



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Bungendore Council Chambers on Wednesday, 26 February 2020 commencing at 5.30pm.

ATTENDANCE

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

Staff: M Thompson, A/CEO/General Manager; P Hansen, Portfolio General Manager Community Connections; J Richards, Portfolio General Manager Community Choice and A Knight, 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

034/20

RESOLVED (Taylor/Marshall)

That apologies for non-attendance from Crs Bray and Noveska 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 22 January 2020**

035/20

RESOLVED (Taylor/Schweikert)

That the minutes of the Ordinary Meeting of Council held in the Bungendore Council Chambers on Wednesday, 22 January 2020 be confirmed.

The resolution was carried unanimously.

4.2 Minutes of the Planning and Strategy Committee of the Whole held on 12 February 2020

036/20

RESOLVED (Harrison/Taylor)

That the minutes of the Planning and Strategy Committee of the Whole held in the Queanbeyan Council Chambers on Wednesday 12 February 2020 be confirmed subject to the following amendments:

Item 4 – Disclosure of Interests: Councillor’s disclosures be amended to read:

Crs Biscotti, Bray, Harrison, Noveska, Overall, Schweikert and Taylor lodged a special disclosure of pecuniary interest under sections 451 (4) and (5) of the *Local Government Act 1993* for Items relating to the making or amendment of Local Environmental Plans.

And:

Prior to consideration of Item 6.2, Crs Hicks and Winchester lodged a special disclosure of pecuniary interest under sections 451 (4) and (5) of the *Local Government Act 1993* for Items relating to the making or amendment of Local Environmental Plans.

The resolution was carried unanimously.

4.3 Minutes of the Extraordinary Meeting of Council held on 12 February 2020

037/20

RESOLVED (Taylor/Hicks)

That the minutes of the Extraordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday, 12 February 2020 be confirmed.

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

038/20

RESOLVED (Taylor/Harrison)

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 significant pecuniary interest in Item 9.16: Family Day Care Closure During Beard Fire – 23 January 2020, stating his sister is a family day care educator and will be financially impacted by the decision.

6. ADJOURNMENT FOR PUBLIC FORUM

At this stage of the proceedings, the time being 5.33pm, Cr Overall advised that the meeting should now adjourn for the Public Forum.

039/20

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 5.33pm and resumed at 6.07pm.

SUPPLEMENTARY REPORT

7. MAYORAL MINUTE

7.1 Execution of Low Cost Loans Initiative Funding Agreement

040/20

RESOLVED (Overall)

That Council execute the funding agreement under the Low Cost Loans Initiative Scheme to support growing communities under the seal of Council to enable the reimbursement of 50% of the loan interest associated with the Ellerton Drive Extension project.

The resolution was carried unanimously.

8. NOTICES OF MOTIONS OF RESCISSION

There were no Notices of Motion of Rescission.

9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.1 Bungendore Structure Plan 2048

MOVED (Schweikert/Hicks)

That:

1. Council endorse and publish the amended Bungendore Structure Plan 2048.
2. Review the plan and amend as necessary for republication in 2025.

AMENDMENT (Harrison/Marshall)

That:

1. Council endorse the amended Bungendore Structure Plan 2048 for public exhibition for a further period of 28 days.
2. Following the close of the public exhibition period, consider issues raised in submissions when finalising the Bungendore Structure Plan 2048 and report back to Council.

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

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

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

041/20

RESOLVED (Schweikert/Hicks)

That:

1. Council endorse and publish the amended Bungendore Structure Plan 2048.
2. Review the plan and amend as necessary for republication in 2025.

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

9.2 Review of Submissions to North Elmslea Planning Proposal

MOVED (Schweikert/Hicks)

That:

1. Council advise the Minister for Planning and Public Spaces under Section 3.6 of the *NSW Environmental Planning and Assessment Act 1979* that it wishes to progress the rezoning of part of Lot 1 DP 798111 from RU1 Primary Production to R2 Low Density Residential.
2. The Palerang Local Environmental Plan 2014 Lot Size Map be amended to show a minimum lot size of 850 square metres for part of Lot 1 DP 798111.
3. The Palerang Local Environmental Plan 2014 Height of Buildings map be amended to show a building height of 8.5 metres for part of Lot 1 DP 798111.
4. The Palerang Local Environmental Plan 2014 Lot Averaging map be amended to remove the lot averaging provision from part of Lot 1 DP 798111.
5. The Palerang Development Control Plan 2015 be amended to provide a clear character statement and suitable controls for the Elmslea area to ensure the low density, predominately single storey character with well separated buildings is achieved in any future development, including subdivision.

During discussion, Cr Hicks raised a point of order stating that Cr Marshall's comments were inappropriate. The Mayor upheld the point of order, and referred to "Acts of Disorder" under Council's Code of Meeting Practice wherein Clause 15.11(d) states: 'insults or makes personal reflections on or imputes improper motives to any other council official, or alleges a breach of the council's code of conduct'. The Mayor requested that Cr Marshall refrain from making such statements.

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

042/20

RESOLVED (Schweikert/Hicks)

That:

1. Council advise the Minister for Planning and Public Spaces under Section 3.6 of the *NSW Environmental Planning and Assessment Act 1979* that it wishes to progress the rezoning of part of Lot 1 DP 798111 from RU1 Primary Production to R2 Low Density Residential.
2. The Palerang Local Environmental Plan 2014 Lot Size Map be amended to show a minimum lot size of 850 square metres for part of Lot 1 DP 798111.
3. The Palerang Local Environmental Plan 2014 Height of Buildings map be amended to show a building height of 8.5 metres for part of Lot 1 DP 798111.
4. The Palerang Local Environmental Plan 2014 Lot Averaging map be amended to remove the lot averaging provision from part of Lot 1 DP 798111.
5. The Palerang Development Control Plan 2015 be amended to provide a clear character statement and suitable controls for the Elmslea area to ensure the low density, predominately single storey character with well separated buildings is achieved in any future development, including subdivision.

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

Against: Crs Marshall and Winchester

9.3 Draft Jerrabomberra Innovation Precinct Planning Agreement

043/20

RESOLVED (Harrison/Schweikert)

That Council:

1. Note the report.
2. Agree to staff proceeding with the draft Jerrabomberra Innovation Precinct Planning Agreement by exhibiting it for 28 days.
3. Note that the results of community engagement will be reported back to Council at the conclusion of the community engagement period.

The resolution was carried unanimously.

9.4 Renewal Application to Operate Caravan Park - Eaglehawk Holiday Park - 1246 Federal Highway, Sutton

044/20

RESOLVED (Overall/Taylor)

That:

1. Activity Application No. 2211 under Part F2 of section 68 of the *Local Government Act 1993*, for continued operation of a caravan park at Lots 108 & 109 DP878557, 1246 Federal Highway, Sutton be granted conditional approval for a five year period subject to amendment of the following draft conditions of consent:
 - Condition 2 regarding provision of a community map – Include time frame of 30 days
 - Condition 6 requiring submission of a Fire Safety Statement – Include time frame of 21 days
2. Council note that enforcement action to ensure compliance with issued Fire Safety Orders will commence.

The resolution was carried unanimously.

9.5 Proposed Change to the QPRC Environmental Expo Program

045/20

RESOLVED (Marshall/Biscotti)

That Council:

1. Change the current Environmental Expo initiative to a new mobile environmental education program using the QPRC Community Education Trailer.
2. Continue to provide the Keep NSW Beautiful modules to all schools in the local government area.
3. Continue to provide similar budget for the new mobile environmental education program in the first year.

The resolution was carried unanimously.

9.6 Edwin Land Parkway Road Noise Study

046/20

RESOLVED (Brown/Hicks)

That Council:

1. Note the report on the Edwin Land Parkway Noise Study.
2. Consider providing \$30,000 in the 2020/2021 budget to complete assessment and design of suitable treatments to reduce road noise to compliant levels on the Edwin Land Parkway.
3. Receive a further report once the assessment and design work is completed that provides an estimate to provide suitable noise treatments to affected houses.

The resolution was carried unanimously.

Cr Brown left the meeting and 7.07pm.

Cr Biscotti left the Chambers at 7.07pm and returned at 7.09pm.

9.7 Charleyong Bridge

MOVED (Hicks/Schweikert)

That Council:

1. Note the report.
2. Note that Transport for NSW will proceed to demolish the Charleyong Bridge in accordance with the Review of Environmental Factors completed in 2016.
3. Continue to liaise with Transport for NSW to secure elements of the bridge for interpretative reuse.

AMENDMENT (Marshall/Overall)

That Council note the report.

The mover and seconder of the motion accepted the amendment (of Crs Marshall and Overall). Cr Marshall then WITHDREW the amendment with the consent of the seconder. The motion (of Crs Hicks and Schweikert) was moved in the amended form, PUT and CARRIED.

047/20

RESOLVED (Hicks/Schweikert)

That Council note the report.

The resolution was carried unanimously.

9.8 Tender Recommendation for South Jerrabomberra Northern Entry Road (Contract 2019-54)

048/20

RESOLVED (Taylor/Winchester)

That Council delegate the consideration of Tender 2019-54 to a Planning and Strategy meeting if required.

The resolution was carried unanimously.

9.9 Delivery Program Update - July-December 2019

049/20

RESOLVED (Biscotti/Taylor)

That Council note the Delivery Program update.

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

Against: Cr Harrison

- 050/20 **9.10 Cultural Arts Assistance Scheme Application for Funding - Vision 2020 Exhibition**
RESOLVED (Marshall/Winchester)
That Council approve the allocation of a donation of \$1,500 from the Cultural Arts Assistance Scheme to the curator of the Vision 2020 Textile Exhibition to offset hire costs for the exhibition at the Q Exhibition Space in Queanbeyan.

The resolution was carried unanimously.
- 051/20 **9.11 Cultural Arts Assistance Scheme Application - ACT Maori Performing Arts Inc**
RESOLVED (Marshall/Winchester)
That Council not support the allocation of funding to ACT Maori Performing Arts Inc. under the Cultural Arts Assistance Scheme (CAAS) as the application does not meet the eligibility criteria.

The resolution was carried unanimously.
- 052/20 **9.12 Cultural Arts Assistance Scheme Application - Create Collaborate Collective Inc**
RESOLVED (Taylor/Winchester)
That Council approve the allocation of a donation of \$1,500 from the Cultural Arts Assistance Scheme to Create Collaborate Collective Inc. to assist with costs for a public art exhibition.

The resolution was carried unanimously.
- 053/20 **9.13 Cultural Arts Assistance Scheme Funding Application from Karabar High School - MUSEffect Dance Program**
RESOLVED (Winchester/Taylor)
That Council approve the allocation of \$1,500 from the Cultural Arts Assistance Scheme to assist with costs for the MUSEffect Dance Program.

The resolution was carried unanimously.
- 9.14 Meet and Make Expo - Bungendore**
MOVED (Hicks/Schweikert)
That Council approve \$1,500 from the Category Two events budget to support the proposed Meet and Make Event at the Bungendore Showground on Saturday, 9 May 2020.

AMENDMENT (Marshall/Taylor)
That Council approve \$2,150 from the Category Two events budget to support the proposed Meet and Make Event at the Bungendore Showground on Saturday, 9 May 2020.

The amendment (of Crs Marshall and Taylor) was PUT and CARRIED and became the motion.

For: Crs Biscotti, Harrison, Marshall, Overall, Schweikert, Taylor and Winchester
Against: Cr Hicks

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

054/20

RESOLVED (Marshall/Taylor)

That Council approve \$2,150 from the Category Two events budget to support the proposed Meet and Make Event at the Bungendore Showground on Saturday 9 May 2020.

The resolution was carried unanimously.

9.15 QPRC Membership - Southern Tablelands Arts

MOVED (Schweikert/Hicks)

That Council defer Item 9.15 – QPRC Membership - Southern Tablelands Arts, until consideration of the future Cultural Plan.

Cr Marshall foreshadowed a CONTRARY motion: [“That Council delegate Item 9.15 – QPRC Membership – Southern Tablelands Arts, to the March 2020 Planning and Strategy meeting.”]

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

055/20

RESOLVED (Schweikert/Hicks)

That Council defer Item 9.15 – QPRC Membership – Southern Tablelands Arts, until consideration of the future Cultural Plan.

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

ADJOURNMENT: The meeting adjourned at 7.40pm and resumed at 7.59pm.

Cr Winchester declared an interest in the following item and left the Chambers at 7.59pm.

9.16 Family Day Care Closure During Beard Fire - 23 January 2020

056/20

RESOLVED (Hicks/Harrison)

That Council support compensation to be paid to registered Educators who lost income due to the requested closure during the Beard Fire evacuation on 23 January 2020 and that funding be allocated from the Commonwealth government bushfire grant.

The resolution was carried unanimously.

Cr Winchester returned to the Chambers at 8.02pm.

9.17 Quarterly Budget Review Statement for the Quarter Ending 31st December 2019

057/20

RESOLVED (Schweikert/Taylor)

That Council:

1. Adopt the December 2019 Quarterly Budget Review Statement and variations as outlined in this report.
2. Note the predicted consolidated surplus of \$4.530m.

For: Cr Biscotti, Hicks, Marshall, Overall, Schweikert, Taylor and Winchester

Against: Cr Harrison

9.18 Investment Report - January 2020

058/20

RESOLVED (Taylor/Schweikert)

That Council:

1. Note the investment income for January 2020 was \$877,147.
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. Receive the Investment Report for the month of January 2020.

The resolution was carried unanimously.

9.19 Rates Harmonisation - Preferred Rating Structure

059/20

RESOLVED (Harrison/Biscotti)

That Council:

1. Endorse the preferred rate structure, as set out in the report – Preferred Rate Structure Option 6, for community engagement.
2. Receive a report on the community engagement results at the April Council meeting, before adopting a draft Revenue Policy.

The resolution was carried unanimously.

9.20 QPRC Internal Audit Charter

060/20

RESOLVED (Harrison/Taylor)

That Council approve the Internal Audit Charter as amended.

The resolution was carried unanimously.

10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

- 061/20 **10.1 Sports Fields and Park Irrigation**
RESOLVED (Hicks/Taylor)
That the report be received for information.
The resolution was carried unanimously.
- 062/20 **10.2 Biannual Biosecurity Weeds Report (July-December 2019)**
RESOLVED (Schweikert/Harrison)
That the report be received for information.
The resolution was carried unanimously.
- 063/20 **10.3 Negotiation of Enforceable Undertaking Under the Provisions
of Protection of the Environment Operations Act 1997 –
Morisset Street Sewage Pump Station Overflow - 21 September
2019**
RESOLVED (Taylor/Harrison)
That the report be received for information.
The resolution was carried unanimously.
- 064/20 **10.4 Development of a Regional Community Strategic Plan
Covering Most of the Canberra Region Joint Organisation
(CRJO) Councils**
RESOLVED (Harrison/Schweikert)
That the report be received for information.
The resolution was carried unanimously.
- 065/20 **10.5 Resolution Action Sheet**
RESOLVED (Taylor/Biscotti)
That the report be received for information.
The resolution was carried unanimously.

11. REPORTS OF COMMITTEES

- 066/20 **11.1 Minutes of the Youth Committee Meeting held 3 February 2020**
RESOLVED (Taylor/Winchester)
That Council note the minutes of Youth Committee held on 3
February 2020.
The resolution was carried unanimously.

12. NOTICES OF MOTIONS

There were no Notices of Motion.

13. REPORTS TO COUNCIL – DELEGATES' REPORTS

There were no Delegates' Reports

14. QUESTIONS WITH NOTICE

14.1 Responses to Councillors' Questions

067/20

RESOLVED (Taylor/Hicks)

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

068/20

RESOLVED (Overall/Hicks)

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 Acquisition of Encroachment

Item 16.1 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 16.2 Quarterly Legal Report - December 2019

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 Writing Off Water Usage Under Hardship Policy

Item 16.3 is confidential in accordance with s10(A)(b) of the Local Government Act 1993 because it contains discussion in relation to the personal hardship of a resident or ratepayer and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Item 16.4 Writing Off Water Usage Due to Undetected Leak Policy

Item 16.4 is confidential in accordance with s10(A)(b) of the Local Government Act 1993 because it contains discussion in relation to the personal hardship of a resident or ratepayer 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 8.15pm to discuss the matters listed above.

16.1 Acquisition of Encroachment

069/20

RESOLVED (Hicks/Winchester)

That the Council agree to the purchase of a small area of land where there is an encroachment at Lot 8 DP 629730, 3 Blundell Street, Queanbeyan as outlined in the report.

The resolution was carried unanimously.

16.2 Quarterly Legal Report - December 2019

070/20

RESOLVED (Hicks/Harrison)

That the report be received for information.

The resolution was carried unanimously.

16.3 Writing Off Water Usage Under Hardship Policy

071/20

RESOLVED (Schweikert/Harrison)

That the owner be advised that the excess water usage is not eligible for assistance in accordance with the Financial Hardship and Assistance Policy.

The resolution was carried unanimously.

16.4 Writing Off Water Usage Due to Undetected Leak Policy

RESOLVED (Harrison/Taylor)

That Council write off a total of \$1,497.33 in water usage charges for the property listed in this report.

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

Against: Cr Schweikert

072/20

RESOLVED (Taylor/Harrison)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 8.30pm.

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 8.31pm, Cr Overall announced that the agenda for the meeting had now been completed.

**CR TIM OVERALL
MAYOR
CHAIRPERSON**