider the Plan's Principles, Options and Financing in the respective DCP, Capital Plan and Financial Plan.
7. Include 'smart parking' principles and infrastructure in the design of redeveloped carparks.
8. Include the smart parking and construction estimates of those carparks in revised development contribution plans and voluntary planning agreements, and car space leasing agreements.
9. Consider in the revision of the Carparking DCP, options to share car spaces for different uses outside core hours, mechanisms to free up high turnover public car spaces, and reduction of car space requirements for expansion of current developed uses or residential apartments close to public transport nodes.
10. Consider commissioning reports on the:

- a. feasibility of aggregating car spaces into Morisset and Crawford carparks and subsequent offsets on demand for new commercial space/year
- b. impact of higher or lower s94 contributions in different development types
- c. impact of more timed parking on patronage and business
- d. likelihood of employees utilising untimed carparks on CBD perimeter

MOVED (Brown/Noveska)

AMENDMENT that Council:

1. Receive and note the report on Queanbeyan CBD Carparking.
2. Name the draft document the "Queanbeyan CBD Carparking Strategy 2018-2028".
3. Include in the draft a section on the indicative phasing of the various carparking initiatives.
4. Seek business and community feedback on the draft Queanbeyan CBD Carparking Strategy 2018-2020, carpark sites and pedestrian connections, in conjunction with community engagement on the QCBD Masterplan.
5. Consider the Plan's Principles, Options and Financing in the respective DCP, Capital Plan and Financial Plan.
6. Include 'smart parking' principles and infrastructure in the design of redeveloped carparks.
7. Include the smart parking and construction estimates of those carparks in revised development contribution plans and voluntary planning agreements, and car space leasing agreements.
8. Consider in the revision of the Carparking DCP, options to share car spaces for different uses outside core hours, mechanisms to free up high turnover public car spaces, and reduction of car space requirements for expansion of current developed uses or residential apartments close to public transport nodes.
9. Consider commissioning reports on the:
 - a. feasibility of aggregating car spaces into Morisset and Crawford carparks and subsequent offsets on demand for new commercial space/year
 - b. impact of higher or lower s94 contributions in different development types
 - c. impact of more timed parking on patronage and business
 - d. likelihood of employees utilising untimed carparks on CBD perimeter

The AMENDMENT (of Crs Brown and Noveska) was PUT and LOST.

For: Crs Brown, Harrison, Noveska and Winchester

Against: Crs Biscotti, Bray, Hicks, Overall, Schweikert, Taylor, Marshall (did not vote)

The motion (of Crs Overall and Biscotti) was PUT and CARRIED.

365/17

RESOLVED (Overall/Biscotti)

That Council:

1. Receive and note the report on Queanbeyan CBD Carparking.
2. Name the draft document the "Queanbeyan CBD Carparking Strategy 2018-2028".
3. Delete from the draft references to formalised at-grade parking at the showground and old nursery site.
4. Include in the draft a section on the indicative phasing of the various carparking initiatives.
5. Seek business and community feedback on the draft Queanbeyan CBD Carparking Strategy 2018-2020, carpark sites and pedestrian connections, in conjunction with community engagement on the QCBD Masterplan and Transport Strategy.
6. Consider the Plan's Principles, Options and Financing in the respective DCP, Capital Plan and Financial Plan.
7. Include 'smart parking' principles and infrastructure in the design of redeveloped carparks.
8. Include the smart parking and construction estimates of those carparks in revised development contribution plans and voluntary planning agreements, and car space leasing agreements.
9. Consider in the revision of the Carparking DCP, options to share car spaces for different uses outside core hours, mechanisms to free up high turnover public car spaces, and reduction of car space requirements for expansion of current developed uses or residential apartments close to public transport nodes.
10. Consider commissioning reports on the:
 - a. feasibility of aggregating car spaces into Morisset and Crawford carparks and subsequent offsets on demand for new commercial space/year
 - b. impact of higher or lower s94 contributions in different development types
 - c. impact of more timed parking on patronage and business
 - d. likelihood of employees utilising untimed carparks on CBD perimeter

For: Crs Biscotti, Bray, Harrison, Hicks, Marshall, Overall, Schweikert and Taylor

Against: Crs Brown, Winchester and Noveska

6.4 Q-One Indoor Sports & Monaro Panthers - Junior Futsal League - Affiliation Program

Cr Biscotti declared an interest in this item and left the meeting at 6.47pm.

366/17

RESOLVED (Brown/Noveska)

That this item be deferred to consider other club involvement in the affiliation program and a further report be brought to Council.

The resolution was carried unanimously.

Cr Biscotti returned to the meeting at 7.01pm.

6.5 Suspension of Alcohol Free Zone for Farmers Markets

367/17

RESOLVED (Brown/Schweikert)

That Council approve the suspension of the Alcohol-Free Zone in the Lifestyle Precinct of Crawford Street every Thursday on a weekly basis from 3.00 – 7.00pm, for the purpose of the Farmer's Market, for the period 1 November 2017 to 1 November 2020.

The resolution was carried unanimously.

6.6 Summer Activation Event January 2018

368/17

Crs Bray and Noveska declared an interest in this item and left the meeting at 7.02pm.

RESOLVED (Hicks/Schweikert)

That Council endorse:

1. Waiving the general entry fees for Braidwood Pool on 12 January 2018, Bungendore Pool on 13 January 2018, Captains Flat Pool on 14 January 2018 and Queanbeyan Pool on 20 January 2018.
2. The collection of gold coin donations from the Queanbeyan event to be distributed to Treehouse Queanbeyan, The Cancer Support Group/ACT Eden Monaro's Own, and Soldier On; and consider donations from other events for local charities.

The resolution was carried unanimously.

Crs Bray and Noveska returned to the meeting at 7.06pm.

6.7 Proposed Licensee Agreement - Majors Creek Recreation Reserve

369/17

RESOLVED (Marshall/Noveska)

That Council defer this item of business until the NSW Rural Fire Service can be consulted on the matter.

The resolution was carried unanimously.

6.8 Special Heritage Fund Grants

370/17

RESOLVED (Marshall/Schweikert)

That in relation to grants for works to be funded from the Special Heritage Fund, Council:

1. Amend the Special Heritage Fund Guidelines to allow for the use of a small proportion of a grant for professional services involving the preparation of a statement of heritage significance or the like by a suitably qualified and experienced person.
2. Advertise for applications following Council's consideration of this report.

The resolution was carried unanimously.

6.9 Local Places Heritage Grants – 2017

Cr Winchester declared an interest in this item of business and took no part in discussion or voting.

MOVED (Taylor/Biscotti)

That Council:

1. Adopt the recommendations of the assessment panel to provide funding to the applications listed in Attachment 1, excluding Project Number 09/17 (for exterior painting, whereas other heritage projects included restoration and/or refurbishment works).
2. Increase the amount to be offered to Project Number 11/17 by \$2,000 as the building can be accessed by the public.

During discussion, Cr Marshall raised a point of order stating that the assessment panel was briefed by staff who had advised that 50% was the maximum funding a project could receive, and if the funding for Project Number 11/17 was increased by \$2,000, this may threaten the funding from the State Government. The CEO/General Manager sought advice from staff who advised that the 50% funding was a rule the staff used to ensure there were adequate funds to distribute to most projects.

371/17

RESOLVED (Taylor/Biscotti)

That Council:

1. Adopt the recommendations of the assessment panel to provide funding to the applications listed in Attachment 1, excluding Project Number 09/17 (for exterior painting, whereas other heritage projects included restoration and/or refurbishment works).
2. Increase the amount to be offered to Project Number 11/17 by \$2,000 as the building can be accessed by the public.

For: Crs Biscotti, Bray, Harrison, Hicks, Overall, Schweikert, Taylor and Winchester

Against: Crs Brown, Marshall and Noveska

6.10 Planning Proposal to List the Cottage on Lot 6 Section 1 DP 758183 - 7 Turallo Terrace, Bungendore as a Heritage Item

372/17

RESOLVED (Hicks/Schweikert)

That Council proceed with the Planning Proposal and the draft Local Environmental Plan to allow the listing of the cottage on Lot 6 Section 1 DP 758183 – 7 Turallo Terrace, Bungendore as an item of Environmental Heritage under Schedule 5 of Palerang Local Environmental Plan 2014.

The resolution was carried unanimously.

6.11 NSW Future Transport 2056 - Submission

373/17

RESOLVED (Marshall/Schweikert)

That Council:

1. Note the report on the draft NSW Transport 2056 Strategy and Regional Infrastructure Plan.
2. Note the synergies with the Council's QCBD Transformation Strategy, and MoU with ACT Government.
3. Make a submission on the areas identified in the report.
4. Continue to advocate to government on the bus network integration with ACT and potential commuter rail service.

The resolution was carried unanimously.

6.12 RFT 19/2017 - Plant Hire Panel Tender

Cr Winchester declared an interest in this item and left the meeting at 7.27pm.

374/17

RESOLVED (Taylor/Schweikert)

That Council form a Plant Hire Panel comprising the following suppliers:

A and Power Formwork
Allcott Hire Pty Ltd
Aqua- Assets Pty Ltd
Australian Regional Investment
Avijohn Contracting
Barry Bros
Braidwood Earthmoving
Braidwood Excavations
Braidwood Ground Spread & Bulk Haulage
Brema Group Pty Ltd
Charman Earthmoving & Heavy Haulage
Dave Apps Earthworks
Develin Engineering
Downer EDI Works
Fenech Group Pty Ltd
HJ Haulage Pty Ltd

Huggett's Grader Hire
J G Earthworx
Kennards Hire Pty Ltd
Mark Hunt Cartage Pty Ltd
Mount fairy Mowing
Nicol Contracting
Premair Hire
RD Miller Pty Ltd
Rollers Australia
Shoemark Group
TFH Hire Services
The Wires Pastoral Company
Toeys Transport P/L
Universal Mobile Tower Hire
Yass Earthmovers

Cr Winchester returned to the meeting at 7.31pm.

6.13 Carry Forward/Revote of Expenditure to Financial Year 2017/18
RESOLVED (Bray/Winchester)

375/17

That Council:

1. Note the Carry Forward amount of \$2,988,520 for works funding requirements identified in Attachment 1 proposed to be completed in the 2017/2018 financial year.
2. Approve the Revote amount of \$513,050 for the works funding requirements identified in Attachment 1 proposed to be completed in the 2017/2018.

The resolution was carried unanimously.

6.14 Quarterly Budget Review Statement for the Quarter Ending 30 September 2017

376/17

RESOLVED (Bray/Harrison)

That Council:

1. Adopt the September 2017 Quarterly Budget Review Statement and variations as outlined in this report.
2. Note the predicted consolidated surplus of \$59k.

For: Crs Biscotti, Bray, Brown, Harrison, Hicks, Noveska, Overall, Schweikert, Taylor and Winchester.

Against: Cr Marshall (did not vote)

6.15 Investment Report - October 2017

377/17

RESOLVED (Schweikert/Harrison)

That Council:

1. Note the investment income for October 2017 is \$665,523 bringing the total interest earned on Cash and Cash Equivalent Investments for the 2017/18 Financial Year to \$1,822,875 which is \$422,875 above the year to date budget within the Operational Plan.
2. Note the investment portfolio has been made in accordance with the *Local Government Act 1993*, and the Local Government (General) Regulation 2005.
3. Adopt the Investment Report for the month of October 2017.

The resolution was carried unanimously.

6.16 Financial Statement by Council

378/17

RESOLVED (Harrison/Schweikert)

That Council:

1. Present the financial statements to 30 June 2017 for the Queanbeyan-Palerang Regional Council for audit and invite submissions from the public.
2. Complete the Financial Statements required by Section 413(2)(c) of the *Local Government Act 1993* in relation to Queanbeyan-Palerang Regional Council's Financial Statements for the period ending 30 June 2017 upon receipt of the Auditor's Certificate.
3. Invite the Audit Office of New South Wales (in accordance with regulations) to complete the audit and present to Council.

The resolution was carried unanimously.

- 379/17 **6.17 Request to Waive Hire Fees - 2017 Queanbeyan Gift**
RESOLVED (Schweikert/Harrison)
- That:
1. Council waive the hire fees of \$270.00 for the 2017 Queanbeyan Gift.
 2. The NSW Athletics League be advised that future requests relating to the waiving of hire fees for the Queanbeyan Gift should be sought through Council's annual donations scheme program.

The resolution was carried unanimously.

- 380/17 **6.18 Rate Relief - Kano Jujutsu Institute Limited**
RESOLVED (Bray/Schweikert)
- That Council not approve the application for a rate relief being a donation of 50% of the general rates for Kano Jujutsu Institute on the basis that they are not a public charity or a not-for-profit organisation.

The resolution was carried unanimously.

- 381/17 **6.19 Audit, Risk and Improvement Committee**
RESOLVED (Schweikert/Harrison)
- That Council note:
1. The report of the Audit, Risk and Improvement Committee meeting of 12 October 2017.
 2. The Committee will provide its annual report to Council separately.

The resolution was carried unanimously.

- 382/17 **6.20 Submission - Regulation Review 2017**
RESOLVED (Harrison/Schweikert)
- That Council:
1. Make a submission on the review of the Environmental Planning and Assessment Regulations 2000 covering the issues in this report and other matters as appropriate.
 2. Include reference to concerns with the standard instrument regarding the exclusion of a zoning category that would more properly reflect rural residential use.

For: Crs Biscotti, Bray, Harrison, Hicks, Overall, Schweikert and Taylor
Against: Crs Brown, Marshall, Noveska and Winchester.

6.21 Amendment to 2017-18 Operational Plan

383/17

RESOLVED (Taylor/Marshall)

That:

1. Council defer consideration of adopting the amendment to the Operational Plan 2017/18.
2. A further report be submitted to Council on the scale and location of the Queanbeyan Head Office and Smart Hub Project once the major tenancy position is clarified.

The resolution was carried unanimously.

6.22 Annual Report 2016-17

384/17

RESOLVED (Schweikert/Harrison)

That Council receive the Annual Report 2016-17.

The resolution was carried unanimously.

6.23 Council Meeting 13 December 2017

MOVED (Schweikert/Biscotti)

That Council:

1. Schedule an Ordinary Council meeting on Wednesday, 13 December 2017, at 5.30pm in the Council Chambers, Bungendore.
2. Publicise this meeting on Council's website and via all relevant media and social media outlets.

MOVED (Marshall)

AMENDMENT that Council:

1. Schedule an Ordinary Council meeting on Wednesday, 13 December 2017, at 5.30pm in the Council Chambers, Queanbeyan.
2. Publicise this meeting on Council's website and via all relevant media and social media outlets.

The AMENDMENT (of Cr Marshall) lapsed for want of a seconder.

The motion (of Crs Schweikert and Biscotti) was PUT and CARRIED.

385/17

RESOLVED (Schweikert/Biscotti)

That Council:

1. Schedule an Ordinary Council meeting on Wednesday, 13 December 2017, at 5.30pm in the Council Chambers, Bungendore.
2. Publicise this meeting on Council's website and via all relevant media and social media outlets.

The resolution was carried unanimously.

6.24 Model Code of Conduct

386/17

RESOLVED (Marshall/Harrison)

That Council authorise the CEO/General Manager to make a submission on behalf of QPRC on the consultation drafts of a revised Model Code of Conduct for Local Councils and revised Procedures for the Administration of the Model Code for Local Councils in NSW.

The resolution was carried unanimously.

7. INFORMATION REPORTS

7.1 Braidwood and Bungendore Town Centre Improvements and Captains Flat Upgrade to Community Facilities - Stronger Communities Funding Update

MOVED (Taylor and Biscotti)

That:

1. The report be received for information.
2. The skate facility not be included in the development of a master plan for the Braidwood town centre and Ryrie Park but alternate sites be included in future plans.

During discussion, Cr Brown raised a point of order stating that point 2 of the motion should be a foreshadowed motion as it had nothing to do with the report. The Mayor ruled against the point of order stating Council is entitled to make a decision in regard to this matter.

387/17

RESOLVED (Taylor/Biscotti)

That:

1. The report be received for information.
2. The skate facility not be included in the development of a master plan for the Braidwood town centre and Ryrie Park but alternate sites be included in future plans.

For: Crs Biscotti, Bray, Brown, Harrison, Hicks, Noveska, Overall, Schweikert and Taylor

Against: Crs Winchester and Marshall (did not vote)

7.2 Molonglo Rail Trail Feasibility

Cr Hicks declared an interest in this item and left the meeting at 8.02pm.

MOVED (Taylor and Biscotti)

That the report be received for information and that no further action be taken by QPRC to support this project.

Cr Winchester foreshadowed a motion: ["That the report be received for information."]

The motion (of Crs Taylor and Biscotti) was PUT and CARRIED.

388/17

RESOLVED (Taylor/Biscotti)

That the report be received for information and that no further action be taken by QPRC to support this project.

For: Crs Biscotti, Bray, Overall, Schweikert and Taylor

Against: Crs Brown, Harrison, Marshall, Noveska and Winchester

With the vote being five-all, the Mayor exercised his casting vote and declared the motion carried.

Cr Hicks returned to the meeting at 8.18pm.

7.3 IPART Review of Regional Bus Fares

389/17

RESOLVED (Marshall/Schweikert)

That the report be received for information.

The resolution was carried unanimously.

7.4 Overview and Update of Weed Management

390/17

RESOLVED (Marshall/Schweikert)

That the report be received for information.

The resolution was carried unanimously.

7.5 Changes to Work for the Dole Program

391/17

RESOLVED (Taylor/Hicks)

That the report be received for information.

The resolution was carried unanimously.

7.6 Responses to Councillors' Questions

392/17

RESOLVED (Schweikert/Biscotti)

That the report be received for information.

The resolution was carried unanimously.

8. COMMITTEE REPORTS

8.1 Local Traffic Committee Minutes 10 October 2017

Recommendation – Taylor/Schweikert

That Council:

1. Note the minutes of Local Traffic Committee held on 10 October 2017.
2. Adopt recommendations LTC 29/17 to LTC 31/17 from the meeting held on 10 October 2017, being:

LTC 29/17 Under the *Road Transport Act 2013* implement signage in Fallick Lane as per design.

LTC 30/17 Under the *Roads Act 1993* approve the traffic control plan for Queanbeyan Showground, including temporary taxi zone and bus zone on Farrer Place from 3pm Friday 27 October until 5pm Sunday 29 October for Oktoberfest

LTC 31/17 Under the *Roads Act 1993* approve the following road closures on Friday 1 December 2017 from 3.30pm until 10pm for Braidwood Christmas Community Party pending recommended updates to TCP:

- Wilson Street from Wallace Street to Park Lane
- Park Lane from Wilson Street to corner of St Bede's Primary School

The resolution was carried unanimously.

8.2 Mick Sherd Oval Canteen s.355 Committee minutes

Recommendation – Schweikert/Taylor

That Council note the minutes of the Mick Shed Oval Canteen s.355 Committee meeting held on 18 October 2017.

The resolution was carried unanimously.

8.3 Royalla Common s.355 Committee minutes

Recommendation – Schweikert/Hicks

That Council note the minutes of the Royalla Common s.355 Committee's meeting held on 20 September 2017.

The resolution was carried unanimously.

9. DELEGATES' REPORTS

There were no Delegates' reports.

10. RESPONSES TO COUNCILLORS' QUESTIONS

This item was dealt with in earlier business.

11. COUNCILLORS' QUESTIONS FOR NEXT MEETING

Cr Schweikert enquired about the design, layout and furniture in the Bungendore Council Chambers for Council meetings. The CEO/General Manager advised furniture had been ordered.

Cr Hicks requested an update on the subdivision on Weeroona Drive Wamboin advising the name of the applicant is McInnes.

Cr Schweikert requested an update on the subdivision on Newington Road Wamboin.

Cr Winchester requested an update on the status of the Queanbeyan Riverside Caravan Park. The CEO/General Manager advised that the Trust had met and a report will be brought to Council.

Cr Taylor referred to the free ticket offer to see a show at The Q that went out with the last rates notice and enquired if there was any indication of the number of people who have taken up the offer so far. The Portfolio General Manager Community Choice advised that staff have commenced tracking this. Cr Taylor requested a report on the free offer when the tracking has been finalised.

Cr Marshall referred to the answer of question 26 in the item Responses to Councillors' Questions and requested it be revisited.

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

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

Cr Overall then asked if, 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.

393/17

RESOLVED (Taylor/Schweikert)

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 12.1 Queanbeyan CBD Property Development

"Item 15.1 is confidential in accordance with s10(A) (d) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Item 12.2 Miscellaneous Land Acquisitions

"Item 15.2 is confidential in accordance with s10(A) (c) (g) 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 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.

For: Crs Biscotti, Bray, Brown, Harrison, Hicks, Noveska, Overall, Schweikert, Taylor and Winchester

Against: Cr Marshall

The meeting then moved into Closed Session at 8.32pm to discuss the matters listed above.

The meeting returned to Open Session at 8.49pm by virtue of Resolution No. 396/17 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, the Mayor read out the decisions of Council made in Closed Session.

12.1 Queanbeyan CBD Property Development

That Council:

1. Note the report.
2. Receive a presentation from the proponents.
3. Authorise the CEO to execute a heads of agreement with the proponents for the potential redevelopment of part Rutledge carpark.
4. Authorise the CEO to then seek a Detailed Proposal for assessment in accord with Phase 2 of the heads of agreement, for further report to Council.
5. Undertake community and business engagement on the proposal in context with the QCBD Masterplan and Carparking Strategy.

12.2 Miscellaneous Land Acquisitions

That:

1. The Officer's Report be received and noted.
2. In accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991*, the Council authorise the acquisition of part of the following properties for the purpose of the upgrade of Old Cooma Road:

DP	Lot	Approx. Area (m ²)
754907	60	12406
727522	100	24703
1180981	19	4325
1180981	21	2020
754881	105	18268
513432	1	9189
727670	148	7206
727670	149	2760
727670	150	4030

The CEO/General Manager advised that he had received a Notice of Motion of Rescission for Item 7.2 – Molonglo Rail Trail Feasibility.

The time being 8.51pm, the Mayor announced that the Agenda for the meeting had now been completed.

CR TIM OVERALL
MAYOR
CHAIRPERSON