



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Bungendore Council Chambers on Wednesday, 22 May 2019 commencing at 5.30pm.

ATTENDANCE

Councillors: Cr Overall (Chair), Crs Biscotti, Bray AM, Brown, Harrison, Hicks, Marshall, Noveska, Schweikert and Winchester.

Staff: P Tegart, CEO/General Manager; M Thompson, Portfolio General Manager Natural and Built Character; P Hansen, Portfolio General Manager Community Connections; J Richards, Portfolio General Manager Community Choice and P Neil, Portfolio General Manager Organisational Capability.

Also Present: W Blakey (Clerk of the Meeting) and L Ison (Minute Secretary).

1. OPENING

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

158/19

RESOLVED (Schweikert/Harrison)

That apologies for non-attendance from Cr Taylor 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 24 April 2019

159/19

RESOLVED (Harrison/Hicks)

That the Minutes of the Ordinary Meeting of Council held in the Bungendore Council Chambers on Wednesday 24 April 2019 be confirmed.

The resolution was carried unanimously.

4.2 Minutes of the Planning and Strategy Committee of the Whole held on 8 May 2019

160/19

RESOLVED (Hicks/Harrison)

That the Minutes of the Planning and Strategy Committee of the Whole held in the Queanbeyan Council Chambers on Wednesday 8 May 2019 be confirmed.

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

161/19

RESOLVED (Schweikert/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 Harrison lodged a schedule 3A form of special disclosure of pecuniary interest in the matter of Item 10.1 - Planning Report - Review of E4 Environmental Living Zone - Bywong and Wamboin.

6. ADJOURNMENT FOR PUBLIC FORUM

162/19

RESOLVED (Overall/Biscotti)

That this meeting is adjourned for the commencement of the Public Forum and upon its completion the meeting will reconvene.

The resolution was carried unanimously.

ADJOURNMENT:

The meeting adjourned for the Public Forum at 5.34pm and resumed at 6.09pm.

7. NOTICES OF MOTIONS OF RESCISSION

There were no Notices of Motion of Rescission.

8. MAYORAL MINUTE

There was no Mayoral Minute.

9. REPORTS OF COMMITTEES

There were no Reports of Committees.

Cr Harrison lodged a special disclosure of pecuniary interest for this item.

10. Reports to Council - Items for Determination

10.1 Planning Report - Review of E4 Environmental Living Zone - Bywong and Wamboin

(MOVED) (Harrison/Marshall)

That Council:

1. Receive the consultants' reports.
2. Consider the inclusion of Class X mapped lands in a revised Clause 6.3 Terrestrial Biodiversity map for Bywong and Wamboin if the native attributes meet the criteria for inclusion in the revised map.
3. Retain land identified in the consultants' reports as being wholly or partly Class 1 or 2 as E4 Environmental Living zone.
4. Retain land identified in the consultants' reports as being wholly or partly Class 3 land as E4 Environmental Living zone.
5. Not pursue a planning proposal to rezone part of Bywong and Wamboin to the R5 Large Lot Residential zone.

Cr Hicks foreshadowed a CONTRARY motion: ["That Council:

1. Receive the consultants' reports.
2. Retain land identified in the consultants' reports as being wholly or predominantly Class 1 or 2 as E4 Environmental Living zone.
3. Prepare a planning proposal to rezone land identified in the consultants' reports as being wholly or predominantly Class 3 land as R5 Large Lot Residential zone. The planning proposal should give consideration to minimising split zonings and fragmentation and isolation of zone boundaries.
4. Not include amending the Palerang Local Environment Plan (PLEP) Clause 6.3 map "Terrestrial Biodiversity" to include the consultants Class X mapped lands for the following reasons:
 - a. the consultant's report refers to Class X land as having "potential" to contain native grasslands and or habitat of a critically endangered species rather than establishing that the Class X mapped land contains native grasslands and or habitat of a critically endangered species
 - b. inclusion of Class X as incorporated in the Terrestrial Biodiversity Map and Clause 6.3 of the PLEP would apply to both land within the E4 Environmental Living zone as well to land within the R5 Large Lot residential zone
 - c. the existing provisions of the PLEP already require adequate consideration of the impacts on biodiversity
 - d. Implementation of the Class X layer would be unwieldy and unnecessary and will result in greater complexity for residents and greater cost when lodging development applications.
5. Reference in the Planning Proposal that it is Council's assessment that a Local Housing Strategy can be dispensed with in this case as no change to the minimum lot size or density of development is proposed.

6. Prepare the Planning Proposal as a separate proposal and if finalised in time be amalgamated with the Queanbeyan-Palerang Local Environment Plan (comprehensive LEP).”]

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

For: Crs Harrison, Marshall and Winchester

Against: Crs Biscott, Bray, Brown, Hicks, Noveska, Overall and Schwiekert

The foreshadowed motion (of Cr Hicks) was brought forward at this juncture, seconded by Cr Schwiekert, PUT and CARRIED.

163/19

RESOLVED (Hicks/Schwiekert)

That Council:

1. Receive the consultants’ reports.
2. Retain land identified in the consultants’ reports as being wholly or predominantly Class 1 or 2 as E4 Environmental Living zone.
3. Prepare a planning proposal to rezone land identified in the consultants’ reports as being wholly or predominantly Class 3 land as R5 Large Lot Residential zone. The planning proposal should give consideration to minimising split zonings and fragmentation and isolation of zone boundaries.
4. Not include amending the Palerang Local Environment Plan (PLEP) Clause 6.3 map “Terrestrial Biodiversity” to include the consultants Class X mapped lands for the following reasons:
 - a. the consultant’s report refers to Class X land as having “potential” to contain native grasslands and or habitat of a critically endangered species rather than establishing that the Class X mapped land contains native grasslands and or habitat of a critically endangered species
 - b. inclusion of Class X as incorporated in the Terrestrial Biodiversity Map and Clause 6.3 of the PLEP would apply to both land within the E4 Environmental Living zone as well to land within the R5 Large Lot residential zone
 - c. the existing provisions of the PLEP already require adequate consideration of the impacts on biodiversity
 - d. Implementation of the Class X layer would be unwieldy and unnecessary and will result in greater complexity for residents and greater cost when lodging development applications.
5. Reference in the Planning Proposal that it is Council’s assessment that a Local Housing Strategy can be dispensed with in this case as no change to the minimum lot size or density of development is proposed.
6. Prepare the Planning Proposal as a separate proposal and if finalised in time be amalgamated with the Queanbeyan-Palerang Local Environment Plan (comprehensive LEP).

For: Crs Biscotti, Bray, Brown, Hicks, Noveska, Overall and Schwiekert.

Against: Crs Harrison, Marshall and Winchester

- 164/19 **10.2 Place Naming Proposal - Smiths Gap, Bungendore**
RESOLVED (Winchester/Brown)
That Council:
 1. Support in principle the Geographic Names Board formally naming the area concerned 'Smiths Gap'.
 2. Advertise the proposed action for public comment for 28 days.
 3. Apply to have a notice published in the NSW Government Gazette if no objections are received.

The resolution was carried unanimously.

- 165/19 **10.3 Policy - Fraud Control**
RESOLVED (Schweikert/Noveska)
That Council exhibit the draft Fraud Control Policy for community comment for 28 days.

The resolution was carried unanimously.

- 166/19 **10.4 Quarterly Budget Review Statement for the Quarter Ending 31st March 2019**
RESOLVED (Bray/Hicks)
That Council:
 1. Adopt the March 2019 Quarterly Budget Review Statement and variations as outlined in this report.
 2. Note the predicted consolidated surplus of \$1.314m.

The resolution was carried unanimously.

- 167/19 **10.5 QPRC Investment Policy**
RESOLVED (Bray/Brown)
That Council:
 1. Rescind the former QPRC Investment Policy.
 2. Adopt the attached QPRC Investment Policy.

The resolution was carried unanimously.

- 168/19 **10.6 Write Off - Bad Debtors**
RESOLVED (Biscotti/Winchester)
That Item 10.6 – Write Off - Bad Debts, be dealt with in Closed Session.

The resolution was carried unanimously.

10.7 Investment Report - April 2019

169/19

RESOLVED (Bray/Brown)

That Council:

1. Note the 2018/19 investment income for April 2019 was \$872,460.
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. Adopt the Investment Report for the month of April 2019.

The resolution was carried unanimously.

11. REPORTS TO COUNCIL - ITEMS FOR INFORMATION**11.1 Workforce Performance Audit**

170/19

RESOLVED (Marshall/Harrison)

That the report be received for information.

The resolution was carried unanimously.

11.2 Update on Draft Bungendore Structure Plan

171/19

RESOLVED (Marshall/Schweikert)

That the report be received for information.

The resolution was carried unanimously.

11.3 European Wasps

172/19

RESOLVED (Harrison/Brown)

That the report be received for information.

The resolution was carried unanimously.

11.4 Summer Activation 2018/19

173/19

RESOLVED (Schweikert/Hicks)

That the report be received for information.

The resolution was carried unanimously.

11.5 QPRC Pools

174/19

RESOLVED (Schweikert/Winchester)

That the report be received for information.

The resolution was carried unanimously.

12. REPORTS TO COUNCIL - DELEGATES' REPORTS

There were no Delegates' Reports.

13. NOTICES OF MOTIONS**13.1 Bungendore Water Quality**

175/19

RESOLVED (Schweikert/Winchester)

That Council receive a report on Bungendore's water by September 2019 on:

- its quality and composition;
- how it compares to other sample areas (Queanbeyan, Adelaide, Narrabri) and to NHMRC standards;
- treatments applied;
- supply consistency (i.e. pressure, reliability);
- a list of issues and complaints over the past 12 months;
- current testing regime and Standards used, and
- current sources of supply (by map).

The resolution was carried unanimously.

14. QUESTIONS WITH NOTICE

There were no questions.

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

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

Cr Overall then asked if, in accordance with Clause 59.6 of the Council's Code of Meeting Practice, there were any presentations as to why the matters listed below should not be dealt with in Closed Session.

16. REPORTS FOR CLOSED SESSION

176/19

RESOLVED (Overall/Hicks)

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 Bungendore Sports Hub

Item 16.1 is confidential in accordance with s10(A)(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 10.6 Write off – Bad Debts

Item 10.6 is confidential in accordance with s10(A)(a) of the Local Government Act 1993 because it contains personal matters concerning particular individuals (other than councillors).

The resolution was carried unanimously.

The meeting then moved into Closed Session at 6.57pm to discuss the matters listed above.

16.1 Bungendore Sports Hub

177/19

RESOLVED (Overall/Winchester)

That:

1. Council authorise the CEO to finalise negotiations for the acquisition of the whole of 9A Bungendore Road for the purposes of Bungendore Sports Hub, service road and future expansion of Bungendore utilities, funded from grant, and the Water and Sewer Funds as outlined in the report, based on the current valuation or subsequent valuation as a result of the Bungendore Draft Structure Plan.
2. If negotiations are not concluded within one month, then acquisition under the *Land Acquisition (Just Terms Compensation) Act 1991* commence.
3. A report be presented to Council to finalise the acquisition.

For: Crs Biscotti, Bray, Brown, Marshall, Noveska, Overall and Winchester

Against: Crs Harrison, Hicks and Schweikert

10.6 Write Off - Bad Debtors

178/19

RESOLVED (Brown/Biscotti)

That under section 6.2 of the Debt Recovery Policy – Rates and Charges, Council write off the bad and doubtful sundry debtor accounts as per attached list.

The resolution was carried unanimously.

179/19

RESOLVED (From the Chair)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 7.26pm.

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 7.28pm Cr Overall announced that the Agenda for the meeting had now been completed.

**CR TIM OVERALL
MAYOR
CHAIRPERSON**