



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, 27 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 (via Zoom)
Cr Willis

Staff: R Ryan, General Manager
M Duff, Director Infrastructure Services
K Monaghan, Director Corporate Services
R Ormella, Director Development and Environment
M Goiser, A/Director Community, Arts and Recreation

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

It was noted that the application for leave of absence from Cr Wilson was approved at the 13 November 2024 meeting.

There were no apologies.

4. CONFIRMATION OF MINUTES**4.1 Minutes of the Ordinary Meeting of Council held on 13 November 2024**

516/24

RESOLVED (Winchester/Taskovski)

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 13 November 2024 be confirmed.

The resolution was carried unanimously.

Note: The Public Forum minutes from 13 November 2024 be amended by adding Guide Consulting to the list of presenters.

5. DISCLOSURES OF INTERESTS

517/24

RESOLVED (Winchester/Macdonald)

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

518/24

RESOLVED (Winchester/Taskovski)

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

ADJOURNMENT:

The meeting adjourned for the Public Forum at 5.33pm and resumed at 5.49pm.

7. MAYORAL MINUTE

There was no Mayoral Minute.

8. NOTICES OF MOTIONS OF RESCISSION

There were no Notices of Motions of Rescission.

PROCEDURAL MOTION

519/24

RESOLVED (Winchester/Macdonald)

That Item 12.2 be brought forward for consideration at this juncture.

The resolution was carried unanimously.

12.2 Notice of Motion - Access to the Captains Flat Lead Contamination Cell

520/24

RESOLVED (Willis/Macdonald)

That Council:

1. Note the NSW Government has offered private landholders at Captains Flat limited access to the containment cell for disposal of contaminated soil from their own properties.
2. Reject the timeframes for the disposal of contaminated soil at the containment cell as unreasonable, unrealistic and, therefore, unacceptable.
3. Request an urgent meeting with the Premier's Department and Legacy Mines to agree on a more realistic timeframe for access to the containment cell or the construction of a second containment cell that will be available to residents under more realistic timeframes.

The resolution was carried unanimously.

9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION**9.1 DA.2024.0368 - Boundary Adjustment - 114 Duncan Street Braidwood**

521/24

RESOLVED (Preston/Taskovski)

That development application DA.2024.0368 for a Boundary Adjustment on Lot 13 DP 829963, No. 114 Duncan Street Braidwood and Lot C DP 158060, part of 110 Duncan Street Braidwood be granted conditional consent.

The resolution was carried unanimously.

9.2 Planning Proposal to Reclassify 88 Wallace and 41 Ryrie Streets, Braidwood from Community Land to Operational Land, and Rezone Council Depot Land and Part of 88 Wallace Street, Braidwood

522/24

RESOLVED (Macdonald/Taskovski)

That Council:

1. Endorse the updated planning proposal to amend the Queanbeyan-Palerang Regional Local Environmental Plan 2022:
 - a. Reclassify Lots 4 and 7 DP 240640, 88 Wallace Street, Braidwood and Lot 5 DP 835748, 41 Ryrie Street, Braidwood from community land to operational land under the Local Government Act 1993.
 - b. Rezone part of Council-owned operational land, part of Lot 1 DP 212019 and part of Lot 3 DP 240640, 41A Ryrie Street, Braidwood from Zone SP1 - Depot to Zone SP2 Infrastructure – Public Car Park.
 - c. Rezone various adjoining public sealed roads from Zone

R2 – Low-Density Residential to Zone SP2 Infrastructure – Public Car Park.

- d. Rezone Lot 4 DP 240640 and part of Lot 7 DP 240640 – 88 Wallace Street, Braidwood from Zone R2 – Low Density Residential to Zone SP2 Infrastructure – Public Car Park.
2. Forward the updated planning proposal to the NSW Department of Planning Housing and Infrastructure (DPHI) requesting an amended Gateway determination.
3. Request delegation of Plan Making Powers, for this planning proposal.
4. Undertake agency consultation and public exhibition according to any requirements of the Gateway determination.
5. Should no objections be received, undertake the necessary actions to finalise the making of the Queanbeyan-Palerang Regional Local Environmental Plan 2022.

The resolution was carried unanimously.

9.3 QPRC Local Heritage Place Grants 2024-2025

523/24

RESOLVED (Willis/Taskovski)

That Council endorse the recommended applications for the QPRC Local Heritage Grant Program 2024/25 which total \$25,000.

The resolution was carried.

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

Against: Crs Broadbent, Grundy, Macdonald and Schweikert

9.4 Request for Donation Bungendore Park Tennis Club

MOVED (Preston/Taskovski)

That Council provide a donation of \$9,355 to Bungendore Park Tennis Club for essential items identified in the report.

AMENDMENT (Willis/Broadbent)

That Council:

1. Note the request for Council to provide a donation of \$9,355 to Bungendore Park Tennis Club for items identified in the report.
2. Consider the request when it receives the second Quarterly Budget Review Statement.

The amendment (of Crs Willis and Broadbent) was put.

For: Crs Broadbent, Grundy, Macdonald, Schweikert and Willis

Against: Crs Livermore, Preston, Taskovski, Waterhouse and Winchester

With the vote being five-all, the Mayor exercised his casting vote and declared the amendment lost.

The motion (of Crs Preston and Taskovski) was brought forward and put.

524/24

RESOLVED (Preston/Taskovski)

That Council provide a donation of \$9,355 to Bungendore Park Tennis Club for essential items identified in the report.

The resolution was carried.

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

9.5 Application for a Council Cultural Grant

525/24

RESOLVED (Willis/Schweikert)

That Council approve a Cultural Grant of \$500 to Roz Townsend towards costs for a podcast on healthy ageing.

The resolution was carried unanimously.

9.6 Post Exhibition Report - New Fee-Electric Vehicle Charging Fee

526/24

RESOLVED (Willis/Macdonald)

That Council:

1. Adopt the fee for Electric Vehicle Charging of \$0.55 per kWh (inc. GST), which is based on a user / beneficiary pays principle.
2. Approve the supplementary vote of \$40,000 income generated by EV Charging Station fees and \$40,000 for EV Charging Station costs; which is assumed a net zero impact on the 2024/25 Operational Plan.

The resolution was carried unanimously.

9.7 Post Exhibition Report - Draft Climate Change Resilience Policy

527/24

RESOLVED (Willis/Schweikert)

That Council adopt the Climate Change Resilience Policy.

The resolution was carried unanimously.

9.8 Appointment of Statutory Committees Delegates

528/24

RESOLVED (Macdonald/Taskovski)

That Council nominate Councillor delegates for each Statutory Committee as listed in the report.

The resolution was carried unanimously.

Statutory Committees with appointed Councillor delegates as determined:

Committee	Councillor Delegate	Alternate
Dargues Reef Community Consultative Committee	Cr Waterhouse	Cr Macdonald
Dangerous Dog Panel	Cr Wilson	Cr Macdonald
Integrated Water Cycle Management Project Reference Group	Cr Schweikert	Cr Preston
Lake George Bush Fire Management Committee	Cr Preston	Cr Schweikert
Lake George District Liaison Committee	Cr Schweikert	Cr Broadbent
Lake George Emergency Management Committee	Cr Preston	Cr Livermore
Old Cooma Road Holcim Quarry Consultative Committee	Cr Broadbent	Mayor
Woodlawn Community Liaison Committee	Cr Preston	Cr Livermore

9.9 Appointment of Regional/External Committees Delegates

MOVED (Preston/Livermore)

That Council endorse the staff representatives and nominate Councillor delegates for each Regional/External Committee as listed in the report.

AMENDMENT (Broadbent/Grundy)

That Council:

1. Appoint two Councillors as representatives to the Southern Regional Planning Panel.
2. Appoint four alternate Council members to the Southern Regional Planning Panel.
3. Develop and implement a rotation schedule for the appointees to the Southern Regional Planning Panel, in accordance with the *Sydney District and Regional Planning Panels Operational Procedures* established by the NSW Department of Planning, Housing and Infrastructure.
4. Appoint the Councillor/s and staff delegates, as nominated, to all other committees as listed in the report.
5. Update the relevant Council documentation, including the website, with details of appointments and rotation arrangements.

PROCEDURAL MOTION

RESOLVED (Winchester/Macdonald)

That the meeting adjourn for a five minute break.

The resolution was carried unanimously.

529/24

ADJOURNMENT: The meeting adjourned for a short break at 6.54pm and resumed at 7.00pm.

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

The amendment became the motion.

530/24

RESOLVED (Broadbent/Grundy)

That Council:

1. Appoint two Councillors as representatives to the Southern Regional Planning Panel.
2. Appoint four alternate Council members to the Southern Regional Planning Panel.
3. Develop and implement a rotation schedule for the appointees to the Southern Regional Planning Panel, in accordance with the Sydney District and Regional Planning Panels Operational Procedures established by the NSW Department of Planning, Housing and Infrastructure.
4. Appoint the Councillor/s and staff delegates, as nominated, to all other committees as listed in the report.
5. Update the relevant Council documentation, including the website, with details of appointments and rotation arrangements.

The resolution was carried unanimously.

Regional and External Committees with appointed Councillor delegates as determined:

Committee	Councillor Delegate(s)	Alternate(s)
Canberra Airport Community Aviation Consultation Group	Cr Schweikert	Cr Macdonald
Canberra Region Joint Organisation	Mayor	Deputy Mayor
Community Safety Precinct Committee – Monaro Local Area Command	Mayor	Cr Schweikert
PCYC Advisory Committee	Mayor	Cr Macdonald
Queanbeyan-Palerang Library Service – NSW Public Library zone	Cr Macdonald	Cr Waterhouse
Regional Cities NSW	Mayor	Deputy Mayor
Country Mayors	Mayor	Deputy Mayor
South East Australia Transport Strategy (SEATS)	Cr Grundy	Cr Willis
Southern Regional Planning Panel	Cr Preston and Cr Broadbent	Director Development and Environment of Yass, Cr Grundy, Cr Wilson and Cr Schweikert

Southern Tablelands Arts Board	Cr Preston	Cr Waterhouse
Woodlawn Eco-Precinct Community Liaison Committee (Veolia)	Cr Preston	Cr Livermore

9.10 Re-opening Queanbeyan Animal Management Facility

MOVED (Willis/Livermore)

That Council:

1. Approve the supplementary vote request of \$587,000 for emergency works critical for the re-opening of the Queanbeyan Animal Management Facility.
2. Receive a report from the Chief Financial Officer at the second QBRS identifying source of funds.

Cr Broadbent foreshadowed a contrary motion:

That Council defer Item 9.10 until Council receives a report that provides clear and detailed recommendations regarding the controls and mitigations appropriate to reduce the risk of future infectious outbreaks at the Queanbeyan Animal Management Facility so far as reasonably practicable.

The motion (of Crs Willis and Livermore) was put.

531/24

RESOLVED (Willis/Livermore)

That Council:

1. Approve the supplementary vote request of \$587,000 for emergency works critical for the re-opening of the Queanbeyan Animal Management Facility.
2. Receive a report from the Chief Financial Officer at the second QBRS identifying source of funds.

The resolution was carried.

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

Against: Crs Broadbent, Grundy and Schweikert

9.11 Councillor Conduct and Meeting Practices Discussion Paper

532/24

RESOLVED (Winchester/Taskovski)

That Council authorise the General Manager to finalise and lodge a QPRC submission to the NSW Government's Councillor Conduct and Meeting Practices framework discussion paper.

The resolution was carried.

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

Against: Cr Grundy

ADJOURNMENT: The meeting adjourned for a short break at 7.30pm and resumed at 7.42pm.

9.12 Quarterly Budget Review Statement for the Quarter Ending 30 September 2024

533/24

RESOLVED (Willis/Livermore)

That Council:

1. Receive the September 2024 Quarterly Budget Review Statement.
2. Adopt the budget variations outlined in the report.
3. Note the opinion of the Responsible Accounting Officer in relation to Council's financial performance and projected year result is satisfactory.

The resolution was carried unanimously.

9.13 Investment Report - October 2024

534/24

RESOLVED (Schweikert/Livermore)

That Council:

1. Receive the Investment Report for the month of October 2024.
2. Note the investment return for October 2024 was \$812,869.
3. Note the investment portfolio has been made in accordance with the Local Government Act (1993), the Local Government (General) Regulation (2021) and Queanbeyan-Palerang Regional Council's Investment Policy.

The resolution was carried unanimously.

9.14 Sale of Land for Unpaid Rates

535/24

RESOLVED (Macdonald/Schweikert)

That Council:

1. Proceed with the sale of land for unpaid rates for eligible properties as attached to this report.
2. Delegate authority to the General Manager to take the following actions pertaining to the properties specified in the report:
 - a. To withdraw from sale of any property that, prior to commencement of the auction, has had all rates and charges payable (including overdue rates and charges) paid in full; or a suitable payment arrangement has been agreed to and entered into including a suitable upfront payment being made.
 - b. To withdraw any property from sale for technical or legal reasons.
 - c. To set reserve prices for sale of the properties at auction.
 - d. To negotiate by private treaty and accept offers for sale of any property that fails to sell at auction.

- e. To execute sale and purchase contracts, and property transfer documents, under Council's Common Seal.
- f. To write off residual rates outstanding due to shortfall in sale for individual properties.

The resolution was carried unanimously.

9.15 Valuer General's Cancellation of Commonwealth Land
RESOLVED (Willis/Schweikert)

536/24

That Council:

1. Note the write-down of general rates income of \$85,283 for 2023/24 and \$100,642 for 2024/25 due to the NSW Valuer General decision to remove the rateable value of Commonwealth Land.
2. Note there are a further 28 Commonwealth properties that are expected to be affected by the same decision.
3. Write to the NSW Valuer General to request a review of the decision to apply the change retrospectively.
4. Write to the NSW Premier, NSW Minister for Local Government and the Federal Minister for Local Government, to request alternate funding to compensate Council for the lost general rates revenue estimated to be \$191,000 from 2025/26.

The resolution was carried unanimously.

9.16 State of our Region Report 2021-2024
RESOLVED (Willis/Livermore)

537/24

That Council endorse the State of our Region Report 2021 to 2024.

The resolution was carried unanimously.

9.17 Annual Report 2023-24
MOVED (Taskovski/Preston)

That Council:

1. Endorse the Annual Report 2023-24.
2. Notify the Minister for Local Government of Council's decision.

Cr Schweikert foreshadowed a contrary motion:

That consideration of this report be deferred to the 18 December 2024 meeting.

The motion (of Crs Taskovski and Preston) was put and lost.

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

The foreshadowed contrary motion (of Cr Schweikert) was brought forward and put.

538/24

RESOLVED (Schweikert/Waterhouse)

That consideration of this report be deferred to the 18 December 2024 meeting.

The resolution was carried unanimously.

10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

539/24

10.1 Quarterly Rates and Charges Outstanding Report**RESOLVED (Willis/Livermore)**

That the report be received for information.

The resolution was carried unanimously.

540/24

10.2 Implications for Council on Recent Announcements from State Government Regarding New Housing Delivery Authority**RESOLVED (Schweikert/Broadbent)**

That the report be received for information.

The resolution was carried unanimously.

541/24

10.3 Waste Management Strategy Review - Commencing Community Consultation**RESOLVED (Grundy/Preston)**

That the report be received for information.

The resolution was carried unanimously.

542/24

10.4 Post-Exhibition Report: Mobile Library Survey**RESOLVED (Schweikert/Willis)**

That the report be received for information.

The resolution was carried unanimously.

543/24

10.5 Evaluation Report - Extended Hours Trial QPRC Libraries for HSC Students**RESOLVED (Livermore/Macdonald)**

That the report be received for information.

The resolution was carried unanimously.

544/24

10.6 Councillor Workshops**RESOLVED (Preston/Grundy)**

That the report be received for information.

The resolution was carried unanimously.

11. REPORTS OF COMMITTEES

There were no Reports of Committees.

12. NOTICES OF MOTIONS**12.1 Notice of Motion - Urban Forest and Cooling Strategy**

545/24

RESOLVED (Willis/Livermore)

That Council:

1. Note:
 - a. The Urban Forest and Cooling Strategy (December 2021) was adopted by QPRC on 23 March 2022 (**Resolution 121/22**).
 - b. The strategy commits Council to work with the community to achieve its objectives.
 - c. Presently, there is no budget allocation to support implementation, monitoring and reporting on progress of the Urban Forest and Cooling Strategy.
2. Receive a report on opportunities for Council to work with established local groups to achieve the objectives of the Urban Forest and Cooling Strategy with particular reference to maximising staff and volunteer efforts through a more coordinated approach to on-ground work.

The resolution was carried unanimously.

12.2 Notice of Motion - Access to the Captains Flat Lead Contamination Cell

This item was considered was in earlier business.

13. REPORTS TO COUNCIL - DELEGATES REPORTS

There were no Delegates Reports.

14. QUESTIONS WITH NOTICE**14.1 Questions on Notice - Accessible Commercial and Retail Premises**

546/24

RESOLVED (Willis/Livermore)

That the report be received for information.

The resolution was carried unanimously.

14.2 Questions With Notice

547/24

RESOLVED (Willis/Winchester)

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 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

548/24

RESOLVED (Winchester/Broadbent)

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 QPRC v Minister Education and Early Learning - Proposed Heads of Agreement

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.

The resolution was carried unanimously.

The meeting then moved into Closed Session at 8.23pm to discuss the matters listed above.

16.1 QPRC v Minister Education and Early Learning - Proposed Heads of Agreement

549/24

RESOLVED (Preston/Macdonald)

That Council:

1. Approve the Heads of Agreement between QPRC and the Minister for Education and Early Learning.
2. Authorise the General Manager to prepare the Deed of Agreement that will give effect to the process outlined in section 71A of the Land Acquisition (Just Terms Compensation) Act for the return of the Council land and payment of compensation, and the payment of compensation in connection with the return of the Crown land, for Council consideration and approval.

The resolution was carried unanimously.

550/24

RESOLVED (Winchester/Macdonald)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 8.37pm.

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 8.38pm, the Mayor announced that the Agenda for the meeting had now been completed.

**CR KENRICK WINCHESTER
MAYOR
CHAIRPERSON**