



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Council Chambers, 10 Majara Street, Bungendore on Wednesday, 24 October 2018 commencing at 5.30pm.

ATTENDANCE

Councillors: Cr Overall (Chair), Crs Biscotti, Bray AM, Brown, Harrison, Hicks, Marshall, 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 and P Neil, Portfolio General Manager Organisational Capability.

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

1. OPENING

The Mayor acknowledged the traditional owners and custodians of the land upon which the meeting was held.

2. APOLOGIES

347/18

RESOLVED (Taylor/Bray)

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

The resolution was carried unanimously.

3. DISCLOSURES OF PECUNIARY INTERESTS

348/18

RESOLVED (Harrison/Schweikert)

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 Brown declared a less than significant, non-pecuniary interest in Item 11.1 - Condemn Attack on Eden-Monaro MP's Offices, stating he is an employee of the specified company or other body.

4. CONFIRMATION OF MINUTES

4.1 Minutes of the Ordinary Meeting of Council held on 26 September 2018

349/18

RESOLVED (Schweikert/Harrison)

That the Minutes of the Ordinary Meeting of Council held in the Bungendore Council Chambers on Wednesday 26 September 2018 be confirmed.

The resolution was carried unanimously.

350/18

RESOLVED (Hicks/Bray)

That the Minutes of the Planning and Strategy Committee of the Whole meeting held in the Queanbeyan Council Chambers on Wednesday 10 October 2018 be confirmed.

The resolution was carried unanimously.

5. PRESENTATION BY DEPARTMENTAL OR OTHER REPRESENTATIVES

There were no presentations.

6. BUSINESS ARISING FROM THE MINUTES

There was no business arising.

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

The following presenters were heard:

Mr John Stahel – Item 11.2 - Railings on Albion Hotel, Braidwood

Ms Sue Murray – Item 11.2 - Railings on Albion Hotel, Braidwood

Mr Hans Hofmann – Item 11.2 - Railings on Albion Hotel, Braidwood

Mr Hugh Percy – Item 12.1 - Modification of Development Application - DA 404-2008/D - Construction of a Community Hall - Alterations and Additions - 14 Carinya Street, Queanbeyan

Mr Frank Raynolds – Item 12.2 - Development Application DA.2018.079 - Dwelling - Clause 4.6 Variation - 418 Parlour Creek Road, Harolds Cross

Ms Sophie Olsen – Item 12.4 - Draft Bungendore Structure Plan Review - Authority Consultation

Mr Peter Evans – Item 12.4 - Draft Bungendore Structure Plan Review - Authority Consultation

Mr Jody Whymark – Item 12.14 - Application for rates relief

8. MAYORAL REPORT

There was no Mayoral Report

9. MAYORAL MINUTE

9.1 NSW Minister for Multiculturalism's Regional Advisory Council Meeting

351/18

RESOLVED (Overall)

That Council make a donation equivalent to \$1,132.50 for the hire of the Bicentennial Hall and facilities for the NSW Minister for Multiculturalism's Regional Advisory Council meeting on Thursday, 25 October 2018.

The resolution was carried unanimously.

10. NOTICES OF MOTIONS OF RESCISSION

There were no Notices of Motions of Rescission.

Cr Brown declared an interest in the next item of business and left the meeting at 6.06pm.

11. NOTICES OF MOTIONS

11.1 Condemn Attack on Eden-Monaro MP's Offices

MOVED (Marshall/Winchester)

That Council:

1. Condemn the attacks on the offices of the Member of Parliament Eden-Monaro, suspected to have been committed by neo-Nazis.
2. Request a briefing from NSW Police on the activities of extremist groups in the Queanbeyan-Palerang Regional Council area.

AMENDMENT (Biscotti/Schweikert)

That Council condemns politically motivated attacks on all symbols and offices of our unique Australian democracy.

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

For: Crs Biscotti, Hicks, Taylor and Schweikert

Against: Crs Marshall and Winchester

Crs Bray and Harrison did not vote

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

352/18

RESOLVED (Biscotti/Schweikert)

That Council condemns politically motivated attacks on all symbols and offices of our unique Australian democracy.

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

Crs Bray, Harrison and Marshall did not vote

Cr Brown returned to the meeting at 6.23pm.

11.2 Railings on Albion Hotel, Braidwood

353/18

RESOLVED (Marshall/Harrison)

That Council request a report to its January 2019 meeting on options for replacing the railings at the Albion Hotel in Braidwood.

For: Crs Biscotti, Bray, Brown, Harrison, Marshall, Overall and Winchester

Against: Crs Hicks, Schweikert and Taylor

11.3 Building Better Regions Fund Application for Bungendore Central Carpark

354/18

RESOLVED (Schweikert/Biscotti)

That Council apply for grant funding for the regional sports facility (\$5m), the Bungendore sports hub (\$2m) and the Bungendore central car park (\$1.5m) in order of priority, under the Federal Government's recently announced 'Building Better Regions Fund - Round Three', and if successful, amend the Delivery Program and receive a report on the construction schedule following final design and relevant property acquisitions.

The resolution was carried unanimously.

11.4 Forthcoming NSW State Election

MOVED (Winchester/Marshall)

That Council:

1. Write to all candidates in the forthcoming NSW State election seeking a commitment for increased and adequate recurrent funding for all Regional Roads within the QPRC local government area.
2. Seek a specific commitment from candidates regarding upgrades to Captains Flat Road (MR270) between Briars Sharrow Road and the "Silver Hills" Bridge.

AMENDMENT (Hicks/Bray)

That funding for Regional roads and Regional road priorities be included in the report on the projects to be submitted to candidates for the government elections due to be presented to the December Council meeting.

The amendment (of Crs Hicks and Bray) was PUT and CARRIED and became the motion.

For: Crs Biscotti, Bray, Hicks, Overall, Schweikert and Taylor
Against: Crs Brown, Harrison and Winchester
Cr Marshall did not vote

The motion (of Crs Hicks and Bray) was PUT and CARRIED.

355/18

RESOLVED (Hicks/Bray)

That funding for Regional roads and Regional road priorities be included in the report on the projects to be submitted to candidates for the government elections due to be presented to the December Council meeting.

The resolution was carried unanimously.

Cr Brown left the meeting at 7.00pm.

12. ITEMS FOR DETERMINATION

12.1 Modification of Development Application - DA 404-2008/D - Construction of a Community Hall - Alterations and Additions - 14 Carinya Street, Queanbeyan

356/18

RESOLVED (Schweikert/Marshall)

That modified development application 404-2008/D for minor additions to the existing building footprint, removal of radio station and internal alterations to kitchen and toilets on Lot 100 DP1194186, Riverside Oval, 14 Carinya Street, Queanbeyan, be granted approval subject to the following amendments to the conditions of consent:

- Amend Condition 12 to refer to the relevant amended and approved plans; and
- Inclusion of an additional condition requiring submission and approval of a trade waste application prior to the issue of an occupation certificate.

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

Against: Cr Hicks

12.2 Development Application DA.2018.079 - Dwelling - Clause 4.6 Variation - 418 Parlour Creek Road, Harolds Cross

357/18

RESOLVED (Marshall/Hicks)

That:

1. A variation under Clause 4.6 of the Palerang Local Environmental Plan 2014 be approved in relation to development application DA.2018.079. Specifically, the variation permits a reduction in the minimum lot size from 40ha to 33.19ha a variation of 17.025%. The variation is supported for the following reasons.
 - (a) The proposed development is compatible with the character of the existing locality and satisfies the objectives of the RU1 Primary Production zone under the Palerang Local Environmental Plan 2014 (4.15(1)(a)(i) Environmental Planning and Assessment Act 1979).
 - (b) The Applicant adequately demonstrated and satisfied the requirements of clause 4.6 under the Palerang Local Environmental Plan 2014 (4.15(1)(a)(i) Environmental Planning and Assessment Act 1979).
 - (c) The proposed development has received concurrence for approval from the Secretary's Delegate of the NSW Department of Planning and Environment (4.15(1)(a)(ii) Environmental Planning and Assessment Act 1979).
 - (d) The proposed development was given adequate public consultation and concerns considered and addressed within the report as per Part E of the Palerang Development Control Plan 2015 (4.15(1)(a)(ii) Environmental Planning and Assessment Act 1979).
 - (e) The proposed development satisfies the objectives and controls of Section C2 - Residential Development (where applicable) of the Palerang Development Control Plan 2015 (4.15(1)(a)(iii) Environmental Planning and Assessment Act 1979).
2. Subject to Council granting the Clause 4.6 variation above, development application DA.2018.079 for a dwelling on Lot 5 DP 853789, 418 Parlour Creek Road, Harolds Cross be granted conditional approval.
3. Those persons who lodged a submission on the application be advised in writing of the determination of the application.

The resolution was carried unanimously.

358/18

RESOLVED (Bray/Schweikert)

That Items 12.4, 12.6 and 12.14 be brought forward at this juncture and dealt with before scheduled meeting break.

The resolution was carried unanimously.

12.4 Draft Bungendore Structure Plan Review - Authority Consultation

359/18

RESOLVED (Schweikert/Biscotti)

That consultation on the draft revised Bungendore Structure Plan be undertaken with government agencies and utility organisations and that a further report be brought back to Council no later than January 2019 detailing the outcomes of submissions from those agencies.

The resolution was carried unanimously.

12.6 IWCM Strategy - Palerang Communities

360/18

RESOLVED (Hicks/Schweikert)

That Council seek comment on the Integrated Water Cycle Management (IWCM) - Palerang Communities draft strategy through a public exhibition period of 28 days following which a further report be presented to Council in January 2019 dealing with any comments received, together with a recommendation on a way forward.

The resolution was carried unanimously.

12.14 Application for Rates Relief

MOVED (Hicks/Biscotti)

That Council:

1. Approve a donation for rate relief to Home in Queanbeyan for 50% of the Rates and Charges levied in 2018/2019 in accordance with the Donation Policy, being an amount of \$6,504.00.
2. Reject the request for relief to the two organisations, Kano Jujutsu Institute Limited and the Ukrainian-Australian Social Association on the basis that they are not registered with the Australian Charities and Not-for-Profit Commission.

AMENDMENT (Overall/Bray)

That Council:

1. Approve a donation for rate relief to Home in Queanbeyan for 50% of the Rates and Charges levied in 2018/2019 in accordance with the Donation Policy, being an amount of \$6,504.00.
2. Approve as a one-off donation for rate relief to Kano Jujitsu Institute Limited for 50% of the General Rates levied in 2018/2019, the organisation having demonstrated that it operates as a non-profit entity.
3. Reject the request for relief from the Ukrainian-Australian Social Association on the basis that they are not registered with the Australian Charities and Not-for-Profit Commission and they haven't demonstrated that it operates as a non-profit entity.
4. Receive a report proposing amendments to the Donations Policy to explicitly state that organisations applying for a donation for rate relief in future must first be registered with the Australian Charities and Not-for-profits Commission (ACNC).

The amendment (of Crs Overall and Bray) was PUT and CARRIED and became the motion.

For: Crs Biscotti, Bray, Hicks, Marshall, Overall, Schweikert and Winchester

Against: Crs Harrison and Taylor

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

361/18

RESOLVED (Overall/Bray)

That Council:

1. Approve a donation for rate relief to Home in Queanbeyan for 50% of the Rates and Charges levied in 2018/2019 in accordance with the Donation Policy, being an amount of \$6,504.00.
2. Approve as a one-off donation for rate relief to Kano Jujitsu Institute Limited for 50% of the General Rates levied in 2018/2019, the organisation having demonstrated that it operates as a non-profit entity.
3. Reject the request for relief from the Ukrainian-Australian Social Association on the basis that they are not registered with the Australian Charities and Not-for-Profit Commission and they haven't demonstrated that it operates as a non-profit entity.
4. Receiving a report proposing amendments to the Donations Policy to explicitly state that organisations applying for a donation for rate relief in future must first be registered with the Australian Charities and Not-for-profits Commission (ACNC).

For: Crs Biscotti, Bray, Hicks, Marshall, Overall, Schweikert and Winchester

Against: Crs Harrison and Taylor

ADJOURNMENT: The meeting adjourned at 7.39pm and resumed at 8.00pm

- 362/18
- 12.3 Draft Bungendore Heritage Study 2018**
RESOLVED (Marshall/Schweikert)
That Council publicly exhibit the draft Bungendore Heritage Study for 28 days, and notify relevant property owners.

The resolution was carried unanimously.
- 12.4 Draft Bungendore Structure Plan Review - Authority Consultation**
This item was dealt with in earlier business.
- 363/18
- 12.5 Proposed Public Exhibition of QPRC Swimming Pool Inspection Program**
RESOLVED (Taylor/Biscotti)
That the Draft Swimming Pool Inspection Program be placed on public exhibition for a minimum period of 28 days and that a report be bought back to Council advising of the community feedback.

The resolution was carried unanimously.
- 12.6 IWCM Strategy - Palerang Communities**
This item was dealt with in earlier business.
- 364/18
- 12.7 Procurement of Concept Designer for Queanbeyan Head Office and Smart Hub**
RESOLVED (Marshall/Schweikert)
That Council:
1. Engage Cox Architecture Pty Ltd under exemption of Section 55 of the Local Government Act 1993, as Cox Architecture has considerable experience and knowledge of Council's requirements, having already prepared a concept design for Council's initially proposed head office at 50 Lowe Street (ie within the Lowe carpark precinct
 2. Allocate \$480,000 to develop the concept design for the Queanbeyan Head Office (QHQ) and Smart Hub and surrounding public domain.
 3. Accept Cox Architecture Pty Ltd's fee proposal for \$399,094 to develop the concept design for the Queanbeyan Head Office and Smart Hub and surrounding public domain.
- The resolution was carried unanimously.

12.8 Community Engagement Report on Revised Draft Policy for Volunteering

365/18

RESOLVED (Bray/Taylor)

That Council adopt the revised Draft Policy on Volunteering.

The resolution was carried unanimously.

12.9 Issues Relating to the Carwoola Bushfire

366/18

RESOLVED (Marshall/Harrison)

That

1. Council note the report.
2. Authorise the CEO to consider further requests for support on their merits.

The resolution was carried unanimously.

12.10 Request for financial assistance for legal costs associated with the appeal of Land and Environment Court rating categorisation decision — City of Sydney Council, North Sydney Council and Bayside City Council

367/18

RESOLVED (Harrison/Bray)

That Council agree to contribute \$3,575.14 being a share of legal costs challenging a decision of the Land and Environment Court in respect of the application of residential rating categorisation to business properties that were being developed for residential use.

The resolution was carried unanimously.

12.11 Award Panel Contract 14-2018 - Minor Works and Services Tender

368/18

RESOLVED (Harrison/Bray)

That Council award Minor Works and Services Panel Contract to the following suppliers within the nominated categories:

Category 1: Industrial Electricians

- Rex Barrett Industries Pty Ltd
- R & D Technology Pty Ltd
- Gasnier's Electrical
- EMT Pty Ltd

Category 2: Concreters

- A and J Power Formwork PTY LTD
- Grindstones Australia Pty Ltd
- The Australian Grinding Company Pty. Ltd.

Category 3: Fire Equipment Services and Maintenance

- Wormald Australia

- Control by Integration P/L
- Fire Service Plus
- FS Solutions (ACT) Pty LTD

Category 5: Auto Electrician Services

- B & K L MCGRATH T/A Braidwood Auto Electrics

Category 7: Sullage Services

- Pinnacle ACT Pty Ltd
-

Category 8: Laboratory Testing - Geotechnical and water/wastewater

- D&N Geotechnical Pty Ltd

Category 9: Automatic Door - Service and Repairs

- Future Electrical Technologies Pty Ltd
- Tormax Australia Pty Ltd
- Sun-Power Auto Gates

Category 10: Roadside Spraying and slashing

- Braidwood Ground Spraying
- Asset Arbor
- Burgess Horticultural Services
- Arbor Management Australia

Category 11: Electronic Security Services

- Future Electrical Technologies Pty Ltd
- Control By Integration
- Fredon Security

Category 12: Water/Wastewater Mechanical & Hydraulic Engineering Services

- DEKORT SYSTEMS PTY LTD T/as DeKort Pumps
- EMT Pty Ltd

Category 13: Generator - Service, Inspection & Maintenance

- Genplus Hire Pty Ltd AFT The Doggett Business Trust
- EMT Pty Ltd

Category 14: Asbestos Assessor/consultancy service

- Keane Environmental Pty Ltd
- OCTIEF PTY LTD
- Robson Environmental Pty Ltd

Category 15: Cranes – Service, Inspection & Maintenance

- All-Ways Crane Services Pty Ltd
- Bullivants

Category 16: Water/Wastewater Telemetry Systems

- R & D Technology Pty Ltd
- 360 Engineering Pty Ltd
- Automation Group
- Alliance Automation
- ACT Fibre Optic & Wireless Pty Ltd

Category 17: Service Locators

- Pinnacle ACT Pty Ltd
- Utility Mapping (Aust) Pty Ltd

Category 18: Vehicle and Plant Mechanics

- S&K Bevege T/A S Bevege Mechanical Repairs
- Hydraulic Doctors Pty Ltd
- Pinnacle ACT Pty Ltd

Category 19: Survey and Design Services

- Apex Archaeology
- Coleman Engineering Services Pty Ltd
- Crossroads Civil Design Pty Ltd
- Dedden Land & Water Pty Ltd
- Jones Nicholson Pty Ltd
- Macrozamia Environmental

Category 20: Architectural Services

- Edmiston Jones
- WSP Australia Pty Ltd
- Maria Filardo
- PHL surveyors
- SKYVIEW SURVEY PTY
- Indesco Pty Ltd
- WSP

The resolution was carried unanimously.

12.12 Investment Report - September 2018

369/18

RESOLVED (Bray/Biscotti)

That Council:

1. Note the investment income for September 2018 was \$348,584.
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 September 2018.

The resolution was carried unanimously.

12.13 Writing Off Water Usage Accounts due to undetectable leaks

MOVED (Marshall/Hicks)

That Council write off a total of \$2,442.99 in water usage charges for the property listed in this report.

AMENDMENT (Schweikert)

That Council write off a total of 50% of \$2,442.99 in water usage charges for the property listed in this report.

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

The motion (of Crs Marshall and Hicks) was PUT and CARRIED.

370/18

RESOLVED (Marshall/Hicks)

That Council write off a total of \$2,442.99 in water usage charges for the property listed in this report.

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

Cr Schweikert did not vote

12.14 Application for rates relief

This item was dealt with in earlier business.

12.15 Jerrabomberra Combined Probus Club Inc

371/18

RESOLVED (Harrison/Winchester)

That Council:

1. Advise Jerrabomberra Combined Probus Club Inc that it is not willing to increase the donation.
2. Not support a reduction in the adopted 2018/19 Fees and Charges for the hire of Council's venues at the present time.

The resolution was carried unanimously.

12.16 December Council Meeting

372/18

RESOLVED (Biscotti/Harrison)

That:

1. Council replace the Planning and Strategy Committee meeting in December with an Ordinary meeting on the third Wednesday, 19 December 2018, at 5.30pm in the Council Chambers, Bungendore.
2. The agenda for the Ordinary meeting on 19 December 2018 include any planning matters that require Council's consideration.
3. The agenda for the Ordinary meeting to be held on 23 January 2019 include any planning matters that require Council's consideration.
4. Council amend its meeting schedule to include, as an ongoing arrangement, an Ordinary meeting on the third Wednesday of December each year, with the inclusion of any planning matters that require Council's consideration.

The resolution was carried unanimously.

12.17 Declarations of Pecuniary Interests and Other Matters

373/18

RESOLVED (Taylor/Harrison)

That, in accordance with s.450A of the Local Government Act 1993, the register of annual returns of disclosures of pecuniary interest and other matters by Councillors and designated staff for the period ending 30 June 2018, be tabled.

The resolution was carried unanimously.

13. ITEMS FOR INFORMATION

13.1 STP Upgrade Project - Award of Contract for Design and Project Management

374/18

RESOLVED (Harrison/Hicks)

That the report be received for information.

The resolution was carried unanimously.

13.2 Intersection of Googong Road and Old Cooma Road

375/18

RESOLVED (Marshall/Harrison)

That the report be received for information.

The resolution was carried unanimously.

14. COMMITTEE REPORTS AND RECOMMENDATIONS

14.1 Aboriginal Consultative Committee

376/18

RESOLVED (Marshall/Taylor)

That Council note the minutes of Aboriginal Consultative Committee held on 18 September 2018.

The resolution was carried unanimously.

14.2 Access Committee

377/18

RESOLVED (Bray/Taylor)

That Council:

1. Note the minutes of Access Committee held on 28 September 2018.
2. Adopt recommendation DAC 04/18 from the meeting held on 28 September 2018 - 'Review the Riverside exit from carpark on Morisset Street'.

The resolution was carried unanimously.

14.3 Audit, Risk and Improvement Committee - 16 August 2018

378/18

RESOLVED (Harrison/Schweikert)

That Council note the minutes of the Audit, Risk and Improvement Committee meeting of 16 August 2018.

The resolution was carried unanimously.

15. DELEGATES' REPORTS

Cr Harrison reported on his attendance at the NSW Local Government annual conference.

Cr Biscotti reported on his attendance at the following:

- Queanbeyan South Public School Annual Art Show
- Veterans Motorcycle Club Poker Run
- NSW Local Government annual conference

Cr Taylor reported on her attendance at the opening of Art in Miniature at Altenburg Gallery in Braidwood.

Cr Schweikert reported on his attendance at the NSW Local Government annual conference.

Cr Hicks reported on his attendance at the NSW Local Government annual conference.

Cr Bray reported on his attendance at the following:

- Launch of 180 Mementos / 180 Years of Queanbeyan
- Queanbeyan Legacy's 88th Anniversary
- Braidwood Community meeting
- Queanbeyan Community meeting

Cr Overall reported on his attendance at the following:

- NSW Local Government annual conference
- Lake George Bushfire Management Committee

16. RESPONSES TO COUNCILLORS' QUESTIONS

16.1 Responses to Councillors' Questions

379/18

RESOLVED (Schweikert/Marshall)

That the report be received for information.

The resolution was carried unanimously.

18. MATTERS OF WHICH NOTICE HAS NOT BEEN GIVEN BUT RULED BY THE CHAIR TO BE CONSIDERED

There were no matters.

19. COUNCILLORS' QUESTIONS FOR NEXT MEETING

1. Cr Schweikert enquired if a letter had been sent to the Minister for Planning regarding an extension for Council's LEP submission date. The Mayor advised that the letter had been done.
2. Cr Schweikert enquired if there was financial support to local businesses that are affected by RMS roadworks, and if so, what support is available.
3. Cr Taylor referred to the No Stopping signs on Rosa Street Googong opposite the Anglican School and advised that numerous tradies are parking there. She requested if Council rangers could give warnings to motorists, particularly during school peak times.
4. Cr Marshall enquired about the status of the regular meetings Council was having with residents affected by the EDE. The Portfolio General Manager Community Connections advised that in lieu of these meetings the RMS and Contractors have been having one-on-one meetings with residents.

20. 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, there were any presentations as to why the matters listed below should not be dealt with in Closed Session.

PRESENTATIONS

There were no presentations.

380/18

RESOLVED (Bray/Taylor)

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 20.1 Rutledge St Development Options

Item 20.1 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.

Item 20.2 Quarterly Legal Report – September 2018

Item 20.2 is confidential in accordance with s10(A) (g) of the Local Government Act 1993 because it contains 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.

The resolution was carried unanimously.

The meeting then moved into Closed Session at 8.33pm to discuss the matters listed above.

381/18

20.1 Rutledge St Development Options

RESOLVED (Hicks/Biscotti)

1. That Council endorse option C.
2. That Downtown Q Pty Ltd be advised that the Council agrees to progress the proposal to the next stage in accordance with the Unsolicited Proposals Guidelines and the Heads of Agreement that was entered into by the parties subject to:
 - The proposal includes the sale of sites marked E, Z and D (the heritage properties) for development as proposed.
 - The proposal is to be developed in three stages being a Serviced Apartment Hotel, repurposed reception and a

Restaurant/Café, and development of the residential townhouses.

- The sale price of the land shall be agreed between the parties as determined by independent valuation after the development receives the required independent development consent by the JRPP.
 - A Deed of Agreement (participation agreement) be entered into providing for the following:
 - construction by DQPL of public domain and other civic works to equivalent value, in accord with themes established with the 2018 QCBD masterplan
 - dealing with liquidation or administration of the company
 - timeframes to commence construction from DA and between stages, to expedite the whole project and prevent land banking
 - process to accommodate the stages of construction
 - works in kind for public domain and civic works to complement timing of construction for Council's head office
 - balance of cash to be paid should works in kind be less than the valuation established following development consent
 - penalties for non-performance or late delivery of the proposal.
3. The CEO be authorised to progress Stage 2 and 3 of the Heads of Agreement, with subsequent reports to Council.
4. Council undertake survey and prepare the subdivision of Lots 2/117998, 18/548244, 2/748338, 1/748338, the Queanbeyan Civic Precinct site, to excise the Rutledge site and heritage buildings for redevelopment.

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

Cr Marshall did not vote.

20.2 Quarterly Legal Report – September 2018

382/18

RESOLVED (Schweikert/Winchester)

That the report be received for information.

The resolution was carried unanimously.

21. RETURN TO OPEN SESSION

383/18

RESOLVED (Schweikert/Taylor)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 9.14pm.

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.

The time being 9.18pm, Cr Overall announced that the Agenda for the meeting had now been completed.

**CR TIM OVERALL
MAYOR
CHAIRPERSON**