



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Bungendore Council Chambers on Wednesday, 23 October 2019 commencing at 5.30pm.

ATTENDANCE

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

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

1. OPENING

The meeting opened at 5.30pm.

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

338/19

RESOLVED (Taylor/Noveska)

That apologies for non-attendance from Crs Biscotti and Marshall 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 25 September 2019**

339/19

RESOLVED (Hicks/Taylor)

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 25 September 2019 be confirmed.

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

340/19

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.

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

Against: Cr Schweikert

There were no disclosures.

6. ADJOURNMENT FOR PUBLIC FORUM

At this stage of the proceedings, the time being 5.31pm, Cr Overall advised that the meeting should now adjourn for the Public Forum.

341/19

RESOLVED (Overall/Taylor)

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

ADJOURNMENT:

The meeting adjourned for the Public Forum at 5.31pm and resumed at 5.45pm.

7. MAYORAL MINUTE

There was no Mayoral Minute.

8. NOTICES OF MOTION OF RESCISSION

There were no Notices of Motion of Rescission.

9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.1 Development Application DA.2019.1053 - Tennis Court and Flood Lighting - 67 Daniel Lane, Forbes Creek

342/19

RESOLVED (Schweikert/Harrison)

That:

1. Development application DA.2019.1053 for a Tennis Court with Floodlighting on Lot 1 DP 507778, No. 67 Daniel Lane, Forbes Creek be granted conditional approval.
2. Condition 11 be amended to:
 11. Submission of Landscaping Plan
Prior to the issue of any construction certificate the applicant shall submit to, and have approved by Council, a landscaping plan incorporating the following elements:
 - Provide a landscaped buffer to the southwest and southeast of the tennis court;
 - Landscape buffer is to be planted with advanced stock (2-3 years old) and incorporate native species including trees capable of achieving mature heights of at least 5m and understorey vegetation capable of achieving heights of 1.5-2.0m.

Reason: To ensure privacy to adjoining development by planting a visual vegetative screening.
3. Those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.

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

Against: Crs Brown and Noveska

9.2 Googong Urban Development Local Planning Agreement Review

343/19

RESOLVED (Taylor/Harrison)

That Council:

1. Agree in principle to vary the Googong Urban Development Local Planning Agreement with the proposed changes including those identified in Attachment 1 to this report.
2. Commence the statutory steps to vary that Agreement, including community engagement for 28 days.

The resolution was carried unanimously.

9.3 Road Naming Proposals - Aubrey Close, Braidwood and Sparrow Close, Bungendore

344/19

RESOLVED (Schweikert/Noveska)

That Council:

1. Adopt in principle the names 'Aubrey Close' and 'Sparrow Close' the proposed names in conjunction with new subdivisions created in Braidwood and Bungendore respectively.
2. Advertise the names for public comment for 28 days.
3. Publish a notice in the NSW Government Gazette if no objections are received.

The resolution was carried unanimously.

9.4 Review of the Protection of the Environment (Clean Air) Regulation - Control of Open Burning

345/19

RESOLVED (Schweikert/Taylor)

That:

1. Council place the Draft Open Burning Policy on public exhibition for a period of 28 days.
2. A report considering all submissions and Policy amendments be brought back to Council following exhibition.

The resolution was carried unanimously.

9.5 Queanbeyan Riverside Tourist Park - Renewable Energy & Energy Efficiency Project

346/19

RESOLVED (Taylor/Bray)

That Council transfer an amount of \$100,000 from the Revolving Energy Reserve for energy efficiency upgrades and renewable energy projects at the Queanbeyan Riverside Tourist Park.

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

Against: Cr Schweikert

9.6 Northern Entry Road Tender - Tender No 2019/54

347/19

RESOLVED (Harrison/Bray)

That Council delegate to the Planning and Strategy Committee of the Whole the authority to award the contract for the Construction of the Northern Entry Road.

The resolution was carried unanimously.

- 348/19 **9.7 Australian Wind Symphony**
RESOLVED (Hicks/Harrison)
That Council:
 1. Support in principle the agreement with the Australian Wind Symphony to have the Bicentennial Hall as its base.
 2. Endorse the preparation of a formal written agreement with the Australian Wind Symphony for a trial period for the 2020 calendar year.

The resolution was carried unanimously.

- 349/19 **9.8 Queanbeyan Junior Brass Application for Funding - Cultural Arts Assistance Scheme**
RESOLVED (Noveska/Overall)
That Council approve a grant of \$1,500 to Queanbeyan Junior Brass Band under the Cultural Arts Assistance Scheme (CAAS).

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

- 350/19 **9.9 Draft QPRC Community Engagement Plan**
RESOLVED (Hicks/Taylor)
That Council place the draft QPRC Community Engagement and Participation Plan on public exhibition for a period of 28 days.

The resolution was carried unanimously.

- 351/19 **9.10 Model Code of Conduct Consultation - Gifts and Benefits**
RESOLVED (Schweikert/Harrison)
That:
 1. Council note the NSW Minister for Local Government's request for submissions on the monetary threshold on the value of gifts that may be accepted by council officials.
 2. Councillors be encouraged to lodge their personal views on the threshold to the Office of Local Government by 8 November 2019.

The resolution was carried unanimously.

9.11 Register of Declarations of Pecuniary Interests and Other Matters

352/19

RESOLVED (Taylor/Winchester)

That, in accordance with s.440AAB 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 2019, be tabled.

The resolution was carried unanimously.

9.12 Queanbeyan Showground Advisory Committee Representative

353/19

RESOLVED (Taylor/Winchester)

That Council endorse the appointment of Mr David Loft to fill a casual vacancy as a representative of the Queanbeyan Heritage Advisory Committee on the Queanbeyan Showground Advisory Committee.

The resolution was carried unanimously.

9.13 Extension of Licence Agreement

354/19

RESOLVED (Schweikert/Taylor)

That:

1. Council agree to the request from NSW Police to extend the Licence Agreement to use the Morisset Street Carpark for a police compound until 16 April 2021.
2. An Addendum to the Licence Agreement be prepared and executed by the parties.
3. Council seek a further contribution of \$3,000 per car space pro rata for the period of the extension.

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

Against: Cr Bray

9.14 Renewal of Licence to Airservices Aust. - Noise Monitoring Equipment - Jerrabomberra

355/19

RESOLVED (Schweikert/Taylor)

That:

1. Council agree in principle to enter into a 5 year Licence Agreement with Air Services Australia for the location of an aircraft noise monitoring station at the Jerrabomberra Tennis Club, 4 Coral Drive Jerrabomberra.
2. The Licence Agreement proposal be advertised in accordance with s47 of the *Local Government Act 1993*.
3. If no objection to the proposal is received that the Licence Agreement be executed.
4. Council approve the CEO to execute the Licence Agreement on the Council's behalf.

The resolution was carried unanimously.

9.15 Annual Native Title Manager Notification to Minister

356/19

RESOLVED (Harrison/Hicks)

That Council:

1. Confirm the appointment of David Carswell, Kristina Micallef and Simon Holloway as the native title managers employed by Council.
2. Authorise the CEO to give written notice to the Minister for Water, Property and Housing the names and contact details of Council's Native Title Managers.

The resolution was carried unanimously.

9.16 Investment Report - September 2019

357/19

RESOLVED (Bray/Harrison)

That Council:

1. Note the 2019/20 investment income for September 2019 was \$553,244.
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 September 2019.

The resolution was carried unanimously.

SUPPLEMENTARY REPORT

9.17 Queanbeyan Civic and Cultural Precinct

358/19

RESOLVED (Winchester/Taylor)

That Council:

1. Note the report on the Queanbeyan Civic and Cultural Precinct, including the QPRC head office.
2. Endorse the concept, uses, business case, and the plan of subdivision for the Queanbeyan Civic and Cultural Precinct and head office building shown as Option 5.
3. Place the design and business case on public exhibition, and report back to Council with feedback.
4. Lodge a Development Application for the Queanbeyan Civic and Cultural Precinct.
5. Submit a capital expenditure report for NSW Office of Local Government and NSW Treasury Corp, to enable the raising of debt as outlined in the report.

The resolution was carried unanimously.

10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

10.1 Local Government General Elections September 2020

359/19

RESOLVED (Taylor/Schweikert)

That the report be received for information.

The resolution was carried unanimously.

10.2 Resolution Action Sheet

360/19

RESOLVED (Schweikert/Taylor)

That the report be received for information.

The resolution was carried unanimously.

10.3 Site Inspection – DA.2019.1053 – Tennis Court and Flood Lighting – 67 Daniel Lane, Forbes Creek

361/19

RESOLVED (Harrison/Hicks)

That the report be received for information.

The resolution was carried unanimously.

11. REPORTS OF COMMITTEES

11.1 Minutes of the QPRC Heritage Advisory Committee Meeting held 19 September 2019

362/19

RESOLVED (Schweikert/Overall)

That Council note the minutes of QPRC Heritage Advisory Committee Meeting held on 19 September 2019.

The resolution was carried unanimously.

11.2 Consultative Committee on Aboriginal Issues

363/19

RESOLVED (Taylor/Harrison)

That Council:

1. Note the minutes of Consultative Committee held on 20 August 2019.
2. Adopt recommendation CAI 01/19 from the meeting held on 20 August 2019.

CAI 01/19 That Council accept the change in Terms of Reference that Ngunnawal and Walbunga peoples can live outside of the QPRC region and still be a member of the Committee.

The resolution was carried unanimously.

11.3 New Youth Committee Members

364/19

RESOLVED (Taylor/Bray)

That Council endorse Recommendation YAC 4/19 of the Youth Committee to appoint the following members to the Committee for 2020:

Martin Peel, Tia Gray, Ruby Gurling, Liam O'Grady, Jayden Pappas, Jenna Ross, Jane-Maree Carvolth, Jesse Munslow, Elia Biscotti, Jay Madden, Lani Bevan, Imogen Philp-Reid, and Taylor Clift.

The resolution was carried unanimously.

11.4 Greenways s.355 Committee Meetings Minutes

365/19

RESOLVED (Harrison/Schweikert)

That Council note the minutes of the Greenways s.355 Committee's Annual General Meeting and Committee meeting held on 10 September 2019, and the assessment of Greenways major works.

The resolution was carried unanimously.

11.5 Bungendore Locality Committee Meeting Minutes 12 August 2019

366/19

RESOLVED (Schweikert/Harrison)

That Council note the minutes of the meeting of the Bungendore Locality Committee held on 12 August 2019.

The resolution was carried unanimously.

11.6 Royalla Common s.355 Committee Meeting Minutes

367/19

RESOLVED (Taylor/Hicks)

That Council note the minutes of the Royalla Common s.355 Committee's meeting held on 31 July 2019.

The resolution was carried unanimously.

12. NOTICES OF MOTIONS

12.1 Drought Relief

368/19

RESOLVED (Schweikert/Hicks)

1. That Council produce a report at the December Ordinary meeting:
 - a. On all current drought relief measures Council is applying to help farmers in our LGA
 - b. Mapping drought severity by area/town/parish etc in the LGA
 - c. Proposing a suite of further recommendations/measures that can aid our farmers, including (but not limited to) the lifting of restrictions/red-green tape, funding in-house aid programs, assisting existing organisations and programs, rate relief etc
2. That Council join with CRJO advocating to the Federal Government to temporarily increase the FAG annual allocation to enable drought declared LGAs to:
 - a) directly rebate rates to farmland category properties and business directly reliant on farmland activity
 - b) establish reserves to leverage the Federal Government \$15m Weeds Fund and join state and regional agencies to invest in additional weed control measures on identified private farmland properties in those LGAs
3. That Council join with CRJO advocating to the NSW Government to temporarily modify the Grants Commission methodology, by minimising the population bias and assigning those funds to:
 - a) directly rebate rates to farmland category properties and business directly reliant on farmland activity in drought declared LGAs
 - b) establish reserves to join state and regional agencies to invest in additional weed control measures on identified private farmland properties in those LGAs

The resolution was carried unanimously.

13. REPORTS TO COUNCIL - DELEGATES REPORTS

13.1 Delegates' Reports

369/19

RESOLVED (Schweikert/Harrison)

That Council note the Delegates' Reports.

The resolution was carried unanimously.

14. QUESTIONS WITH NOTICE

14.1 Responses to Councillors' Questions

370/19

RESOLVED (Taylor/Schweikert)

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.

There were no presentations.

16. REPORTS FOR CLOSED SESSION

371/19

RESOLVED (Overall/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 16.1 Receipt of Land and Environment Court Appeal - 121 Wallace Street, Braidwood

Item 16.1 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 16.2 Report of Unauthorised Fill

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.

Item 16.3 Update on Potential Legal Matter

Item 16.3 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 16.4 Nominations for Environment and Sustainability Advisory Committee

Item 16.4 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.

Item 16.5 AGL Purchase Offer to Southern Phone

Item 16.5 is confidential in accordance with s10(A) (di) 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.

The resolution was carried unanimously.

The meeting then moved into Closed Session at 7.18pm to discuss the matters listed above.

16.1 Receipt of Land and Environment Court Appeal - 121 Wallace Street, Braidwood

372/19

RESOLVED (Harrison/Schweikert)

That the report be received for information.

The resolution was carried unanimously.

16.2 Report of Unauthorised Fill

373/19

RESOLVED (Hicks/Harrison)

That the report be received for information.

The resolution was carried unanimously.

16.3 Update on Potential Legal Matter

374/19

RESOLVED (Taylor/Schweikert)

That the report be received for information.

The resolution was carried unanimously.

16.4 Nominations for Environment and Sustainability Advisory Committee

375/19

RESOLVED (Schweikert/Taylor)

That Council appoint Ms Meagan Cousins to the Environment and Sustainability Advisory Committee.

The resolution was carried unanimously.

16.5 AGL Purchase Offer to Southern Phone

376/19

RESOLVED (Schweikert/Winchester)

That Council note the report for information.

The resolution was carried unanimously.

377/19

RESOLVED (Overall/Taylor)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 7.29pm.

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 7.30pm Cr Overall announced that the agenda for the meeting had now been completed.

**CR TIM OVERALL
MAYOR
CHAIRPERSON**