



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Bungendore Council Chambers on Wednesday, 28 April 2021 commencing at 5.30pm.

ATTENDANCE

Councillor: Cr Overall (Chair)
Cr Biscotti
Cr Harrison
Cr Hicks
Cr Marshall
Cr Noveska – via Zoom (from 5.58pm)
Cr Schweikert
Cr Taylor (from 5.34pm)
Cr Winchester

Staff: P Tegart, CEO
M Thompson, Portfolio General Manager Natural & Built Character
J Richards, Portfolio General Manager Community Choice
A Knight, Portfolio General Manager Organisational Capability
D Tooth, A/Portfolio General Manager Community Connections

Also Present: W Blakey, Clerk of the Meeting
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

001/21

RESOLVED (Schweikert/Winchester)

That apology for non-attendance from Cr Brown be received and the late arrival of Crs Noveska and Taylor be noted.

The resolution was carried unanimously.

4. CONFIRMATION OF MINUTES**4.1 Minutes of the Ordinary Meeting of Council held on 24 March 2021**

002/21

RESOLVED (Biscotti/Schweikert)

That the minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 24 March 2021 be confirmed.

The resolution was carried unanimously.

Business Arising

Cr Schweikert referred to Item 9.1: Review of Applicants for Community Representatives on Bungendore Floodplain Risk Management Committee, and enquired as to when the Committee will be called to meet. The CEO took the question on notice.

4.2 Minutes of the Planning and Strategy Committee of the Whole held on 14 April 2021

003/21

RESOLVED (Schweikert/Hicks)

That the Minutes of the Planning and Strategy Committee of the Whole held in the Queanbeyan Council Chambers on Wednesday 14 April 2021 be confirmed.

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

004/21

RESOLVED (Harrison/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.

Cr Overall declared a significant non-pecuniary interest in Item 9.7: Draft Operational Plan, Revenue Policy and Fees and Charges 2021-22, stating that the draft Operational Plan includes the NSW Government funded Queanbeyan City of Champions Walk, advising that his wife is associated with the project.

Cr Winchester declared a significant non-pecuniary interest in Item 9.7: Draft Operational Plan, Revenue Policy and Fees and Charges 2021-22, stating his sister is a family day care educator and changing the proposed fee would have a pecuniary impact on her.

Cr Taylor joined the meeting at 5.34pm.

6. ADJOURNMENT FOR PUBLIC FORUM

At this stage of the proceedings, the time being 5.35pm, Cr Overall advised that the meeting should now adjourn for the Public Forum.

005/21

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 5.35pm and resumed at 6.00pm.

During the Public Forum, Cr Noveska joined the meeting at 5.58pm.

7. MAYORAL MINUTE

There was no Mayoral Minute.

8. NOTICES OF MOTIONS OF RESCISSION**8.1 Request for Change to Business Rating Sub-Category**

006/21

RESOLVED (Biscotti/Schweikert)

That Council rescind Resolution number 066/21 from the Ordinary meeting on Wednesday 24 February 2021 ["That Council not approve the request for change to rating sub-category for the property listed in the report."].

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

Against: Crs Harrison and Noveska

9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION**9.1 Community Engagement Report - Proposal to Close Majara Street Bungendore****MOVED (Schweikert/Hicks)**

That Council:

1. Endorse the concept plan shown in Figure 1, being the part closure of Majara Street road reserve made up of sections A and B, as separated by the intersection at Turallo Terrace.
2. Note all submissions and endorse closing the highlighted section of Majara Street road reserve and formalise this decision by publication of notice in the Government Gazette.
3. Advise the NSW Department of Education that Council's endorsement of the proposal is reliant on a formal agreement for the safe and satisfactory resolution of issues related to the Traffic section of this report (including roundabout at

Butmaroo / Gibraltar Streets; formalise bus parking and channelised pedestrian movement on Gibraltar Street; and formalise carparking on southern section of the train station and along Turallo Terrace / Butmaroo Street), and the gazettal of the closure is subject to execution of the heads of agreement and conclusion of the planning proposal.

4. Authorise the Chief Executive Officer to execute the necessary documentation to effect the closure of the road, and the subsequent sale of Section A for market value as determined by an independent valuer.

Cr Marshall foreshadowed a CONTRARY motion: ["That Council defer this item until a full traffic study of the proposed closure of Majara Street is undertaken."]

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

007/21

RESOLVED (Schweikert/Hicks)

That Council:

1. Endorse the concept plan shown in Figure 1, being the part closure of Majara Street road reserve made up of sections A and B, as separated by the intersection at Turallo Terrace.
2. Note all submissions and endorse closing the highlighted section of Majara Street road reserve and formalise this decision by publication of notice in the Government Gazette.
3. Advise the NSW Department of Education that Council's endorsement of the proposal is reliant on a formal agreement for the safe and satisfactory resolution of issues related to the Traffic section of this report (including roundabout at Butmaroo / Gibraltar Streets; formalise bus parking and channelised pedestrian movement on Gibraltar Street; and formalise carparking on southern section of the train station and along Turallo Terrace / Butmaroo Street), and the gazettal of the closure subject to execution of the heads of agreement and conclusion of the planning proposal.
4. Authorise the Chief Executive Officer to execute the necessary documentation to effect the closure of the road, and the subsequent sale of Section A for market value as determined by an independent valuer.

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

Against: Crs Harrison and Marshall

- 008/21
- 9.2 Community Engagement Report - Planning Proposal to Permit Proposed Memorial Park on Lot 2 DP112382 and Lot 126 DP754881 - No.1187-1241 Old Cooma Road, Googong**
- RESOLVED (Hicks/Biscotti)**
- That Council:
1. Endorse the Planning Proposal and supporting information to allow a cemetery as a permissible use on Lot 2 DP112382 and Lot 126 DP754881 - No.1187-1241 Old Cooma Road, Googong.
 2. Forward the Planning Proposal to the NSW Department of Planning, Industry and Environment requesting that the Minister for Planning make the draft plan.
- For: Crs Biscotti, Harrison, Hicks, Noveska, Overall, Schweikert and Taylor
Against: Crs Marshall and Winchester
- 009/21
- 9.3 QPRC Draft Waste Strategy Exhibition**
- RESOLVED (Schweikert/Marshall)**
- That Council:
1. Include Scenario 3 with Rating Approach D as the preferred scenario in the draft QPRC Waste Strategy.
 2. Place the draft QPRC Waste Strategy (as amended by this report) on exhibition for 28 days.
 3. Seek input from Veolia and CRJO on the draft strategy and on their projects and strategies relating to waste management in the region.
 4. Hold a workshop to consider the input and submissions before adoption.
- The resolution was carried unanimously.
- 010/21
- 9.4 New Tariff Structure for the Palerang Communities Water and Sewerage Schemes**
- RESOLVED (Marshall/Schweikert)**
- That Council:
1. Adopt the new pricing and tariff structure for the Palerang Communities Water and Sewerage Schemes.
 2. Include the provisions of option 1 (50:50) of the tariff structure contained in table 2 of this report in the draft Operational Plans for 2021/2022, 2022/2023 and 2023/2024 for the targeted Typical Residential Bill (TRB) for water of \$1,060 (2019/2020\$) per assessment (adjusted for inflation).
 3. Increase the targeted TRB (water) to \$1,160 (2019/2020\$) per assessment (adjusted for inflation) in line with option 1 (50:50)

of the tariff structure contained in table 2 of this report in the draft Operational Plan from 2024/2025 onward.

4. Include the provisions of option 3 of the tariff structure (sewerage) contained in table 4 of this report in the draft Operational Plan for 2021/2022 and beyond (adjusted for inflation).

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

Cr Biscotti left the Chambers at 7.10pm.

9.5 Asset Management Strategy

011/21

RESOLVED (Marshall/Schweikert)

That Council:

1. Adopt the Asset Management Strategy.
2. Publish the Strategy on the website.

The resolution was carried unanimously.

Cr Biscotti returned to the Chambers at 7.12pm.

9.6 Burra S Bends Construction Budget

012/21

RESOLVED (Overall/Harrison)

That Council allocate additional funding from the nominated capital projects and reserve funds to complete the Burra S Bends project.

The resolution was carried unanimously.

Crs Overall and Winchester declared an interest in the following item.

9.7 Draft Operational Plan, Revenue Policy and Fees and Charges 2021-22

013/21

Procedural motion

RESOLVED (Biscotti/Taylor)

The Revenue Policy, Fees and Charges, and Operational Plan be considered as separate items in that order.

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

014/21

RESOLVED (Biscotti/Taylor)

That Council endorse the draft Revenue Policy for public exhibition.

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

Cr Winchester declared an interest in the following item and left the Chambers at 7.34pm.

015/21

RESOLVED (Marshall/Biscotti)

That Council endorse the Fees and Charges for public exhibition.

The resolution was carried unanimously.

Cr Winchester returned to the Chambers at 7.35pm.

The Mayor declared an interest in the following item, vacated the Chair, and left the Chambers at 7.35pm. The Deputy Mayor assumed the Chair.

016/21

RESOLVED (Biscotti/Taylor)

That Council:

1. Endorse the draft Operational Plan for public exhibition.
2. Include proposed adjustments to the draft budget of \$2.04m for exhibition, as listed in the report.
3. Hold a further workshop on General Fund expenditure during the exhibition period including adjustments to the draft budget as listed in the report.

The resolution was carried unanimously.

Cr Overall returned to the Chambers at 7.58pm and assumed the Chair.

ADJOURNMENT: The meeting adjourned at 7.58pm and resumed at 8.15pm.

9.8 IPART Rate Peg Review

017/21

RESOLVED (Hicks/Biscotti)

That Council endorse the submission to IPART on the review of the rate peg in the terms outlined in this report.

The resolution was carried unanimously.

9.9 Procedure for Sale of Land for Unpaid Rates

018/21

RESOLVED (Marshall/Schweikert)

That Council:

1. Note the process for the regular annual review of outstanding rates debtors aged over five years.
2. Receive a report to the November Council meeting listing rates and charges owed for eligible properties.

The resolution was carried unanimously.

- 019/21 **9.10 Investment Report - March 2021**
RESOLVED (Marshall/Biscotti)
That Council:
1. Note the investment return for March 2021 was \$607,986.
 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 March 2021.
- The resolution was carried unanimously.

- 020/21 **9.11 HSEQ Policy Review**
RESOLVED (Taylor/Schweikert)
That Council endorse the revised Health Safety Environment and Quality (HSEQ) Policy.
- The resolution was carried unanimously.

- 021/21 **9.12 PCYC Project Control Group and Draft Lease**
RESOLVED (Biscotti/Taylor)
That Council:
1. Endorse the Indoor Sports Centre agreement and lease, and publicly exhibit for 28 days.
 2. Amend the Regional Sports Council's Terms of Reference to include a PCYC representative.
- For: Crs Biscotti, Marshall, Noveska, Overall, Schweikert, Taylor and Winchester
Against: Crs Harrison and Hicks

10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

- 022/21 **10.1 CRJO Board Meeting Minutes**
RESOLVED (Marshall/Taylor)
This item be deferred to the next meeting.
- The resolution was carried unanimously.

10.2 Audit, Risk and Improvement Committee - Minutes 9 December 2020

023/21

RESOLVED (Biscotti/Harrison)

That the report be received for information.

The resolution was carried unanimously.

11. REPORTS OF COMMITTEES**11.1 Local Traffic Committee - Extraordinary Meetings**

024/21

RESOLVED (Schweikert/Biscotti)

That Council resolve that:

1. The minutes of the two Extraordinary Local Traffic Committee Meetings held via correspondence on 25 February and 19 March 2021 be confirmed.
2. Note recommendations LTC 7/2021 to LTC 10/2021 from the meeting held via correspondence on 25 February and 19 March 2021.

LTC 7/2021 PROPOSED SOLUTION: Under *Roads Act 1993* approve the TMP for the 'Music By The River' to be held 27 February 2021 with the provision that QPRC Events undertake the following actions:

- TMP to be updated to describe the positive actions to address risks of queuing should that occur
- Operators involved with the event are to be informed not to park on any footpath, they are to drop off and depart from the site, to assist visibility of road users and pedestrians.
- Events to establish "Night-line" tape to ensure that patrons cross roads at the controlled points and in an orderly fashion.
- The TCP for the event is to be updated to ensure the maximum separation of vehicles and pedestrians, so that the lane closures on Morisset Street are amended.
- The TCP is modified to prevent a right-hand turn into Collett St when travelling NE, and preventing a left-hand turn into Collett Street when travelling along Morisset Street SW, so that the traffic adjacent the event site is minimised.
- Update the TMP/TCP to reflect these changes

LTC 8/2021 PROPOSED SOLUTION: Under *Roads Act 1993* approve the TMP for the 'Braidwood ANZAC Day' service to be held 25th April 2021 with the below provision:

- The closure of the full extent of Wallace Street be reviewed if it does not need to be closed, as there is no march.
- That an ROL be obtained for the closure of the Kings Hwy.

- That the TMP be updated with the location and message to be displayed on VMS signage.

LTC 9/2021 PROPOSED SOLUTION: Under *Roads Act 1993* approve the TMP for the 'Jerrabomberra ANZAC Day' service to be held 25th April 2021 on the provision that the road closure times of 4am to 8am strictly apply.

LTC 10/2021 PROPOSED SOLUTION: Under *Roads Act 1993* approve the TMP for the 'Captains Flat ANZAC Day' service to be held 25th April 2021, noting that large and heavy vehicles are to be prevented from using the Miners Road diversion.

The resolution was carried unanimously.

11.2 Minutes of the QPRC Heritage Advisory Committee held 15 April 2021

025/21

RESOLVED (Overall/Schweikert)

That Council:

1. Note the minutes of Queanbeyan-Heritage Advisory Committee on 15 April 2021.
2. Note recommendation QPRC HAC 07/21 and receive a report on amending the relevant part of the Queanbeyan Development Control Plan 2012 as outlined in the Recommendation.
3. Note recommendation QPRC HAC 09/21 and adopt the recommendations for the Heritage Awards.

The resolution was carried unanimously.

11.3 Tourism Advisory Committee Meeting

026/21

RESOLVED (Schweikert/Hicks)

That Council note the minutes of the Tourism Advisory Committee held on 15 March 2021.

The resolution was carried unanimously.

11.4 Economic Advisory Panel Meeting

027/21

RESOLVED (Schweikert/Hicks)

That Council note the minutes of Economic Advisory Panel held on 22 March 2021.

The resolution was carried unanimously.

12. NOTICES OF MOTIONS**12.1 Request Changes to Business Rating Category**

028/21

RESOLVED (Biscotti/Schweikert)

That Council:

1. Revise the rating sub-category for the property listed in the 24 February 2021 report 16.7, to 'Business Urban'.
2. Advise the ratepayer that any changes made to the 2021/22 Revenue Policy will be used for the levying rates from that year only.
3. Revise the draft 2021/22 Revenue Policy to change the mapped sub-category area for 'Business CBD' to match the Development Control Plan for the Queanbeyan CBD.

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

Against: Crs Harrison and Noveska

12.2 Intersection of Macs Reef and Bungendore Roads

029/21

RESOLVED (Schweikert/Marshall)

That Council receive a report on all options to improve the safety of the intersection at Macs Reef Road and Bungendore Road, with indicative costs, no later than the July Ordinary meeting of Council.

The resolution was carried unanimously.

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

030/21

RESOLVED (Harrison/Schweikert)

That the report be received for information.

The resolution was carried unanimously.

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

031/21

RESOLVED (Winchester/Marshall)

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.

16. REPORTS FOR CLOSED SESSION

032/21

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 Bungendore Land Acquisition

Item 16.1 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.

Item 16.2 Bungendore Office Relocation

Item 16.2 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.

Item 16.3 Sealing and Future Management of Miners Road Captains Flat

Item 1.1 is confidential in accordance with s10(A) (f) of the Local Government Act 1993 because it contains details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property 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 8.43pm to discuss the matters listed above.

- 033/21 **16.1 Bungendore Land Acquisition**
RESOLVED (Harrison/Marshall)
That Council:
 1. Note the report.
 2. Authorise the CEO to continue conciliation discussions and defend the matter in the Land and Environment Court.

The resolution was carried unanimously.

- 034/21 **16.2 Bungendore Office Relocation**
RESOLVED (Marshall/Schweikert)
That Council:
 1. Authorise the CEO to purchase the property for the negotiated price with funding outlined in the report, and execute relevant documents.
 2. Note the inclusion of the approved Development Application acquired with the property.
 3. Note the 2% Real Estate Institute NSW Branch fee that is in addition to purchase price.

The resolution was carried unanimously.

- 035/21 **16.3 Sealing and Future Management of Miners Road Captains Flat**
RESOLVED (Marshall/Hicks)
That Council accept the offer of Government funding to assist with providing a dust seal on Miners Road, Captains Flat, and in doing so accept ongoing responsibility for the maintenance and management of Miners Road.

The resolution was carried unanimously.

- 036/21 **RESOLVED (Overall/Taylor)**
That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 9.10pm.

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 9.12pm, the Mayor announced that the Agenda for the meeting had now been completed.

**CR TIM OVERALL
MAYOR
CHAIRPERSON**