



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Bungendore Council Chambers on Wednesday, 24 July 2019 commencing at 5.30pm.

## ATTENDANCE

**Councillors:** Cr Overall (Chair), Crs Biscotti, Bray AM, 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 and B Warne, A/Portfolio General Manager Organisational Capability.

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

### 1. OPENING

The meeting opened at 5.31pm.

### 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

236/19

#### **RESOLVED (Taylor/Schweikert)**

That apology for non-attendance from Cr Brown 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 26 June 2019**

237/19

#### **RESOLVED (Schweikert/Hicks)**

That the Minutes of the Ordinary Meeting of Council held in the Bungendore Council Chambers on Wednesday 26 June 2019 be confirmed.

The resolution was carried unanimously.

**4.2 Minutes of the Planning and Strategy Committee of the Whole held on 10 July 2019**

238/19

**RESOLVED (Harrison/Hicks)**

That the Minutes of the Planning and Strategy Committee of the Whole held in the Queanbeyan Council Chambers on Wednesday 10 July 2019 be confirmed.

The resolution was carried unanimously.

**5. DISCLOSURES OF INTERESTS**

239/19

**RESOLVED (Schweikert/Taylor)**

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 Winchester declared a less than significant non-pecuniary interest in Item 9.14 - Family Day Care - 2019/20 Fee, stating his sister is a family day care educator.

Cr Marshall declared a less than significant non-pecuniary interest in Item 12.1 - Captains Flat Road - Foxlow Alignment, stating he is a regular user of the road and believes he would benefit from the proposal and therefore have a conflict of interest.

**6. ADJOURNMENT FOR PUBLIC FORUM**

240/19

**RESOLVED (Overall/Taylor)**

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

At the conclusion of the Public Forum, the meeting resumed at 5.46pm.

**7. MAYORAL MINUTE**

There was no Mayoral Minute.

**8. NOTICES OF MOTIONS OF RESCISSION**

There were no Notices of Motion of Rescission.

**9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION****9.1 Development Application DA.2019.009 - Caravan Park - 94 Reservoir Lane, Braidwood****MOVED (Harrison/Schweikert)**

That:

1. Development application DA.2019.009 for a Caravan Park on Lot 83 DP755911, 94 Reservoir Lane, Braidwood be granted conditional approval, with the additional following conditions:

- i. **Limited Consent**

The period to which the approved development may be carried out upon the subject site is limited until 30 June 2025. After that date the consent shall cease, the site shall be remediated in accordance with the requirements contained within this consent and the use of the land shall revert to the existing extensive agricultural use. Any other uses of the site will require a new development consent.

*Reason: To ensure that the use of the site is consistent with the scope of the proposed development and that the site is appropriately remediated following the completion of the use.*

- ii. **Financial Assurance – Site Remediation and Rehabilitation**

Prior to the issue of any Completion Certificate, a financial assurance in the form of a bank guarantee or monetary payment to the value of \$100,000 to cover the costs of future site remediation and rehabilitation works at the expiry of this consent is required to be paid/ submitted to Council.

The assurance may be released on satisfactory completion or all site remediation and rehabilitation works, following an acceptable inspection by a Council Officer.

*Reason: To cover Queanbeyan-Palerang Regional Council's costs of repair of any damage that is not properly rectified by the applicant upon completion of the development.*

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

Cr Marshall foreshadowed a CONTRARY motion: ["That this Item be deferred to allow a site inspection by Councillors and brought back to an Extraordinary Planning and Strategy Committee meeting to be held in Braidwood."]

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

241/19

**RESOLVED (Harrison/Schweikert)**

That:

1. Development application DA.2019.009 for a Caravan Park on Lot 83 DP755911, 94 Reservoir Lane, Braidwood be granted conditional approval, with the additional following conditions:

- i. **Limited Consent**

The period to which the approved development may be carried out upon the subject site is limited until 30 June 2025. After that date the consent shall cease, the site shall be remediated in accordance with the requirements contained within this consent and the use of the land shall revert to the existing extensive agricultural use. Any other uses of the site will require a new development consent.

*Reason: To ensure that the use of the site is consistent with the scope of the proposed development and that the site is appropriately remediated following the completion of the use.*

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The assurance may be released on satisfactory completion or all site remediation and rehabilitation works, following an acceptable inspection by a Council Officer.

*Reason: To cover Queanbeyan-Palerang Regional Council's costs of repair of any damage that is not properly rectified by the applicant upon completion of the development.*

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

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

Against: Cr Marshall

**9.2 Development Application 290-2018 - 101 Lot Residential Subdivision - 36 Googong Road, Googong****MOVED (Taylor/Biscotti)**

That the matter be deferred to enable further discussion between the parties at the 'without prejudice' conciliation meeting scheduled on 2 August 2019.

Cr Schweikert foreshadowed a CONTRARY motion: [“That:

1. Development application 290-2018 for Torrens title subdivision to create 101 residential lots, two public reserve lots, one residue lot and all associated subdivision works on Lot 844 DP 1204019, Lot 664 DP 1195842, Part Lot 4 DP 1217396 and Lot 965 DP 1207816, known as Googong Road, 36 Googong Road, and Maxwell Street, Googong be refused for the following reasons.

Reasons for Refusal:

- (a) Insufficient information has been submitted by the applicant for Council to determine if part of the subject land is contaminated, or if it is suitable for the proposed residential land use. This contravenes Clause 7 - Contamination and remediation to be considered in determining development application of State Environmental Policy No 55 – Remediation of Land.
- (b) The proposed development is inconsistent with the aims of the Queanbeyan Local Environmental Plan listed in Clause 1.2 – Aims of the plan, specifically aim (g) in that it does not represent or facilitate the orderly growth of Googong Township in a manner that promotes a high level of residential amenity.
- (c) The proposed development is inconsistent with the objectives of the R5 – Large Lot Residential zone listed in LEP Land Use Table, specifically, the objective of minimising conflict between land uses within the R5 zone and adjoining zones, in that it includes the creation of residential lots that are in close proximity to the Googong Water Recycling Plant. It has not been demonstrated that future residents won't be subject to unacceptable adverse amenity impacts from odour and noise.
- (d) The proposed development contravenes the Queanbeyan Local Environmental Plan 2012 by proposing to create one lot that is less than the required minimum prescribed in Clause 4.1 – Minimum subdivision lot size.
- (e) The NSW Department of Planning have not issued Certification that satisfactory arrangements have been made for the provision of designated State public infrastructure. This is required under Clause 6.1 – Arrangements for designated state and Territory public infrastructure of the Queanbeyan Local Environmental Plan 2012.
- (f) The Commonwealth Department of Infrastructure, Transport, Cities and Regional Development have not provided confirmation that it has no objection to the proposed development. This is required under Clause 7.6 – Airspace operations of the Queanbeyan Local Environmental Plan 2012.
- (g) The proposed development is non-compliant with the

- following development controls of the Queanbeyan Development Control Plan 2012:
- (i) 2.3.6 – Noise and Vibration; and
  - (ii) 2.4 – Contaminated Land Management.
- (h) The proposed development is non-compliant with the following development controls of the Googong Development Control Plan:
- (i) 4.3 – General Controls;
  - (ii) 4.4 – Lot Orientation and Lot Size and Layout;
  - (iii) 4.6 – Residential Interface with Googong Dam Foreshores;
  - (iv) 8.9 – Land Contamination Management; and
  - (v) 8.10 – Odour.
- (i) The proposed development is inconsistent with the objectives of the Googong Master Plan as listed in Part 3 of the Googong Development Control Plan in that the development does not establish high quality liveable neighbourhoods within a sustainable township because the applicant has not been able to demonstrate that the amenity of future residents within the 250m odour buffer will not be detrimentally affected.
- (j) The proposed development is inconsistent with the Structure Plans for Neighbourhood 1A and 1B contained in Appendix 3 and 5 of the Googong Development Control Plan as the applicant has not satisfactorily demonstrated that odour and noise from the WRP will not have a detrimental impact to the amenity of future residents within the current 250m odour buffer area.
- (k) Pursuant to Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979:
- (i) Context and Setting – It has not been satisfactorily demonstrated that it is appropriate to locate residential lots within the Water Recycling Plant's odour buffer without resulting in an unacceptable adverse amenity impacts on future residents.
  - (ii) Air and Microclimate – The levels of odour emissions from the Water Recycling Plant will have an unacceptable adverse impact on the amenity of future residents.
  - (iii) Noise and Vibration – It has not been satisfactorily demonstrated that noise generation from the Water Recycling Plant will not have an unacceptable adverse impact on the amenity of future residents, or that the potential for offensive noise has been adequately minimised or effectively mitigated.
- (l) Pursuant to Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979 the subject site is not considered to be suitable for the proposed residential development due to its proximity to the Water Recycling

Plant and the associated adverse amenity impacts.

(m) Pursuant to Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, the proposed development is not in the public interest as it will create residential lots which will be exposed to adverse amenity impacts due to emissions of odour and noise from the Googong Water Recycling Plant.

2. The NSW Office of Environment and Heritage and the Rural Fire Service (as integrated approval bodies) be forwarded a copy of Council's Notice of Determination."]

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

242/19

**RESOLVED (Taylor/Biscotti)**

The matter be deferred to enable further discussion between the parties at the 'without prejudice' conciliation meeting scheduled on 2 August 2019.

For: Crs Biscotti, Harrison, Marshall, Noveska, Taylor and Winchester

Against: Crs Bray, Hicks, Overall and Schweikert

**9.3 Draft Queanbeyan Floodplain Risk Management Study and Plan**

243/19

**RESOLVED (Hicks/Harrison)**

That Council:

1. Exhibit the draft Queanbeyan Floodplain Risk Management Study and Plan for community comment for 28 days.
2. Receive a report considering the community feedback.

The resolution was carried unanimously.

**9.4 NSW Government Parking Fines Review**

**MOVED (Schweikert/Noveska)**

That Council:

1. "Opt in" to the NSW Government's Parking Fine Concession Scheme to reduce parking fine amounts from \$114 to \$82 from 1 December 2019.
2. Advise the NSW Treasurer and Minister for Industrial Relations of Council's decision by 1 October 2019.

Cr Harrison foreshadowed a contrary motion: ["That Council:

1. "Opt out" of the NSW Government's Parking Fine Concession Scheme to reduce parking fine amounts from 1 December 2019.
2. Advise the NSW Treasurer and Minister for Industrial Relations of Council's decision by 1 October 2019."]

The motion (of Crs Schweikert and Noveska) was PUT and LOST.

For: Crs Hicks, Noveska and Schweikert

Against: Crs Biscotti, Bray, Harrison, Marshall, Overall, Taylor and Winchester

The foreshadowed motion (of Cr Harrison) was brought forward, seconded by Cr Taylor, PUT and CARRIED.

244/19

**RESOLVED (Harrison/Taylor)**

That Council:

1. "Opt out" of the NSW Government's Parking Fine Concession Scheme to reduce parking fine amounts from 1 December 2019.
2. Advise the NSW Treasurer and Minister for Industrial Relations of Council's decision by 1 October 2019.

For: Cr Biscotti, Bray, Harrison, Marshall, Overall, Taylor and Winchester

Against: Crs Hicks, Noveska and Schweikert

**9.5 Queanbeyan CBD - Revised Scope of Works - Stage 3**

245/19

**RESOLVED (Hicks/Schweikert)**

That Council:

1. Receive and note the report.
2. Endorse the scope of works for the Morisset carpark precinct.
3. Undertake concurrent procurement options as outlined in the report.
4. Update the financial plan to reflect the changes to the QCBD stages of work, funding and timing.
5. Endorse borrowings of up to \$10m from FY21, with actual borrowings to be confirmed in the FY21 Operational Plan.
6. Progress amendments to the relevant s7.11 development contribution plan for carparking, for further report and exhibition.
7. Introduce options to lease carspaces.
8. Commission a place management plan and thematics for the CBD laneways and public domain.
9. Accept and thank the NSW Government for the offer of \$10m grant.

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

Against: Crs Harrison, Marshall and Taylor

**9.6 Project Management Office****MOVED (Schweikert/Taylor)**

That Council not participate in the lease share arrangement of Sydney CBD office space with Wagga Wagga City Council.

Cr Marshall foreshadowed a CONTRARY motion: ["That Council participate in the lease share arrangement of Sydney CBD office space with Wagga Wagga City Council."]

The motion (of Crs Schweikert and Taylor) was PUT and LOST.

For: Crs Harrison, Taylor and Schweikert

Against: Crs Biscotti, Bray, Hicks, Marshall, Noveska, Overall and Winchester

The foreshadowed motion (of Cr Marshall) was brought forward, seconded by Cr Hicks, PUT and CARRIED.

246/19

**RESOLVED (Marshall/Hicks)**

That Council participate in the lease share arrangement of Sydney CBD office space with Wagga Wagga City Council.

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

Against: Crs Harrison, Schweikert and Taylor

**9.7 Easement Creation - Lane off Pony Place, Carwoola**

247/19

**RESOLVED (Marshall/Harrison)**

That Council support the creation of an easement over a track within Lot 32 DP 871706 in favour of the Minister administering the *National Parks and Wildlife Act 1974*.

The resolution was carried unanimously.

**9.8 Proposed Closure - Brown St Queanbeyan**

248/19

**RESOLVED (Schweikert/Hicks)**

That Council commence procedures in accordance with Part 4 Division 3 of the *Roads Act 1993* to close Brown Street Queanbeyan and the Queanbeyan Golf Club be advised of this decision.

The resolution was carried unanimously.

- 249/19
- 9.9 Renewal of Licence Agreement - Anglican School Googong**  
**RESOLVED (Schweikert/Harrison)**
- That:
1. The report be received and noted.
  2. Council agree in principle to enter into a five-year Licence Agreement with the Anglican School Googong for use of the sports oval at Googong.
  3. The Licence Agreement proposal be advertised in accordance with S47 and 47A of the *Local Government Act 1993*.
  4. If no objection to the proposal is received, the Licence Agreement be executed.
  5. The Council approve the Mayor and the General Manager to execute the Licence Agreement on the Council's behalf.

The resolution was carried unanimously.

- 250/19
- 9.10 Appointment of Representatives to the Audit, Risk and Improvement Committee**  
**RESOLVED (Harrison/Bray)**
- That:
1. Council confirm the appointments of Andrew Cox, Max Shanahan and Carolyn Rosetta-Walsh as external members of the Council's Audit Risk and Improvement (ARIC) Committee.
  2. A draw by lot be held at the next Committee meeting to determine the length of tenure for external members so that there is an annual appointment process and a rotation of external members.

The resolution was carried unanimously.

- 251/19
- 9.11 Good Governance Framework and Draft Legislative Compliance Policy**  
**RESOLVED (Marshall/Harrison)**
- That Council:
1. Place the Draft Good Governance Framework and draft Legislative Compliance Policy on public exhibition for a period of 28 days to seek community comment on their provisions.
  2. Receive a report on the feedback received prior to the Framework and Policy's final adoption.

The resolution was carried unanimously.

252/19                    **9.12 Draft Public Interest Disclosures Act - Internal Reporting Policy**  
**RESOLVED (Schweikert/Noveska)**

That Council adopt the QPRC Public Interest Disclosures Act – Internal Reporting Policy.

The resolution was carried unanimously.

253/19                    **9.13 Investment Report - June 2019**  
**RESOLVED (Bray/Biscotti)**

That Council:

1. Note the 2018/19 investment income for June 2019 was \$1,021,971.
2. Note the investment portfolio has been made in accordance with the Local Government Act 1993, the Local Government (General) Regulation 2005 and Queanbeyan-Palerang Regional Council's investment policy.
3. Adopt the Investment Report for the month of June 2019.

The resolution was carried unanimously.

Cr Winchester declared a non-pecuniary interest in this item and left the meeting room at 6.59pm.

254/19                    **9.14 Family Day Care - 2019/20 Fee**  
**RESOLVED (Schweikert/Hicks)**

That Council absorb the cost of the Harmony timesheet fee into the current FDC educator fees.

The resolution was carried unanimously.

Cr Winchester returned to the meeting room at 7.00pm.

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

255/19                    **10.1 Mick Sherd Oval Condition Report**  
**RESOLVED (Schweikert/Biscotti)**

That Council:

1. Receive the report for information.
2. Receive another report on the timeline for remediation of Mick Sherd Oval.
3. Receive an update on the status of the new Bungendore Sports Hub.

The resolution was carried unanimously.

**10.2 Major Projects Status - Stronger Communities Fund**

256/19

**RESOLVED (Schweikert/Taylor)**

That Council note the report on the status of major infrastructure projects funded through the \$9m second round of the Stronger Communities Fund Program.

The resolution was carried unanimously.

**10.3 Canberra Region Joint Organisation**

257/19

**RESOLVED (Schweikert/Bray)**

That the report be received for information.

The resolution was carried unanimously.

**11. REPORTS OF COMMITTEES****11.1 Audit, Risk and Improvement Committee meeting 19 June 2019**

258/19

**RESOLVED (Harrison/Taylor)**

That Council note the minutes of the Audit, Risk and Improvement Committee meeting held on 19 June 2019.

The resolution was carried unanimously.

Cr Marshall declared a non-pecuniary interest in this item and left the meeting room at 7.06pm.

**12. NOTICES OF MOTIONS****12.1 Captains Flat Road - Foxlow Alignment****MOVED (Hicks/Schweikert)**

That:

1. Council commence design and boundary alignment planning for the construction of a road bypass in front of Foxlow homestead.
2. The plan be presented to Council this financial year.

**AMENDMENT (Overall/Harrison)**

That:

1. Council include design and boundary alignment work for the construction of road bypass in front of Foxlow homestead as an option in the Captains Flat Road scope of works to be presented to Council.
2. The scope of works include vehicle accident history for the proposed road bypass in front of Foxlow Homestead and other areas that have been prone to accidents along Captains Flat Road.
3. Council seek an update from the local member on the timing of receipt of the grant given the urgency of the work required.

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

For: Crs Biscotti, Bray, Harrison, Noveska, Overall, Taylor and Wincehster.

Against: Crs Hicks and Schweikert

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

259/19

**RESOLVED (Overall/Harrison)**

That:

1. Council include design and boundary alignment work for the construction of road bypass in front of Foxlow homestead as an option in the Captains Flat Road scope of works to be presented to Council.
2. The scope of works include vehicle accident history for the proposed road bypass in front of Foxlow Homestead and other areas that have been prone to accidents along Captains Flat Road.
3. Council seek an update from the local member on the timing of receipt of the grant given the urgency of the work required.

The resolution was carried unanimously.

Cr Marshall returned to the meeting room at 7.19pm.

**12.2 Bungendore Waste Transfer Station upgrade**

**MOVED (Schweikert/Hicks)**

That changes/upgrades be made to the Bungendore Waste Transfer Station to restrict/negate the escape of rubbish into neighbouring properties.

**AMENDMENT (Harrison/Marshall)**

That a report be presented on options for change or upgrade of the Bungendore Waste Transfer Station to restrict the escape of rubbish into neighbouring properties.

The amendment (of Crs Harrison and Marshall) was PUT and LOST.

For: Crs Harrison, Marshall and Winchester

Against: Crs Biscotti, Bray, Hicks, Noveska, Overall, Taylor and Schweikert

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

260/19

**RESOLVED (Schweikert/Hicks)**

That changes/upgrades be made to the Bungendore Waste Transfer Station to restrict/negate the escape of rubbish into neighbouring properties.

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

Against: Crs Harrison and Marshall

**12.3 Governance Improvement****MOVED (Schweikert/Hicks)**

That:

1. Amendments be made to the QPRC Code of Meeting Practice to ensure business papers for any public meeting of Council that are over 1,500 pages (including all annexures, enclosures, reports, attachments and confidential items - unless previously presented) be published 24 hours earlier than the current practice.
2. Any further 1,500 pages i.e. 3,000, to the business paper will require another 24 hours' notice, i.e. 48 hours, and so on.
3. Notices of motions from Councillors are exempt and will still be accepted up to 12.00noon on the Wednesday before the meeting and issued as a Supplementary as per the normal time frames if the business paper is published early.

Cr Marshall foreshadowed a CONTRARY motion: ["That this item be deferred following a workshop to review the operation of the Code of Meeting Practice."]

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

261/19

**RESOLVED (Schweikert/Hicks)**

That:

1. Amendments be made to the QPRC Code of Meeting Practice to ensure business papers for any public meeting of Council that are over 1,500 pages (including all annexures, enclosures, reports, attachments and confidential items - unless previously presented) be published 24 hours earlier than the current practice.
2. Any further 1,500 pages i.e. 3,000, to the business paper will require another 24 hours' notice, i.e. 48 hours, and so on.
3. Notices of motions from Councillors are exempt and will still be accepted up to 12.00noon on the Wednesday before the meeting and issued as a Supplementary as per the normal time frames if the business paper is published early.

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

Against: Crs Marshall and Winchester

**PROCEDURAL MOTION**

262/19

**RESOLVED (Overall/Bray)**

That Council not adjourn for the scheduled supper break but continue with the meeting and complete the agenda.

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

Against: Cr Schweikert

**13. REPORTS TO COUNCIL - DELEGATES REPORTS****13.1 Delegates' Reports**

263/19

**RESOLVED (Harrison/Overall)**

That Council note the Delegates' Report.

The resolution was carried unanimously.

**14. QUESTIONS WITH NOTICE****14.1 Responses to Councillors' Questions**

264/19

**RESOLVED (Taylor/Marshall)**

That the report be received for information.

The resolution was carried unanimously.

**15. 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.

**16. REPORTS FOR CLOSED SESSION**

265/19

**RESOLVED (Overall/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 16.1 Carparking Matters**

*Item 16.1 is confidential in accordance with s10(A) (c) (dii) 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 information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**Item 16.2 Quarterly Legal Update**

*Item 16.2 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 7.43pm to discuss the matters listed above.

#### 16.1 Carparking Matters

266/19

##### **RESOLVED (Biscotti/Hicks)**

That Council:

1. Advise the NSW Police its request to extend the Licence Agreement to use the Morisset Street Carpark for a police compound is not supported.
2. Endorse the extension of the licence for occupation of up to 46 carspaces for NSW Police by a further 12 months without fee, dependent on the relocation of the compound to the Crawford carpark, accessed from Morisset Street.
3. Execute a Licence Agreement for the Crawford carparking compound.

The resolution was carried unanimously.

#### 16.2 Quarterly Legal Update

267/19

##### **RESOLVED (Hicks/Harrison)**

That the report be received for information.

The resolution was carried unanimously.

268/19

##### **RESOLVED (Overall/Taylor)**

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 7.55pm.

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.

### **17. CONCLUSION OF THE MEETING**

The time being 7.56pm, Cr Overall announced that the agenda for the meeting had now been completed.

**CR TIM OVERALL  
MAYOR  
CHAIRPERSON**