



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held via Zoom and at the Council Chambers, 253 Crawford Street, Queanbeyan on Wednesday, 28 September 2022 commencing at 5.30pm.

ATTENDANCE

Councillors: Cr Winchester (Chairperson)

Cr Biscotti
Cr Burton
Cr Grundy
Cr Livermore
Cr Preston
Cr Taskovski
Cr Ternouth
Cr Webster
Cr Willis
Cr Wilson

Staff:

R Ryan, CEO
P Hansen, Portfolio General Manager Community Connections
J Richards, Portfolio General Manager Community Choice
K Monaghan, Portfolio General Manager Organisational Capability
D Carswell, A/Portfolio General Manager Natural and Built Character

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

There were no apologies.

4. CONFIRMATION OF MINUTES

4.1 Minutes of the Ordinary Meeting of Council held on 14 September 2022

377/22

RESOLVED (Winchester/Biscotti)

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 14 September 2022 be confirmed.

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

378/22

RESOLVED (Winchester/Willis)

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 Winchester advised that the meeting should now adjourn for the Public Forum.

379/22

RESOLVED (Winchester/Grundy)

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 6.09pm.

7. MAYORAL MINUTE

7.1 Uluru Statement from the Heart

380/22

RESOLVED (From the Chair)

That Council accepts the invitation of the Uluru Statement from the Heart and:

1. Hears and supports the Aboriginal and Torres Strait Islander peoples' call for the establishment of a First Nations Voice to be enshrined in the Constitution and for a referendum on this matter.
2. Looks forward to working with our constituents, other levels of governments and all Australians to take this next step in our shared future.

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

Against: Crs Biscotti, Burton, Grundy and Ternouth

8. NOTICES OF MOTIONS OF RESCISSION

There were no Notices of Motions of Rescission.

9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.1 Election of Deputy Mayor

381/22

RESOLVED (Winchester/Willis)

That Council elect a Deputy Mayor to serve between September 2022 and September 2023; and if more than one Councillor is nominated, the election will proceed by open voting.

The resolution was carried unanimously.

The CEO, as Returning Officer, called for nominations for the position of Deputy Mayor between September 2022 and September 2023. There were two written nominations received, those of Cr Louise Burton and Cr Esma Livermore. Both having accepted the nomination, a vote was taken. The vote by a show of hands resulted in three votes for Cr Burton and seven votes for Cr Livermore.

The Returning Officer declared Cr Livermore duly elected as Deputy Mayor.

9.2 Adoption of Design for Bunyip Drive/Old Cooma Road Intersection

MOVED (Wilson/Biscotti)

That Council:

1. Endorse a signalised intersection without a bypass lane (Option 4) as the final design for the proposed Bunyip Drive and Old Cooma Road intersection to be constructed as part of the subdivision works for Neighbourhoods 3 to 5 in Googong Township.
2. Begin investigations into the upgrade of the intersection of Old Cooma Road and Googong Road to examine the feasibility of providing a northbound bypass lane including commencing negotiations with Googong Township Pty Limited as to reaching an agreement on a contribution toward the cost of such upgrade.

AMENDMENT (Willis/Preston)

That Council endorse a signalised intersection without a bypass lane (Option 4) as the final design for the proposed Bunyip Drive and Old Cooma Road intersection to be constructed as part of the subdivision works for Neighbourhoods 3 to 5 in Googong Township.

The amendment (of Crs Willis and Preston) was PUT and LOST.

For: Cr Willis

Against: Crs Biscotti, Burton, Grundy, Livermore, Preston, Taskovski, Ternouth, Webster, Wilson and Winchester

The motion (of Crs Wilson and Biscotti) was brought forward, PUT and CARRIED.

382/22

RESOLVED (Wilson/Biscotti)

That Council:

1. Endorse a signalised intersection without a bypass lane (Option 4) as the final design for the proposed Bunyip Drive and Old Cooma Road intersection to be constructed as part of the subdivision works for Neighbourhoods 3 to 5 in Googong Township.
2. Begin investigations into the upgrade of the intersection of Old Cooma Road and Googong Road to examine the feasibility of providing a northbound bypass lane including commencing negotiations with Googong Township Pty Limited as to reaching an agreement on a contribution toward the cost of such upgrade.

The resolution was carried unanimously.

9.3 Bungendore Water Security - Integrated Water Cycle Management Plan

383/22

RESOLVED (Willis/Wilson)

That Council:

1. Note that options 1 and 2 of the Palerang Communities Integrated Water Cycle Management (IWCM) Plan have not delivered the anticipated yield of potable water for Bungendore at this time.
2. Receive a further report on the approvals pathway, viability and cost of constructing a bulk water supply trunk main (IWCM Strategy option 3) prior to proceeding with detailed design.
3. Accept an offer for grant funding under tranche 3 of the NSW Government's Safe and Secure Water Program to develop the project to tender ready stage subject to confirming the feasibility of the project.

The resolution was carried unanimously.

9.4 Bungendore Water Security - Structure Plan/Current Planning Proposals and Scoping Proposals

MOVED (Preston/Willis)

That Council:

1. Note that the current water supply for Bungendore is conditionally adequate for:
 - a. the approved subdivisions within Bungendore, and
 - b. infill subdivisions on land in Bungendore currently zoned for residential uses where the Development Application demonstrates compliance with the existing minimum lot size under the Palerang Local Environmental Plan 2014.
2. Provide half-yearly reports to Councillors on the potable water supply for future residential developments identified in the Bungendore Structure Plan 2048, commencing April 2023.
3. Noting NSW Government advice that future re-zoning applications covered by the Bungendore Structure Plan 2048 will be unsuccessful, suspend Scoping Proposals or Planning proposals until a supplementary water supply has been secured.
4. Review the Bungendore Structure Plan 2048 upon the release of the findings of a reviewed Queanbeyan-Palerang Regional Council Integrated Water Cycle Management Strategy.
5. Request NSW Government assistance to secure a potable water supply for Bungendore based on priorities identified in the NSW State Infrastructure Strategy 2022 and the Draft South East Tablelands Regional Plan 2041.
6.
 - a. Receive a further report in relation to the refunding or otherwise of fees for Scoping and Planning Proposals already received by Council for proposals in Bungendore that currently are unable to progress.
 - b. Meet with the applicants of Scoping or Planning Proposals affected by point 3 above to outline the steps Council is undertaking to address this issue.

AMENDMENT (Grundy/Biscotti)

That consideration of this item be deferred to:

1. Request NSW Government assistance to secure a potable water supply for Bungendore based on priorities identified in the NSW State Infrastructure Strategy 2022 and the Draft South East Tablelands Regional Plan 2041.
2. Receive a further report in relation to the refunding or otherwise of fees for Scoping and Planning Proposals already received by Council for proposals in Bungendore.
3. Undertake community consultation and meet with the applicants of Scoping or Planning Proposals affected to outline the steps Council is undertaking to address this issue.

The amendment (of Crs Grundy and Biscotti) was PUT and CARRIED.

For: Crs Biscotti, Burton, Grundy, Livermore, Preston, Taskovski, Ternouth, Webster, Wilson and Winchester
Against: Cr Willis

The amendment (of Crs Grundy and Biscotti) became the motion, was PUT and CARRIED.

384/22

RESOLVED (Grundy/Biscotti)

That consideration of this item be deferred to:

1. Request NSW Government assistance to secure a potable water supply for Bungendore based on priorities identified in the NSW State Infrastructure Strategy 2022 and the Draft South East Tablelands Regional Plan 2041.
2. Receive a further report in relation to the refunding or otherwise of fees for Scoping and Planning Proposals already received by Council for proposals in Bungendore.
3. Undertake community consultation and meet with the applicants of Scoping or Planning Proposals affected to outline the steps Council is undertaking to address this issue.

The resolution was carried unanimously.

9.5 Fixing Country Roads 2022

385/22

RESOLVED (Preston/Livermore)

That Council nominate the rehabilitation of Nerriga Road for grant funding through the Fixing Country Roads 2022 application process.

The resolution was carried unanimously.

9.6 Ellerton Drive Extension Post Construction Noise Assessment

386/22

RESOLVED (Willis/Preston)

That Council:

1. Note the Post-Construction Noise Compliance Assessment report for the Ellerton Drive Extension.
2. Proceed to offer installation of treatments to the additional floors identified in the Post-Construction Noise Compliance Assessment for the EDE.
3. Receive a further report detailing:
 - a. options to extend the assessment to properties adjacent to the EDE that are currently below the noise criteria set by the NSW Road Noise Policy
 - b. the condition of the noise walls, suitability of the materials used and options for extending the length and height of the

noise walls to improve their effectiveness, including adding noise walls on the bridge over Queanbeyan River, as originally proposed

- c. modelling a reduction in noise levels from lowering the speed limit along the EDE from 80 km per hour to 70 km per hour, noting any such decision is a matter for the NSW Government but that Council may request such a change
- d. any other measures that can mitigate noise impacts on residents, including:
 - i. limiting days and times that heavy vehicles can use the EDE, including conditions of consent for extension of the operation of Holcim Quarry
 - ii. limiting heavy vehicle compression braking along the EDE
 - iii. the feasibility of installing speed cameras on the EDE
 - iv. reducing unsafe driving / racing, especially on the weekend and dirt bikes using the footpath between houses and the EDE along Barracks Flat Drive
 - v. restricting motor bike access to Lonergan Drive via the EDE, as originally intended
 - vi. promoting the use of the northern bypass for heavy vehicles

The resolution was carried unanimously.

9.7 Edwin Land Parkway Noise Assessment

387/22

RESOLVED (Wilson/Ternouth)

That Council:

1. Note the 2019 Edwin Land Parkway Noise Assessment report.
2. Consider funding an amount of \$50,000 for the cost of installing mechanical ventilation systems at the properties and floors identified in the report as a supplementary vote in the first quarterly review statement (QBRs) 2022.
3. Receive a further report detailing:
 - a. The cost of an additional noise monitoring report on all sites used in the 2019 assessment;
 - b. Options to extend the assessment to properties adjacent to the Edwin Land Parkway that are currently below the noise criteria set by the NSW Road Noise Policy, and
 - c. The cost to construct noise walls along the length of the Edwin Land Parkway.

The resolution was carried unanimously.

388/22 **9.8 Classification of Lot 4 DP1271857 as Operational Land**

RESOLVED (Willis/Ternouth)

That, in accordance with section 31 of the *Local Government Act*, Council classify 230 Environa Drive Environa (Lot 4 DP 1271857) as Operational land.

The resolution was carried unanimously.

389/22 **9.9 Draft Financial Statements 30 June 2022 - refer to Audit**

RESOLVED (Wilson/Grundy)

That Council:

1. Refer the 2021/22 Financial Statements to audit in accordance with section 413(1) of the *Local Government Act 1993*.
2. Note that the 2021/22 financial statements have been prepared in accordance with:
 - a. The *Local Government Act 1993* and regulations made thereunder
 - b. The Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board
 - c. The Local Government Code of Accounting Practice and Financial Reporting.
3. Note that the 2021/22 financial statements present fairly the operating result and financial position and accord with Council's accounting and other records.
4. Is not aware of any matter that would render these statements false or misleading in any way.
5. Delegates authority to the Mayor, Deputy Mayor, CEO and Responsible Accounting Officer to sign the Statement by Councillors and Management for the General Purpose Financial Statements and Special Purpose Financial Statements.
6. Delegate authority to the CEO to issue the financial statements upon receipt of the audit report.

The resolution was carried unanimously.

390/22 **9.10 Sustainable Procurement and Contracts Policy**

RESOLVED (Willis/Wilson)

That:

1. Council place the Sustainable Procurement and Contracts Policy on public exhibition for 28 days.
2. If no submissions are received, the policy be adopted.

The resolution was carried unanimously.

391/22

9.11 Investment Report - August 2022

RESOLVED (Wilson/Burton)

That Council:

1. Receive the Investment Report for the month of August 2022.
2. Note the investment return for August 2022 was \$153,880.
3. 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.

The resolution was carried unanimously.

9.12 Policies for Rescission

MOVED (Willis/Biscotti)

That Council rescind the following policies:

1. Water Wise Policy
2. Former Queanbeyan City Council Sustainable Event Management Policy

AMENDMENT (Webster/Wilson)

That Council:

1. Rescind the former Queanbeyan City Council Sustainable Event Management Policy.
2. Defer rescinding the Water Wise Policy at this time.

The amendment (of Crs Webster and Wilson) was PUT and CARRIED.

For: Crs Biscotti, Grundy, Livermore, Preston, Taskovski, Ternouth, Webster, Willis, Wilson and Winchester

Against: Cr Burton

The amendment (of Crs Webster and Wilson) became the motion, was PUT and CARRIED.

392/22

RESOLVED (Webster/Wilson)

That Council:

1. Rescind the former Queanbeyan City Council Sustainable Event Management Policy.
2. Defer rescinding the Water Wise policy at this time.

For: Crs Biscotti, Grundy, Livermore, Preston, Taskovski, Ternouth, Webster, Willis, Wilson and Winchester

Against: Cr Burton

10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

10.1 Recruitment Senior Staff Position

393/22

RESOLVED (Biscotti/Wilson)

For Council information.

The resolution was carried unanimously.

10.2 Councillor Workshops

394/22

RESOLVED (Willis/Livermore)

That the report be received for information.

The resolution was carried unanimously.

11. REPORTS OF COMMITTEES

11.1 QPRC Youth Advisory Committee Meeting Minutes 24 August 2022

395/22

RESOLVED (Winchester/Preston)

That Council:

1. Note the minutes of QPRC Youth Advisory Committee held on 24 August 2022.
2. Change QPRC Youth Advisory Committee Terms of Reference to include eight to twelve Committee members.

The resolution was carried unanimously.

12. NOTICES OF MOTIONS

There were no Notices of Motions.

13. REPORTS TO COUNCIL - DELEGATES REPORTS

There were no Delegates' Reports.

14. QUESTIONS WITH NOTICE

There were no Questions with Notice.

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

396/22

RESOLVED (Winchester/Preston)

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 Unsolicited Proposal

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 Tender Recommendation for Crawford, Antill & Erin Intersection Safety Upgrades - Contract 2022-27

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.

The resolution was carried unanimously.

The meeting then moved into Closed Session at 7.40pm to discuss the matters listed above.

Cr Biscotti left the Chambers at 7.41pm and returned at 7.43pm.

Procedural Motion

397/22

RESOLVED (Winchester/Wilson)

That Council move into Committee of the Whole.

The resolution was carried unanimously.

Council moved into Committee of the Whole at 7.43pm.

Council then received a presentation from Cruachan Investments and Pelligra Group representatives; Stephen Campbell, George Wason and Peter Conway.

398/22

RESOLVED (Winchester/Wilson)

That Council return to Closed Session.

The resolution was carried unanimously.

Council returned to Closed Session at 8.09pm.

16.1 Unsolicited Proposal

399/22

RESOLVED (Willis/Preston)

That Council note the report and presentation on the Queanbeyan CBD properties.

The resolution was carried unanimously.

16.2 Tender Recommendation for Crawford, Antill & Erin Intersection Safety Upgrades - Contract 2022-27

400/22

RESOLVED (Willis/Livermore)

That Council award Contract 2022-27 for the Crawford, Antill & Erin Intersection Safety Upgrades to JSC Pty Ltd for \$774,882 (excluding GST) as recommended in the Tender Evaluation Report.

The resolution was carried unanimously.

401/22

RESOLVED (Winchester/Preston)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 8.33pm.

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 8.34pm, the Mayor announced that the Agenda for the meeting had now been completed.

**CR KENRICK WINCHESTER
MAYOR
CHAIRPERSON**