



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held via Zoom and at the Council Chambers, 253 Crawford St, Queanbeyan on Wednesday, 13 September 2023 commencing at 5.30pm.

ATTENDANCE

Councillors: Cr Winchester (Chairperson)

Cr Biscotti

Cr Grundy

Cr Livermore

Cr Macdonald

Cr Taskovski

Cr Webster

Cr Willis

Cr Wilson

Staff:

R Ryan, General Manager

P Hansen, Director Infrastructure Services

J Richards, Director Community, Arts and Recreation

R Ormella, Director Development and Environment

R Tozer, A/Director Corporate Services

K Monaghan, Director Corporate Services (from 6.46pm) – via Zoom

Also Present: W Blakey (Clerk of the Meeting)

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

349/23

RESOLVED (Winchester/Macdonald)

That:

1. The apologies for non-attendance from Crs John Preston and Louise Burton be received and that leave of absence be granted.
2. Council approve the leave of absence application submitted by Councillor Mareeta Grundy for the 11 October 2023 Council Meeting.

The resolution was carried unanimously.

3.1 Application for Leave of Absence

This item was dealt with in earlier business.

4. CONFIRMATION OF MINUTES**4.1 Minutes of the Ordinary Meeting of Council held on 23 August 2023**

350/23

RESOLVED (Winchester/Taskovski)

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 23 August 2023 be confirmed.

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

351/23

RESOLVED (Winchester/Biscotti)

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 Biscotti declared a less than significant, non-pecuniary interest in Item 12.2: Support of the Voice to Parliament, stating that participating in the debate may be perceived to be in contrary to his employer's Code of Conduct and directive to its employees. He proposed to leave the Chambers when the matter is considered.

6. ADJOURNMENT FOR PUBLIC FORUM

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

352/23

RESOLVED (Winchester/Wilson)

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 5.57pm.

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

9.1 Scoping Proposal - Relocate Arterial Road Corridor Dunns Creek Road Queanbeyan Palerang LEP 2022

353/23

RESOLVED (Willis/Webster)

That Council support in principle the relocation of the current reserve for the Dunns Creek Road Alignment, subject to the establishment of a final alignment for Dunns Creek Road and completion of current studies.

The resolution was carried.

For: Crs Biscotti, Livermore, Macdonald, Taskovski,
Webster, Willis, Wilson and Winchester
Against: Cr Grundy

9.2 Amended Scoping Proposal Complying Development C4 Environmental Living Zone Bywong/Wamboin

354/23

RESOLVED (Grundy/Biscotti)

That this item be deferred until a community workshop involving Councillors can be conducted where the community has an input into the scoping proposal to be forged.

The resolution was carried.

For: Crs Biscotti, Grundy, Livermore, Macdonald, Taskovski,
Webster, Wilson and Winchester
Against: Cr Willis

9.3 Cooma Road Water Mains Upgrades REF Consultation

355/23

RESOLVED (Taskovski/Willis)

That Council place on public exhibition the draft Cooma Road Water Mains Upgrade Review of Environmental Factors for 28 days and receive a future report detailing the comments received.

The resolution was carried unanimously.

9.4 Determination of Councillor Numbers for the 2028 Term of Office

356/23

RESOLVED (Wilson/Biscotti)

That:

1. Council determine the number of Councillors at Queanbeyan-Palerang Regional Council for the following term of office.
2. If the number is to be changed, notify the NSW Electoral Commission that a constitutional referendum will be conducted in conjunction with the Local Government elections in September 2024.

The resolution was carried unanimously.

MOVED (Wilson/Taskovski)

That the number of Councillors at Queanbeyan-Palerang Regional Council for the following term of office remain at 11.

AMENDMENT (Willis)

That the number of Councillors at Queanbeyan-Palerang Regional Council for the following term of office be 13.

The amendment (of Cr Willis) LAPSED for want of a seconder.

The motion (of Crs Wilson and Taskovski) was PUT.

357/23

RESOLVED (Wilson/Taskovski)

That the number of Councillors at Queanbeyan-Palerang Regional Council for the following term of office remain at 11.

The resolution was carried.

For: Crs Biscotti, Grundy, Livermore, Macdonald, Taskovski,
Webster, Wilson and Winchester

Against: Cr Willis

10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION**10.1 Braidwood and its Setting State Heritage Listing - 15 Year Management Review**

358/23

RESOLVED (Willis/Livermore)

That the report be received for information.

The resolution was carried unanimously.

10.2 QPRC Green Cleaning Policy

359/23

RESOLVED (Willis/Wilson)

That the report be received for information.

The resolution was carried unanimously.

- 360/23 **10.3 Capital Projects Status**
RESOLVED (Biscotti/Wilson)
That the report be received for information.

The resolution was carried unanimously.
- 361/23 **10.4 Bungendore Floodplain Risk Management Study and Plan - Progress Update**
RESOLVED (Webster/Wilson)
That the report be received for information.

The resolution was carried unanimously.
- 362/23 **10.5 Braidwood Water Supply - Water Security Assessment and Drought Contingency Plan**
RESOLVED (Willis/Wilson)
That the report be received for information.

The resolution was carried unanimously.
- 363/23 **10.6 Tool Library**
RESOLVED (Winchester/Livermore)
That the report be received for information.

The resolution was carried.

For: Crs Biscotti, Grundy, Livermore, Macdonald, Taskovski,
 Webster, Wilson and Winchester
Against: Cr Willis
- 364/23 **10.7 PCYC Operations**
RESOLVED (Winchester/Biscotti)
That the report be received for information.

The resolution was carried unanimously.
- 365/23 **10.8 2023/2024 Bungendore Pool Season**
RESOLVED (Wilson/Biscotti)
That the report be received for information.

The resolution was carried unanimously.

- 366/23 **10.9 Delivery Program update - July 2022 to June 2023**
RESOLVED (Willis/Biscotti)

That the report be received for information.

The resolution was carried unanimously.

- 367/23 **10.10 172 Foxlow Street Captains Flat**
RESOLVED (Willis/Winchester)

That the report be received for information.

The resolution was carried unanimously.

- 368/23 **10.11 Sale of Land Red Hill Road Majors Creek**
RESOLVED (Biscotti/Wilson)

That the report be received for information.

The resolution was carried unanimously.

- 369/23 **10.12 Councillor Workshops**
RESOLVED (Wilson/Webster)

That the report be received for information.

The resolution was carried unanimously.

11. REPORTS OF COMMITTEES

- 370/23 **11.1 QPRC Environment and Sustainability Advisory Committee
Minutes 14 August 2023**
RESOLVED (Willis/Wilson)

That Council note the minutes of the Environment and Sustainability Advisory Committee held on 14 August 2023.

The resolution was carried unanimously.

- 371/23 **11.2 Minutes of the QPRC Sports Council Meeting**
RESOLVED (Biscotti/Wilson)

That Council note the draft minutes of the QPRC Sports Council held on 7 August 2023.

The resolution was carried unanimously.

12. NOTICES OF MOTIONS**12.1 Temporary Fencing on Majara Street, Bungendore**

372/23

RESOLVED (Winchester/Webster)

That Council write to Steve Whan MP, Member for Monaro; and the Hon Prue Car, Deputy Premier and Minister for Education and Early Learning, requesting that the temporary fencing on Majara Street, Bungendore, be removed until actual construction commences on the proposed Bungendore High School.

The resolution was carried.

For: Crs Livermore, Taskovski, Webster, Willis, Wilson and Winchester

Against: Crs Biscotti, Grundy and Macdonald

Having declared an interest in the following item, Cr Biscotti left the Chambers at 7.23pm.

12.2 Support for the Voice to Parliament

373/23

RESOLVED (Wilson/Livermore)

That Council:

1. States its support for the proposed change to the Constitution supporting a 'yes' vote in the upcoming referendum.
2. Encourages members of the community to seek more information by providing Australian Government resources, e.g. on the QPRC website, on social media, making printed material available in Council venues and, time permitting, provide information in the QPRC newsletter.

For: Crs Livermore, Macdonald, Taskovski, Willis, Wilson and Winchester

Against: Crs Grundy and Webster

Cr Biscotti returned to the Chambers at 7.39pm.

ADJOURNMENT:

The meeting adjourned at 7.39pm and resumed at 7.46pm.

12.3 Tallaganda State Forest Logging

374/23

RESOLVED (Willis/Webster)

That Council:

1. Note the following:
 - a. The New South Wales Environment Protection Authority issued an order to the NSW Forestry Corporation on 30 August 2023 to cease logging in parts of Tallaganda State Forest, located in QPRC Local Government Area following complaints and discovery of a dead Southern Greater Glider in the vicinity of logging operations.
 - b. The Southern Greater Glider is listed as endangered under the federal Environment Protection and Biodiversity Conservation Act 1999 and the NSW Threatened Species Conservation Act 1995 as a result of significant habitat loss.
2. Seek clarification from the Environment Protection Agency on the incident and their actions in relation to ongoing forestry operations in Tallaganda State Forest.
3. Request the NSW Minister for the Environment, the Hon Penny Sharpe MLC order an independent scientific survey of Tallaganda State Forest to ascertain the current state of the local greater glider population and the actions needed to prevent the species from going extinct in this location.

The resolution was carried.

For: Crs Biscotti, Livermore, Macdonald, Taskovski,
Webster, Willis, Wilson and Winchester

Against: Cr Grundy

13. REPORTS TO COUNCIL - DELEGATES REPORTS

There were no Delegates' reports.

14. QUESTIONS WITH NOTICE

There were no 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

375/23

RESOLVED (Winchester/Grundy)

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 QCCP Lease Agreements

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 16.2 Land Sales and Acquisition Register Update

Item 16.2 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 16.3 QPRC v Minister for Education and Early Learning Matter

Item 16.3 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 7.49pm to discuss the matters listed above.

16.1 QCCP Lease Agreements

376/23

RESOLVED (Biscotti/Winchester)

That Council:

1. Note the progress of leases for Levels 4 and 5 and the Ground Floor Café Area.
2. Endorse the commencement of negotiations with Enterprise Plus to lease the Ground Floor Office Area.

The resolution was carried.

For: Crs Biscotti, Livermore, Macdonald, Taskovski,
Webster, Willis, Wilson and Winchester

Against: Cr Grundy

- 377/23 **16.2 Land Sales and Acquisition Register Update**
RESOLVED (Biscotti/Willis)
That the report be received for information.

The resolution was carried unanimously.
- 378/23 **16.3 QPRC v Minister for Education and Early Learning Matter**
RESOLVED (Biscotti/Wilson)
That the report be received for information.

The resolution was carried unanimously.
- 379/23 **RESOLVED (Winchester/Biscotti)**
That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 8.26pm.

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 8.27pm, the Mayor announced that the Agenda for the meeting had now been completed.

CR KENRICK WINCHESTER
MAYOR
CHAIRPERSON