



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held via Zoom and at the Queanbeyan Council Chambers, 253 Crawford Street, Queanbeyan on Thursday, 27 January 2022 commencing at 5.30pm.

ATTENDANCE

Councillors: Cr Winchester (Chairperson)
Cr Biscotti
Cr Burton
Cr Grundy
Cr Livermore
Cr Preston
Cr Ternouth
Cr Webster
Cr Willis
Cr Wilson

Staff: P Tegart, CEO
M Thompson, Portfolio General Manager Natural and Built Character
J Richards, Portfolio General Manager Community Choice
K Monaghan, Portfolio General Manager Organisational Capability
G Cunningham, 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:

"I begin today by acknowledging the Traditional Custodians on the land on which we meet today, and pay my respects to their Elders past, present and emerging and I also extend that respect to Aboriginal and Torres Strait Islander people here today.

We acknowledge the stories, traditions and living cultures of Aboriginal and Torres Strait Islander peoples on this land and commit to building a brighter future together."

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

021/22

RESOLVED (Biscotti/Wilson)

That the apology for non-attendance from Cr Taskovski be received and noted.

The resolution was carried unanimously.

4. CONFIRMATION OF MINUTES

4.1 Minutes of the Ordinary Meeting of Council held on 24 November 2021

022/22

RESOLVED (Biscotti/Ternouth)

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

The resolution was carried unanimously.

4.2 Minutes of the Extraordinary Meeting of Council held on 12 January 2022

023/22

RESOLVED (Biscotti/Livermore)

That the Minutes of the Extraordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 12 January 2022 be confirmed.

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

024/22

RESOLVED (Biscotti/Preston)

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 Willis declared a less than significant pecuniary interest in Item 9.6: Renewal of Licence Agreement – Railway Park Community Garden Queanbeyan, stating she is the convener of the Queanbeyan Sustainability Group and her membership of the group entitles her to rent a garden plot at the Railway Park Community Garden and she currently does so.

Mr Tegart declared a significant pecuniary interest in Item 7.1: CEO Resignation, stating he is an employee of the specified company (ie Council).

6. ADJOURNMENT FOR PUBLIC FORUM

At this stage of the proceedings, the time being 5.34pm, Cr Winchester advised that the meeting should now adjourn for the Public Forum.

025/22

RESOLVED (Biscotti/Webster)

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

ADJOURNMENT:

The meeting adjourned for the Public Forum at 5.34pm and resumed at 6.22pm.

SUPPLEMENTARY REPORTS

7. MAYORAL MINUTES

Mr Tegart declared an interest in the following item and left the Chambers at 6.22pm.

7.1 CEO Resignation

026/22

RESOLVED (Winchester)

That Council note the resignation of Mr Tegart with regret.

The resolution was carried unanimously.

Mr Tegart returned to the Chambers at 6.24pm.

7.2 YMCA Donation

027/22

RESOLVED (Winchester)

That Council approve the allocation of a donation of \$3,000 from the Cultural Grant Scheme to the Queanbeyan Police and Citizens Youth Club (PCYC) to assist with costs for a rhythmic gymnastics program for our area's youth.

The resolution was carried unanimously.

8. NOTICES OF MOTIONS OF RESCISSION

There were no Notices of Motions of Rescission.

9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.1 Development Application DA.2021.1240 - Two Lot Torrens Title Subdivision and Demolition of Two Existing Sheds and Garages (Albion Hotel Site) - 119 Wallace Street, Braidwood

MOVED (Willis/Preston)

That:

1. Consideration of development application DA.2021.1240 for a two lot Torrens title subdivision and demolition of two existing sheds and garages on Lot 1 DP 598830, No. 119 Wallace St Braidwood be deferred until after a workshop has been held with representatives from Heritage NSW to ascertain:
 - a. The Heritage Council's view as to the necessity for the proposed subdivision boundary to pass through the T-shaped sheds given that this results in the need to demolish those sheds.
 - b. The Heritage Council's view as to whether relocating the subdivision boundary clear of the T-shaped sheds would impact on the section 60 approvals already provided in relation to the proposed subdivision and demolition.
2. Prior to reconsidering this matter, Councillors conduct an onsite inspection in conjunction with the owner of the premises and that representatives from Heritage NSW be invited to attend.

Cr Biscotti foreshadowed a CONTRARY motion: ["That:

1. Development Application DA.2021.1240 for a two lot Torrens title subdivision and demolition of two sheds and garages on Lot 1 DP 598830, No.119 Wallace Street, Braidwood 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. Heritage New South Wales be forwarded a copy of Council's Notice of Determination."]

The motion (of Crs Willis and Preston) was PUT and CARRIED.

028/22

RESOLVED (Willis/Preston)

That:

1. Consideration of development application DA.2021.1240 for a two lot Torrens title subdivision and demolition of two existing sheds and garages on Lot 1 DP 598830, No. 119 Wallace St Braidwood be deferred until after a workshop has been held with representatives from Heritage NSW to ascertain:
 - a. The Heritage Council's view as to the necessity for the proposed subdivision boundary to pass through the T-shaped sheds given that this results in the need to demolish those sheds.
 - b. The Heritage Council's view as to whether relocating the subdivision boundary clear of the T-shaped sheds would impact on the section 60 approvals already provided in relation to the proposed subdivision and demolition.
2. Prior to reconsidering this matter, Councillors conduct an onsite inspection in conjunction with the owner of the premises and that representatives from Heritage NSW be invited to attend.

For: Crs Burton, Livermore, Preston, Ternouth, Webster, Willis, Wilson and Winchester

Against: Crs Biscotti and Grundy

9.2 Formal Submission - Local Infrastructure Contribution Reforms

029/22

RESOLVED (Biscotti/Winchester)

That Council:

1. Receive and note the contents of this report.
2. Endorse Attachment 3 as Council's submission on the Local Infrastructure Contribution reforms.

The resolution was carried unanimously.

9.3 Main Street Upgrade Fund

030/22

RESOLVED (Biscotti/Livermore)

That Council:

1. Note the information in this report in relation to the allocation of Main Street Upgrade Funds for the 2021/22 program.
2. Endorse the updated Main Street Upgrade Fund Guidelines for the 2022/23 funding program.

The resolution was carried unanimously.

- 031/22 **9.4 Selection of Preferred Tenderer for Construction of New Skatepark - Braidwood**
RESOLVED (Biscotti/Willis)
That Council award the contract for the new skatepark at the Braidwood Recreation Ground to Grind for the lump sum price of \$678,414 (including GST).

The resolution was carried unanimously.
- 032/22 **9.5 Lifting of Alcohol Exemption from Queen Elizabeth Park¹¹ for Music By The River Event for 2022 and 2023**
RESOLVED (Wilson/Biscotti)
That Council lift the alcohol-free zoning at Queen Elizabeth II Park for the Music by the River event, from 4.30 to 9.30pm, on Saturday 26 February 2022 and the equivalent event in 2023.

The resolution was carried unanimously.

Cr Willis declared an interest in the following item and left the Chambers at 7.04pm.
- 033/22 **9.6 Renewal of Licence Agreement - Community Garden, Henderson Road, Queanbeyan**
RESOLVED (Wilson/Livermore)
That:
 1. Council support renewal of the Licence Agreement for the Community Garden at Railway Park, Henderson Road, Queanbeyan for a five-year term commencing 01 May 2022.
 2. The Licence Agreement be publicly advertised in accordance with Section 47 of the *Local Government Act*.
 3. If no objections to the proposal are received, the Chief Executive Officer be authorised to execute the Licence Agreement on behalf of the Council.
The resolution was carried unanimously.

Cr Willis returned to the Chambers at 7.05pm.
- 034/22 **9.7 Presentation of 2020-21 Audited Financial Statements**
RESOLVED (Willis/Biscotti)
That Council adopt the General Purpose Financial Statements, Special Purpose Financial Statements and Special Schedules for the year ended 30 June 2021.

The resolution was carried unanimously.

9.8 Investment Report - November 2021

035/22

RESOLVED (Willis/Preston)

That Council:

1. Note the investment return for November 2021 was \$530,333.
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 November 2021.

The resolution was carried unanimously.

9.9 Investment Report - December 2021

036/22

RESOLVED (Willis/Preston)

That Council:

1. Note the investment return for December 2021 was \$426,496.
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 December 2021.

The resolution was carried unanimously.

10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

10.1 Bungendore Property - Compulsory Acquisition

MOVED (Biscotti/Ternouth)

That the report on compulsory acquisition of Council and Crown land managed by Council in Bungendore, and engagement of legal and professional expertise be noted.

AMENDMENT (Preston/Webster)

That:

1. Council note the report.
2. Council, given the lack of detail on why the Bungendore Park site was selected and the need to find a solution that works for the whole community:
 - a. Revokes its in-principle support for the Department of Education proposal to build Bungendore High School on the site of Bungendore Park, Turallo Reserve and on Council freehold land along Majara Street.
 - b. Opposes any further plans to develop a high school on this site.

- c. Reverse its decision to close Majara Street between Gibraltar Street and Turallo Terrace.
 - d. Withdraw the delegations to the CEO to negotiate joint use agreements for Bungendore Park and the Mick Sherd Oval with the Department of Education, specifically with respect to the proposed high school.
3. The Mayor write to the New South Wales Minister for Education and Early Learning and the Secretary of the Department of Education informing them that the Council opposes the development of a High School on Bungendore Park, Turallo Reserve and adjacent Council freehold land on Majara Street.
 4. The Mayor write to the New South Wales Minister for Planning, Industry and Environment urging him to reject the Department of Education's State Significant Development Application to place Bungendore High School on Bungendore Park, Turallo Reserve and adjacent Council freehold land on Majara Street.
 5. Given Council remains of the very strong view that the Bungendore community should have a High School, that Council commence work with the Department of Education and other State Government Departments to facilitate the selection and Council approvals of an alternative site in Bungendore.
 6. Council invite the Department of Education to attend a workshop to discuss these matters.

ADJOURNMENT: The meeting adjourned at 7.17pm and resumed at 7.23pm.

AMENDMENT (Ternouth/Biscotti)

That Council:

1. Note the report.
2. Alert the Department of Education to Council's concerns and invite them to discuss the matters at a workshop.

The AMENDMENT (of Crs Ternouth and Biscotti) was PUT and LOST.

For: Crs Biscotti, Burton, Grundy and Ternouth

Against: Crs Livermore, Preston, Webster, Willis, Wilson and Winchester

The AMENDMENT (of Crs Preston and Webster) was brought forward, PUT and CARRIED, and became the motion.

For: Crs Livermore, Preston, Webster, Willis, Wilson and Winchester

Against: Crs Biscotti, Burton, Grundy and Ternouth

The MOTION (of Crs Preston and Webster) was PUT and CARRIED.

037/22

RESOLVED (Preston/Webster)

That:

1. Council note the report.
2. Council, given the lack of detail on why the Bungendore Park site was selected and the need to find a solution that works for the whole community:
 - a. Revokes its in-principle support for the Department of Education proposal to build Bungendore High School on the site of Bungendore Park, Turallo Reserve and on Council freehold land along Majara Street.
 - b. Opposes any further plans to develop a high school on this site.
 - c. Reverse its decision to close Majara Street between Gibraltar Street and Turallo Terrace.
 - d. Withdraw the delegations to the CEO to negotiate joint use agreements for Bungendore Park and the Mick Sherd Oval with the Department of Education, specifically with respect to the proposed high school.
3. The Mayor write to the New South Wales Minister for Education and Early Learning and the Secretary of the Department of Education informing them that the Council opposes the development of a High School on Bungendore Park, Turallo Reserve and adjacent Council freehold land on Majara Street.
4. The Mayor write to the New South Wales Minister for Planning, Industry and Environment urging him to reject the Department of Education's State Significant Development Application to place Bungendore High School on Bungendore Park, Turallo Reserve and adjacent Council freehold land on Majara Street.
5. Given Council remains of the very strong view that the Bungendore community should have a High School, that Council commence work with the Department of Education and other State Government Departments to facilitate the selection and Council approvals of an alternative site in Bungendore.
6. Council invite the Department of Education to attend a workshop to discuss these matters.

For: Crs Livermore, Preston, Webster, Willis, Wilson and Winchester

Against: Crs Biscotti, Burton, Grundy and Ternouth

ADJOURNMENT: The meeting adjourned at 8.08pm and resumed at 8.29pm.

10.2 Summary of Road Renewal and Maintenance Activities - Quarter 2 2021/22

038/22

RESOLVED (Biscotti/Willis)

That the report be received for information.

The resolution was carried unanimously.

10.3 Resolution Action Sheet

039/22

RESOLVED (Biscotti/Wilson)

That the report be received for information.

The resolution was carried unanimously.

11. REPORTS OF COMMITTEES

11.1 QPRC Heritage Advisory Committee Minutes - 18 November 2021

040/22

RESOLVED (Willis/Wilson)

That Council note the Minutes of QPRC Heritage Advisory Committee held on 18 November 2021.

The resolution was carried unanimously.

11.2 Local Traffic Committee Meeting Minutes - 14 December 2021

041/22

RESOLVED (Biscotti/Grundy)

That Council:

1. Note the minutes of Local Traffic Committee held on 14 December 2021.
2. Adopt recommendations LTC 49/2021 to LTC 53/2021 and LTC 55/2021 to LTC 57/2021 from the meeting held on 14 December 2021.

LTC 49/2021: Under the *Roads Act 1993*, pending minor revisions to the TCP as recommended by the LTC, approve the TCP for the Queanbeyan Community Christmas Carols event on 17th December 2021.

LTC 50/2021: Under the *Roads Act 1993*, approve the TCP for the Bungendore Country Rocks Event from 25th March to 27th March 2022.

LTC 51/2021: Under the *Roads Act 1993*, approve the TCP for the Braidwood Car and Bike Show on 29th January 2022.

LTC 52/2021: Under the *Road Transport Act 2013*, approve the Crawford, Antill & Erin Intersection safety upgrade designs, including Give Way to Pedestrian sign's, only needed if they don't have their own

phasing on the traffic lights and No right turn signs to be updated to NSW compliant.

LTC 53/2021: Under the *Road Transport Act 2013*, approve changes to wombat crossing as per design.

LTC 55/2021: Under the *Road Transport Act 2013*, approve Uriarra Road Bus Zone extension of the bus zone with proposed timing as per design.

LTC 56/2021: Under the *Road Transport Act 2013*, approve the revised design for the Gorman Drive School Zone as per the design.

LTC 57/2021: Under the *Road Transport Act 2013*, approve the revised design for the Briars Sharrows Safety Treatment as per the design.

3. Be briefed on LTC54/2021: changes to signage on Park Lane as per design, particularly in relation to community consultation.

The resolution was carried unanimously.

11.3 Audit, Risk and Improvement Committee Minutes - 16 September 2021

042/22

RESOLVED (Biscotti/Ternouth)

That Council note the minutes of the Audit, Risk and Improvement Committee held on 16 September 2021.

The resolution was carried unanimously.

12. NOTICES OF MOTION

12.1 Roads - Current State

043/22

RESOLVED (Ternouth/Burton)

That:

1. Council receive a report on:
 - a. The current state of Council's road building, maintenance and repair capability (i.e. staffing, budget, portfolio organisation, assets etc).
 - b. All current road building and maintenance projects with timeframes and budgets.
 - c. The current outstanding road projects and maintenance requirements in the forward work program.
 - d. An analysis of the community's road needs and our capability/capacity to service this, as well as any other threats to this capability.
 - e. How repairs and maintenance are prioritised for unsealed roads for school bus routes.
2. A workshop be held prior to presentation to the August Ordinary meeting.

The resolution was carried unanimously.

13. REPORTS TO COUNCIL - DELEGATES REPORTS

13.1 Delegates Report

044/22

RESOLVED (Biscotti/Winchester)

That the report be received for information.

The resolution was carried unanimously.

14. QUESTIONS WITH NOTICE

14.1 Responses to Councillors' Questions

045/22

RESOLVED (Biscotti/Winchester)

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 Winchester advised that there were items on the Agenda that should be dealt with in Closed Session.

Cr Winchester 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

046/22

RESOLVED (Willis/Ternouth)

That:

1. Item 16.1 be deferred for consideration in open session at the next Ordinary meeting on 9 February 2022.
2. Pursuant to Section 10A of the *Local Government Act, 1993*, the following item on the Agenda for the Ordinary Council meeting be dealt with in Closed Session for the reason specified below:

Item 16.2 Undetected Leak Application - Bungendore

Item 16.2 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 8.48pm to discuss Item 16.2 as listed above.

16.1 Proposal to Acquire Council Land

This item was deferred to 9 February 2022 meeting.

16.2 Undetected Leak Application - Bungendore

047/22

RESOLVED (Biscotti/Winchester)

That Council write off a total of \$2,363.29 in water usage charges for the property listed in this report.

The resolution was carried unanimously.

048/22

RESOLVED (Preston/Burton)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 8.55pm.

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 8.56pm, the Mayor announced that the Agenda for the meeting had now been completed.

**CR KENRICK WINCHESTER
MAYOR
CHAIRPERSON**