



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Council Chambers, 10 Majara Street, Bungendore on Wednesday, 23 May 2018 commencing at 5.30pm.

1. OPENING

ATTENDANCE

Councillors: Cr Overall (Chair), Crs Biscotti, Bray AM, Harrison, Hicks, Marshall, Schweikert, Taylor and Winchester (from 5.56pm).

Staff: P Tegart, CEO/General Manager; D Carswell, A/Portfolio General Manager Natural and Built Character; P Hansen, Portfolio General Manager Community Connections; M Darcy, A/Portfolio General Manager Community Choice; P Neil, Portfolio General Manager Organisational Capability and S Taylor, Service Manager Finance.

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

2. APOLOGIES

149/18

RESOLVED (Taylor/Bray)

That the apologies for non-attendance received from Crs Brown and Noveska, be accepted and leave of absence be granted.

The resolution was carried unanimously.

3. DISCLOSURES OF PECUNIARY INTERESTS

150/18

RESOLVED (Marshall/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 Marshall declared a less than significant pecuniary and non-pecuniary interest in Item 12.3 – Captains Flat Rural Fire Station Design and Construct Tender, as he is a neighbour of the site and a member the Captains Flat Rural Fire Brigade.

4. CONFIRMATION OF MINUTES**4.1 Minutes of the Ordinary Meeting of Council held on 26 April 2018**

151/18

RESOLVED (Taylor/Schweikert)

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

The resolution was carried unanimously.

4.2 Minutes of the Planning and Strategy Committee of the Whole held on 9 May 2018

152/18

RESOLVED (Schweikert/Taylor)

That the Minutes of the Planning and Strategy Committee of the Whole held in the Queanbeyan Council Chambers on Wednesday 9 May 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 Henson – Item 12.1 - Development Application - DA.2017.286 - Child Care Centre - 5 McMahon Drive, Bungendore

Mr Derek MacKay – Item 12.1 - Development Application - DA.2017.286 - Child Care Centre - 5 McMahon Drive, Bungendore

Ms Darion Russell – Item 12.1 - Development Application - DA.2017.286 - Child Care Centre - 5 McMahon Drive, Bungendore

Ms Derek Payne – Item 12.1 - Development Application - DA.2017.286 - Child Care Centre - 5 McMahon Drive, Bungendore

Mr David Connelly – Item 12.2 - Rezoning and Dwelling Eligibility Requests

Ms Sheridan Marsh – Item 12.1 - Development Application - DA.2017.286 - Child Care Centre - 5 McMahon Drive, Bungendore

Ms Katrina Iffland – Item 12.2 - Rezoning and Dwelling Eligibility Requests

Cr Winchester joined the meeting at 5.56pm.

8. MAYORAL REPORT

There was no Mayoral Report.

9. MAYORAL MINUTE

There was no Mayoral Minute.

10. NOTICES OF MOTION OF RESCISSION

There were Notices of Motion of Rescission.

11. NOTICES OF MOTION

There were no Notices of Motion.

12. ITEMS FOR DETERMINATION

12.1 Development Application - DA.2017.286 - Child Care Centre - 5 McMahon Drive, Bungendore

153/18

RESOLVED (Schweikert/Biscotti)

That:

1. Development application DA.2017.286 for the construction a Child Care Centre upon Lot 1362 DP 1154538 and Lot 1338 DP 1112117, 5 McMahon Drive, Bungendore be granted conditional approval.
2. Those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.
3. Council receive a further report on the carpark footprint and its licence to occupy public land.

The resolution was carried unanimously.

154/18

RESOLVED (Schweikert/Marshall)

That Council investigate improvements to pedestrian movements in the area around the proposed development at 5 McMahon Drive Bungendore should the development proceed.

The resolution was carried unanimously.

12.2 Rezoning and dwelling eligibility requests

155/18

RESOLVED (Biscotti/Bray)

That Council defer this matter to the Ordinary meeting on 25 July 2018 and advise property owners to enable their further submission.

The resolution was carried unanimously.

Cr Marshall declared an interest in Item 12.3 and left the meeting at 6.22pm.

12.3 Captains Flat Rural Fire Station Design and Construct Tender

156/18

RESOLVED (Hicks/Schweikert)

That Council:

1. Award tender 17/2018 for the design and construction of the Captains Flat Rural Fire Station to Tenderer 1 CBC Project Management for the amount of \$361,726.00 excl GST subject to tenderer negotiations.
2. Delay the award of tender 18/2018 until adequate funding from the Rural Fire Service becomes available to complete the Captains Flat Rural Fire Station project.
3. Write to the local Member for Monaro in regard to funding.

The resolution was carried unanimously.

Cr Marshall returned to the meeting at 6.25pm

12.4 Queanbeyan CBD Transformation Stage 1 to 3, Head Office and Smart Hub

157/18

RESOLVED (Overall/Schweikert)

That Council:

1. Receive and note the report on Queanbeyan CBD transformation stages, and the proposed Queanbeyan Head Office and Smart Hub.
2. Give consideration at an early workshop to a third option (Option 3) for Stage 2, providing for:
 - a. Redevelopment of 257 Crawford Street (Site B) for the Queanbeyan Head Office and Smart Hub and/or extra office level, on a slightly narrower footprint to the existing building and similar size footprint as proposed for the 50 Lowe Street site. The proposed redevelopment not include a new council chambers.
 - b. A smart public domain with a narrower Crawford Street frontage and lesser footprint than as proposed in Attachment 2.
3. Note that Option 3, construction of a standalone office 257 Crawford Street:
 - a. Potentially provides for an estimated 6,000m² GFA for Council administration office, and 1,000-1,500m² GFA additional lettable office space, with 3.5 to 4 floors.
 - b. In close proximity to CBD centre/Monaro Street.
 - c. Achieves desired time frame.
 - d. Retains at grade parking behind the Q Theatre and vehicular access from Lowe Street.
 - e. Recycles part of the Lowe and Morisset carparks into public domain, with the Lowe public domain potentially having a lesser footprint being generally to the front of The Q, thereby retaining further at grade car spaces.

- f. Resolves the car parking and rear accessibility concerns of Monaro Street businesses associated with Option 1.
 - g. Centralises the office and retail parking through the private sector construction of multilevel smart carpark at Morisset carpark, increasing CBD timed and employee parking spaces overall.
 - h. Connects Morisset to Lowe carparks via reconstructed pedestrian laneways.
 - i. Likely results in lower overall capital costs, debt raising and risk.
 - j. May affect the scale of any redevelopment of the Rutledge Street site due to a degree of overshadowing.
4. Support in principle raising debt for the CBD Stages 2 and 3 nett of capital grants, in the financial plan.
 5. Not consider a possible special rate variation from 2020/21 to service debt for the Queanbeyan Head Office and additional lettable office space.
 6. Consider all debt servicing options and scenarios for the civil works components, including the option of a dividend from the water and sewer utilities, and the option of post-merger savings and service reviews.
 7. Seek expressions of interest, at the appropriate time, to construct and operate a multilevel parking facility in Morisset carpark.
 8. Vary the scale, sequencing and timing of those works in the draft DP as outlined in the attachment, to accommodate likely grants and borrowing schedules, to be adopted at the June meeting.
 9. Continue to seek grants to assist the construction of the smart hub, smart infrastructure parking, parking and public domain to activate the CBD.
 10. Progress the Heads of Agreement with Downtown Q PL for a mixed use commercial and residential development including potential sale of 10-16 Rutledge Street and adjoining land at valuation, subject to a planning agreement to enable construction of civil works (such as public domain and parking).
 11. Undertake community engagement on the Queanbeyan CBD transformation proposal in conjunction with the CBD masterplan review.
 12. Following the workshop referred to in 2. above, receive a further report on Queanbeyan CBD Transformation Stage 1 to 3 Head Office and Smart Hub and funding options.

The resolution was carried unanimously.

12.5 Public Exhibition of Jumping Creek Planning Proposal

158/18

RESOLVED (Marshall/Hicks)

That Council:

1. Agree to the public exhibition of an amended planning proposal for Jumping Creek as set out in this report.
2. Receive and note the information on the continuing discussions with the developers of Jumping Creek about the short term and long term management of the environmental and recreational zoned land of the site.
3. Council hold a workshop during the exhibition period to further brief Councillors on the planning proposal.

The resolution was carried unanimously.

12.6 Road Naming Proposal - New Subdivision - Burrabella Estate - 107 Burra Road – Googong

159/18

RESOLVED (Marshall/Biscotti)

That Council:

1. Adopt in principle the names “Bigga Place” and “Binda Place” as the proposed names for two new roads created within the subject subdivision subject to concurrence from the Geographical Names Board.
2. Advertise the names for public comment for 30 days.
3. Publish a notice in the NSW Government Gazette adopting the new road names, if no objections are received.

The resolution was carried unanimously.

12.7 Establishment of Alcohol Prohibited Area - Ernie Beaver Park - 6-10 Gilmore Place, Queanbeyan West

160/18

RESOLVED (Schweikert/Taylor)

That:

1. A new Alcohol Prohibited Area be established for a four year period in Ernie Beaver Park on Gilmore Road.
2. The Council publish a notice of the proposed establishment of the alcohol prohibited area for an exhibition period of 30 days.
3. A copy of the proposal be provided to the local Police Commander, affected liquor licensees, registered clubs in the area and other organisations required to be notified by the Ministerial Guidelines allowing them 30 days to make representation.

The resolution was carried unanimously.

- 161/18 **12.8 QPRC Events Strategy - Community Engagement Report**
RESOLVED (Harrison/Bray)
That Council:
1. Note the community feedback received.
2. Endorse the QPRC Events Strategy.
- The resolution was carried unanimously.
- 162/18 **12.9 Outdoor Dining Trial Extension**
RESOLVED (Biscotti/Bray)
That Council:
1. Continue to participate in the NSW Outdoor Dining Trial until 31 December 2018.
2. Continue to waive the annual fee per square metre for the duration of the trial.
- The resolution was carried unanimously.
- 163/18 **12.10 Quarterly Budget Review Statement for the Quarter Ending 31st March 2018**
RESOLVED (Schweikert/Marshall)
That Council:
1. Adopt the March 2018 Quarterly Budget Review Statement and variations as outlined in this report.
2. Note the predicted consolidated deficit of \$2,549,683.
- The resolution was carried unanimously.
- 164/18 **12.11 Investment Report - April 2018**
RESOLVED (Schweikert/Marshall)
That Council:
1. Note the investment income for April 2018 was \$594,928 bringing the total return on Cash and Cash Equivalent Investments for the 2017/18 Financial Year to \$4,373,201 which is \$470,216 above the budget within the adopted Operational Plan Quarter 2 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 April 2018.
- The resolution was carried unanimously.

12.12 Local Heritage Places Grant Fund Application

165/18

RESOLVED (Schweikert/Bray)

That Council:

1. Agree to a grant of a maximum of \$2,000 in relation to the application for 85 Wallace Street, Braidwood, and the grant be subject to the standard terms and conditions for local heritage places grants, funded from 2018/19 allocation.
2. Agree that an extension be granted in relation to the application for 39 Wallace Street, Braidwood, subject to the work being completed in 2018/19 financial year.

The resolution was carried unanimously.

SUPPLEMENTARY REPORTS**12.13 Riverside Oval Queanbeyan and Mick Sherd Oval Bungendore - surface condition**

166/18

RESOLVED (Harrison/Schweikert)

That:

1. The report be received for information.
2. As an interim measure, travelling surface irrigation be provided to Mick Sherd oval.
3. Council consider provision of a permanent surface irrigation system on Mick Sherd oval to replace the existing system in the Delivery Program.
4. Council receive a further report in conjunction with the Integrated Water Cycle Management Plan (IWCMP) for re-use of recycled water on recreational and other facilities.

The resolution was carried unanimously.

With the time being 7.30pm, the Mayor advised that under Council's Code of Meeting Practice it was time to adjourn the meeting for 30 minutes.

Procedural Motion

167/18

RESOLVED (Marshall/Winchester)

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

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

Against: Crs Bray and Schweikert

Cr Hicks left the meeting at 7.33pm.

13. ITEMS FOR INFORMATION**Procedural Motion**

168/18

RESOLVED (Marshall/Biscotti)

That Items 13.1 to 14.1 be moved as a bloc.

The resolution was carried unanimously.

- 169/18 **13.1 Submission - Draft Discussion Paper 'Planning for the Future of Retail' - April 2018**
RESOLVED (Schweikert/Marshall)
That the report be received for information.

The resolution was carried unanimously.
- 170/18 **13.2 Proclamation of Joint Organisations**
RESOLVED (Schweikert/Marshall)
That the report be received for information.

The resolution was carried unanimously.
- 171/18 **13.3 Bungendore Ambulance Station site**
RESOLVED (Schweikert/Marshall)
That the report be received for information.

The resolution was carried unanimously.
- 172/18 **13.4 Resolution Action Sheet**
RESOLVED (Schweikert/Marshall)
That the report be received for information.

The resolution was carried unanimously.
- 14. COMMITTEE REPORTS AND RECOMMENDATIONS**
- 173/18 **14.1 Queanbeyan-Palerang Sports Council - Minutes of the Meeting Held 7 May 2018**
RESOLVED (Schweikert/Marshall)
That Council note the minutes of the Queanbeyan-Palerang Sports Council meeting held on 7 May 2018.

The resolution was carried unanimously.

- 174/18
- 14.2 Braidwood Locality Committee minutes 30 May 2018**
- RESOLVED (Overall/Schweikert)**
- That Council:
1. Note the minutes of Braidwood Locality Committee meeting held on 30 April 2018;
 2. Adopt recommendations BDLC01/2018 and BDLC02/2018 from the meeting held on 30 April 2018:
- BDLC01/2018 RECOMMENDATION That Council undertake an assessment with a view to upgrading the usability of the Charleys Forest Hall and grounds.
- BDLC02/2018 RECOMMENDATION That Council staff meet with the Braidwood Gymnasium s.355 Committee representatives to discuss the options for renewing the agreement for the Braidwood Central School gymnasium.
- The resolution was carried unanimously.
- 175/18
- 14.3 Bungendore War Memorial s.355 Committee minutes**
- RESOLVED (Schweikert/Marshall)**
- That Council note the minutes of Bungendore War Memorial s.355 Committee meetings held on 1 February and 1 March 2018.
- The resolution was carried unanimously.
- 15. DELEGATES' REPORTS**
- Cr Harrison reported on his attendance at the South East Australian Transport Strategy meeting at Shellharbour.
- Cr Marshall reported on his attendance at the Community Safety Precinct Committee meeting.
- Cr Schweikert reported on his attendance at the Bungendore Locality Committee meeting.
- 16. RESPONSES TO COUNCILLORS' QUESTIONS**
- 16.1 Responses to Councillors' Questions**
- 176/18
- RESOLVED (Taylor/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 on the progress of the new furniture for the Bungendore Council Chambers. The CEO/General Manager advised that the order had progressed and the furniture should be delivered in four weeks.
2. Cr Schweikert referred to Item 28 in the Resolution Action Sheet regarding a report that was due by the April 2018 meeting on an audit of all street lighting in Queanbeyan, Bungendore and Braidwood.
3. Cr Schweikert requested a report be provided to Councillors regarding the possibility of transferring Council's share of the ownership of the Bungendore Multi-purpose Hall to the Department of Education. The CEO/General Manager advised that a report on the Bungendore Multi-purpose Hall and the Braidwood Gymnasium will be coming to Council next month.
4. Cr Biscotti referred to the forthcoming audit of all street lighting in Queanbeyan, Bungendore and Braidwood, and requested if the audit could be extended to include the sporting fields.

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.

177/18

RESOLVED (Harrison/Schweikert)

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 Compliance Matter

".Item 20.1 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 20.2 Negotiated Settlement - Cannchar PL

".Item 20.2 is confidential in accordance with s10(A) (c) (g) 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 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 7.45pm to discuss the matters listed above.

The meeting returned to Open Session at 7.55pm by virtue of Resolution No. 180/18 made in Closed Session.

The doors of the Chamber 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.

20.1 Compliance Matter

That the report be received for information.

20.2 Negotiated Settlement - Cannchar PL

That Council:

1. Note the report.
2. Receive a further report on Curtis Estate.

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

**CR TIM OVERALL
MAYOR
CHAIRPERSON**