



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held via Zoom and in the Council Chambers, 253 Crawford St, Queanbeyan on Wednesday, 22 September 2021 commencing at 5.30pm.

ATTENDANCE

Councillors: Cr Overall (Chair)
Cr Biscotti – via Zoom
Cr Brown
Cr Harrison
Cr Hicks – via Zoom
Cr Marshall – via Zoom
Cr Schweikert – via Zoom
Cr Taylor – via Zoom
Cr Winchester – via Zoom

Staff: P Tegart, CEO
M Thompson, Portfolio General Manager Natural & Built Character
P Hansen, Portfolio General Manager Community Connections – via Zoom
J Richards, Portfolio General Manager Community Choice – via Zoom
A Knight, Portfolio General Manager Organisational Capability – via Zoom

Also Present: 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

259/21

RESOLVED (Taylor/Biscotti)

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

The resolution was carried unanimously.

4. CONFIRMATION OF MINUTES

4.1 Minutes of the Ordinary Meeting of Council held on 25 August 2021

260/21

RESOLVED (Biscotti/Taylor)

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 25 August 2021 be confirmed.

The resolution was carried unanimously.

4.2 Minutes of the Planning and Strategy Committee of the Whole held on 8 September 2021

261/21

RESOLVED (Biscotti/Schweikert)

That the Minutes of the Planning and Strategy Committee of the Whole held in the Queanbeyan Council Chambers on Wednesday 8 September 2021 be confirmed.

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

262/21

RESOLVED (Biscotti/Taylor)

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 5.32pm, Cr Overall advised that the meeting should now adjourn for the Public Forum.

263/21

RESOLVED (Overall/Taylor)

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

ADJOURNMENT:

The meeting adjourned for the Public Forum at 5.32pm and resumed at 5.50pm.

PROCEDURAL MOTION

264/21

RESOLVED (Taylor/Biscotti)

That the expected early departure of Cr Brown be noted.

The resolution was carried unanimously.

7. MAYORAL MINUTE

There was no Mayoral Minute.

8. NOTICES OF MOTIONS OF RESCISSION

There were no Notices of Motions of Rescission.

The Mayor vacated the Chair at 5.51pm.

9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.1 Election of Mayor

During discussion Cr Harrison raised a point of order stating a resolution is required to amend the Mayor's term to conclude on the day of the Local Government Election. The CEO upheld the point of order.

265/21

RESOLVED (Harrison/Winchester)

That an election for the position of Mayor be now conducted by open voting (show of hands) pursuant to Schedule 7, Part 1(3) of the Local Government (General) Regulation 2005, the term of office being from the date of election of Mayor until the day of the Local Government Election.

The resolution was carried unanimously.

The CEO, as Returning Officer, called for nominations for the position of Mayor for the remaining term to the day of the Local Government Election. There were two written nominations received, those of Cr Tim Overall and Cr Kenrick Winchester, both of whom had accepted the nomination. The vote was conducted in alphabetic order.

The CEO called for a vote for Cr Overall, with six votes received being a majority of those who voted, the CEO declared Cr Overall as Mayor for the ensuing term.

Cr Overall assumed the Chair.

The Mayor thanked the Councillors who supported him and Cr Biscotti for his ongoing support while Deputy Mayor.

9.2 Position of Deputy Mayor

266/21

RESOLVED (Taylor/Biscotti)

That Council elect a Deputy Mayor for the from the date of the Deputy Mayor election until the day of the Local Government Election, noting that the method of ballot for such an election is by open voting (show of hands), pursuant to Schedule 7, Part 1(3) of the Local Government (General) Regulation 2005.

The resolution was carried unanimously.

The CEO, as Returning Officer, called for nominations for the position of Deputy Mayor for the remaining term to day of the Local Government Election. There were three written nominations received, those of Cr Michele Biscotti, Cr Kenrick Winchester and Cr Trevor Hicks, all of whom had accepted nomination. The vote was conducted in alphabetic order.

The first vote by a show of hands resulted in five votes for Cr Biscotti, and two votes each for Crs Hicks and Winchester. With this being a majority of those present who voted, the Returning Officer declared Cr Biscotti duly elected as Deputy Mayor for the remaining term.

It was later noted a Councillor abstained from the vote for Deputy Mayor, indicating a clear majority had not been achieved. A further vote for Deputy Mayor will be conducted at an Extraordinary meeting on 29 September 2021.

9.3 Delegations to Mayor and Deputy Mayor

267/21

RESOLVED (Taylor/Schweikert)

That, pursuant to Section 377(1) of the *Local Government Act 1993*, the delegations to the Mayor Tim Overall and Deputy Mayor Michele Biscotti be granted and remain in force until revoked by resolution of Council.

The resolution was carried unanimously.

9.4 Committee Delegates and Representatives

268/21

RESOLVED (Schweikert/Taylor)

That Council re-appoint its representatives and delegates to all committees and external organisations from 22 September until the day of the Local Government Elections.

The resolution was carried unanimously.

9.5 Delegation of Authority to Planning and Strategy Committee of the Whole

269/21

RESOLVED (Marshall/Schweikert)

That Council delegate the decision-making powers to the Planning and Strategy Committee of the Whole for the following financial related documentation and processes:

1. Endorsement of the Long-Term Financial Plan for public exhibition.
2. Resolution to notify IPART of Council's intention to lodge a Special Rate Variation application.
3. Endorsement of the revised Operational Plan for public exhibition with inclusion of the Special Rate Variation option.

The resolution was carried unanimously.

- 270/21 **9.6 Development Application DA.2019.1170 - Commercial Premises (Bakery) - 87-91 Lascelles Street, Braidwood**
RESOLVED (Hicks/Taylor)

That:

1. Development application DA.2019.1170 for a commercial premises (bakery) on Lot 1, Lot 2, Lot 3 Sec 15 DP 758152, No.87-91 Lascelles 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.

The resolution was carried unanimously.

- 271/21 **9.7 Proposed Exhibition of Intersection Layout - Bunyip Drive/Old Cooma Road, Googong**
RESOLVED (Biscotti/Taylor)

That all intersection options for the proposed Bunyip Drive and Old Cooma Road intersection, servicing neighbourhoods 3 to 5 at Googong, be placed on public exhibition for a period of 28 days.

The resolution was carried unanimously.

- 272/21 **9.8 Road Naming Proposed Foxtan Place, Braidwood Village**
RESOLVED (Harrison/Schweikert)

That Council:

1. Adopt in principle the name Foxtan Place as the proposed name for the new road created under subdivision development consent DA.2014.143.
2. Advertise the name for public comment for 28 days.
3. Publish a notice in the NSW Government Gazette if no objections are received.

The resolution was carried unanimously.

- 273/21 **9.9 Review of Environmental Factors - Regional Sports Complex - Environa**
RESOLVED (Biscotti/Schweikert)

That pursuant to Division 12 of SEPP (Infrastructure) 2007 and Section 5.5 of the *Environmental Planning and Assessment Act 1979*, Council adopt the Review of Environmental Factors for the Regional Sports Complex for the completion of bulk earthworks, stormwater infrastructure and below ground services and endorse all of the mitigation measures recommended therein.

The resolution was carried unanimously.

9.10 Review of Environmental Factors - South Jerrabomberra 'Town Park' - Tralee

274/21

RESOLVED (Hicks/Schweikert)

That:

1. Council endorse the Review of Environmental Factors and Landscape Plans for the proposed South Jerrabomberra 'Town Park' and place the documents on public exhibition for 28 days.
2. Any comments made during the exhibition period be the subject of a further report for Council's consideration.

The resolution was carried unanimously.

9.11 Regional Sports Facilities Fund Round 2 - Nomination of Grant Applications

275/21

RESOLVED (Biscotti/Taylor)

That:

1. Council nominate and seek grant funds from the Regional Sports Facilities Fund Round 2, for the following high priority projects from the QPRC Sports Facilities Strategic Plan:
 - a. Wright Park Amenities
 - b. Toilet Facilities at Hoover Rd, Archery Field
 - c. Steve Mauger Oval Floodlights
2. Subject to the Stronger Country Communities Grants - Round 4 announcement, the following high priority projects be utilised for subsequent submission:
 - a. Steve Mauger Netball Amenities
 - b. Madew Oval Women's Change rooms
 - c. Riverside Oval Women's Amenities
 - d. Seiffert Oval Women's Change rooms
 - e. Change facilities at Queanbeyan Town Park

The resolution was carried unanimously.

9.12 Captains Flat Road Grant Works Program

276/21

RESOLVED (Marshall/Schweikert)

That Council endorse the program of work detailed in this report for the Captains Flat Road from Briars Sharrow Road to Captains Flat village.

For: Cr Biscotti, Brown, Harrison, Marshall, Overall, Schweikert, Taylor and Winchester

Against: Cr Hicks

9.13 Monaro Street Upgrade - Concept Design

277/21

RESOLVED (Biscotti/Taylor)

That Council:

1. Note the Community Engagement Report on the Monaro Street Upgrade concept design.
2. Note that the species selection for street trees in Monaro Street will include Urban Ash and Pin Oak.
3. Note the proposed street layout and parking.
4. Endorse the exhibited Monaro Street Upgrade concept design to progress to detailed design.

For: Cr Biscotti, Brown, Harrison, Overall, Schweikert, Taylor and Winchester

Against: Crs Hicks and Marshall

9.14 Crown Road Management Policy

278/21

RESOLVED (Harrison/Overall)

That Council adopt the Crown Road Management Policy with the following amendment:

- Paragraph 6.2.3: The road will provide access to more than two dwellings where the dwellings are located on separate parcels of land.

The resolution was carried unanimously.

9.15 Tender Recommendation - QPRC HVAC Maintenance Contract 2019/16

279/21

RESOLVED (Harrison/Schweikert)

That Council accept the tender submitted by Airmaster to the value of \$45,226.06 including GST.

The resolution was carried unanimously.

Cr Brown left the meeting at 6.31pm.

9.16 Community Facilities Hire Fees

280/21

RESOLVED (Hicks/Marshall)

That Council:

1. Note the report.
2. Waive hire fees during COVID lockdown for the groups listed in the report.
3. Apply the 2021/2022 Community Centre fees and charges for all groups listed in the report from 1 November 2021.
4. Advise users who currently receive free hire of facilities to apply to the QPRC Annual Community Grants Program.

The resolution was carried unanimously.

9.17 QPRC Cultural Grants application, Heart 2 Heart Psychic Centre

281/21

RESOLVED (Biscotti/Taylor)

That Council not approve a donation of \$1,000 from QPRC Cultural Grants to the Heart 2 Heart Psychic Centre, due to the project not meeting the eligibility criteria for QPRC Cultural Grants.

The resolution was carried unanimously.

9.18 Revised QPRC Parking Policy

MOVED (Marshall/Biscotti)

That Council:

1. Consider the draft QPRC Parking Policy at a Councillor workshop.
2. Place the draft QPRC Parking Policy on public exhibition for 28 days.

Cr Hicks foreshadowed a CONTRARY motion: ["That Council adopt the revised QPRC Parking Policy 2021."]

The motion (of Crs Marshall and Biscotti) was PUT and CARRIED.

282/21

RESOLVED (Marshall/Biscotti)

That Council:

1. Consider the draft QPRC Parking Policy at a Councillor workshop.
2. Place the draft QPRC Parking Policy on public exhibition for 28 days.

The resolution was carried unanimously.

9.19 QPRC 2020/21 Financial Statements

283/21

RESOLVED (Harrison/Schweikert)

That Council:

1. Refer the 2020/21 Financial Statements to audit in accordance with section 413(1) of the *Local Government Act 1993*.
2. Note that the 2020/21 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 2020/21 financial statements present fairly the operating result and financial position and accord with Council's accounting and other records.
4. Note that the financial statements will be adjusted to include gifted assets once their in-house valuation has been completed.
5. Note that the financial statements will be adjusted to include revaluation of Infrastructure, Property, Plant and Equipment once revaluation workpapers have been finalised.
6. Is not aware of any matter that would render these statements false or misleading in any way.
7. 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.
8. Delegate authority to the CEO to issue the financial statements upon receipt of the audit report.

The resolution was carried unanimously.

9.20 Investment Report - August 2021

284/21

RESOLVED (Schweikert/Marshall)

That Council:

1. Note the investment return for August 2021 was \$528,214.
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 August 2021.

The resolution was carried unanimously.

10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

- 285/21 **10.1 COVID-19 Update**
RESOLVED (Schweikert/Taylor)
That the report be received for information.
The resolution was carried unanimously.
- 286/21 **10.2 New Integrated Planning and Reporting Framework Guidelines**
RESOLVED (Schweikert/Harrison)
That the report be received for information.
The resolution was carried unanimously.
- 287/21 **10.3 Mayoral Representation Following Local Government Elections**
RESOLVED (Marshall/Biscotti)
That the report be received for information.
The resolution was carried unanimously.
- 288/21 **10.4 Resolution Action Sheet**
RESOLVED (Biscotti/Hicks)
That the report be received for information.
The resolution was carried unanimously.

11. REPORTS OF COMMITTEES

- 289/21 **11.1 Braidwood Showground s355 Committee Meeting Minutes**
RESOLVED (Schweikert/Biscotti)
That Council:
1. Note the AGM meeting minutes of Braidwood Showground Reserve Trust held on 31 July 2018.
 2. Note the AGM meeting minutes of Braidwood Showground Reserve Trust held on 25 July 2019
 3. Note the meeting minutes of Braidwood Showground Reserve Trust held on 15 November 2018.
 4. Note the meeting minutes of Braidwood Showground Reserve Trust held on 4 April 2019.
 5. Note the meeting minutes of Braidwood Showground Reserve Trust held on 25 July 2019.
 6. Note the meeting minutes of Braidwood Showground Reserve Trust held on 11 February 2021.
 7. Note the meeting minutes of Braidwood Showground Reserve Trust held on 9 March 2021.
- The resolution was carried unanimously.

11.2 Bungendore Town Centre and Environs Committee Meeting Minutes

290/21

RESOLVED (Schweikert/Hicks)

That Council:

1. Note the minutes of the Bungendore Town Centre and Environs Committee held on 31 May 2021.
2. Note the minutes of the Bungendore Town Centre and Environs Committee held on 21 June 2021.
3. Note the minutes of the Bungendore Town Centre and Environs Committee held on 19 July 2021.

The resolution was carried unanimously.

11.3 Wamboin Community Hall s 355 Committee Meeting Minutes

291/21

RESOLVED (Harrison/Taylor)

That Council:

1. Note the AGM meeting minutes of Wamboin Community Hall held on 19 July 2021.
2. Note the meeting minutes of Wamboin Community Hall held on 19 July 2021.
3. Note the 2020/2021 Financial Report of Wamboin Community.

The resolution was carried unanimously.

12. NOTICES OF MOTIONS

12.1 Poll on Election Day

MOVED (Marshall/Harrison)

That Council:

1. Pursuant to section 14 of the *Local Government Act 1993* (NSW):
 - a. Take a poll of electors on the question of whether the Queanbeyan-Palerang Regional Council local government area should be de-amalgamated, so as to restore the former local government areas of Queanbeyan City and Palerang, and
 - b. hold the poll on the day of the 2021 NSW local government elections, being Saturday, 4 December 2021 or such later or other day as may subsequently be proclaimed.
2. Examine any additional cost of a poll on the amalgamation as part of the quarterly budget review.

During discussion Cr Marshall raised a Point of Order stating the Mayor should clarify his comments regarding the proposed special rate variation of the former Palerang Council. The Mayor replied the proposal was well known and published at the time.

The motion (of Crs Marshall and Harrison) was PUT, and with the vote being four-all, the Mayor exercised his casting vote and declared the motion LOST.

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

13. REPORTS TO COUNCIL - DELEGATES REPORTS

13.1 Delegates Report

292/21

RESOLVED (Harrison/Biscotti)

That the report be received for information.

The resolution was carried unanimously.

14. QUESTIONS WITH NOTICE

14.1 Responses to Councillors' Questions

293/21

RESOLVED (Taylor/Biscotti)

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.

There were no presentations.

16. REPORTS FOR CLOSED SESSION

294/21

RESOLVED (Overall/Taylor)

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 Review of Representation - Issue Order on Property Owners

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 Request for Concession on Development Application Fees - Repair to Heritage Building

Item 16.2 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.

Item 16.3 Hardship Request - Deferral of Developer Contributions - Two Applications

Item 16.3 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.

Item 16.4 Request for Rental Rebate

Item 16.4 is confidential in accordance with s10(A) (dii) of the Local Government Act 1993 because it contains 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 Rent Relief - Queanbeyan Riverside Caravan Park

Item 16.5 is confidential in accordance with s10(A) (b) (di) of the Local Government Act 1993 because it contains discussion in relation to the personal hardship of a resident or ratepayer; AND 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 16.6 Undetected Leak Application - Greenleigh

Item 16.6 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.

Item 16.7 Complaint about Signage re Clarke Gang

Item 16.7 is confidential in accordance with s10(A) (a) (g) of the Local Government Act 1993 because it contains personnel matters concerning particular individuals (other than councillors); AND 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.

The resolution was carried unanimously.

The meeting then moved into Closed Session at 7.11pm to discuss the matters listed above.

Cr Hicks left the meeting at 7.11pm.

16.1 Review of Representation - Issue Order on Property Owners

295/21

RESOLVED (Marshall/Schweikert)

That Council:

1. Note the representations from the Owner.
2. Issue a new Notice of Proposed Order requiring the removal of the unauthorised dam and to restore the land to its original condition, in line with the Terms specified in Table 2 of this report.
3. Issue Penalty Notice for Fail to Comply with the Notice to Provide Records and Information, which was given to the owners on 23 June 2021.
4. Re-issue the Notice to Provide Records and Information requesting the information and records be supplied with 30 days.

The resolution was carried unanimously.

Cr Hicks returned to the meeting at 7.12pm.

16.2 Request for Concession on Development Application Fees - Repair to Heritage Building

296/21

RESOLVED (Marshall/Harrison)

That Council advise the applicant that a concession on application fees is not available in this case.

For: Crs Biscotti, Harrison, Marshall, Overall, Taylor and Winchester

Against: Crs Hicks and Schweikert

16.3 Hardship Request - Deferral of Developer Contributions - Two Applications

297/21

RESOLVED (Marshall/Schweikert)

That:

1. Council agree to payment plans for developer contribution charges as outlined in the report.
2. Council delegate authority to the CEO to determine requests for payment plans for developer contribution charges.
3. In relation to Applicant 2, staff check that all relevant concessions have been applied.

The resolution was carried unanimously.

16.4 Request for Rental Rebate

298/21

RESOLVED (Biscotti/Schweikert)

That Council:

1. Provide the rebate to the applicant during the designated lockdown period for the Queanbeyan-Palerang Regional Council LGA as recommended.
2. Consider an increase in the donations budget (through first quarter review) to reflect the increasing financial hardship caused by COVID-19.

The resolution was carried unanimously.

16.5 Rent Relief – Queanbeyan Riverside Caravan Park

The matter did not proceed.

PROCEDURAL MOTION

299/21

RESOLVED (Overall/Schweikert)

That Council not adjourn for the scheduled supper break but continue with the meeting and complete the agenda.

The resolution was carried unanimously.

16.6 Undetected Leak Application - Greenleigh

300/21

RESOLVED (Hicks/Schweikert)

That Council write off a total of \$4,000 in water usage charges for the property listed in this report.

The resolution was carried unanimously.

16.7 Complaint about Signage re Clarke Gang

301/21

RESOLVED (Schweikert/Harrison)

That Council reaffirm its response to the complainant in 2017 and is satisfied with the wording on the signage.

The resolution was carried unanimously.

302/21

RESOLVED (Overall/Schweikert)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 7.31pm and the livestream recommenced.

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 7.36pm, the Mayor announced that the Agenda for the meeting had now been completed and closed the meeting.

**CR TIM OVERALL
MAYOR
CHAIRPERSON**