



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held via Zoom and in the Braidwood Community Centre, Park Lane, Braidwood on Wednesday, 28 August 2024 commencing at 5.30pm.

ATTENDANCE

Councillors: Cr Winchester (Chairperson)
Cr Biscotti
Cr Grundy
Cr Livermore
Cr Macdonald
Cr Preston
Cr Willis
Cr Wilson

Staff: R Ryan, General Manager
M Duff, 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 5.30pm.

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

404/24

RESOLVED (Winchester/Preston)

That the apologies for non-attendance from Crs Burton and Taskovski be received and that leave of absence be granted.

The resolution was carried unanimously.

4. CONFIRMATION OF MINUTES**4.1 Minutes of the Ordinary Meeting of Council held on 14 August 2024**

405/24

RESOLVED (Winchester/Grundy)

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 14 August 2024 be confirmed.

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

406/24

RESOLVED (Winchester/Preston)

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 Willis declared a significant pecuniary interest in Item 9.1: QPRC Annual Community Grants 2024/25, stating she is an office bearer of both Queanbeyan Sustainability Group and Queanbeyan Landcare Inc. groups which have applied for and been recommended to receive funding through Council's donations program. Cr Willis proposed to leave the Chambers when the Item is considered.

Cr Macdonald declared a less than significant non-pecuniary interest in Item 9.1: QPRC Annual Community grants 2024/25, stating he is a member of the specified company or other body; and a financial member of an organisation which is listed for consideration for funding and is an active participant in other organisations also listed for funding. Cr Macdonald proposed to leave the Chambers when the Item is considered.

6. ADJOURNMENT FOR PUBLIC FORUM

At this stage of the proceedings, the time being 5.32pm, Cr Winchester advised that the meeting should now adjourn for the Public Forum.

407/24

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 5.32pm and resumed at 5.40pm.

7. MAYORAL MINUTE

There was no Mayoral Minute

8. NOTICES OF MOTIONS OF RESCISSION

There were no Notices of Motions of Rescission.

Exclusion of Item of Business from 28 August 2024 Council Meeting

The Mayor read the following statement:

In accordance with Clause 3.20 of Council's Code of Meeting Practice, the General Manager must not include in the agenda for a meeting of Council any business of which, in the opinion of the General Manager, the implementation of the business would be, unlawful. The General Manager must report, without giving details of the item of business, any such exclusion to the next meeting of the Council.

A Rescission Motion, signed by three Councillors and a Notice of Motion was submitted by a Councillor for this meeting. It was regarding the setting of a Water Access Charge in the QPRC Revenue Policy for 2024/25.

The Local Government Act (1993); Part 4, Making of Rates and Charges, Clause 532 prescribes the way Council must publish and adopt its draft Operational Plan and Revenue Policy and Clause 533 states that the date by which a rate or charge must be made is 1 August.

The QPRC Operational Plan 2024/25 and setting of the rates and charges was completed in accordance with Clause 532 and 533. The Rates Notices have been issued, and charges raised as per the Revenue Policy adopted by Council at the 26 June Meeting as per Resolution No 285/24.

It is therefore not possible to consider a proposal to change this Council charge.

Having declared an interest in the following Item, Crs Macdonald and Willis left the Chambers at 5.42pm.

9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION**9.1 QPRC Annual Community Grants 2024/25****RESOLVED (Biscotti/Wilson)**

That Council:

1. Approve Category A Grants for 2024/25 totalling \$25,000 selecting Option 1 (as listed in the Attachment: Category A Requested and Recommended Funding).
2. Approve Category B Venue Hire Donations for 2024/25 totalling \$35,214.

The resolution was carried.

For: Crs Biscotti, Livermore, Preston, Wilson and Winchester
Against: Cr Grundy

Crs Macdonald and Willis returned to the Chambers at 5.45pm.

408/24

- 409/24 **9.2 Bywong/Wamboin Greenways Master Plan**
RESOLVED (Willis/Macdonald)
- That Council endorse the draft Bywong/Wamboin Greenways Master Plan prepared by Bywong/Wamboin s.355 Greenways Committee March 2024.
- The resolution was carried unanimously.
- 410/24 **9.3 Abbeyfield Project Briefing**
RESOLVED (Wilson/Biscotti)
- That Council note the project status report and allocate \$500,000 to an internal reserve for the purpose of the Abbeyfield Housing Development project.
- The resolution was carried.
- For: Crs Biscotti, Livermore, Preston, Willis, Wilson and Winchester
Against: Crs Grundy and Macdonald
- 411/24 **9.4 Planning Proposal to Reclassify 19 Gibraltar Street, Bungendore from Community Land to Operational Land**
RESOLVED (Willis/Livermore)
- That Council:
1. Receive the Public Hearing and submissions reports for the reclassification of 19 Gibraltar Street, Bungendore (Lot 8 Section 11 DP 758183) from community land to operational land under the Local Government Act 1993.
 2. Progress and finalise the amendment to the Queanbeyan-Palerang Regional Local Environmental Plan 2022 for the reclassification of land.
- The resolution was carried unanimously.
- 412/24 **9.5 Renewal of Licence Agreement - Air Services Australia - 4 Coral Drive, Jerrabomberra**
RESOLVED (Wilson/Preston)
- That Council endorse renewal of the licence agreement with Air Services Australia for a further five-year term from December 2024 to November 2029.
- The resolution was carried unanimously.

- 413/24 **9.6 Investment Report - July 2024**
RESOLVED (Willis/Wilson)
- That Council:
1. Receive the Investment Report for the month of July 2024.
 2. Note the investment return for July 2024 was \$2,050,236.
 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.

SUPPLEMENTARY REPORT

- 414/24 **9.7 2023-24 4th Quarter Budget Review Statement and Budget Revotes**
RESOLVED (Wilson/Biscotti)
- That Council:
1. Receive and note the June 2024 Quarterly Budget Review Statement.
 2. Note the carry forward of the 2023-24 unspent budgets for Capital and Operational works detailed in the June Quarterly Budget Review Statement into the 2024-25 budget.
 3. Adopt the 2023-24 unspent budgets for Capital works that had not commenced yet into the 2024-25 budget.
 4. Note the Cash and Investments position as at June 2024.
 5. Adopt the proposed Internal Reserves balances as at June 2024.

The resolution was carried unanimously.

10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

- 415/24 **10.1 Planning Performance**
RESOLVED (Willis/Winchester)
- That the report be received for information.
- The resolution was carried unanimously.
- 416/24 **10.2 Australian Local Government Association Housing Summit**
RESOLVED (Willis/Wilson)
- That the report be received for information.
- The resolution was carried unanimously.

417/24 **10.3 The Q - 2023 Economic Impact Assessment**
RESOLVED (Macdonald/Preston)

That Council receive the report for information.

The resolution was carried unanimously.

418/24 **10.4 172 Foxlow Street, Captains Flat**
RESOLVED (Willis/Preston)

That the report be received for information.

The resolution was carried unanimously.

419/24 **10.5 Financial Assistance Grants**
RESOLVED (Winchester/Wilson)

That the report be received for information.

The resolution was carried unanimously.

420/24 **10.6 Tobacconists and Vape Stores in NSW**
RESOLVED (Macdonald/Winchester)

That the report be received for information.

The resolution was carried unanimously.

421/24 **10.7 Resolution Action Sheet**
RESOLVED (Willis/Wilson)

That the report be received for information.

The resolution was carried unanimously.

11. REPORTS OF COMMITTEES

422/24 **11.1 Heritage Advisory Committee Minutes - 8 August 2024**
RESOLVED (Willis/Preston)

That Council:

1. Note the minutes of QPRC Heritage Advisory Committee (HAC) held on 8 August 2024.
2. Note the recommendations from the meeting held on 8 August 2024.
 - a. QPRC HAC – DA.2024.0188 – 94 Monkittee Street Braidwood

The committee supports the application subject to the Heritage Advisor completing a site visit to inspect the historic slab wall and the Heritage Advisor's advice regarding the roof pitch and dominance of the proposal and its impact on adjoining properties.

- b. QPRC HAC – DA.2024.0181 – 2 Badgery Street Braidwood
The Committee support the application.
- c. QPRC HAC – DA.2024.0055 – 22 Surveyor Street Queanbeyan
The committee prefers that the cottage is retained noting that it is one of the original surviving cottages that defines the Heritage Conservation Area. The case officer progresses to assess acting on the Heritage Advisor's recommendations. That the applicant provides a Heritage Impact Statement and an independent structural report to assess the condition of the buildings.
- d. QPRC AHC – DA.2024.0065 – 29 Alice Street Queanbeyan
The committee note the Heritage Advisor's report and refer the applicant to review the report provided so that they can consider amending the application.

The resolution was carried unanimously.

11.2 Environment and Sustainability Advisory Committee Minutes - 29 July 2024

423/24

RESOLVED (Willis/Grundy)

That Council note the minutes of the Environment and Sustainability Advisory Committee held on 29 July 2024.

The resolution was carried unanimously.

11.3 Local Traffic Committee Meeting Minutes - 6 August 2024

424/24

RESOLVED (Livermore/Macdonald)

That Council endorse the 6 August 2024 Local Traffic Committee draft meeting minutes and the associated recommendations as follows:

- a. Noting amendment to previous meeting minutes for LTC 18/2024 and LTC 21/2024 that both should reflect recommendation from TfNSW – Road environment not conducive to 50km/h limit. Development compliant to 80km/h, submission to TfNSW required for speed limit.
- b. LTC 22/2024 – Approve the Traffic Control Devices Plan, Tralee Subdivision Stage 2A and Buffer Area A.
- c. LTC 23/2024 – Decline the Traffic Control Devices Plan, 64 Monaro Street Queanbeyan.
- d. LTC 16/2024 – Approve the 2024 Bungendore Rodeo and the subsequent traffic guidance scheme for the event.
- e. LTC 24/2024 – Approve the 2024 Queanbeyan Swap Meet and the subsequent traffic guidance scheme for the event.
- f. LTC 25/2024 – Approve the 2024 Capital to Coast and subsequent traffic guidance scheme.

The resolution was carried unanimously.

425/24 **11.4 Bungendore Town Centre and Environs Committee - 15 April, 20 May, 17 June and 15 July 2024 Minutes**
RESOLVED (Grundy/Macdonald)

That Council:

1. Note the minutes of Bungendore Town Centre and Environs Committee (BTCEC) meetings held on 15 April, 20 May, 17 June and 15 July 2024.
2. Note Recommendation No 6.1 (15 July 2024) that Council endorse the proposed BTCEC action items (noted below) as a core agenda for the Committee in 2025.

The resolution was carried unanimously.

426/24 **11.5 First Nations Advisory Committee Minutes - 21 February 2024**
RESOLVED (Macdonald/Grundy)

That Council:

1. Note the minutes of First Nations Advisory Committee held on 21 February 2024.
2. Endorse recommendations of the FNAC that:
FNAC 04/224: Signage for the buildings be in language with an English translation and to include pronunciation.
FNAC 05/224: Following Roads conventions, that this naming is not used again by QPRC and that only deceased people be honoured in naming.
FNAC 06/224: To assist Staff and Councillors, cultural awareness training be undertaken.

The resolution was carried unanimously.

427/24 **11.6 QPRC Sports Council Minutes - 5 August 2024**
RESOLVED (Biscotti/Wilson)

That Council note the minutes of the QPRC Sports Council held on 5 August 2024.

The resolution was carried unanimously.

12. NOTICES OF MOTIONS**12.1 Notice of Motion - LGNSW Conference Notices of Motion - Banning Gas in New Dwellings****MOVED (Willis/Preston)**

That Council submit the following motion to the NSW Local Government 2024 Annual Conference:

That LGNSW calls on the NSW State Government to update the Building Sustainability Index (BASIX) to remove installation of gas in new dwellings and renovations, to support a rapid transition away from fossil fuels and towards electrification powered by renewable energy.

For: Crs Livermore, Preston, Willis and Wilson

Against: Crs Biscotti, Grundy, Macdonald and Winchester

With the vote being 4-4, the Mayor exercised the casting vote and declared the motion LOST.

12.2 Notice of Motion - LGNSW Conference Notices of Motion - Solid Fuel Heater Buyback**RESOLVED (Willis/Preston)**

That Council submit the following motion to the NSW Local Government 2024 Annual Conference:

That LGNSW calls on the NSW State Government to develop a financial assistance package to help people remove old solid fuel heaters and install electric heating in their homes.

The resolution was carried.

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

Against: Crs Biscotti, Grundy and Macdonald

428/24

13. REPORTS TO COUNCIL - DELEGATES REPORTS

There were no Delegates Reports.

14. QUESTIONS WITH NOTICE

There were no Questions with Notice.

16. 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.

429/24

16. REPORTS FOR CLOSED SESSION**RESOLVED (Winchester/Macdonald)**

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 RFT 2024-46 Monaro Street Upgrade Detailed Design

Item 16.1 is confidential in accordance with s10(A) (di) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Item 16.2 Abbeyfield Planning Proposal Update

Item 16.2 is confidential in accordance with s10(A) (e) (g) of the Local Government Act 1993 because it contains information that would, if disclosed, prejudice the maintenance of law; 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.

Item 16.3 Update Regional Sports Complex

Item 16.3 is confidential in accordance with s10(A) (di) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Item 16.4 Legal Matters Update - 1 January to 30 June 2024

Item 16.4 is confidential in accordance with s10(A) (c) (di) (e) (g) 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 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, prejudice the maintenance of law; 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.

ADJOURNMENT: The meeting adjourned at 7.41pm and resumed at 7.53pm.

The meeting then moved into Closed Session at 7.53pm to discuss the matters listed above.

- 430/24 **16.1 RFT 2024-46 Monaro Street Upgrade Detailed Design**
RESOLVED (Biscotti/Winchester)
- That Council award Contract No 2024-46 for the Monaro Street Upgrade – Detailed Design to WSP Australia Pty Ltd for the contract amount of \$589,159 excluding GST.
- The resolution was carried.
- For: Crs Biscotti, Grundy, Livermore, Macdonald, Preston,
 Wilson and Winchester
Against: Cr Willis
- 431/24 **16.2 Abbeyfield Planning Proposal Update**
RESOLVED (Preston/Winchester)
- That the report be received for information.
- The resolution was carried unanimously.
- 432/24 **16.3 Update Regional Sports Complex**
RESOLVED (Biscotti/Winchester)
- That the report be received for information.
- The resolution was carried unanimously.
- 433/24 **16.4 Legal Matters Update - 1 January to 30 June 2024**
RESOLVED (Winchester/Wilson)
- That the report be received for information.
- The resolution was carried unanimously.
- 434/24 **RESOLVED (Wilson/Preston)**
- That the meeting now return to Open Session.
- The resolution was carried unanimously.
- The meeting returned to Open Session at 8.05pm.
- 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.

18. CONCLUSION OF THE MEETING

The time being 8.06pm, the Mayor announced that the Agenda for the meeting had now been completed.

**CR KENRICK WINCHESTER
MAYOR
CHAIRPERSON**