



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Bungendore Council Chambers on Wednesday, 27 May 2020 commencing at 5.30pm.

## ATTENDANCE

**Councillors:** Cr Overall (Chair), Crs Biscotti, Bray AM (from 5.40pm), 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 A Knight, Portfolio General Manager Organisational Capability.

**Also Present:** L Ison (Minute Secretary).

### 1. OPENING

The meeting commenced at 5.30pm.

### 2. ACKNOWLEDGEMENT OF COUNTRY

The Mayor acknowledged the traditional custodians of the land upon which the meeting was held and noted the meeting was held during National Reconciliation Week.

### 3. APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

112/20

#### **RESOLVED (Taylor/Noveska)**

That the 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 22 April 2020**

113/20

#### **RESOLVED (Taylor/Hicks)**

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 22 April 2020 be confirmed.

The resolution was carried unanimously.

**4.2 Minutes of the Planning and Strategy Committee of the Whole held on 13 May 2020**

114/20

**RESOLVED (Taylor/Schweikert)**

That the Minutes of the Planning and Strategy Committee of the Whole held in the Queanbeyan Council Chambers on Wednesday 13 May 2020 be confirmed.

The resolution was carried unanimously.

**5. DISCLOSURES OF INTERESTS**

115/20

**RESOLVED (Taylor/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 Overall declared a less than significant non-pecuniary interest in Item 9.13: Financial Assistance Policy - Drought, Bushfire, COVID-19, stating his wife is the independent Chair of the Headspace Stakeholder Committee, and that he proposed to disclose and not vote on this item.

**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.

116/20

**RESOLVED (Overall/Schweikert)**

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 5.51pm.

During the Public Forum, Cr Bray joined the meeting at 5.40pm.

**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 DA.2019.1185 - Quarry Remediation/Rehabilitation and Environmental Protection Works - 791 Hoskinstown Road, Bungendore**

117/20

**RESOLVED (Schweikert/Biscotti)**

That:

1. Development application DA.2019.1185 for Quarry Remediation/Rehabilitation - Environmental Protection Works on Lot 39 DP 754893, Lot 40 DP 754893, Lot 41 DP 754893, Lot 47 DP 754893 & Lot 38 DP 754893, 791 Hoskinstown Road, Bungendore be granted conditional approval subject to the following draft conditions being amended as shown:

**Condition 6 - Bond**

Prior to undertaking any works, a Rehabilitation Bond is to be supplied to Council, in the form of a cash payment or Bank Guarantee, for a total of \$150,000. The Bond is to be held until the proposed rehabilitation works are completed and a validation report provided in accordance with Condition 18 of this consent. Council will consider returning the Rehabilitation Bond in \$50,000 increments if each of the three major rehabilitated cells is completed and validated in sequential stages.

*Reason: To ensure the commitment to land remediation and have a contingency in the event the operation ceases due to unforeseen circumstances.*

**Condition 19 - Railway Fencing**

Prior to remediation works commencing, the Applicant is required to submit an application to JHR for its endorsement and for RailCorp's approval to the Third party works team via [CRN.3rdpartyworks@jhq.com.au](mailto:CRN.3rdpartyworks@jhq.com.au) for any rail corridor preservation requirements to be met.

*Reason: To preserve RailCorps legal authority over the corridor.*

**Condition 22 - Entrance Hoskinstown Road**

Construct/upgrade the existing entrance to the property, to the modified standard of a 30m bitumen sealed rural double vehicular access as specified in D13 Vehicular Access Design Specification as amended by Council and incorporate a rock rumble pad prior to the bitumen seal for exiting trucks.

*Reason: Safe entry and exit to the quarry from the road, to prevent rocks and mud from collecting on road*

**New Condition**

Access via the Right Of Carriageway (ROW) registered under DP1002621 is to be maintained to the satisfaction of the benefiting party. Any changes that may affect access

are to be agreed to by both parties prior to installation/variations.

*Reason: To ensure access to Lot 2 DP 525323 is maintained as per the 88b restriction enforced under the Conveyancing Act 1919.*

2. Those persons who lodged a submission be advised in writing of the determination of the application.
3. All external agencies be forwarded a copy of Council's Notice of Determination.
4. Council receive a report on improvements which could be made to line marking on Hoskinstown Road between Trucking Yard Lane and Briars Sharrow Road to improve safety and separation of traffic using the road.

The resolution was carried unanimously.

**9.2 DA.2019.090 - Clause 4.6 Variation to Minimum Lot Size and Erection of a Single Dwelling - Catholic Cemetery Road, Araluen**

118/20

**RESOLVED (Harrison/Taylor)**

That:

1. Development application DA.2019.090 for the construction of a single dwelling on Lot 569 DP 755901, Lot 570 DP 755901 & Lot 571 DP 755901, Catholic Cemetery Road, Araluen be refused for the following reasons:
  - (a) The proposed development fails to satisfy the provisions of Clause 4.2A - Erection of dwelling houses on land in certain rural, residential and environment protection zones of the Palerang Local Environmental Plan 2014;
  - (b) While the subject application was accompanied by a request to vary a development standard prepared in accordance Clause 4.6 of the Palerang Local Environmental Plan 2014, this request fails to adequately demonstrate that compliance with the development standard is unreasonable or unnecessary and that there are sufficient environmental planning ground to justify contravening the development standard;
  - (c) The proposed development fails to satisfy the minimum lot size provisions of Clause 4.2A of the Palerang Local Environmental Plan 2014 and as such the proposed development is considered to be contrary to the public interest.
2. Those persons who lodged a submission on the application be advised in writing of the determination of the application.
3. The Department of Planning, Industry and Environment (Planning and Crown Lands) be forwarded a copy of Council's Notice of Determination.

The resolution was carried unanimously.

**9.3 Adoption of Draft QPRC Climate Change Action Plans****MOVED (Hicks/Schweikert)**

That Council adopt the Community Climate Change Action Plan and Council Operations Climate Change Action Plan noting that actions requiring funding will be considered for inclusion in future Delivery Plans.

During discussion Cr Marshall foreshadowed a CONTRARY motion: ["That the adoption of the draft QPRC Climate Change Action Plans be deferred pending further consideration at a Councillor workshop."]

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

119/20

**RESOLVED (Hicks/Schweikert)**

That Council adopt the Community Climate Change Action Plan and Council Operations Climate Change Action Plan noting that actions requiring funding will be considered for inclusion in future Delivery Plans.

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

Against: Crs Marshall and Winchester

**9.4 Tender REGPRO022021 - Contract for Supply and Delivery of Bulk Water Treatment Chemicals**

120/20

**RESOLVED (Harrison/Taylor)**

That:

1. Council accept the following tenderers as listed in the schedule as preferred suppliers for water treatment chemicals for the period 1 July 2020 to 30 June 2023.
2. Provision be made for an optional 12 month extension for the period 1 July 2023 to 30 June 2024 based on satisfactory supplier performance.

Schedule	Product	Vendor #
A	Chlorine (70kg cylinders)	5
B	Aluminium Sulphate	2
C(1)	Sodium Hydroxide (30%)	2
C(2)	Sodium Hydroxide (25%)	2
D	Bulk Hydrate Lime	5
E	Sodium Hypochlorite (13%)	5
F	Polymer (LT) 25kg bags	13
G	Acetic Acid	6
H	Aluminium Chlorohydrate Solution (ALCHOR AC)	6
I	Ferric Sulphate (31%)	2
J	Nitric Acid (68%)	6

K	Sodium Fluoride (Granular)	6
L	Potassium Permanganate (25kg pail)	6
M	Sodium Metabisulphate 31%	6
N	Sulphuric Acid (70%)	6
O	Citric Acid (50%)	6

The resolution was carried unanimously.

#### 9.5 CD002-2015 - Extension of Contract

121/20

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

That Council:

1. Extend the Contract CD002-2015 Provision of Bulk Waste Bins and Waste Transport Services to 30 June 2022.
2. Commence a trial collection arrangement under the terms of Contract CD002-2015 to collect:
  - a. Bulk residual waste from the Braidwood Waste Transfer Station by Veolia Environmental Services (Australia) Pty Ltd up to the new Contract end date at a value of \$324.71 per load (GST inclusive).
  - b. Bulk commingled recyclables from the Braidwood Waste Transfer Station by JJ Richards and Sons Pty Ltd up to the new Contract end date at a value of \$467.50 per load (GST inclusive) plus \$165.00 per month (GST inclusive) per hired bin.

The resolution was carried unanimously.

#### 9.6 Cooma Road Tree Works Procurement Process

122/20

##### **RESOLVED (Marshall/Taylor)**

That Council:

1. Note the contract with Forest Tree Services has been made for emergency recovery works to remove dangerous roadside vegetation and is exempted from tendering requirements in accordance with the provisions of section 55(3)(k) of the *Local Government Act 1993*.
2. Note that in accordance with section 55 (3)(i) of the *Local Government Act 1993*, the remaining vegetation removal work for the re-opening of Cooma Road is exempted from tendering requirements due to:
  - the extenuating circumstances of recent bushfire activity that has meant the urgent roadside vegetation works are required to be undertaken; and
  - the unavailability of competitive or reliable tenderers, meaning that a satisfactory result would not be achieved by inviting tenders.

The resolution was carried unanimously.

**9.7 Asset Management Policy**

123/20

**RESOLVED (Taylor/Hicks)**

That Council:

1. Adopt the QPRC Asset Management Policy.
2. Rescind the previous Asset Management Policies of Queanbeyan City Council and Palerang Council.

The resolution was carried unanimously.

**9.8 Asset Management Plans**

124/20

**RESOLVED (Marshall/Hicks)**

That Council:

1. Place the Asset Management Plans on exhibition for a 28 day period.
2. Receive a further report on the Asset Management Plans incorporating the comments received during the exhibition period.

The resolution was carried unanimously.

**9.9 Closure of Farringdon Rural Recycling Station**

125/20

**RESOLVED (Hicks/Harrison)**

That Council:

1. Remove the rural recycling station located near the Farringdon Rural Fire Station.
2. Receive a report on alternate options.

The resolution was carried unanimously.

**9.10 Tourism Advisory Panel**

126/20

**RESOLVED (Schweikert/Bray)**

That Council:

1. Note the minutes from the Tourism Advisory Panel meeting on the 10 February 2020 and 11 May 2020.
2. Provide in-principle support for the Capital to Coast Walking Trail and seek \$25,000 funding to conduct a preliminary business case.
3. Provide in-principle support for the Braidwood Heritage Centre.
4. Consider the Braidwood Heritage Centre in the next Delivery Program, pending grant funding.
5. Support the development of the Agritourism product including its planning instruments to develop this industry sector.

The resolution was carried unanimously.

**9.11 Economic Advisory Panel**

127/20

**RESOLVED (Schweikert/Hicks)**

That Council:

1. Receive and note the minutes of the Economic Advisory Panel meeting on 24 February 2020.
2. Support relevant staff to participate in the process to plan for a Design Review Panel as part of the Queanbeyan CBD renewal.
3. Seek a representative of the Defence industry to be added to the membership of the Economic Advisory Panel.

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

Against: Cr Marshall

**9.12 Australia Day Donations to Assisting Community Groups**

128/20

**RESOLVED (Schweikert/Harrison)**

That Council allocate funds totalling \$2,600 to support community organisations that provided assistance with Australia Day 2020 celebrations, as follows:

	\$
Queanbeyan Girl Guides	400
Rotary Branch – Queanbeyan	400
Sing Australia Choir	200
Legacy – Queanbeyan Branch	200
Captains Flat Community Group	200
Queanbeyan Lions Club	200
Lions Club – Braidwood	200
City of Queanbeyan Pipes Band	200
Rotary Club – Bungendore	200
Queanbeyan Red Cross	200
Queanbeyan CWA	200

The resolution was carried unanimously.

Cr Overall declared an interest in the following item and refrained from voting.

**9.13 Financial Assistance Policy - Drought, Bushfire, COVID-19**

129/20

**RESOLVED (Taylor/Marshall)**

That Council:

1. Adopt the draft Financial Assistance Policy – Drought, Bushfire, COVID-19, as amended.
2. Provide rental rebates for 3 months for April, May and June 2020, to the Queanbeyan Golf Club, Richter House Pty Ltd, Marathon Health and Country Children's Early Learning Pty Ltd, at a total cost of \$27,128, as detailed in the report.

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



**9.14 Loan Program 2019/20 and 2020/21**

130/20

**RESOLVED (Hicks/Schweikert)**

That Council:

1. Approve the proposed borrowings for 2019-20 Operational Plan and authorise the Mayor and Chief Executive Officer to enter a loan agreement with NSW Treasury Corporation for a total loan amount of \$1,634,000.
2. Apply for a Government Deed of Indemnity for the QCCP loan financing.
3. Invite tenders for the provision of a fixed term loan for QCCP, with the timing of the tender to align with the QCCP construction tender.
4. Amend the draft 2020/21 Operational Plan to include the maximum loan amount of \$70,894,000 for the QCCP project.
5. Receive a further report in the first quarter of 2020/21 to consider the remainder of the 2020/21 annual loan borrowing program.

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

Against: Crs Harrison, Marshall and Winchester

**9.15 Loan Agreement - Common Seal of Council**

131/20

**RESOLVED (Marshall/Schweikert)**

That Council authorise the use of the Common Seal for the execution of the Loan Agreement with Westpac Banking Corporation, outstanding from the former Palerang Council.

The resolution was carried unanimously.

**9.16 Land Values for Bushfire Affected Local Government Areas**

132/20

**RESOLVED (Schweikert/Marshall)**

That Council:

1. Note the analysis provided by the Valuer General (per VG 20/22), noting the potential impact of bushfires on land values across NSW is estimated to be between 0% to -20%.
2. Not take up the option for the issue of new land revaluations in 2020, preferring a stable land valuation base to remain in place for 3 rating years.

The resolution was carried unanimously.

**9.17 Quarterly Budget Review Statement for the Quarter Ending 31st March 2020**

133/20

**RESOLVED (Schweikert/Hicks)**

That Council:

1. Accept the March 2020 Quarterly Budget Review Statement and adopt the recommended budget variations as outlined in the report.
2. Note the estimated consolidated surplus of \$1,907,000.

The resolution was carried unanimously.

**9.18 Investment Report - April 2020**

134/20

**RESOLVED (Bray/Schweikert)**

That Council:

1. Note the investment return for April 2020 was \$876,108.
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 April 2020.

The resolution was carried unanimously.

**9.19 Review of QPRC Donations Policy**

135/20

**RESOLVED (Harrison/Winchester)**

That the review of the QPRC Donations Policy 2017 be deferred pending further consideration at a Councillor workshop.

The resolution was carried unanimously.

**9.20 Councillor Superannuation Inquiry**

136/20

**RESOLVED (Hicks/Marshall)**

That Councillors be encouraged to lodge their personal views on the Office of Local Government's superannuation discussion paper by 7 August 2020.

The resolution was carried unanimously.

**10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION****10.1 COVID Recovery**

137/20

**RESOLVED (Schweikert/Hicks)**

That the report be received for information.

The resolution was carried unanimously.

**SUPPLEMENTARY REPORT****10.2 Site Inspection - DA.2019.1185 - Quarry Remediation/Rehabilitation and Environmental Protection Works - 791 Hoskinstown Road, Bungendore**

138/20

**RESOLVED (Hicks/Marshall)**

That the report be received for information.

The resolution was carried unanimously.

**11. REPORTS OF COMMITTEES****11.1 Local Traffic Committee 7 April 2020**

139/20

**RESOLVED (Schweikert/Biscotti)**

That Council:

1. Note the minutes of Local Traffic Committee Meeting on 7 April 2020.
2. Adopt recommendations LTC 12/2020 to LTC 18/2020 from the meeting held on 7 April 2020.

12/2020 Subject to conditions, approve the traffic control plan for the Ellerton Drive Extension Opening.

13/2020 Subject to conditions, approve the Traffic Control Plans for the Christmas In July Event 2020.

14/2020 Under the *Road Transport Act* install the 'Keep Clear' zone on Atkinson Street as per the design.

15/2020 Under *Road Transport Act* install 'No Stopping' signs on Wilkins Way as per design.

16/2020 Under *Road Transport Act* implement changes as per design for Majors Creek Road.

17/2020 Under *Road Transport Act* approve upgrade of the pedestrian signage at Cooma St pedestrian crossing to LED Pedestrian signs.

18/2020 Under *Road Transport Act* approve the upgrades to Barracks Flat Drive and the intersection with River Drive as per the design.

The resolution was carried unanimously.

**11.2 Minutes Audit, Risk and Improvement Committee**

140/20

**RESOLVED (Harrison/Schweikert)**

That Council note the minutes of Audit Risk and Improvement Committee held on 14 February 2020.

The resolution was carried unanimously.

**11.3 Fernleigh Park s.355 Committee**

141/20

**RESOLVED (Hicks/Schweikert)**

That Council note the minutes of the Fernleigh Park s.355 Committee's meeting held on 26 February 2020.

The resolution was carried unanimously.

**12. NOTICES OF MOTION****12.1 Election Signs**

142/20

**RESOLVED (Marshall/Winchester)**

That, in the light of the imminent federal by-election, Council request an urgent report for the next meeting of its Planning and Strategy Committee, on measures that can be taken to improve compliance with rules governing electoral signage and obstruction of public thoroughfares.

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

Against: Cr Hicks

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

143/20

**RESOLVED (Overall/Taylor)**

That Council note the Delegates' Report.

The resolution was carried unanimously.

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

144/20

**RESOLVED (Marshall/Taylor)**

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.

**16. REPORTS FOR CLOSED SESSION**

145/20

**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 Quarterly Legal Report - March 2020**

*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 Queanbeyan CBD Property**

*Item 16.2 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 16.3 Confidential - Industrial Relations Matter**

*Item 16.3 is confidential in accordance with s10(A) (a) (g) of the Local Government Act 1993 because it contains personnel matters concerning particular individuals (other than councillors); 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 7.18pm to discuss the matters listed above.

**16.1 Quarterly Legal Report - March 2020**

146/20

**RESOLVED (Marshall/Bray)**

That the report be received for information.

The resolution was carried unanimously.

**16.2 Queanbeyan CBD Property**

A motion on notice was PUT and LOST.

Prior to consideration of this item, all staff with the exception of the CEO and the Portfolio General Manager, Organisation Capability, left the meeting.

**16.3 Confidential - Industrial Relations Matter**

147/20

**RESOLVED (Hicks/Schweikert)**

That Council:

1. Note the expenses incurred to date and the estimated costs going forward.
2. Delegate the progress of the defence to the Chief Executive Officer.

The resolution was carried unanimously.

148/20

**RESOLVED (Hicks/Schweikert)**

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 7.39pm.

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 7.40pm, Cr Overall announced that the Agenda for the meeting had now been completed.

**CR TIM OVERALL  
MAYOR  
CHAIRPERSON**