



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held via Zoom and in the Council Chambers, Nellie Hamilton Centre, 257 Crawford Street, Queanbeyan on Wednesday, 13 November 2024 commencing at 5.30pm.

ATTENDANCE

Councillors: Cr Winchester (Chairperson)
Cr Broadbent
Cr Grundy
Cr Livermore
Cr Macdonald
Cr Preston
Cr Schweikert
Cr Taskovski
Cr Waterhouse
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 5.32pm.

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.

- 486/24 **3.1 Application for Leave of Absence - Cr Bryce Wilson**
RESOLVED (Winchester/Macdonald)
- That Council approve the Leave of Absence application submitted by Councillor Bryce Wilson for the 27 November 2024 Council meeting.

The resolution was carried unanimously.

4. CONFIRMATION OF MINUTES

- 487/24 **4.1 Minutes of the Ordinary Meeting of Council held on 23 October 2024**
RESOLVED (Winchester/Taskovski)

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 23 October 2024 be confirmed.

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

- 488/24 **RESOLVED (Winchester/Wilson)**

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

- 489/24 At this stage of the proceedings, the time being pm, Cr Winchester advised that the meeting should now adjourn for the Public Forum.

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 5.34pm and resumed at 6.08pm.

7. MAYORAL MINUTE

There was no Mayoral Minute

8. NOTICES OF MOTIONS OF RESCISSION

There were no Notices of Motions of Rescission.

9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

- 490/24 **9.1 2023-24 Audited Financial Statements**
RESOLVED (Taskovski/Waterhouse)
- That Council accept the audited General Purpose Financial Statements, Special Purpose Financial Statements and Special Schedules for the year ended 30 June 2024, and note that public submissions will be accepted until 12 December 2024.

The resolution was carried unanimously.

PROCEDURAL MOTION

- 491/24 **RESOLVED (Macdonald/Winchester)**
- That Item 12.1 be brought forward for consideration at this juncture.

The resolution was carried unanimously.

- 492/24 **12.1 Notice of Motion - Determination of DA.2023.0461 - Proposed Co-living Housing Development - 95 Crawford Street, Queanbeyan**
RESOLVED (Macdonald/Wilson)
- That item DA.2023.0461 - Proposed Co-living Housing Development - 95 Crawford Street Queanbeyan, be brought back to Council for consideration at this meeting.

The resolution was carried unanimously.

- 9.2 DA.2023.0461 - Proposed Co-living Housing Development - 95 Crawford Street, Queanbeyan**
MOVED (Macdonald/Wilson)

That:

1. Approval be granted to a variation to Section 69 Standard for Co-living housing of State Environmental Planning Policy Housing 2021 for minimum lot size.
2. Approval be granted to a variation to Section 69 Standard for Co-living housing of State Environmental Planning Policy Housing 2021 for side boundary setbacks.
3. Development application DA.2023.0461 for a Co-living housing development including demolition of existing structures on Lot 4 DP 8874, 95 Crawford Street Queanbeyan NSW 2620 be granted conditional consent.

Cr Willis foreshadowed a CONTRARY motion:

That Development Application DA.2023.0461 for a Co-living housing development including demolition of existing structures on Lot 4 DP 8874, 95 Crawford Street, Queanbeyan be refused for the following reasons:

- a. The Clause 4.6 variation application does not demonstrate that the non-compliance is unreasonable or unnecessary, nor are there planning grounds sufficient to justify the non-compliance with the development standard.
- b. The area cannot be classified as an accessible area as Queanbeyan Railway Station has a total of 3 services per day each way. This is clearly not in keeping with the contextual and purposive reading of the Housing SEPP and therefore the Queanbeyan DCP provisions for parking should apply to the development requiring 20 car parking spaces and not 4.
- c. It is not in the public interest to use a semantic interpretation of the Housing SEPP to argue that being within 800m of Queanbeyan Railway Station would provide residents without a vehicle access to public transport.

The motion (of Crs Macdonald and Wilson) was put.

493/24

RESOLVED (Macdonald/Wilson)

That:

1. Approval be granted to a variation to Section 69 Standard for Co-living housing of State Environmental Planning Policy Housing 2021 for minimum lot size.
2. Approval be granted to a variation to Section 69 Standard for Co-living housing of State Environmental Planning Policy Housing 2021 for side boundary setbacks.
3. Development application DA.2023.0461 for a Co-living housing development including demolition of existing structures on Lot 4 DP 8874, 95 Crawford Street Queanbeyan NSW 2620 be granted conditional consent.

The resolution was carried.

For: Crs Broadbent, Grundy, Livermore, Macdonald, Preston, Schweikert, Taskovski, Wilson, Waterhouse and Winchester

Against: Cr Willis

9.3 Roads to Recovery 2024-25

494/24

RESOLVED (Wilson/Schweikert)

That Council endorse the expenditure of Roads to Recovery grant funds to complete projects identified for 2024/25 as detailed in this report.

The resolution was carried unanimously.

- 495/24 **9.4 Investment Report - August 2024**
RESOLVED (Macdonald/Wilson)
- That Council:
1. Receive the Investment Report for the month of August 2024.
 2. Note the investment return for August 2024 was \$1,009,334.
 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.
- 496/24 **9.5 Investment Report - September 2024**
RESOLVED (Wilson/Taskovski)
- That Council:
1. Receive the Investment Report for the month of September 2024.
 2. Note the investment return for September 2024 was \$832,649.
 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.
- 497/24 **9.6 HoA for Proposed Lease Agreement with Amplitel Pty Ltd - 32A Severne Street, Queanbeyan**
RESOLVED (Waterhouse/Wilson)
- That Council endorse a Heads of Agreement with Amplitel Pty Ltd for a telecommunications tower at 32A Severne Street, Greenleigh, with a rental income of \$24,000 (excl GST) per annum + 3% increase each year.
- The resolution was carried unanimously.
- 498/24 **9.7 Appointment of Section 355 Committees Delegates**
RESOLVED (Macdonald/Waterhouse)
- That Council:
1. Nominate a Councillor delegate and alternate for each Section 355 Committee as listed in the report.
 2. Dissolve the Araluen Area Committee, Mick Sherd Oval Canteen, Braidwood Recreation Ground and Nerriga Sports Ground Reserve Trust as delegated Section 355 Committees.

3. Establish user groups to facilitate regular consultation, community engagement and project delivery for the Araluen Area, Mick Sherd Oval Canteen, Braidwood Recreation Ground and Nerriga Sports Ground.

The resolution was carried unanimously.

Committees with appointed Councillor delegates as determined:

S355 Committee	Delegate	Alternate
Braidwood Common	Cr Willis	Cr Waterhouse
Braidwood National Theatre and Community Centre	Cr Waterhouse	Cr Preston
Braidwood Showground Reserve Trust	Cr Winchester	Cr Livermore
Bungendore School of Arts	Cr Preston	Cr Livermore
Bungendore War Memorial	Cr Grundy	Cr Schweikert
Burra/Cargill Park Reserves	Cr Broadbent	Cr Wilson
Canning Close Reserve	Cr Livermore	Cr Macdonald
Captains Flat Area	Cr Macdonald	Cr Wilson
Carwoola/Stoney Creek Community Hall	Cr Wilson	Cr Willis
Fernleigh Park	Cr Macdonald	Cr Broadbent
Bywong/Wamboin Greenways	Cr Willis	Cr Grundy
Hoskinstown Hall	Cr Macdonald	Cr Taskovski
Les Reardon Reserve	Cr Taskovski	Cr Grundy
Mongarlowe Hall	Cr Waterhouse	Cr Winchester
Royalla Common	Cr Broadbent	Cr Winchester
Wamboin Community Hall	Cr Macdonald	Cr Taskovski

9.8 Appointment of Organisational Committees Delegates

499/24

RESOLVED (Winchester/Wilson)

That Council:

1. Nominate Councillor delegates for the Australia Day and Community Awards Committee.
2. Not appoint Councillor delegates to the Australia Day Organising Committee.

The resolution was carried unanimously.

Crs Grundy, Macdonald, Waterhouse and Wilson were appointed to the Australia Day and Community Awards Committee.

9.9 Audit, Risk and Improvement Committee Charter

MOVED (Wilson/Preston)

That Council adopt the Audit, Risk and Improvement Committee (ARIC) Charter.

AMENDMENT (Broadbent/Macdonald)

That consideration of this Item be deferred following the presentation of the new Charter to the Audit Risk and Improvement Committee (ARIC).

The amendment (of Crs Broadbent and Macdonald) was put and carried unanimously.

The amendment became the motion.

500/24

RESOLVED (Broadbent/Macdonald)

That consideration of this Item be deferred following the presentation of the new Charter to the Audit Risk and Improvement Committee (ARIC).

The resolution was carried unanimously.

9.10 Review of Code of Meeting Practice**MOVED (Macdonald/Winchester)**

That Council:

1. Endorse the draft Code of Meeting Practice as presented.
2. Place the draft Code of Meeting Practice on public exhibition for 42 days inviting submissions.

AMENDMENT (Willis/Waterhouse)

That Council:

1. Endorse the draft Code of Meeting Practice as presented, with the exception of clauses 4.12; 10.22; 10.23; and 14.17, which are to be amended as follows:
 - a. 4.12 Each speaker will be allowed five (5) minutes to address the Council. This time is to be strictly enforced by the Chairperson.
 - b. 10.22 A Councillor must not, without the consent of the Council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
 - c. 10.23 Despite clause 10.22, the Chairperson may permit a Councillor who claimed to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the Councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
 - d. 14.17 Each speaker will be allowed five (5) minutes to make representations, and this time limit is to be strictly enforced by the Chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the Chairperson, the speaker will not be further heard.

2. Place the draft Code of Meeting Practice, amended as per paragraph 1 above, on public exhibition for 42 days inviting submissions.

The amendment was put and lost.

For: Crs Preston, Taskovski, Waterhouse, Willis and Winchester

Against: Crs Broadbent, Grundy, Livermore, Macdonald, Schweikert and Wilson

AMENDMENT (Schweikert/Macdonald)

That Council:

1. Endorse the draft Code of Meeting Practice as presented with the following amendments:
 - a. Sections 3.10 and 10.22 remain as the previous version.
 - b. Section 4.5: remove the words 'but must do so within the allocated time limit as set by this code'.
 - c. Resolution 261/19 be applied to the public display version.
2. Place the draft Code of Meeting Practice, amended as per paragraph 1 above, on public exhibition for 42 days inviting submissions.

The amendment was put and carried unanimously.

The amendment became the motion.

501/24

RESOLVED (Schweikert/Macdonald)

That Council:

1. Endorse the draft Code of Meeting Practice as presented with the following amendments:
 - a. Sections 3.10 and 10.22 remain as the previous version.
 - b. Section 4.5: remove the words 'but must do so within the allocated time limit as set by this code'.
 - c. Resolution 261/19 be applied to the public display version.
2. Place the draft Code of Meeting Practice, amended as per paragraph 1 above, on public exhibition for 42 days inviting submissions.

The resolution was carried unanimously.

- 502/24 **9.11 Review of Code of Conduct and Procedures for the Administration of the Code of Conduct**
RESOLVED (Wilson/Livermore)

That Council adopt the QPRC Code of Conduct and Procedures for the Administration of the Code of Conduct.

The resolution was carried.

For: Crs Broadbent, Livermore, Macdonald, Preston,
 Schweikert, Taskovski, Wilson, Waterhouse and
 Winchester

Against: Crs Grundy and Willis

ADJOURNMENT: The meeting adjourned for a short break at 7.31pm and resumed at 7.42pm.

10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

- 503/24 **10.1 Annual Food Activity Report to NSW Food Authority 2023-2024**
RESOLVED (Wilson/Preston)

That the report be received for information.

The resolution was carried unanimously.

- 504/24 **10.2 Land-Use Planning Branch Update**
RESOLVED (Willis/Livermore)

That the report be received for information.

The resolution was carried unanimously.

- 505/24 **10.3 Summary of Road Renewal and Maintenance Activities - 1st Quarter 2024/25**
RESOLVED (Wilson/Preston)

That the report be received for information.

The resolution was carried unanimously.

- 506/24 **10.4 Queanbeyan Sewage Treatment Plant Upgrade Progress Update**
RESOLVED (Willis/Macdonald)

That the report be received for information.

The resolution was carried unanimously.

- 507/24 **10.5 PFAS Testing for QPRC Drinking Water Supplies**
RESOLVED (Schweikert/Waterhouse)

That the report be received for information.

The resolution was carried unanimously.

- 508/24 **10.6 QPRC v Minister Education and Early Learning: Case Numbers 2022/3377152 and 2022/3377095**
RESOLVED (Waterhouse/Preston)

That the report be received for information.

The resolution was carried unanimously.

Supplementary Report

- 509/24 **10.7 Site Inspection - DA.2023.0461 - Demolition of Existing Building and Construction of Three Storey Rental Accommodation (co-living housing) – 95 Crawford Street, Queanbeyan**
RESOLVED (Winchester/Macdonald)

That the report be received for information.

The resolution was carried unanimously.

11. REPORTS OF COMMITTEES

- 510/24 **11.1 Audit, Risk and Improvement Committee Minutes - 5 September 2024 and 9 September 2024**
RESOLVED (Wilson/Broadbent)

That Council note the minutes of the Audit, Risk and Improvement Committee meetings held on 5 September and 9 September 2024.

The resolution was carried unanimously.

- 511/24 **11.2 Audit, Risk and Improvement Committee - Chair's Annual Report 2024**
RESOLVED (Wilson/Broadbent)

That Council note the Audit, Risk and Improvement Committee Chair's Annual Report 2024 provided for information.

The resolution was carried unanimously.

12. Notices of Motions

- 12.1 Notice of Motion - Determination of DA.2023.0461 - Proposed Co-living Housing Development - 95 Crawford Street, Queanbeyan**

This item was dealt with in earlier business.

- 512/24 **12.2 Notice of Motion - Proposal to Name the Frank Pangallo Heritage Library**
RESOLVED (Winchester/Wilson)

That Council place on public exhibition the proposal to name the former Queanbeyan Council Chambers which is now the Heritage Library, the Frank Pangallo Heritage Library.

The resolution was carried unanimously.

13. REPORTS TO COUNCIL - DELEGATES REPORTS

There were no Delegates reports.

14. QUESTIONS WITH NOTICE

There were 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

513/24

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 RFT for 2000055 - Turallo Reservoir Rectification Works

Item 16.1 is confidential in accordance with s10(A) (c) (di) 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 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 8.13 pm to discuss the matters listed above.

16.1 RFT for 2000055 - Turallo Reservoir Rectification Works

514/24

RESOLVED (Schweikert/Willis)

That Council:

1. Award Contract 2000055 for the Bungendore Turallo #1 Reservoir Rectification Works to Maxcim Pty Ltd for the lump sum of \$530,127 (excluding GST).

2. Approve a supplementary vote of \$281,053 from the Palerang Communities Water Fund Reserve for this project.

The resolution was carried unanimously.

515/24

RESOLVED (Winchester/Preston)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 8.20pm.

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 8.21pm, the Mayor announced that the Agenda for the meeting had now been completed.

**CR KENRICK WINCHESTER
MAYOR
CHAIRPERSON**