



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held via Zoom and in the Queanbeyan Council Chambers, 253 Crawford Street, Queanbeyan NSW 2620 on Wednesday, 27 October 2021 commencing at 5.30pm.

ATTENDANCE

ATTENDANCE

Councillors: Cr Overall (Chair)
Cr Biscotti
Cr Harrison
Cr Hicks
Cr Marshall – via Zoom
Cr Noveska (from 5.45pm) – via Zoom
Cr Schweikert – via Zoom
Cr Taylor
Cr Winchester – via Zoom

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

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

308/21

RESOLVED (Taylor/Hicks)

That the apology for non-attendance from Cr Brown and expected late arrival of 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 22 September 2021

309/21

RESOLVED (Taylor/Biscotti)

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers and via Zoom on Wednesday 22 September 2021 be confirmed.

The resolution was carried unanimously.

4.2 Minutes of the Extraordinary Meeting of Council held on 29 September 2021

310/21

RESOLVED (Taylor/Harrison)

That the Minutes of the Extraordinary Meeting of Council held in the Queanbeyan Council Chambers and via Zoom on Wednesday 29 September 2021 be confirmed.

The resolution was carried unanimously.

4.3 Minutes of the Planning and Strategy Committee of the Whole held on 13 October 2021

311/21

RESOLVED (Taylor/Schweikert)

That the Minutes of the Planning and Strategy Committee of the Whole held in the Queanbeyan Council Chambers and via Zoom on Wednesday 13 October 2021 be confirmed.

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

312/21

RESOLVED (Taylor/Harrison)

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 Tim Overall lodged a significant non-pecuniary interest for Item 9.1: Proposed Submission on State Significant Development Application for New High School at Bungendore (SSD-14394209), stating his wife is the Nationals Party candidate for the seat of Monaro by-election, and the project has been the subject of public statements by the current member for Monaro.

Cr Trudy Taylor lodged a less than significant non-pecuniary interest for Item 9.8: Googong Sports Club Inc - Tripartite Agreement, stating her husband is a member of the management committee for the Googong Sports Club Inc.

Cr Pete Harrison declared a significant non-pecuniary interest for Item 9.5: Jumping Creek Draft Volunteer Planning Agreement, stating he is a member of the Regional Planning Panel assessing the subdivision proposal.

Mr Peter Tegart lodged a significant pecuniary interest for Item 9.11: Regional Road Transfer and Road Classification Review, stating he is a member of the Regional Road Panel.

Mr Michael Thompson lodged a less than significant non-pecuniary interest in Item 9.19: Queanbeyan District Preschools Association - 27 Alanbar St Karabar - Waratah Preschool Queanbeyan Licence Agreement Renewal, stating his spouse is employed by the specified organisation.

6. ADJOURNMENT FOR PUBLIC FORUM

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

313/21

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 5.34pm and resumed at 5.48pm.

During the Public Forum, Cr Noveska joined the meeting at 5.45pm.

7. MAYORAL MINUTE

There was no Mayoral Minute.

8. NOTICES OF MOTIONS OF RESCISSION

There were no Notices of Motions of Rescission.

The Mayor declared an interest in the following item, vacated the Chair, and left the Chambers at 5.48pm. The Deputy Mayor assumed the Chair.

9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.1 Proposed Submission on State Significant Development Application for New High School at Bungendore (SSD-14394209)

314/21

RESOLVED (Hicks/Schweikert)

That:

1. Council advise DPIE that it objects to the proposal for the development of the new Bungendore High School (SSD-14394209) for the reasons detailed in Attachment 1 of this report, noting that subject to satisfactory resolution of these items Council may withdraw its objection to the proposal.
2. Council provide a copy of its recommended conditions of consent for the new Bungendore High School as detailed in Attachment 1 of this report.
3. Attachment 1 be forwarded to DPIE as Council's formal submission on the proposal.

The resolution was carried unanimously.

Cr Overall returned to the Chambers at 5.55pm and assumed the Chair.

9.2 Modification Application - MOD.2011.077.A - Variation to Electricity Supply Arrangements - 7123 Nerriga Road, Corang

315/21

RESOLVED (Harrison/Schweikert)

That:

1. Approval be granted to a variation to Section C1.2.9 of the Palerang Development Control Plan 2015 to allow the provision of an alternate power supply for three concessional lots in a seven lot Torrens title subdivision for the following reasons:
 - a. The proponent has raised significant issues with obtaining a reticulated electricity supply to allotments due to disagreement with adjoining landowners to allow the registration of an easement across their property, and other alternatives resulting in unacceptable vegetation clearing;
 - b. The proponent has suggested to Council staff, they provide an alternate power supply with ground mounted solar electricity system, nominated to be installed to all three concessional allotments at the developers cost;
 - c. The provision of a restriction on the title of the land via a covenant requiring the installation, and ongoing provision of ground mounted solar infrastructure on relevant allotments.

2. Modification application MOD.2011.077.A to allow installation of a ground mounted solar power supply in place of reticulated electricity supply on concessional lots at Lot 3 DP 1063771, No.7123 Nerriga Road, Corang be granted conditional approval, subject to the original conditions of consent imposed by MOD.2011.077 as amended by the conditions listed below:

Condition 9 (Amended Condition):

The applicant is to provide a ground mounted solar electricity system with a minimum generating capacity of 7.5kW to each of the concessional lots (i.e. proposed Lots 2, 3 and 4). No infrastructure is to be installed if tree removal is required without prior consent from Queanbeyan-Palerang Regional Council. The applicant shall install the systems at their own cost and prior to the issue of a Subdivision Certificate for the land. A specification document for each system should be provided to Council prior to the release of a Subdivision Certificate.

Condition 10A (New Condition):

A section 88B legal instrument burdening each of the three approved concessional allotments is to be created prior to issue of a Subdivision Certificate. It is to specify that the owner of the lot at any point in time is responsible for the on-going maintenance and replacement of any panels, batteries, inverters, and any parts that form part of the operation of the solar electricity supply system and that it must be maintained in good order and condition in perpetuity. Prior to any sale, evidence as to the age of the system and its maintenance status is to be provided to any potential purchasers.

Condition 10 (Amended Condition)

A section 88B legal instrument burdening proposed lots 1 and 5 to 7 is to be created prior to issue of a Subdivision Certificate. It is to specify that prospective purchasers of the property will need to provide an on site system of power generation at their own cost as the land is unlikely to be able to be serviced by a reticulated electricity supply system.

The resolution was carried unanimously.

9.3 **Proposed Planning Proposal - Abbeyfield Seniors Housing Project**

316/21

RESOLVED (Schweikert/Hicks)

That Council take all actions to progress a planning proposal to amend Schedule 1 (Additional Permitted Uses) of Palerang Local Environmental Plan 2014 or the Queanbeyan-Palerang Local Environmental Plan 2021 (if the latter is notified before the end of this process) in order to allow for Seniors Housing as a permissible use with consent on the northern part of the closed section of Majara Street Bungendore.

The resolution was carried unanimously.

317/21 **9.4 Dwelling Entitlement Request - Lot 186 DP 754873 and Lot 1 DP1233647, Creekborough Road, Bywong**

RESOLVED (Harrison/Marshall)

That Council:

1. Note the report.
2. Not progress a planning proposal for the subject land.
3. Advise the landowner of Council's determination.

The resolution was carried unanimously.

Cr Harrison declared an interest in the following item and left the Chambers at 6.05pm.

318/21 **9.5 Jumping Creek Draft Voluntary Planning Agreement**

RESOLVED (Schweikert/Biscotti)

That Council:

1. Note the outcomes of the recent exhibition of the draft voluntary planning agreement for Jumping Creek.
2. Authorise the Mayor and Chief Executive Officer to execute the draft voluntary planning agreement consistent with the terms set out in the exhibited version.

The resolution was carried unanimously.

Cr Harrison returned to the meeting at 6.06pm.

319/21 **9.6 Administrative Amendments to Braidwood DCP 2006 and Palerang DCP 2015**

RESOLVED (Harrison/Taylor)

That Council:

1. Adopt the exhibited amendments to, and address identified formatting anomalies within the Braidwood Development Control Plan 2006 and the Palerang Development Control Plan 2015.
2. Adopt the Braidwood Development Control Plan 2006 as a formal development control plan under the *NSW Environmental Planning and Assessment Act, 1979*.

The resolution was carried unanimously.

9.7 Draft Bungendore Section 7.11 Development Contributions Plan for Community and Recreation Facilities 2022

320/21

RESOLVED (Schweikert/Biscotti)

That Council:

1. Endorse both the new Draft Bungendore Section 7.11 Development Contributions Plan for Community and Recreation Facilities 2022, and, the amended Palerang Council Section 94A Development Contributions Plan 2015, for public exhibition for a period of 28 days.
2. Receive a report on the outcomes of the exhibition period prior to considering the Draft Contribution Plan's adoption.

The resolution was carried unanimously.

Cr Taylor declared an interest in the following item and left the Chambers at 6.10pm.

9.8 Googong Sports Club Inc - Tripartite Agreement

321/21

RESOLVED (Biscotti/Schweikert)

That:

1. Council endorse the Deed of Agreement between Googong Sports Club Inc, Googong Township Pty Limited and Council.
2. The Chief Executive Officer be authorised to execute the Agreement.

The resolution was carried unanimously.

Cr Taylor returned to the Chambers at 6.11pm.

9.9 Planning for New Memorial Park - Next Steps

322/21

RESOLVED (Schweikert/Biscotti)

That Council endorse the process with the Memorial Park Project as outlined in this report, including:

- Technical studies and designs
- Communications Management Plan
- Local Cemeteries Strategy
- Business Management Plan

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

Against: Cr Winchester

9.10 Queanbeyan Park - Museum Precinct Master Plan

323/21

RESOLVED (Taylor/Harrison)

That Council endorse preparation of a Master Plan for the Queanbeyan Park – Queanbeyan Museum Precinct with initial concepts and options then presented to a workshop of Council.

For: Crs Harrison, Marshall, Noveska, Overall, Schweikert, Taylor and Winchester

Against: Cr Biscotti and Hicks

Mr Tegart declared an interest in the following item and left the Chambers at 6.21pm.

9.11 Regional Road Transfer and Road Classification Review

MOVED (Schweikert/Hicks)

That Council make a submission to the full round of Regional Road Classification and Transfer Panel stating that:

1. The following local roads be nominated to be reclassified to Regional Roads:
 - Ellerton Drive / Edwin Land Parkway / Tompsitt Drive – from Yass Road Roundabout to Lanyon Drive
 - Old Cooma Road – from the existing regional road end, 0.9km south of Burra Road to the Monaro Highway.
 - Araluen Road – from Cooma Road to Eurobodalla Council Boundary.
 - Oallen Road – from Nerriga Road to Goulburn Mulwaree Council Boundary at the Shoalhaven River.
 - Bungendore Road – from Macs Reef Road to the Federal Highway
2. Council's Regional Roads as listed below are all nominated to be transferred to, managed by and fully funded by the NSW State Government:
 - Bungendore/ Macs Reef Road (MR7607) from Gibraltar Street, Bungendore to the Federal Highway.
 - Captains Flat Road (MR270) from the Kings Highway east of Queanbeyan to Coghill Street, Braidwood.
 - Cooma/Krawaree Road (MR7625) from Captains Flat Road, Braidwood to Snowy Monaro Council Boundary.
 - Nerriga Road (MR92) from the Kings Highway, Braidwood to Endrick River, north of Nerriga.
 - Cooma Street/Old Cooma Road (MR584) from Rutledge St, Queanbeyan to 0.9km south of Burra Road.
 - Tarago Road (MR268) from Molonglo Street Bungendore to Goulburn Mulwaree Council Boundary.

3. Subject to reclassification, the following local roads be nominated to be transferred to, managed by and fully funded by the NSW State Government
 - Ellerton Drive / Edwin Land Parkway / Tompsitt Drive – from Yass Road Roundabout to Lanyon Drive
 - Old Cooma Road – from the existing regional road end, 0.9km south of Burra Road to the Monaro Highway.
 - Araluen Road – from Cooma Road to Eurobodalla Council Boundary.
 - Oallen Road – From Nerriga Road to Goulburn Mulwaree Council Boundary at the Shoalhaven River
 - Bungendore Road – from Macs Reef Road to the Federal Highway
4. All of Nerriga Road be nominated to be reclassified from a Regional Road to a State Road, and managed by and fully funded by the NSW State Government.
5. Council's submission include a requirement that all transferred and reclassified roads are to continue to be maintained by QPRC via a RMCC style maintenance contract.
6. Council advise Goulburn Mulwaree, Snowy Monaro and Eurobodalla Councils of the proposal to transfer/reclassify regional roads MR268 and MR7625 and Araluen Road respectively.

During discussion, Cr Marshall raised a point of order stating staff had submitted a revised recommendation and he sought clarification as to which motion was being considered. The Mayor upheld the point of order and the motion being considered was displayed on the screen.

324/21

RESOLVED (Schweikert/Hicks)

That Council make a submission to the full round of Regional Road Classification and Transfer Panel stating that:

1. The following local roads be nominated to be reclassified to Regional Roads:
 - Ellerton Drive / Edwin Land Parkway / Tompsitt Drive – from Yass Road Roundabout to Lanyon Drive
 - Old Cooma Road – from the existing regional road end, 0.9km south of Burra Road to the Monaro Highway.
 - Araluen Road – from Cooma Road to Eurobodalla Council Boundary.
 - Oallen Road – from Nerriga Road to Goulburn Mulwaree Council Boundary at the Shoalhaven River.
 - Bungendore Road – from Macs Reef Road to the Federal Highway

2. Council's Regional Roads as listed below are all nominated to be transferred to, managed by and fully funded by the NSW State Government:
 - Bungendore/ Macs Reef Road (MR7607) from Gibraltar Street, Bungendore to the Federal Highway.
 - Captains Flat Road (MR270) from the Kings Highway east of Queanbeyan to Coghill Street, Braidwood.
 - Cooma/Krawaree Road (MR7625) from Captains Flat Road, Braidwood to Snowy Monaro Council Boundary.
 - Nerriga Road (MR92) from the Kings Highway, Braidwood to Endrick River, north of Nerriga.
 - Cooma Street/Old Cooma Road (MR584) from Rutledge St, Queanbeyan to 0.9km south of Burra Road.
 - Tarago Road (MR268) from Molonglo Street Bungendore to Goulburn Mulwaree Council Boundary.
3. Subject to reclassification, the following local roads be nominated to be transferred to, managed by and fully funded by the NSW State Government
 - Ellerton Drive / Edwin Land Parkway / Tomsitt Drive – from Yass Road Roundabout to Lanyon Drive
 - Old Cooma Road – from the existing regional road end, 0.9km south of Burra Road to the Monaro Highway.
 - Araluen Road – from Cooma Road to Eurobodalla Council Boundary.
 - Oallen Road – From Nerriga Road to Goulburn Mulwaree Council Boundary at the Shoalhaven River
 - Bungendore Road – from Macs Reef Road to the Federal Highway
4. All of Nerriga Road be nominated to be reclassified from a Regional Road to a State Road, and managed by and fully funded by the NSW State Government.
5. Council's submission include a requirement that all transferred and reclassified roads are to continue to be maintained by QPRC via a RMCC style maintenance contract.
6. Council advise Goulburn Mulwaree, Snowy Monaro and Eurobodalla Councils of the proposal to transfer/reclassify regional roads MR268 and MR7625 and Araluen Road respectively.

The resolution was carried unanimously.

Mr Tegart returned to the Chambers at 6.27pm.

325/21

9.12 Tender Recommendation - Construction of Reedy Creek Bridge, Contract Number 2021-27

RESOLVED (Hicks/Schweikert)

That Council accept the tender for bridge construction services and approve budget for these works as follows:

1. RFT 2021-27 for the Construction of Reedy Creek Bridge – accept the tender of HD Civil Pty Ltd to the value of \$865,785 including GST.
2. Approve the reallocation of \$400,000 of capital funding from the Infrastructure Construction vote to complete the project.

The resolution was carried unanimously.

9.13 Extension of Contract 08/2014 - Waste & Resource Recovery Collection Services

MOVED (Marshall/Harrison)

That Council receive a report on Council or a Contractor providing this service.

During discussion, Cr Schweikert foreshadowed a CONTRARY motion: [“That Council extend Contract 08/2014 for Waste and Resource Recovery Collection Services for three (3) years to 27 April 2025.”]

The motion (of Crs Marshall and Harrison) was PUT and LOST.

For: Cr Marshall

Against: Cr Biscotti, Harrison, Hicks, Noveska, Overall,
Schweikert, Taylor and Winchester

The FORESHADOWED motion (of Cr Schweikert) was brought forward, seconded by Cr Taylor, PUT and CARRIED.

326/21

RESOLVED (Schweikert/Taylor)

That Council extend Contract 08/2014 for Waste and Resource Recovery Collection Services for three (3) years to 27 April 2025.

The resolution was carried unanimously.

327/21 **9.14 Contract 2021-37 Bungendore Landfill Reinstatement**
RESOLVED (Hicks/Winchester)

That:

1. Council award Contract 2021-37 Bungendore Landfill Reinstatement to Group One for the lump sum amount of \$2,150,032.24 (incl GST) subject to negotiation regarding issues related to the interaction of this project with the works underway in relation to the Elm Grove subdivision.
2. If satisfactory negotiations are not able to be concluded with Group One, delegate authority to the CEO to accept the Alternate Tender from Dale & Hitchcock Civil Engineering and Landscaping for \$2,140,076.35 (Incl GST).
3. Council authorise the CEO to execute necessary documents.

The resolution was carried unanimously.

328/21 **9.15 Update to Services NSW for Business Agreement**
RESOLVED (Biscotti/Schweikert)

That Council:

1. Delegate authority to the CEO to enter into an agreement with Service NSW.
2. Authorise the execution of any necessary documents under the Common Seal of Council.

The resolution was carried unanimously.

9.16 Application for QPRC Cultural Grant - Two Fires Festival
MOVED (Harrison/Biscotti)

That:

1. Council approve a donation of \$3,000 towards the costs of staging the Two Fires Festival in Braidwood in late February 2022.
2. The release of the donation be made conditional on the provision of an appropriate COVID Safe Plan for the event.

AMENDMENT (Hicks/Schweikert)

That:

1. Council approve a donation of \$1,500 towards the costs of staging the Two Fires Festival in Braidwood in late February 2022.
2. The release of the donation be made conditional on the provision of an appropriate COVID Safe Plan for the event.

The AMENDMENT (of Crs Hicks and Schweikert) was PUT and LOST.

For: Crs Hicks and Schweikert

Against: Crs Biscotti, Harrison, Marshall, Noveska, Overall, Taylor and Winchester

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

329/21

RESOLVED (Harrison/Biscotti)

That:

1. Council approve a donation of \$3,000 towards the costs of staging the Two Fires Festival in Braidwood in late February 2022.
2. The release of the donation be made conditional on the provision of an appropriate COVID Safe Plan for the event.

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

Against: Cr Schweikert

9.17 QPRC Cultural Grants Application - Heritage Community Singing in Queanbeyan Park

330/21

RESOLVED (Hicks/Biscotti)

That Council approve a donation of \$1,000 towards costs for staging a community Singing in the Park event at Queanbeyan Park in April or May 2022.

The resolution was carried unanimously.

9.18 Proposed Lease - 257 Crawford St Queanbeyan

331/21

RESOLVED (Biscotti/Taylor)

That Council:

1. Endorse the terms of the heads of agreement as attached.
2. Authorise the CEO to execute an agreement for lease with Property NSW in the terms outlined in the HoA.

The resolution was carried unanimously.

Mr Thompson declared an interest in the following item and left the Chambers at 6.43pm.

9.19 Queanbeyan District Preschools Assoc - 27 Alanbar St Karabar - Waratah Preschool Queanbeyan Licence Agreement Renewal

332/21

RESOLVED (Biscotti/Taylor)

That Council support renewal of a Licence Agreement for the Waratah Preschool site at 27 Alanbar Street, Karabar on the following terms:

1. Five-year term commencing 1 October 2021 and ending on 30 September 2026.
2. A licence fee equivalent to the minimum statutory rental for a Crown Land licence be payable - currently \$516 p/a.
3. The Chief Executive Officer be authorised to execute the Licence Agreement on behalf of the Council.

The resolution was carried unanimously.

Mr Thompson returned to the Chambers at 6.44pm.

9.20 St John Ambulance - Licence Agreement Proposal - 20-22 Kendall Avenue North, Crestwood

333/21

RESOLVED (Overall/Biscotti)

That Council enter into a Licence Agreement with St John Ambulance Australia (NSW) to occupy the premises at 20-22 Kendall Avenue North Crestwood, on the following terms:

1. An initial term of 1 year commencing 30 October 2021, followed by two options to renew, each option for a further period of 2 years.
2. Should Council secure the sale of the property during the initial term or option periods, the licensee may be given notice of 90 days to vacate.
3. Purpose - Storage of St John Ambulance first aid training equipment, store/park one vehicle trailer, one van and one 4wd sprinter ambulance and conduct regular training for St John Ambulance volunteers and cadets.
4. Fee - \$1.00 p/a (if and when demanded).
5. Special Conditions – At no cost to Council, St John Ambulance will update all First Aid Kits within Council offices and depots in Queanbeyan and Bungendore and provide Emergency Health Support at five Council public events throughout the year.

The resolution was carried unanimously.

9.21 Audit, Risk & Improvement Committee Charter and Tenure of Members

334/21

RESOLVED (Harrison/Biscotti)

That Council agree to:

1. Adopt the revised Audit, Risk and Improvement Committee Charter.
2. Reappoint Carolyn Rosetta-Walsh for four years with the option to extend this appointment for a further two years.
3. Extend Max Shanahan's membership until 30 June 2022, after which time an expression of interest will be sought to appoint a new member.
4. Extend Mr Andrew Cox's membership until 30 June 2023, after which time an expression of interest will be sought to appoint a new member.

The resolution was carried unanimously.

9.22 Request for Donation for Rates Relief

335/21

RESOLVED (Hicks/Biscotti)

That Council consider the application under Category C (e) of the QPRC Donations policy for 55% rate relief in the amount of \$2,004.20.

For: Crs Biscotti, Hicks, Marshall, Overall and Taylor

Against: Crs Harrison, Noveska, Schweikert and Winchester

9.23 Investment Report - September 2021

336/21

RESOLVED (Schweikert/Noveska)

That Council:

1. Note the investment return for September 2021 was -\$396,395.
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 September 2021.

The resolution was carried unanimously.

9.24 Register of Declarations of Pecuniary Interests and Other Matters - Councillors and Designated Persons

337/21

RESOLVED (Harrison/Taylor)

That in accordance with s.440AAB of the *Local Government Act 1993*, the register of annual returns of disclosures of pecuniary interest and other matters by councillors and designated staff for the period ending 30 June 2021, be tabled.

The resolution was carried unanimously.

9.25 Delegation to Chief Executive Officer

338/21

RESOLVED (Overall/Biscotti)

That, in accordance with s.377(1) of the *Local Government Act 1993 (NSW)*, for the period commencing on Saturday, 4 December 2021 until the election of the new Mayor of Queanbeyan-Palerang Regional Council by the Councillors, the Council delegates to the Chief Executive Officer all of the functions of the Council that, immediately before 4 December 2021, had been delegated to the Mayor.

The resolution was carried unanimously.

As the matter was for determination, Item 10.3 was brought forward at this juncture.

10.3 Tender Recommendation - Trade Services and Minor Works Panel Contract Number 2021-36

339/21

RESOLVED (Harrison/Biscotti)

That:

1. Council award RFT 2021-36 Trade Services and Minor Works Panel Contract to the tenderers in the works categories provided in the table:

Tenderer ID	Categories Awarded: Minor Works
1	Water/Wastewater Telemetry Systems
2	Concreters
6	Roadside Spraying & Slashing
7	Industrial Electrician, Fire Equipment Services and Maintenance, Mechanical Services (HVAC) and Building Management System Operator (BMS)
8	Automatic Door – Service and Repairs and Cranes – Service, Inspection & Maintenance
10	Project Managers/Consultants
12	Mechanical Services (HVAC)
13	Roadside Spraying & Slashing
14	Service Locators

- 19 Roadside Spraying & Slashing
- 21 Roadside Spraying & Slashing
- 22 Building Management System Operator (BMS)
- 23 Mechanical Services (HVAC)
- 24 Building Management System Operator (BMS)
- 27 Survey and Design Services
- 28 Industrial Electrician and Mechanical Services (HVAC)
- 31 Electronic Security Services
- 32 Mechanical Services (HVAC)
- 33 Mechanical Services (HVAC) and Environmental Consultants
- 34 Water/Wastewater Mechanical & Hydraulic Engineering Services
- 35 Laboratory Testing – Geotechnical & Water/Wastewater, Project Managers/Consultants and Survey and Design Services
- 36 Automatic Door – Service and Repairs
- 37 Laboratory Testing – Geotechnical & Water/Wastewater
- 38 Asbestos Assessor/Consultancy Services and Environmental Consultants
- 39 Environmental Consultants
- 41 Concreters and Water/Wastewater Mechanical & Hydraulic Engineering Services
- 44 Roadside Spraying & Slashing
- 45 Automatic Door – Service and Repairs
- 46 Generator – Service, Inspection & Maintenance
- 48 Concreters
- 50 Fire Equipment Services and Maintenance and Mechanical Services (HVAC)
- 52 Water/Wastewater Mechanical & Hydraulic Engineering Services, Project Managers/Consultants, Survey and Design Services and Structural Engineers
- 53 Concreters, Building Management System Operator (BMS) and Project Managers/Consultants
- 54 Survey and Design Services
- 56 Asbestos Assessor/Consultancy Services
- 57 Industrial Electrician
- 60 Building Management System Operator (BMS)
- 61 Project Managers/Consultants and Environmental Consultants
- 64 Industrial Electrician
- 66 Environmental Consultants
- 67 Architectural Services
- 69 Sullage Services, Sullage Services, Service Locators, Vehicle & Plant Mechanics, Height Safety Systems and Aquatic Centre Services
- 71 Automatic Door – Service and Repairs

- 72 Electronic Security Services
- 73 Mechanical Services (HVAC)
- 74 Water/Wastewater Telemetry Systems
- 76 Asbestos Assessor/Consultancy Services, Architectural Services, Environmental Consultants and Structural Engineers
- 77 Fire Equipment Services and Maintenance
- 79 Service Locators and Survey and Design Services
- 80 Concreters, Tiling Services, Height Safety Systems, Project Managers/Consultants and Architectural Services
- 81 Structural Engineers
- 82 Mechanical Services (HVAC)
- 83 Sullage Services
- 85 Survey and Design Services
- 87 Solar System Installer
- 88 Concreters
- 92 Solar System Installer
- 93 Project Managers/Consultants, Survey and Design Services, Architectural Services, Environmental Consultants and Structural Engineers
- 96 Water/Wastewater Telemetry Systems
- 98 Project Managers/Consultants and Structural Engineers
- 101 Industrial Electrician
- 102 Project Managers/Consultants
- 103 Project Managers/Consultants and Survey and Design Services
- 104 Concreters
- 106 Survey and Design Services
- 108 Concreters
- 109 Electronic Security Services

Tenderer ID	Categories Awarded: Trade Services
3	Glazing (Tinting removal only)
4	Plumbing/Drainage/Gas Fitter
5	Asbestos Removal
6	Vegetation Contractors
8	Electrician
11	Electrician
13	Vegetation Contractors
17	Painting
19	Vegetation Contractors
20	Asbestos Removal
21	Fencing and Vegetation Contractors
24	Electrician

- 26 Sign Writing
 - 28 Electrician
 - 29 Locksmiths
 - 30 Electrician
 - 42 Electrician
 - 43 Pest Control
 - 44 Vegetation Contractors
 - 47 Carpentry/Joinery and Builder
 - 50 Electrician
 - 51 Builder
 - 57 Electrician
 - 58 Roof & Gutter Cleaner and Vegetation Contractors
 - 62 Sheet Metal Roofing and Roof & Gutter Cleaner
 - 64 Electrician
 - 68 Fencing
 - 70 Plumbing/Drainage/Gas Fitter
 - 75 Painting
 - 78 Flooring (Vinyl, Carpet, etc.
 - 80 Electrician, Plumbing/Drainage/Gas Fitter, Carpentry/Joinery, Fencing, Painting, Steel Fabricators, Sheet Metal Roofing, Glazing, Flooring (Vinyl, Carpet, etc., Asbestos Removal, Roof & Gutter Cleaner, Builder and Vegetation Contractors
 - 82 Electrician
 - 83 Vegetation Contractors
 - 84 Data Cabling - Reviewed
 - 86 Vegetation Contractors
 - 90 Electrician
 - 91 Plumbing/Drainage/Gas Fitter
 - 94 Glazing
 - 97 Fencing
 - 99 Steel Fabricators
 - 100 Carpentry/Joinery, Painting, Asbestos Removal and Builder
 - 101 Electrician
 - 104 Carpentry/Joinery and Sheet Metal Roofing
 - 105 Plumbing/Drainage/Gas Fitter
 - 107 Electrician, Plumbing/Drainage/Gas Fitter, Carpentry/Joinery, Painting and Vegetation Contractors
 - 108 Vegetation Contractors
2. A provision be allowed for 2 x 12 month extensions based on satisfactory supplier performance, which may take this contract to 31 October 2026.

The resolution was carried unanimously.

10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

10.1 Summary of Road Renewal and Maintenance Activities - Quarter 1 2021/22

340/21

RESOLVED (Taylor/Hicks)

That the report be received for information.

The resolution was carried unanimously.

10.2 Graffiti Wall - Bungendore Skate Park

341/21

RESOLVED (Schweikert/Biscotti)

That the report be received for information.

The resolution was carried unanimously.

11. REPORTS OF COMMITTEES

11.1 Local Traffic Committee Meeting Minutes - 13 October 2021

342/21

RESOLVED (Schweikert/Hicks)

That Council:

1. Note the minutes of Local Traffic Committee held on 13 October 2021.
2. Adopt recommendations LTC 44/2021 to LTC 48/2021 from the meeting held on 13 October 2021.

LTC 44/2021: Under the *Road Transport Act 2013*, approve the design for the Bus Stop on Ashby Drive, Bungendore.

LTC 45/2021: Under the *Road Transport Act 2013*, approve the design for Timed Parking restrictions and loading zone in Bonarba Link, Googong.

LTC 46/2021: Under the *Road Transport Act 2013*, approve the updated design for the Braidwood School Zone.

LTC 47/2021: Under the *Road Transport Act 2013*, approve the design for the Collett and Antill Street Intersection, Queanbeyan.

LTC 48/2021: Under the *Road Transport Act 2013*, approve the revised design for the Gorman Drive School Zone as per the design.

The resolution was carried unanimously.

- 343/21 **11.2 Audit, Risk and Improvement Committee - Minutes 16 June 2021**
RESOLVED (Harrison/Biscotti)
That Council note the minutes of the Audit, Risk and Improvement Committee held on 16 June 2021.

The resolution was carried unanimously.
- 344/21 **11.3 Bungendore Town Centre and Environs Committee Meeting Minutes**
RESOLVED (Schweikert/Hicks)
That:
 1. Council note the meeting minutes of the Bungendore Town Centre and Environs Committee held on 20 September 2021.
 2. Council note the meeting minutes of the Bungendore Town Centre and Environs Committee held on 26 August 2021.
 3. Attachment 1 to this item be included for consideration with resolution 163/21 as part of the Bungendore Town Centre and Environs Committee Action Plan.
The resolution was carried unanimously.
- 345/21 **11.4 Bungendore War Memorial s355 Committee Meeting Minutes**
RESOLVED (Schweikert/Harrison)
That Council:
 1. Note the minutes of the Bungendore War Memorial Committee held on 1 July 2021.
 2. Note the minutes of the Bungendore War Memorial Committee Annual General Meeting held on 6 August 2020.
 3. Note the 2021 Annual Report of the Bungendore War Memorial Committee.
The resolution was carried unanimously.
- 346/21 **11.5 Carwoola/Stoney Creek Area s355 Committee Meeting Minutes**
RESOLVED (Hicks/Harrison)
That Council:
 1. Note the minutes of the Carwoola/Stoney Creek Area s.355 Committee held on 27 February 2021.
 2. Note the minutes of the Carwoola/Stoney Creek Area s.355 Committee held in February 2020.
 3. Note the minutes of the Carwoola/Stoney Creek Area s.355 Committee held on 27 June 2019.
The resolution was carried unanimously.

12. NOTICES OF MOTIONS

12.1 Annual Report on Road Closures in LGA

347/21

RESOLVED (Marshall/Harrison)

That Council:

1. Receive a report annually on road closures due to flooding.
2. Receive a report on options for real-time reporting on road closures due to flooding, other incidents and events, and planned roadworks.

The resolution was carried unanimously.

13. REPORTS TO COUNCIL - DELEGATES REPORTS

13.1 Delegates Report

348/21

RESOLVED (Schweikert/Harrison)

That the report be received for information.

The resolution was carried unanimously.

14. QUESTIONS WITH NOTICE

14.1 Responses to Councillors' Questions

349/21

RESOLVED (Taylor/Marshall)

That the report be received for information.

The resolution was carried unanimously.

The Mayor advised that as he will be declaring an interest in one of the items being considered in Closed Session, accordingly he vacated the Chair and left the Chambers at 7.08pm. The Deputy Mayor assumed the Chair.

15. NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION

At this stage of the proceedings Cr Biscotti advised that there were items on the Agenda that should be dealt with in Closed Session.

16. REPORTS FOR CLOSED SESSION

350/21

RESOLVED (Biscotti/Harrison)

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 Country Womens Association NSW - Carpark at rear of 152 Wallace Street, Braidwood - Renewal of Licence Agreement with QPRC

Item 16.1 is confidential in accordance with s10(A)(2)(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.

Item 16.2 Bungendore Property

Item 16.2 is confidential in accordance with s10(A)(2)(d)(i) 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 16.3 Crawford-Rutledge Properties - Expression of Interest

Item 16.3 is confidential in accordance with s10(A)(2)(d)(i) 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.

The resolution was carried unanimously.

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

Procedural motion

351/21

RESOLVED (Biscotti/Taylor)

That Items 16.1 and 16.3 be dealt with in that order, followed by Item 16.2.

The resolution was carried unanimously.

Cr Overall returned to the Chambers at 7.12pm and assumed the Chair.

16.1 Country Womens Association NSW - Carpark at rear of 152 Wallace Street, Braidwood - Renewal of Licence Agreement with QPRC

352/21

RESOLVED (Schweikert/Taylor)

That Council enter into a Licence Agreement with the NSW Country Womens Association (CWA) to use CWA land at the rear of 152 Wallace Street Braidwood as a parking area for Council vehicles, on the following terms:

- a. Ten-year term with a 10 year renewal option.
- b. Commencement date 1 February 2021.
- c. Licence fee \$1,560 p/a (ex GST).
- d. Rent reviews annually to CPI.
- e. Exclusive use as a carpark for Council vehicles.
- f. Right of First Refusal for Council if CWA sells the property.

The resolution was carried unanimously.

Item 16.3 was brought forward at this juncture.

16.3 Crawford-Rutledge Properties - Expression of Interest

353/21

RESOLVED (Overall/Biscotti)

That Council:

1. Accept the offer of proponent 2.
2. Authorise the CEO to progress and execute contracts for sale of 2/1179998 and 31/771673.
3. Authorise the CEO to progress and execute contracts with proponent 9 should the first contract not exchange.
4. Place proceeds of sale into working capital (property reserve).

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

Against: Cr Hicks

The Mayor declared an interest in the following item, vacated the Chair, and left the meeting at 7.37pm. The Deputy Mayor assumed the Chair.

16.2 Bungendore Property

354/21

RESOLVED (Marshall/Schweikert)

That Council:

1. Note the compulsory acquisition of Council and Crown lands outlined in the report.
2. Authorise the CEO to seek relevant legal and expert advice, to enable submission of claims for compensation for:
 - a. Council branch office
 - b. Community centre
 - c. Community swimming facility
 - d. Community library
 - e. Open space
 - f. Carparking
3. Agree to the conduct of site investigation and other works on Council and Crown land, identified in the SSDA (if approved).
4. Subject to the approval of the SSDA, agree to a joint-use licence agreement for part of Bungendore Park outlined in the report, noting any approval is subject to joint-use agreements being executed for Council/community use of Bungendore Primary School sports field and the proposed high school hall in Bungendore.
5. Delegate authority to the CEO to negotiate and execute joint-use licence agreements for the shared facilities, and continued occupation agreements for 2 and 10 Majara Street.

For: Crs Biscotti, Hicks, Marshall, Noveska, Schweikert, Taylor and Winchester

Against: Cr Harrison

355/21

RESOLVED (Biscotti/Taylor)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 7.52pm and the livestream recommenced.

In accordance with Clause 253 of the Local Government (General) Regulations 2005, the Deputy Mayor then read out the decisions of Council made in Closed Session.

17. CONCLUSION OF THE MEETING

The time being 7.54pm, the Deputy Mayor announced that the Agenda for the meeting had now been completed.

**CR TIM OVERALL
MAYOR
CHAIRPERSON**