



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Council Chambers, 10 Majara Street, Bungendore on Wednesday, 25 July 2018 commencing at 5.30pm.

ATTENDANCE

Councillors: Cr Overall (Chair), Crs Biscotti, Bray AM, Brown, Harrison, Hicks, Marshall, Noveska, 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 (Minutes Secretary).

1. OPENING

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

2. APOLOGIES

238/18

RESOLVED (Taylor/Biscotti)

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

The resolution was carried unanimously.

3. DISCLOSURES OF PECUNIARY INTERESTS

239/18

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 Peter Tegart declared a pecuniary interest in Item 20.2 – CEO's Annual Performance Review.

4. CONFIRMATION OF MINUTES**4.1 Minutes of the Ordinary Meeting of Council held on 27 June 2018**

240/18

RESOLVED (Hicks/Taylor)

That the Minutes of the Ordinary Meeting of Council held in the Bungendore Council Chambers on Wednesday 27 June 2018 be confirmed.

The resolution was carried unanimously.

4.2 Minutes of the Extraordinary Meeting of Council held on 28 June 2018

241/18

RESOLVED (Bray/Hicks)

That the Minutes of the Extraordinary Meeting of Council held in the Queanbeyan Council Chambers on Thursday 28 June 2018 be confirmed.

The resolution was carried unanimously.

4.3 Minutes of the Planning and Strategy Committee of the Whole meeting 11 July 2018

242/18

RESOLVED (Noveska/Marshall)

That the Minutes of the Planning and Strategy Committee of the Whole meeting held in the Queanbeyan Council Chambers on Wednesday 11 July 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

Cr Winchester referred to the minutes of 27 June 2018, Item 11.1 – Jerrabomberra Scout Hall, and enquired when a report will be coming to Council. The CEO/General Manager advised that Council should receive a report at the August Ordinary meeting.

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

The following presenters were heard:

Mr Richard Mihaich – Item 12.1 – Review of Rezoning and Dwelling Eligibility Requests

243/18

RESOLVED (Biscotti/Bray)

That Mr Mihaich be granted an extension of two minutes to speak.

The resolution was carried unanimously.

Ms Katrina Iffland – Item 12.1 – Review of Rezoning and Dwelling Eligibility Requests

244/18

RESOLVED (Taylor/Hicks)

That Ms Iffland be granted an extension of two minutes to speak.

The resolution was carried unanimously.

Mr David Connolly – Item 12.1 – Review of Rezoning and Dwelling Eligibility Requests

Ms Roslyn Osborne – Item 12.1 – Review of Rezoning and Dwelling Eligibility Requests

245/18

RESOLVED (Hicks/Bray)

That Ms Osborne be granted an extension of one minute to speak.

The resolution was carried unanimously.

Ms Kiki Korpinen – Item 12.1 – Review of Rezoning and Dwelling Eligibility Requests

8. MAYORAL REPORT

There was no Mayoral Report.

9. MAYORAL MINUTE

There was no Mayoral Minute.

10. Notices of Motions of Rescission

There were no Notices of Motions of Rescission.

11. NOTICES OF MOTIONS

There were no Notices of Motions.

12. ITEMS FOR DETERMINATION**12.1 Review of Rezoning and Dwelling Eligibility Requests****MOVED (Biscotti/Hicks)**

That:

1. The request to allow a dwelling on Lot 1154 DP 136392, Tarago Road, Lake George be progressed.
2. Lot 13 DP 727614 and Lot 1 DP 219747, Urila Road, Urila not be rezoned E4 Environmental Living.
3. Lot 56 DP 754915, Cherry Tree Lane, Bungendore not be wholly zoned E4 Environmental Living.
4. Lot 4 DP 583957, Tarago Road, Bungendore not be rezoned to allow a subdivision which would create rural residential lots.
5. The request to amend the Queanbeyan Local Environmental Plan 2012 to allow for the subdivision of land at Lot 3 DP 777829, 417 Captains Flat Road, Carwoola into two lots, not be progressed.

AMENDMENT (Harrison/Bray)

That:

1. The request to allow a dwelling on Lot 1154 DP 136392, Tarago Road, Lake George not be progressed.
2. Lot 13 DP 727614 and Lot 1 DP 219747, Urila Road, Urila not be rezoned E4 Environmental Living.
3. Lot 56 DP 754915, Cherry Tree Lane, Bungendore not be wholly zoned E4 Environmental Living.
4. Lot 4 DP 583957, Tarago Road, Bungendore not be rezoned to allow a subdivision which would create rural residential lots.
5. The request to amend the Queanbeyan Local Environmental Plan 2012 to allow for the subdivision of land at Lot 3 DP 777829, 417 Captains Flat Road, Carwoola into two lots, not be progressed.

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

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

Against: Crs Biscotti, Hicks and Taylor

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

246/18

RESOLVED (Harrison/Bray)

That:

1. The request to allow a dwelling on Lot 1154 DP 136392, Tarago Road, Lake George not be progressed.
2. Lot 13 DP 727614 and Lot 1 DP 219747, Urila Road, Urila not be rezoned E4 Environmental Living.
3. Lot 56 DP 754915, Cherry Tree Lane, Bungendore not be wholly zoned E4 Environmental Living.
4. Lot 4 DP 583957, Tarago Road, Bungendore not be rezoned to allow a subdivision which would create rural residential lots.
5. The request to amend the Queanbeyan Local Environmental Plan 2012 to allow for the subdivision of land at Lot 3 DP 777829, 417 Captains Flat Road, Carwoola into two lots, not be progressed.

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

Against: Cr Biscotti

12.2 RFT10014581 - Construction of Braidwood Waste Transfer Station

247/18

RESOLVED (Hicks/Marshall)

That:

1. Council accept the tender from R D Miller Pty Ltd for the provision of works under contract 10014581, being for the construction of a Waste Transfer Station at Braidwood, for the lump sum price of \$4,589,755.00 (including GST).
2. Funding for the project be jointly provided from the 2018/2019 loan portfolio (\$2,750,000) and the Palerang Waste Non Domestic reserve (\$1,422,505).

The resolution was carried unanimously.

12.3 Design Consulting Services (Contract 12/2015) Tender Outcome

248/18

RESOLVED (Marshall/Harrison)

That Council:

1. Reject tenders for Design Consulting Services for the Queanbeyan STP Upgrade Project.
2. Commence negotiations with Tenderer 3 on the evidence presented in the attached Tender Evaluation Report and in accordance with Clause 178 (4) of the Local Government (General) Regulation 2005.
3. Provide a further report to Council detailing the outcome of these negotiations.

The resolution was carried unanimously.

**12.4 Community Engagement Services (20/2017) Award of Contract
MOVED (Harrison/Overall)**

That Council explore further options for delivery of community engagement services associated with the Queanbeyan STP project.

Cr Marshall foreshadowed a CONTRARY motion:
[“That Council:

1. Award Contract No. 20/2017 to RPS Manidis Roberts Pty Ltd for the Queanbeyan Sewage Treatment Plant Upgrade Project for the amount of \$().
2. Approve a total budget of \$1,200,000 for the project.”]

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

249/18

RESOLVED (Harrison/Overall)

That Council explore further options for delivery of community engagement services associated with the Queanbeyan Sewage Treatment Plant project.

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

Against: Cr Marshall

**12.5 Tender for the Augmentation of the Captains Flat Sewage
Treatment Plant**

250/18

RESOLVED (Hicks/Marshall)

That Council accept the tender from Poonindie Pty Ltd (T/As Ted Wilson & Sons) for the provision of works under contract 1400558, being for the augmentation of the Captains Flat Sewage Treatment Plant, for the lump sum price of \$2,923,438.20 (including GST).

The resolution was carried unanimously.

12.6 Policy - Risk Management

251/18

RESOLVED (Harrison/Taylor)

That the draft Risk Management policy be exhibited for community comment for 28 days and if no submissions are received, the policy be adopted.

The resolution was carried unanimously.

12.7 Second Life Project - Community Bus**MOVED (Hicks/Bray)**

That Council:

1. Agree in principle to participate in the DPC pilot 'Second Life Project'.
2. Authorise the CEO to finalise a Deed of Agreement once logistics and other matters have been addressed.

AMENDMENT (Marshall)

That Council:

1. Agree in principle to participate in the DPC pilot 'Second Life Project'.
2. Authorise the CEO to finalise a Deed of Agreement once logistics and other matters have been addressed.
3. Fit the bus with seat belts.

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

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

252/18

RESOLVED (Hicks/Bray)

That Council:

1. Agree in principle to participate in the DPC pilot 'Second Life Project'.
2. Authorise the CEO to finalise a Deed of Agreement once logistics and other matters have been addressed.

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

Against: Cr Marshall (did not vote).

12.8 Investment Report - June 2018

253/18

RESOLVED (Bray/Biscotti)

That Council:

1. Note the investment income for June 2018 was \$490,759 bringing the total return on Cash and Cash Equivalent Investments for the 2017/18 Financial Year to \$5,257,706 which is \$471,063 above the budget within the adopted Operational Plan Quarter 3 revision.
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 June 2018.

The resolution was carried unanimously.

12.9 Canberra Region Joint Organisation's Inaugural Meeting

254/18

RESOLVED (Harrison/Taylor)

That Council:

1. Note the minutes of the inaugural meeting of the CRJO Board held on 29 June 2018;
2. Submit its proposed amendments to the draft CRJO Charter to the Interim Executive Officer by 10 August 2018;
3. Endorse the draft CRJO Policy on the Payment of Expenses and Provision of Facilities as amended;
4. Endorse the draft CRJO Code of Meeting Practice as amended;
5. Withhold the payment of its 2018/19 subscription to LGNSW pending satisfactory responses to the questions raised by CRJO and write to LGNSW regarding the matter raised by the CRJO.
6. Acknowledge concerns raised in the motion by Goulburn Mulwaree Council for the LGNSW Annual Conference 2018.

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

Against: Crs Brown, Marshall and Noveska

13. ITEMS FOR INFORMATION**13.1 Community Energy Efficiency Workshops**

255/18

RESOLVED (Marshall/Harrison)

That the report be received for information.

The resolution was carried unanimously.

13.2 Cultural Grant - Bicentennial Hall

256/18

RESOLVED (Biscotti/Bray)

That the report be received for information.

The resolution was carried unanimously.

14. COMMITTEE REPORTS AND RECOMMENDATIONS**14.1 Minutes of Environment and Sustainability Advisory Committee held 30 May 2018**

257/18

RESOLVED (Marshall/Harrison)

That:

1. Council note the Minutes of the Environment and Sustainability Advisory Committee held on 30 May 2018.
2. The revised Terms of Reference for the Committee be adopted.

The resolution was carried unanimously.

14.2 QPRC Heritage Advisory Committee Minutes - Meeting Held 21 June 2018

258/18

RESOLVED (Marshall/Taylor)

That Council:

1. Note the minutes of QPRC Heritage Advisory Committee held on 21 June 2018.
2. Adopt recommendations QPRC HAC 004/18 to QPRC HAC 006/18 from the meeting held on 15 March 2018.

QPRC HAC 004/18 That Council write to the Minister for Heritage to request funding for the restoration of Foxlow Bridge to allow its continued use.

QPRC HAC 005/18 That Council request the RMS to ascertain access to the Charleyong Bridge timbers for the restoration of Foxlow Bridge in the event that Charleyong Bridge is demolished.

QPRC HAC 006/18 That Council note the position of the Committee that the new Police Headquarters is not sympathetic to the heritage surrounds.

The resolution was carried unanimously.

14.3 Royalla Common s.355 Committee minutes

259/18

RESOLVED (Taylor/Hicks)

That Council note the minutes of Royalla Common s.355 Committee's meeting held on 23 May 2018.

The resolution was carried unanimously.

14.4 Braidwood Recreation Ground s.355 Committee minutes

260/18

RESOLVED (Harrison/Bray)

That Council:

1. Note the minutes of Braidwood Recreation Ground s.355 Committee's meeting held on 2 May 2018.
2. Receive a report on the effects of changing the level of service for the toilets at the Braidwood Recreation Ground by being open to the public seven days per week from 9.00am to 5.00pm.

The resolution was carried unanimously.

15. DELEGATES' REPORTS

Cr Bray reported on his attendance at the following:

- Freedom of Entry March
- Funeral of the late Ken Marland OAM

Cr Biscotti reported on his attendance at the Freedom of Entry March.

Cr Hicks reported on his attendance with the Deputy Prime Minister and the Deputy NSW Premier at the following:

- Sod turning at the intersection of Thomsitt Drive and Lanyon Drive Queanbeyan
- Sod turning at Charleyong Bridge on Nerriga Road Braidwood

16. RESPONSES TO COUNCILLORS' QUESTIONS**16.1 Responses to Councillors' Questions**

261/18

RESOLVED (Marshall/Harrison)

That the report be received for information.

The resolution was carried unanimously.

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

There were no matters.

18. COUNCILLORS' QUESTIONS FOR NEXT MEETING

There were no questions.

19. 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.

262/18

RESOLVED (Bray/Harrison)

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 Quarterly Legal Report – June 2018

Item 20.1 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.

Item 20.2 CEO's Annual Performance Review

Item 20.2 is confidential in accordance with s10(A) (a) of the Local Government Act 1993 because it contains personnel matters concerning particular individuals (other than councillors) and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

The resolution was carried unanimously.

The meeting then moved into Closed Session at 7.16pm to discuss the matters listed above.

The CEO/General Manager declared an interest in Item 20.2, and, together with all staff, left the meeting room at 7.20pm.

The meeting returned to Open Session at 7.36pm by virtue of Resolution No. 266/18 made in Closed Session.

The doors of the Chambers were opened to allow the public and staff 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.

20.1 Quarterly Legal Report – June 2018

That the report be received for information.

20.2 CEO's Annual Performance Review

That Council:

1. Receive and note the Report of the Annual Performance Review of the Chief Executive Officer.
2. Endorse the overall rating of the Performance Review Committee for the Performance Review.
3. Approve the performance based increase to the CEO's total remuneration package at 2.5% as recommended in the Performance Review Report.

The time being 7.37pm Cr Overall announced that the Agenda for the meeting had now been completed.

**CR TIM OVERALL
MAYOR
CHAIRPERSON**