



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, 24 August 2022 commencing at 5.30pm.

## ATTENDANCE

**Councillors:** Cr Winchester (Chairperson)  
Cr Burton  
Cr Livermore  
Cr Preston  
Cr Taskovski  
Cr Webster  
Cr Willis  
Cr Wilson

**Staff:** R Ryan, 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.

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

321/22

#### **RESOLVED (Winchester/Wilson)**

That apologies for non-attendance from Crs Biscotti and Ternouth be received and that leave of absence be granted.

The resolution was carried unanimously.

322/22 **Procedural Motion**  
**RESOLVED (Winchester/Preston)**  
That Item 9.14: Application for Leave of Absence, be brought forward for consideration at this juncture.

The resolution was carried unanimously.

323/22 **9.14 Application for Leave of Absence**  
**RESOLVED (Winchester/Burton)**  
That Council approve the Leave of Absence application submitted by Cr Grundy for the 24 August 2022 Council Meeting.

The resolution was carried unanimously.

#### **4. CONFIRMATION OF MINUTES**

324/22 **4.1 Minutes of the Ordinary Meeting of Council held on 10 August 2022**

**RESOLVED (Winchester/Preston)**

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 10 August 2022 be confirmed.

The resolution was carried unanimously.

#### **5. DISCLOSURES OF INTERESTS**

325/22 **RESOLVED (Winchester/Webster)**

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.

Mr Michael Thompson declared a less than significant non-pecuniary interest in Item 9.1: Request to Waive Developer Contributions - DA.2020.1363.B - Queanbeyan District Pre-school Association - 181 Cooma Street, Karabar, stating his spouse is an employee of the Queanbeyan District Pre-school Association. Mr Thompson proposed to leave the Chambers when the matter is being considered.

#### **6. ADJOURNMENT FOR PUBLIC FORUM**

326/22 **RESOLVED (Winchester/Webster)**  
At this stage of the proceedings, the time being 5.34pm, Cr Winchester advised that the meeting should now adjourn for the Public Forum.

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 5.44pm.

**7. MAYORAL MINUTE**

**7.1 NSW Audit Office Determination over the Accounting Treatment of RFS Assets**

327/22

**RESOLVED (Winchester/Wilson)**

That Council:

1. Writes to the local State Member Nicole Overall, the Treasurer the Hon Matt Kean MP, Minister for Emergency Services and Resilience the Hon Stephanie Cook MP and the Minister for Local Government Wendy Tuckerman MP:
  - a. Expressing Council's objection to the NSW Government's determination on ownership of Rural Fire Service assets;
  - b. Advising of the impact of the Government's position on Council finances of this accounting treatment;
  - c. Informing that Council will not carry out RFS assets stocktakes on behalf of the NSW Government and will not record RFS assets in Council's financial statements;
  - d. Calling on the NSW Government to take immediate action to permanently clear up inequities and inconsistencies around the accounting treatment of Rural Fire Service (RFS) assets by acknowledging that rural firefighting equipment is vested in, under the control of and the property of the RFS; and
  - e. Amending s119 of the *Rural Fires Act 1997* so that the effect is to make it clear that RFS assets are not the property of councils.
2. Writes to the Shadow Treasurer Daniel Mookhey MLC, the Shadow Minister for Emergency Services Jihad Dib MP, the Shadow Minister for Local Government Greg Warren MP, the Greens Spokesperson for Local Government Jamie Parker MP and the leaders of the Shooters, Fishers and Farmers, Animal Justice and One Nation parties Robert Borsak MLC, Emma Hurst MLC and Mark Latham MLC:
  - a. Advising Members of Council's position, including providing copies of correspondence to NSW Government Ministers; and
  - b. Seeking Members' commitments to support NSW Councils' call to amend the *Rural Fires Act 1997* as set out in correspondence.
3. Reaffirms Council's position not to recognise RFS assets in accordance with the QPRC Agency Assets Policy.
4. Affirms its support to Local Government NSW (LGNSW) and requests LGNSW continue advocating on Council's behalf to get clarification once and for all from the State Government about

the accounting treatment of RFS assets

5. Continue to support the local RFS brigades noting that Council's action is entirely directed towards the NSW Government's nonsensical position that rather than being owned and controlled by local brigades, RFS assets are somehow controlled by councils, which Council considers to be a cynical financial sleight of hand abdicating the NSW Government's responsibilities at the cost of local communities.

The resolution was carried unanimously.

## **8. NOTICES OF MOTIONS OF RESCISSION**

There were no Notices of Motions of Rescission.

Mr Thompson declared an interest in the following Item and left the Chambers at 5.47pm.

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

- 9.1 **Request to Waive Developer Contributions - DA.2020.1363.B - Queanbeyan District Pre-school Association - 181 Cooma Street, Karabar**

### **RESOLVED (Preston/Willis)**

That Council approve the removal of Condition 15 of DA.2020.1363.B; thereby removing the requirement for development contribution fees to be paid.

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

Against: Cr Burton

Mr Thompson returned to the Chambers at 5.52pm.

- 9.2 **Request from Araluen Progress Association for Support with Development Application Fees**

328/22

### **RESOLVED (Willis/Burton)**

That Council support the request from the Araluen Progress Association to provide support to refund paid development application fees for DA.2021.1354 by providing a donation of \$2,732.69, noting that such donation will be unfunded expenditure.

The resolution was carried unanimously.

- 9.3 **Scoping Proposal Housekeeping Amendments to the Queanbeyan Local Environmental Plan 2012**

329/22

### **RESOLVED (Willis/Preston)**

That consideration of this item be deferred following a Councillor workshop.

The resolution was carried unanimously.

**9.4 Acquisition of Land for North Elmslea Reservoir and Bungendore Landfill Buffer**

330/22

**RESOLVED (Preston/Taskovski)**

That Council:

1. Authorise the acquisition of proposed Lot 3 DP 1282741 being 5,794m<sup>2</sup> from the subdivision of Lot 1 in DP 880087 and Lot 1 in DP 1236462 for the purposes of town water supply from Share Star Holdings Pty Ltd for the lump sum of \$230,000 (ex GST).
2. Authorise the acquisition of proposed Lot 2 DP 1282741 being 7,028m<sup>2</sup> from the subdivision of Lot 1 in DP 880087 and Lot 1 in DP 1236462 for the purposes of a landfill buffer from Share Star Holdings Pty Ltd by way of donation.
3. Classify, on acquisition, both lots 2 and 3 as Operational Land in accordance with section 31 of the *Local Government Act 1993*.

The resolution was carried unanimously.

**9.5 Fixing Local Roads - Round 4 Application**

331/22

**RESOLVED (Willis/Wilson)**

That Council nominate the rehabilitation of Oallen Road for grant funding through the Fixing Local Roads Round 4 application process.

The resolution was carried unanimously.

**9.6 Lascelles Street Upgrade - s94 Funding**

332/22

**RESOLVED (Willis/Livermore)**

That Council allocate funds to the Lascelles Street Upgrade Project (PJ100701) from the following Section 94 Contributions Plans:

1. \$193,359 from the Tallaganda Shire Council Section 94 Contributions Plan No. 3 Roadworks (Kings Highway East) Reserve.
2. \$45,000 from the Tallaganda Shire Council Section 94 Contributions Plan No. 3 Roadworks (Braidwood Village) Reserve.

The resolution was carried unanimously.

**9.7 Withdrawal of Endorsement to Participate in a Shared Scheme E-scooter Trial**

333/22

**RESOLVED (Livermore/Burton)**

That Council not submit an application for an e-scooter trial in the Googong Township.

The resolution was carried unanimously.

- 334/22                    **9.8      QPRC Cultural Grants Application**  
**RESOLVED (Livermore/Wilson)**  
That Council approve a Cultural Grant of \$500 to Mrs Sylvie Carter towards costs for a solo art exhibition at Rusten House Arts Centre, Queanbeyan.  
  
The resolution was carried unanimously.
- 335/22                    **9.9      CEO Performance Review Panel**  
**RESOLVED (Wilson/Winchester)**  
That Council:  
  1. Adopt the Terms of Reference for the CEO's Performance Review Panel.
  2. Delegate to this Council Committee the task of developing a Performance Agreement, conducting Performance Reviews, reporting the findings and recommendations of those reviews to Council.
  3. Cr Willis to sit on the CEO's Performance Review Panel.  
The resolution was carried unanimously.
- 336/22                    **9.10    Lease Renewal for Bowling Club at 26 Farrer Place Queanbeyan**  
**RESOLVED (Willis/Webster)**  
That Council enter into the new lease with Queanbeyan Sports & Community Club on the proposed terms for a further 20-year period  
  
The resolution was carried unanimously.
- 337/22                    **9.11    Investment Report - July 2022**  
**RESOLVED (Wilson/Willis)**  
That Council:  
  1. Note the investment return for July 2022 was \$1,177,345.
  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 July 2022.  
The resolution was carried unanimously.

**9.12 Reviewed Policies**

338/22

**RESOLVED (Willis/Livermore)**

That:

1. Council place the following Policies on public exhibition for 28 days:
  - Competitive Neutrality Complaints Policy
  - Road Names Policy
  - Liquid Trade Waste Policy
  - On-Site Sewage Management Policy
  - Open Burning Policy
  - Environmental Controls on Construction Sites Policy
2. If no submissions are received, the policies be adopted.
3. Council rescind the Reporting Legal Matters Policy.

The resolution was carried unanimously.

**9.13 Post-Exhibition Report Library Collections Policy**

339/22

**RESOLVED (Willis/Preston)**

That Council:

1. Adopt the Library Collections Policy.
2. Endorse the development of a Local History Policy.

The resolution was carried unanimously.

**9.14 Application for Leave of Absence**

This item was dealt with in earlier business.

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

**10.1 Braidwood Sale Yard Annual Update**

340/22

**RESOLVED (Willis/Webster)**

That the report be received for information.

The resolution was carried unanimously.

**10.2 Stronger Country Communities Fund Round 5**

341/22

**RESOLVED (Winchester/Livermore)**

That the report be received for information.

The resolution was carried unanimously.

**10.3 Delivery Program Update - July 2021 to June 2022**

342/22

**RESOLVED (Willis/Wilson)**

That the report be received for information.

The resolution was carried unanimously.

**10.4 Councillor Workshops**

343/22

**RESOLVED (Winchester/Preston)**

That the report be received for information.

The resolution was carried unanimously.

**11. REPORTS OF COMMITTEES**

**11.1 Local Traffic Committee Meeting - 9 August 2022**

344/22

**RESOLVED (Livermore/Wilson)**

That Council:

1. Note the minutes of Local Traffic Committee held on 9 August 2022.
2. Adopt recommendations LTC 29/2022 to LTC 34/2022 from the meeting held on 9 August 2022.

LTC 29/2022 - Under *The Roads Act 1993* approve the TCP/TMP for the Country Rocks 2022 with minor amendments.

LTC 30/2022 - Under *The Roads Act 1993* approve the TCP/TMP for the Queanbeyan Swap Meet 2022 with amendments.

LTC 31/2022 - Under *The Roads Act 1993* approve the TCP/TMP for the 27<sup>th</sup> National Model A Ford Meet 2022 with amendments.

LTC 32/2022 - Under *The Road Transport Act 2013* approve proposed line marking and signage to the Elmgrove Development with minor amendments.

LTC 33/2022 - Under *The Road Transport Act 2013* approve proposed Apartment Complex – 15 Macfarlane Ave Googong, Signage/linemarking designs with minor amendments.

LTC 34/2022 - Under *The Road Transport Act 2013* approve proposed Jumping Creek Development signage/linemarking designs with minor amendments.

The resolution was carried unanimously.



**11.2 QPRC Sports Council Meeting Minutes - May 2022**

345/22

**RESOLVED (Wilson/Taskovski)**

That Council note the minutes of the QPRC Sports Council held on 9 May 2022.

The resolution was carried unanimously.

**11.3 Disability Access Committee Meeting Minutes 27 July 2022**

346/22

**RESOLVED (Livermore/Webster)**

That Council:

1. Note the minutes of Disability Access Committee held on 27 July 2022.
2. Endorse recommendations DAC01/2022 to install a Pedestrian Warning Sign (yellow diamond sign) with a panel below reading "Aged" at pedestrian crossing on Campbell Street next to the Heritage Care Aged Care Home to improve pedestrian safety.
3. Endorse recommendation DAC03/2022 to investigate options to install a STOP sign at corner of Erin Street before the left hand turn on to Crawford Street to slow traffic approaching the pedestrian crossing on Crawford Street.
4. Endorse recommendation DAC03/2022 to investigate moving the pedestrian crossing with refuge further south on Crawford Street to improve pedestrian safety.

The resolution was carried unanimously.

**12. NOTICES OF MOTIONS**

**12.1 Motion for Submission LGNSW Annual Conference 2022**

347/22

**RESOLVED (Webster/Wilson)**

That Council submit the following motion to the Local Government NSW Annual Conference 2022:

1. That LGNSW advocate to amend the *Local Government Act* and remove the reference and terms of a 'minimum and maximum range' from the Local Government Remuneration Tribunal (LGRT), with an annual determination of only one fee payable to councillors, members of county councils and mayors in each category.

The resolution was carried unanimously.

**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.

**16. REPORTS FOR CLOSED SESSION**

348/22

**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 Audit, Risk and Improvement Committee (ARIC) Independent External Member**

*Item 16.1 is confidential in accordance with s10(A) (a) of the Local Government Act 1993 because it contains personnel matters concerning particular individuals (other than councillors) 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 6.26pm to discuss the matters listed above.

**16.1 Audit, Risk and Improvement Committee (ARIC) Independent External Member**

349/22

**RESOLVED (Wilson/Willis)**

That Council:

1. Extend its appreciation to Mr Shanahan for his service on the ARIC.
2. Appoint Diana Hamono as the independent external member of Council's ARIC for an initial four-year term.
3. Shortlist JP O'Kennedy in case the offer to Diana Hamono is not accepted for any reason.

The resolution was carried unanimously.

350/22

**RESOLVED (Winchester/Livermore)**

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 6.27pm.

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 6.28pm, the Mayor announced that the Agenda for the meeting had now been completed.

**CR KENRICK WINCHESTER  
MAYOR  
CHAIRPERSON**