



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held via Zoom and at the Council Chambers, 257 Crawford St, Queanbeyan on Wednesday, 24 January 2024 commencing at 5.30pm.

ATTENDANCE

Councillors: Cr Winchester (Chairperson)
Cr Biscotti – via Zoom
Cr Burton
Cr Grundy
Cr Livermore
Cr Macdonald
Cr Preston
Cr Taskovski
Cr Willis
Cr Wilson

Staff: R Ryan, General Manager
P Hansen, Director Infrastructure Services
J Richards, Director Community, Arts and Recreation
K Monaghan, Director Corporate Services
R Ormella, Director Development and Environment

Also Present: L Ison (Minute Secretary)

1. OPENING

The meeting commenced at 5.31pm.

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 13 December 2023**

001/24

RESOLVED (Winchester/Taskovski)

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 13 December 2023 be confirmed.

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

002/24

RESOLVED (Winchester/Livermore)

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.

003/24

RESOLVED (Winchester/Preston)

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 6.04pm.

7. MAYORAL MINUTE

There was no Mayoral Minute.

8. NOTICES OF MOTIONS OF RESCISSION AND NOTICES OF MOTIONS**8.1 Notice of Motion of Rescission - Jerrabomberra Pump Track Project**

004/24

RESOLVED (Grundy/Biscotti)

That Council rescind resolution number 436/23 from 25 October 2023.

The resolution was carried unanimously.

8.2 Notice of Motion - Jerrabomberra Pump Track Project**MOVED (Grundy/Macdonald)**

That Council:

1. Adopt the Regional Sports Complex site as the location for the construction of the Jerrabomberra pump track.
2. Maintain the design of the pump track as planned for entry level/intermediate usage, being Stage 1.
3. Receive a report back on the delivering of a Stage 2 (reliant on future funding) about the capacity of the site and business case to upgrade the design and construction of the Pump Track to competition standard.

AMENDMENT (Wilson/Preston)

That Council:

1. Maintain the design and intent of the Jerrabomberra Pump Track as planned for entry level/intermediate usage.
2. Undertake further investigation and community consultation/engagement on all possible locations within Jerrabomberra, including for example, the Allan McGrath Reserve.
3. Report back to Council, as soon as possible, with an updated list of Jerrabomberra Pump Track project site possibilities, within Jerrabomberra, with a recommended site and delivery plan to go on public exhibition.

The amendment (of Crs Wilson and Preston) was put and carried.

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

Against: Crs Biscotti, Burton, Grundy and Macdonald

The amendment became the motion.

005/24

RESOLVED (Wilson/Preston)

That Council:

1. Maintain the design and intent of the Jerrabomberra Pump Track as planned for entry level/intermediate usage.
2. Undertake further investigation and community consultation/engagement on all possible locations within Jerrabomberra, including for example, the Allan McGrath Reserve.
3. Report back to Council, as soon as possible, with an updated list of Jerrabomberra Pump Track project site possibilities, within Jerrabomberra, with a recommended site and delivery plan to go on public exhibition.

The resolution was carried.

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

Against: Crs Burton, Grundy and Macdonald

9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION**9.1 Bungendore Structure Plan and Rezonings Update**

006/24

RESOLVED (Preston/Wilson)

That Council:

1. Commence the review of the Bungendore Structure Plan 2048 in 2025.
2. In regard to Bungendore East Planning Proposal, that it only commences the public exhibition phase upon:
 - a. receipt of approval for completion timeframe of the Gateway Determination; and
 - b. completion of the agency consultation stage; and
 - c. support by all agencies, including Department of Planning, Housing and Infrastructure (DPHI).
3. Place a hold on the Scoping Proposals for North Ashby, Elm Grove Stage 3 and Elm Grove Stage 4 until such time as DPHI have provided advice that the secure potable water supply has been successfully resolved.
4. Continues to progress the current rezoning Planning Proposal for Abbeyfield.
5. Refuses to accept or progress any other rezoning proposals for residential uses in Bungendore until formal advice has been received from DPHI that a secure potable water supply has been secured.

The resolution was carried unanimously.

- 007/24 **9.2 Aquatics Strategic Plan - Community Feedback**
RESOLVED (Willis/Wilson)
That Council note the community feedback and endorse the adoption of the Draft Aquatic Strategic Plan with suggested changes.

The resolution was carried unanimously.

Cr Biscotti left the meeting at 7.04pm.
- 008/24 **9.3 Googong Urban Development Voluntary Planning Agreement - Proposed Amendment to Indoor Sport and Aquatic Centre Scope**
RESOLVED (Willis/Taskovski)
That Council:

 1. Advise Googong Township Pty Ltd that Council will not be seeking an amendment to the Googong Urban Development Voluntary Local Planning Agreement (LPA) for the purposes of a scope change to the Googong Indoor Sport and Aquatic Centre.
 2. Note that a children's splash deck is a preferable and safer alternative to a children's wading pool of the same size.
The resolution was carried unanimously.
- 009/24 **9.4 Local Road and Community Infrastructure Program - Phase 4 Projects**
RESOLVED (Preston/Livermore)
That Council endorse the expenditure of the Local Roads and Community Infrastructure Program Phase 4B funds of \$881,216 to complete projects detailed in this report.

The resolution was carried unanimously.
- 010/24 **9.5 Draft Cemeteries Strategy 2024-2029**
RESOLVED (Willis/Macdonald)
That this item of business be deferred and Councillors hold a workshop to further consider the Draft Cemeteries Strategy 2024 – 2029.

The resolution was carried unanimously.

- 011/24 **9.6 Expression of Interest for Regional Sports Complex Café / Bar Licence**
RESOLVED (Wilson/Taskovski)
That Council commence the procurement process seeking Expressions of Interest through VendorPanel for licensing of the Café and Bar in the Major Pavilion at the Regional Sports Complex.

The resolution was carried unanimously.
- 012/24 **9.7 Naming Wright Park Amenities Building**
RESOLVED (Grundy/Livermore)
That Council:
 1. Endorse the naming of the new Wright Park Amenities building the Bobby Warner Pavilion.
 2. Place the proposal on public exhibition for 21 days and if no objections are received, adopt the name and formalise with a public event and naming celebration.
The resolution was carried unanimously.
- 013/24 **9.8 Application for a QPRC Cultural Grant - Queanbeyan Quilters**
RESOLVED (Willis/Preston)
That Council approve a Cultural Grant of \$3,000 to Queanbeyan Quilters Inc. towards the costs of staging a biennial quilting exhibition in Queanbeyan.

The resolution was carried.

For: Crs Livermore, Macdonald, Preston, Taskovski, Willis, Wilson and Winchester
Against: Crs Burton and Grundy
- 014/24 **9.9 Local Government Small Commitments Program**
RESOLVED (Preston/Livermore)
That Council make a submission for \$47,250 under the Local Small Commitments Allocation for new Shade Sail installations at David Madew Regional Park, Jerrabomberra and Coolebah Park, Karabar.

The resolution was carried unanimously.

9.10 Investment Report - November 2023

015/24

RESOLVED (Willis/Wilson)

That Council:

1. Receive the Investment Report for the month of November 2023.
2. Note the investment return for November 2023 was \$1,706,979.
3. Note the investment portfolio has been made in accordance with the Local Government Act (1993), the Local Government (General) Regulation (2021) and Queanbeyan-Palerang Regional Council's Investment Policy.

The resolution was carried unanimously.

9.11 Investment Report - December 2023

016/24

RESOLVED (Willis/Winchester)

That Council:

1. Receive the Investment Report for the month of December 2023.
2. Note the investment return for December 2023 was \$1,719,973.
3. Note the investment portfolio has been made in accordance with the Local Government Act (1993), the Local Government (General) Regulation (2021) and Queanbeyan-Palerang Regional Council's Investment Policy.

The resolution was carried unanimously.

10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION**10.1 Capital Projects Status**

017/24

RESOLVED (Macdonald/Livermore)

That the report be received for information.

The resolution was carried unanimously.

10.2 Summary of Road Renewal and Maintenance Activities - October to December 2023

018/24

RESOLVED (Wilson/Livermore)

That the report be received for information.

The resolution was carried unanimously.

- 019/24 **10.3 Regional Drought Resilience Planning Program - Round 2**
RESOLVED (Willis/Livermore)
That the report be received for information.

The resolution was carried unanimously.
- 020/24 **10.4 Rates Structure Review**
RESOLVED (Preston/Taskovski)
That the report be received for information.

The resolution was carried unanimously.
- ADJOURNMENT:** The meeting adjourned at 7.32pm and resumed at 7.41pm.
- 021/24 **10.5 WHS Quarterly Report**
RESOLVED (Livermore/Burton)
That the report be received for information.

The resolution was carried unanimously.
- 022/24 **10.6 Compliance Reporting**
RESOLVED (Burton/Grundy)
That the report on Compliance and Reporting Activities for the six-month period from 1 July 2023 – 31 December 2023 be noted.

The resolution was carried unanimously.
- 023/24 **10.7 Responses to Questions on Notice - Community Climate Action Plan**
RESOLVED (Willis/Livermore)
That the report be received for information.

The resolution was carried unanimously.
- 024/24 **10.8 Responses to Questions on Notice - Net Zero Emissions Project**
RESOLVED (Willis/Macdonald)
That the report be received for information.

The resolution was carried unanimously.

- 025/24 **10.9 Responses to Questions on Notice – EDE Loan Repayments**
RESOLVED (Willis/Wilson)
That the report be received for information.
The resolution was carried unanimously.
- 026/24 **10.10 Responses to Questions on Notice – Disaster Recovery Grant Funding**
RESOLVED (Willis/Macdonald)
That the report be received for information.
The resolution was carried unanimously.
- 027/24 **10.11 Responses to Questions on Notice - Diwali Mela Festival**
RESOLVED (Grundy/Macdonald)
That the report be received for information.
The resolution was carried unanimously.
- 028/24 **10.12 Resolution Action Sheet**
RESOLVED (Macdonald/Preston)
That the report be received for information.
The resolution was carried unanimously.
- 11. REPORTS OF COMMITTEES**
- 029/24 **11.1 Local Traffic Committee Meeting Minutes - 16 January 2024**
RESOLVED (Livermore/Winchester)
That Council:
 1. Note the minutes of Local Traffic Committee held on 16 January 2024.
 2. Adopt recommendations LTC 1/2024 from the meeting held on 16 January 2024:
 - a. LTC 1/2024 – Proposed Solution: Event supported in current form, changes required as per minutes.
The resolution was carried unanimously.
- 030/24 **11.2 Youth Committee Meeting 31 July 2023**
RESOLVED (Winchester/Livermore)
That Council note the minutes of 31 July 2023 and record of meeting notes of 18 December 2023 of the Youth Advisory Committee.

The resolution was carried unanimously.

- 031/24
- 11.3 Access Committee Meeting 4 December 2023**
RESOLVED (Wilson/Livermore)
- That Council:
1. Note the minutes of QPRC Access Committee (QAC) held on 4 December 2023.
 2. Endorse the following recommendation:
QAC 05/23 That Council support the changes in wording to the QAC Terms of Reference.

The resolution was carried unanimously.

- 032/24
- 11.4 Audit, Risk and Improvement Committee Minutes**
RESOLVED (Winchester/Taskovski)
- That Council note the minutes of the Audit, Risk and Improvement Committee of 4 December 2023.

The resolution was carried unanimously.

12. NOTICES OF MOTIONS

Notice of Motion - Jerrabomberra Pump Track Project

This item was moved to 8.2.

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

033/24

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 Legal Advice DA.2023.0273 at 119 Wallace Street Braidwood

Item 16.1 is confidential in accordance with s10(A) (g) of the Local Government Act 1993 because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Item 16.2 Scapefall Pty Limited v QPRC - Judgement NSWLEC 1434

Item 16.2 is confidential in accordance with s10(A) (g) of the Local Government Act 1993 because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Item 16.3 Consideration of Tenders - Sprayed Bituminous Surfacing (Contract No: 2023-28)

Item 16.3 is confidential in accordance with s10(A) (di) (dii) 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 information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Item 16.4 Consideration of Tenders - Asphalt Surfacing (Contract No: 2023-31)

Item 16.4 is confidential in accordance with s10(A) (di) (dii) 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 information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Item 16.5 Property Lease - 98 Monaro Street to Marathon Health (Headspace)

Item 16.5 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 7.57pm to discuss the matters listed above.

034/24 **16.1 Legal Advice DA.2023.0273 at 119 Wallace Street Braidwood**
RESOLVED (Wilson/Taskovski)

That the report be received for information.

The resolution was carried unanimously.

035/24 **16.2 Scapefall Pty Limited v QPRC - Judgement NSWLEC 1434**
RESOLVED (Winchester/Burton)

That the report be received for information.

The resolution was carried unanimously.

036/24 **16.3 Consideration of Tenders - Sprayed Bituminous Surfacing (Contract No: 2023-28)**
RESOLVED (Wilson/Macdonald)

That Council:

1. Award the Sprayed Bituminous Surfacing contract No:2023-28 to Norman McMahon Patches Pty Ltd trading as Patches Asphalt in the amount of \$1,968,237 (GST exclusive) for bituminous spray seal resurfacing works scheduled till 30 June 2024.
2. Based on the satisfactory performance of the contractor as determined by staff, extend the contract a further two years (in one year increments) using the rise and fall condition of the contract to adjust pricing as detailed in the contract.

The resolution was carried unanimously.

037/24 **16.4 Consideration of Tenders - Asphalt Surfacing (Contract No: 2023-31)**
RESOLVED (Wilson/Macdonald)

That Council:

1. Award the Asphalt Works contract No:2023-31 to Twin City Asphalt Pty Ltd for amount of \$1,294,627 (GST exclusive) for asphalt surfacing works scheduled till 30 June 2024.
2. Note that the contract is for a two year period ending 30 June 2025 using the rise and fall provisions in the contract for the second year works.

The resolution was carried unanimously.

16.5 Property Lease - 98 Monaro Street to Marathon Health (Headspace)

038/24

RESOLVED (Wilson/Livermore)

That Council endorse the continuation of the current lease at 98 Monaro Street, Queanbeyan to Marathon Health Ltd on a month by month basis.

The resolution was carried unanimously.

039/24

RESOLVED (Wilson/Livermore)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 8.53pm.

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 8.55pm, the Mayor announced that the Agenda for the meeting had now been completed.

**CR KENRICK WINCHESTER
MAYOR
CHAIRPERSON**