



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Bungendore Council Chambers on Wednesday, 23 September 2020 commencing at 5.30pm.

## ATTENDANCE

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

**Staff:** P Tegart, CEO, 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.

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

164/20

#### **RESOLVED (Taylor/Biscotti)**

That apologies for non-attendance from Crs Brown and Noveska be received, and early departure by Cr Marshall 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 August 2020**

165/20

#### **RESOLVED (Taylor/Biscotti)**

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 26 August 2020 be confirmed.

The resolution was carried unanimously.

**4.2 Minutes of the Planning and Strategy Committee of the Whole held on 9 September 2020**

166/20

**RESOLVED (Taylor/Schweikert)**

That the Minutes of the Planning and Strategy Committee of the Whole held in the Queanbeyan Council Chambers on Wednesday 9 September 2020 be confirmed.

The resolution was carried unanimously.

**5. DISCLOSURES OF INTERESTS**

167/20

**RESOLVED (Taylor/Biscotti)**

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.

There were no disclosures.

**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.

168/20

**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 5.44pm.

**7. MAYORAL MINUTE**

There was no Mayoral Minute.

**8. NOTICES OF MOTIONS OF RESCISSION**

There were no Notices of Motions of Rescission.

**9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION**

**9.1 Position of Deputy Mayor for 2020-2021**

169/20

**RESOLVED (Taylor/Schweikert)**

That:

1. Council elect a Deputy Mayor for the remainder of the Mayoral 2019-2021 term.
2. The method of ballot for the position of Deputy Mayor be by open voting (show of hands) pursuant to Schedule 7, Part 1(3) of the Local Government (General) Regulation 2005.

The resolution was carried unanimously.

The CEO/General Manager, as Returning Officer, called for nominations for the position of Deputy Mayor for 2020/21. There were three written nominations received, those of Cr Michele Biscotti, Cr Kenrick Winchester and Cr Trevor Hicks, all of whom had accepted nomination.

The first vote by a show of hands resulted in three votes for Cr Biscotti, and two votes each for Crs Winchester and Hicks. In accordance with the *NSW Local Government Act 1993* and the *NSW Local Government (General) Regulation 2005*, a draw from a hat resulted in Cr Winchester being excluded.

The second vote by a show of hands resulted in four votes for Cr Biscotti and two for Cr Hicks. With this being a majority of those present who voted, the Returning Officer declared Cr Biscotti duly elected as Deputy Mayor for the 2020/21 term.

The Mayor expressed Council's appreciation to Cr Taylor for her support, and assistance to service and community as Deputy Mayor over the past 12 months.

**9.2 Ballot Papers for the Election of Deputy Mayor**

170/20

**RESOLVED (Biscotti/Hicks)**

That the ballot papers in respect of the deputy mayoral election be destroyed at the expiration of six months from the date of the election pursuant to Clause 391(4) of the *Local Government (General) Regulation 2005*.

The resolution was carried unanimously.

**9.3 Delegations to the Deputy Mayor 2020-2021**

171/20

**RESOLVED (Taylor/Hicks)**

That pursuant to the powers conferred on it by Section 377(1) of the *Local Government Act 1993* and by any other Act or Regulation the administration of which the Council is charged, the Council with these powers, delegates to:

Councillor Michele Biscotti, Deputy Mayor

1. During the absence of the Mayor from the Council area or where the Mayor is unable to carry out his duties, the powers delegated to the Mayor, Councillor Tim Overall under Section 377(1) of the *Local Government Act 1993* be transferred to the Deputy Mayor.

The resolution was carried unanimously.

**9.4 Council Meeting Schedule**

172/20

**RESOLVED (Taylor/Harrison)**

That Council:

1. Reaffirm the following meeting schedule:
  - a. Planning and Strategy Committee meetings be held on the second Wednesday of each month except December and January, in the Council Chambers, Queanbeyan, commencing at 5.30pm and concluding no later than 9.30pm.
  - b. Ordinary Council meetings be held on the fourth Wednesday of each month except December, in the Council Chambers, Queanbeyan commencing at 5.30pm and concluding no later than 9.30pm while COVID-19 meeting restrictions remain in place, after which meetings will return to the Chambers in Bungendore.
  - c. An Ordinary Council meeting be held on the third Wednesday of December at 5.30pm in the Council Chambers, Queanbeyan (subject to COVID-19 restrictions and the *Local Government Act 1993*), the agenda for which may include any planning matters that require Council's consideration.
  - d. The agenda for the Ordinary meeting to be held in January each year include any planning matters that require Council's consideration.
2. Note the probable need to update IT infrastructure to accommodate integrated live-streaming and Zoom meetings.

The resolution was carried unanimously.

9.5 **Committee Delegates and Representatives for 2020-2021**

173/20

**RESOLVED (Overall/Hicks)**

That Council:

1. Reappoint its current delegates and representatives to all Council, regional, advisory and locality committees and external organisations for 2020-2021 with the exception of the following:
  - Disability Access Committee
  - Youth Advisory Council
  - Wamboin Locality Committee
  - Bungendore Floodplain Risk Management Committee
2. Call for nominations for delegate/s for each of the committees and organisations listed under point 1 above.
3. If more than one nomination is received for a delegate's position, determine that the method of ballot for the election be by open voting (show of hands), pursuant to Schedule 7, Part 1(3) of the *Local Government (General) Regulation 2005*.
4. Formally appoint its delegates to all Council, regional, advisory and locality committees and external organisations for 2020-2021.

The resolution was carried unanimously.

After the call for nominations, the following changes were made:

<b>Committee</b>	<b>Delegate</b>
Disability Access Committee	Cr Winchester
Youth Advisory Council	Cr Winchester
Wamboin Locality Committee	Crs Harrison and Winchester
Bungendore Floodplain Risk Management Committee	Crs Schweikert and Harrison
<i>Noted:</i> Jupiter Wind Farm Community Consultative Committee	To be deleted

Cr Marshall left the meeting at 6.12pm.

**9.6 Development Application DA.2020.1157 - 33-35 Thurrallilly Street, Queanbeyan East - Demolition of Existing Dwellings, Construction of 8 x 2 Storey Multi-dwelling Units and Strata Subdivision**

**RESOLVED (Hicks/Taylor)**

That:

1. Approval be granted to a variation to Part 3C, Clause 3C.5.3 of the Queanbeyan Development Control Plan 2012 to allow for variations to all setbacks for the following reasons:
  - (a) All variations are minor in nature and equate to approximately 8m<sup>2</sup> in total floor area;
  - (b) The units have been designed to minimise any overlooking onto adjoining properties through the use of privacy screening on habitable windows.
2. Development application DA.2020.1157 for a the demolition of existing dwellings, construction of eight, two storey multi-dwelling units and strata subdivision to create eight lots and common property on Lot 31 & 32 DP 517162, No. 33 & 35 Thurrallilly Street, Queanbeyan East, be granted conditional approval.
3. Those persons who lodged a submission on the application be advised in writing of the determination of the application.

The resolution was carried unanimously.

**9.7 Proposed Road Naming - Various Locations**

174/20

**RESOLVED (Biscotti/Taylor)**

That Council:

1. Adopt in principle the names 'Lilyvale Road' and 'Rose Valley Road' as the proposed names for the private roads as shown in Attachment 1 and 'Neilsen Road', 'Bondola Road' and 'Maher Lane' for the Crown roads as shown in Attachment 2.
2. Advertise the names for public comment for 28 days.
3. Seek approval from the Geographical Names Board for the use of the names if no objections are received.

The resolution was carried unanimously.

**9.8 Draft Turallo Creek Management Plan**

175/20

**RESOLVED (Schweikert/Harrison)**

That:

1. Council place the draft Turallo Creek Bungendore Management Plan on public exhibition for a period of 28 days.
2. Following the exhibition period, a report be presented to Council detailing outcomes of the exhibition period.

The resolution was carried unanimously.

**9.9 Adoption of Braidwood Grazing Industry Weed Management Plan**

176/20

**RESOLVED (Hicks/Harrison)**

That Council adopt the Braidwood Grazing Industry Weed Management Plan.

The resolution was carried unanimously.

**9.10 Hoskinstown Area Flood Access Plan**

177/20

**RESOLVED (Hicks/Schweikert)**

That Council:

1. Include for consideration the funding of a new bridge/box culvert at Resch's Creek in the 2021/22 Operational Plan once a detailed estimate has been prepared.
2. Seek grant funds to restore the Foxlow Bridge to at least its original capacity or to restore the Foxlow Bridge to meet current bridge capacity requirements.
3. Include for consideration the funding of a low level causeway to replace the Foxlow Bridge and the removal of the Foxlow Bridge in the 2022/23 Operational Plan, if grant funds for (2) have not been secured by 30 June 2022.
4. Include for consideration the funding of a new bridge/box culvert at Briars Sharrow crossing in the 2022/23 Operational Plan.

The resolution was carried unanimously.

**9.11 Tender for Hoover Road Stormwater Realignment**

178/20

**RESOLVED (Taylor/Overall)**

That Council:

1. Accept the schedule of rates tender from Guideline ACT Pty Limited for the provision of works under Contract 2020-26, being for the construction of the Hoover Road Stormwater Realignment for the extended amount of \$1,164,074.
2. Vote additional funds of \$200,000.00 from the Queanbeyan Stormwater Levy Reserve to fund the works.

The resolution was carried unanimously.

**9.12 Bungendore Stormwater Trunk Infrastructure - Voluntary Planning Agreement**

179/20

**RESOLVED (Harrison/Hicks)**

That Council:

1. Exhibit the draft Voluntary Planning Agreement in accordance with Section 7.5 of the *Environmental Planning and Assessment Act 1979* for a minimum of 28 days.
2. Following the exhibition of the draft Voluntary Planning Agreement, consider a further report on feedback.

The resolution was carried unanimously.

**9.13 Oktoberfest**

180/20

**RESOLVED (Schweikert/Overall)**

That Council extend Oktoberfest funding support to 2023 to reflect the unused allocation of Council support for the cancelled 2020 event.

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

Against: Cr Harrison

**9.14 Investment Report - August 2020**

181/20

**RESOLVED (Biscotti/Schweikert)**

That Council:

1. Note the investment return for August 2020 was \$471,305.
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 August 2020.

The resolution was carried unanimously.



182/20

**9.15 Revised Code of Conduct and Procedures 2020**

**RESOLVED (Schweikert/Taylor)**

That Council:

1. Adopt the QPRC Code of Conduct 2020, confirming that:
  - a. The cap on the value of gifts and benefits that may be accepted and must be disclosed be lifted from \$50 to \$100.
  - b. An additional clause 8.21, as amended, relating to the use of social media, be included.
2. Adopt the QPRC Procedures for the Administration of the Code of Conduct 2020.
3. Notify the members of its Code of Conduct Panel of Reviewers of the new QPRC Code of Conduct and Procedures for the Administration of the Code of Conduct.

The resolution was carried unanimously.

**9.16 Constitutional Referendum - Local Government Elections 2021**

**MOVED (Overall/Biscotti)**

That Council:

1. Reaffirm its decision in November 2019 to undertake a constitutional referendum to seek voters' views on having a directly elected mayor in conjunction with the rescheduled local government general elections to be held on 4 September 2021, with that term for a directly elected mayor to commence from the subsequent election in 2024.
2. Authorise the CEO to notify the NSW Electoral Commission of Council's intention to have a referendum, within 21 days of Council resolving such, and arrange and distribute appropriate information to voters prior to the 2021 election.
3. Note that the result of the constitutional referendum will come into effect for the electoral term commencing in September 2024.
4. Endorse the wording of the constitutional referendum as follows:

"The Mayor of Queanbeyan-Palerang Regional Council is currently elected every two years by the 11 Councillors.

Do you wish to see Queanbeyan-Palerang Regional Council retain its current number of elected representatives at 11, but introduce a directly elected mayor by the voters of the local government area plus 10 councillors elected from across the local government area?"

During discussion Cr Harrison foreshadowed a CONTRARY motion: ["That Council not proceed further with this proposal."]

The motion (of Crs Overall and Biscotti) was PUT and LOST.

For: Crs Biscotti, Overall and Taylor

Against: Crs Harrison, Hicks, Schweikert and Winchester

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

183/20

**RESOLVED (Harrison/Schweikert)**

That Council not proceed further with this proposal.

For: Crs Harrison, Hicks, Schweikert and Winchester

Against: Crs Biscotti, Overall and Taylor

**9.17 Annual Disclosures of Pecuniary Interests and Other Matters**

184/20

**RESOLVED (Hicks/Harrison)**

That Council:

1. Note the report.
2. Confirm that it is concerned about the requirement outlined in the IPC's Guideline 1 that the annual disclosures by designated persons be published on the QPRC website, due to the risk of identity theft, the invasion of privacy, and threats to personal safety.
3. Convey these concerns to its local Member and Deputy Premier, the Hon John Barilaro MP and the NSW Local Government Professionals and seek their support for a review of the IPC's Guideline 1 to make publication of these disclosures on websites optional.
4. Submit a motion to the LGNSW Annual Conference in November 2020, calling on the IPC to make the publication of annual disclosures on websites optional, or redact private residential address details for staff, noting that the disclosures will still be available through a public register.

The resolution was carried unanimously.

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

**10.1 Assessment Report to Southern Region Planning Panel - Queanbeyan Civic and Cultural Precinct**

185/20

**RESOLVED (Harrison/Schweikert)**

That the report be received for information.

The resolution was carried unanimously.

- 186/20                    **10.2    Biannual Biosecurity Weeds Report (January-June 2020)**  
**RESOLVED (Hicks/Winchester)**

That the report be received for information.

The resolution was carried unanimously.

- 187/20                    **10.3    Summary of Road Renewal and Maintenance Activities -  
Quarter 1 2020/21**  
**RESOLVED (Hicks/Harrison)**

That the report be received for information.

The resolution was carried unanimously.

- 188/20                    **10.4    NSW Bushfire Enquiry Recommendations**  
**RESOLVED (Schweikert/Taylor)**

That the report be received for information.

The resolution was carried unanimously.

- 189/20                    **10.5    Braidwood Sale Yards Annual Update**  
**RESOLVED (Hicks/Schweikert)**

That the report be received for information.

The resolution was carried unanimously.

- 190/20                    **10.6    Resolution Action Sheet**  
**RESOLVED (Taylor/Biscotti)**

That the report be received for information.

The resolution was carried unanimously.

## **11.    REPORTS OF COMMITTEES**

- 191/20                    **11.1    Minutes of the Environment and Sustainability Advisory  
Committee held on 2 September 2020**  
**RESOLVED (Schweikert/Biscotti)**

That Council note the minutes of the Environment and Sustainability Advisory Committee meeting held on 2 September 2020 and in particular note recommendation QPRC ESAC 02/20 as follows:

QPRC ESAC 02/20 – That Council consider investigating the development of a renewable energy system for the new STP in view of the Climate Change Action Plan.

The resolution was carried unanimously.

**11.2 Minutes of the Braidwood and Curtilage Heritage Advisory Committee Meeting held on 10 September 2020**

192/20

**RESOLVED (Schweikert/Taylor)**

That Council note the Minutes of the Braidwood and Curtilage Heritage Advisory Committee held on 10 September 2020.

The resolution was carried unanimously.

**11.3 Royalla Common s.355 Committee Minutes**

193/20

**RESOLVED (Hicks/Harrison)**

That Council:

1. Note the minutes of the Royalla Common s.355 Committee's meeting held on 16 July 2020.
2. Note the Recommendations 1 – 4/2020 from the meeting held on 16 July 2020 as follows:

1/2020 Recommendation that the Royalla Common s.355 Committee seek Council's approval for the privately-owned coffee van business, Funky Brewster, to operate, subject to appropriate environmental health approvals including the s.68 Hawker Peddler licence, on the Royalla Common's carpark during the hours of:

Saturday: 7.00am – 1.00pm on agreed days only.

2/2020 Recommendation that the appropriate fee be charged for Funky Brewster to hire the Royalla Common carpark.

3/2020 Recommendation that the Committee agree with the signage installed and that the maximum number of people permitted be as follows:

- 20 person in the main hall
- 10 persons in the boardroom
- 2 persons in the kitchen

4/2020 Recommendation that the Committee seek Council's approval to use the \$40,000 grant for the purchase of a second-hand playground, if it meets all compliance requirements.

3. Advise the Committee that the \$40,000 grant is provided for the purpose of new complying playground equipment.

The resolution was carried unanimously.

**11.4 Tourism Advisory Panel Meeting - 10 August 2020**

194/20

**RESOLVED (Schweikert/Biscotti)**

That Council:

1. Note the minutes from the Tourism Advisory Panel meeting on 10 August 2020.
2. Provide in-principle support for the Tablelands Destination Development Plan and the Queanbeyan-Palerang Destination Action Plan.

The resolution was carried unanimously.

**11.5 Bungendore Town Centre and Environs Committee Minutes**

195/20

**RESOLVED (Schweikert/Hicks)**

That Council:

1. Note the minutes of Bungendore Town Centre and Environs Committee meeting held on 24 August 2020.
2. Consider Recommendation 4/2020 from the meeting held on 24 August 2020 in the next Operational Plan:

4/2020 That the Committee RECOMMENDS that Council pursue the installation of crafted banner poles at the Malbon/Molonglo Street and Ellendon/Gibraltar Street roundabouts.

The resolution was carried unanimously.

**12. NOTICES OF MOTIONS**

There were no Notice of Motions.

**13. REPORTS TO COUNCIL - DELEGATES REPORTS**

**13.1 Delegates Reports**

196/20

**RESOLVED (Harrison/Hicks)**

That Council note the Delegates' Report.

The resolution was carried unanimously.

**14. QUESTIONS WITH NOTICE**

**14.1 Responses to Councillors' Questions**

197/20

**RESOLVED (Taylor/Biscotti)**

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**

198/20

**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 Subdivision and Sale of Queanbeyan Property**

*Item 16.1 is confidential in accordance with s10(A) (d) 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 6.58pm to discuss the matters listed above.

**16.1 Subdivision and Sale of Queanbeyan Property**

199/20

**RESOLVED (Overall/Biscotti)**

That Council:

1. Subdivide 40A Severne Street into 3 lots with 1 lot containing the current dwelling.
2. Dispose of the proposed lot 2 with the dwelling and return the net proceeds of the sale to the Ellerton Drive Extension project.
3. Classify proposed Lot 1 as "Community Land" once the subdivision has been completed in accordance with the *Local Government Act, 1993*.
4. Classify proposed Lot 3 as "Operational Land" once the subdivision has been completed in accordance with the *Local Government Act, 1993*.

The resolution was carried unanimously.

200/20

**RESOLVED (Taylor/Hicks)**

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 7.03pm.

In accordance with Clause 253 of the Local Government (General) Regulations 2005, the Mayor then read out the decision of Council made in Closed Session.

**17. CONCLUSION OF THE MEETING**

The time being 7.05pm, the Mayor announced that the Agenda for the meeting had now been completed.

**CR TIM OVERALL  
MAYOR  
CHAIRPERSON**