



Planning and Strategy Committee of the Whole

12 April 2017

**UNDER SEPARATE COVER
ATTACHMENTS**

**QUEANBEYAN-PALERANG REGIONAL COUNCIL
PLANNING AND STRATEGY COMMITTEE OF THE WHOLE**

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ITEM 4.3 PLANNING CERTIFICATES (SECTION 149 OF ACT) -
PROGRESS AND PROPOSED CHANGES

ATTACHMENT 1 PROPOSED CHANGES TO PLANNING ISSUES IN
SECTION 149(5) PLANNING CERTIFICATES ISSUED BY
QPRC

4.3 Planning Certificates (Section 149 of Act) - Progress and Proposed Changes

Attachment 1 - Proposed changes to planning issues in section 149(5) Planning Certificates issued by QPRC (Continued)

Attachment 1. Proposed changes to planning issues in section 149(5) Planning Certificates issued by QPRC

C1726578

Planning issue	Planning Certificate item - Queanbeyan 149(5)	Planning Certificate item - Palerang 149(5)	Proposed change and reason
Risk of flooding or tidal inundation	Yes	No	Deletion from 149(5) Planning Certificate — flooding information is now in item 7A of the 149(2) Planning Certificate; tidal inundation is not relevant in QPRC.
Land is subject to slip or subsidence	Yes	No	Deletion from 149(5) Planning Certificate — no information; there are no areas of slip or subsidence mapped in QPRC.
Land affected by Tree Preservation Order	Yes	No	Deletion from 149(5) Planning Certificate — development consent for tree removal in urban areas is under clauses 5.9 and 5.9AA of the standard LEP. Since 2005, regulation of vegetation clearing in rural areas is by NSW State Government agencies.
Road widening/realignments under section 262 of Local Government Act	Yes	No	Deletion from 149(5) Planning Certificate — road information is now in item 6 of the 149(2) Planning Certificate; section 262 refers to <i>Local Government Act 1919</i> , now repealed.
Council resolution to vary the Local Environmental Plan or draft plan applies to the land	Yes	No	Deletion from 149(5) Planning Certificate — draft plan information will be listed in item 1(2) of 149(2) Planning Certificate.
Land located under a flight path and within the 20-25 ANEF contour	Yes	No	Remain in 149(5) Planning Certificate —no change proposed. There is also the option for this information to be included as a note with 149(2) Planning Certificates.
Land affected by Unhealthy Building Land Policy of the Environmental Protection Agency	No	Yes	Deletion from 149(5) Planning Certificates —unhealthy building land provisions were in the <i>Unhealthy Building Land Act 1990</i> which was repealed because it duplicated powers exercised by local councils and the Environment Protection Authority (EPA) under current legislation.
Development approvals or complying development certificates issued in last 5 years	No	Yes	Remain in 149(5) Planning Certificates — no change proposed. This will be new advice on Planning Certificates issued by the Queanbeyan office, subject to software compatibility.
Property served by public road maintained by Council	No	Yes	Remain in 149(5) Planning Certificates — possible addition of roads maintained by NSW Government. This will be new advice on Planning Certificates issued by the Queanbeyan office, subject to software compatibility.
Property in Probable Maximum Flood	No	Yes	Deletion from 149(5) Planning Certificates — development controls for flooding are listed in 7A of 149(2) Planning Certificate.
Property has a domestic kerbside collection service – waste; recycling; food/organics	No	Yes	Deletion from 149(5) Planning Certificates — not a planning issue.

QUEANBEYAN-PALERANG REGIONAL COUNCIL

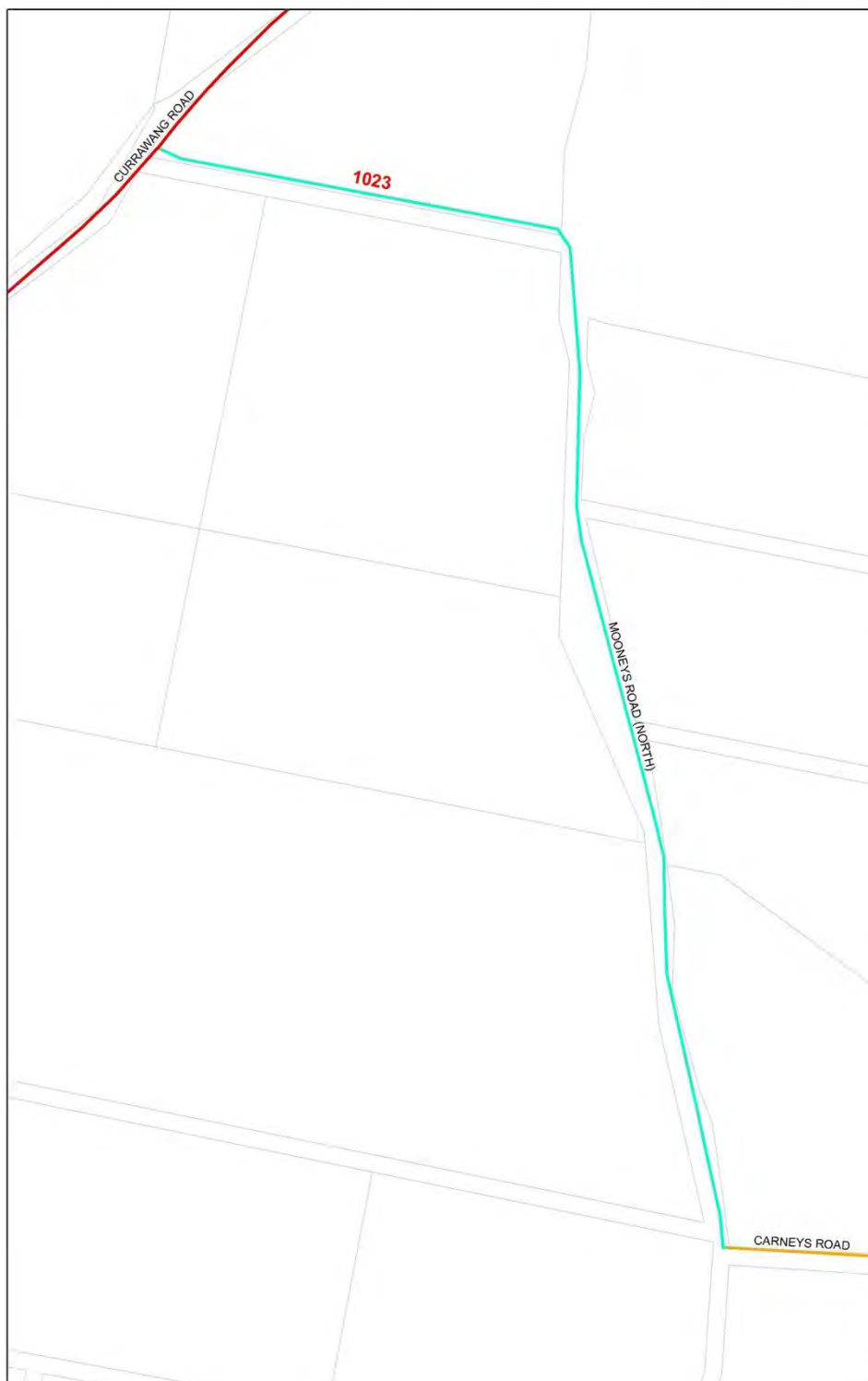
Planning and Strategy Committee of the Whole Meeting Attachment

12 APRIL 2017

ITEM 4.4 PROPOSED STREET NAMES - FISHER ROAD,
CURRAWANG AND GOOROYARROO LANE, SUTTON

ATTACHMENT 1 P&SC- 12 APRIL 2017 - ROAD NAMING PROPOSAL -
LOCATION MAP - PROPOSED FISHER ROAD

Road 1023 - Proposed Fisher Road



QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting Attachment

12 APRIL 2017

ITEM 4.4 PROPOSED STREET NAMES - FISHER ROAD,
CURRAWANG AND GOOROYARROO LANE, SUTTON

ATTACHMENT 2 P&SC - 12 APRIL 2017 - ROAD NAMING PROPOSAL -
FISHER ROAD SUBMISSION

Road (1023)

Belinda Bateman

From: Brendan Belcher
Sent: Tuesday, 27 September 2016 11:53 AM
To: Belinda Bateman
Subject: FW: Attn Belinda Bateman and Brendan Belcher

FYI in case you haven't received this. I'll leave to you to follow up re the road naming, and I'll respond re the road maintenance query.

Cheers,

Brendan Belcher
Senior Engineer – Infrastructure Planning
Queanbeyan-Palerang Regional Council
Tel: (02) 4842 9230
/eb: www.qprc.nsw.gov.au



Please note that my email address has changed. Could you please update your records to brendan.belcher@qprc.nsw.gov.au.

From: [REDACTED]
Sent: Monday, 26 September 2016 8:37 PM
To: Records
Subject: Attn Belinda Bateman and Brendan Belcher

Dear Belinda and Brendan

In reply to the naming proposal for Mooney's road north

As stated in the letter sent out that the name of the road is no longer accurate or safe, I would like to suggest that council consider in changing the name off Mooney's road north that either change it to Carneys road or change both Carneys road and Mooneys road north to a new name as at the start of Mooneys road north are all the mail boxes for that road and being a resident on Mooneys road north we often have people coming up to our house and asking where Carneys road is.

I would also like to request on behalf of the bus driver that takes our children to school that there be made a safe graveled turning area at the intersection of Mooneys road north and Currawang road.
Also with wet weather Mooneys road north gets very boggy and could do with some work and a layer of gravel or a hard surface, because of the state of the road means that our gas service will not drive up when it's wet.

Many thanks



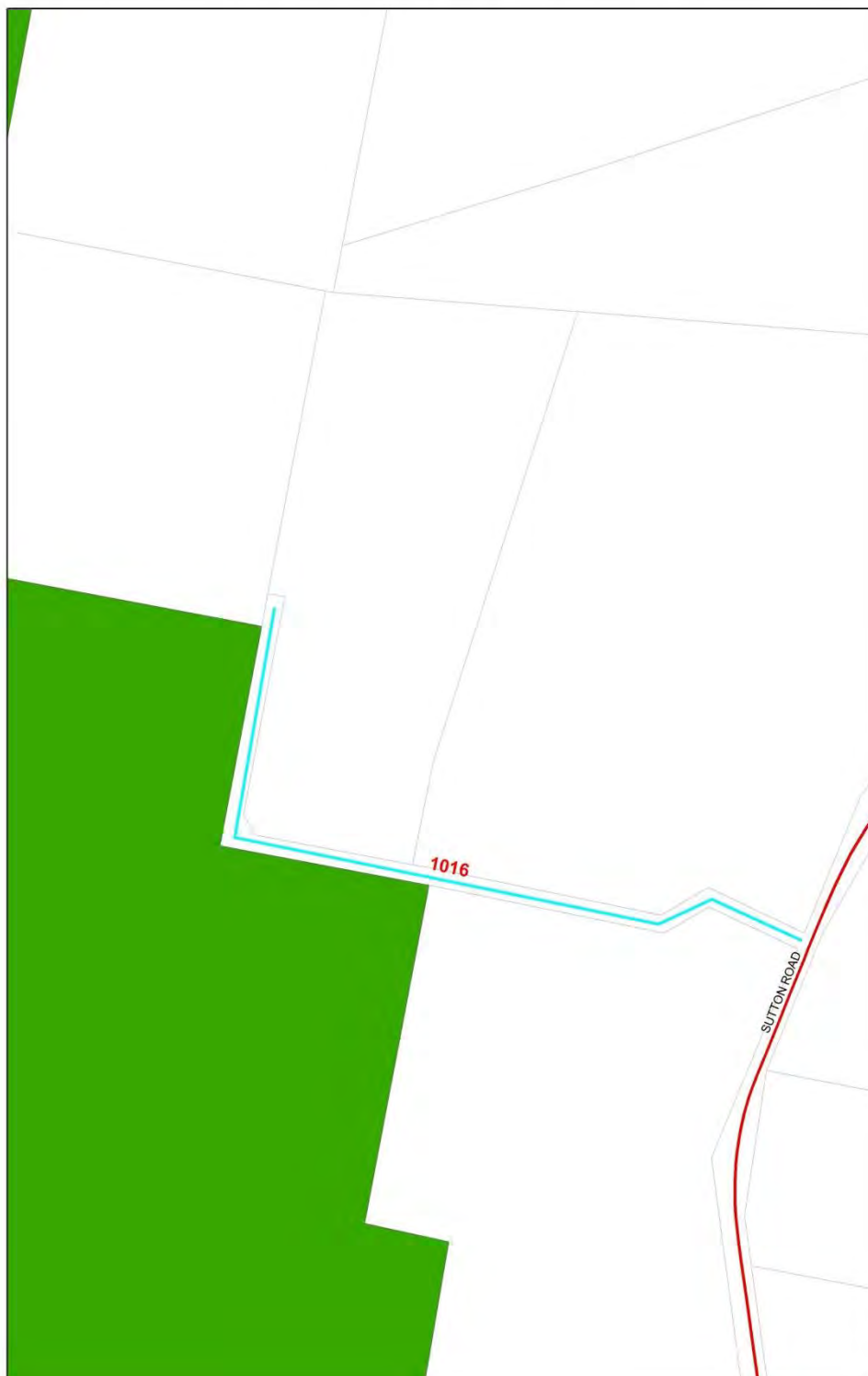
QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting Attachment

12 APRIL 2017

- | | |
|--------------|--|
| ITEM 4.4 | PROPOSED STREET NAMES - FISHER ROAD,
CURRAWANG AND GOOROYARROO LANE, SUTTON |
| ATTACHMENT 3 | P&SC- 12 APRIL 2017 - ROAD NAMING PROPOSAL -
LOCATION MAP - PROPOSED GOOROYARROO LANE |

Road 1016 - Proposed Gorooyarroo Lane



QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting Attachment

12 APRIL 2017

- | | |
|--------------|--|
| ITEM 4.4 | PROPOSED STREET NAMES - FISHER ROAD,
CURRAWANG AND GOOROYARROO LANE, SUTTON |
| ATTACHMENT 4 | P&SC - 12 APRIL 2017 - ROAD NAMING PROPOSAL -
GOOROYARROO SUBMISSION |

Belinda Bateman

Road 1016

From: Brendan Belcher
Sent: Friday, 18 November 2016 2:15 PM
To: Belinda Bateman
Subject: FW: attention Senior Engineer - Infrastructure Planning: unnamed access 1016

As requested

Cheers,

Brendan Belcher
Senior Engineer – Infrastructure Planning
Queanbeyan-Palerang Regional Council
Tel: (02) 4842 9230
Web: www.qprc.nsw.gov.au



Please note that my email address has changed. Could you please update your records to brendan.belcher@qprc.nsw.gov.au.

From: [REDACTED]
Sent: Monday, 10 October 2016 11:47 PM
To: Records
Subject: attention Senior Engineer - Infrastructure Planning: unnamed access 1016

I am [REDACTED], resident owner of Portion [REDACTED] NSW. My postal address is [REDACTED] Sutton, 2620.

I have been asked to discuss with neighbours and comment on the proposal to name the access between my property and Sutton Road.

I have discussed QPRSC's naming proposal with my children who grew up on our property. They are adults who grew up here and are likely to inherit the property. They are:

[REDACTED]

We are of the unanimous view as follows:

1. **We prefer that the access be named Goorooyarroo Lane**
2. We oppose the use of a family name for the access where that family has no immediate connection with the adjoining properties. Specifically this means we oppose Guise, Loftus and Dunn..
3. We think that the access is best named for a local historical or geographical feature – we suggest "Goorooyarroo" (for the land division parish and the original state forest, now nature reserve). See <http://www.nationalparks.nsw.gov.au/visit-a-park/parks/goorooyarroo-nature-reserve>
4. "Greenwood" (for the hill to the north-west of us) would also be an acceptable name for us.
5. We strongly prefer that the access should be named a Lane rather than a Road. We believe that the term "Road" invites casual exploration by uninvited vehicles in the expectation that the road leads to more than the odd dwelling.

6. We oppose any requirement to change our postal address from 1367 Sutton Road. We think it is utterly unlikely that the access will ever be included in a postal run. We note that properties served by the access are currently readily and accurately located by mapping systems such as Google Maps using the Sutton Road address.

I have consulted [REDACTED] Sutton Road. They are in agreement with points 1 to 6 above (except that their preference for Goorooyarroo over Greenwood may not be as strong as ours).

History of the lane

When we purchased our property in 1964, access to Sutton Road was provided by a Crown road reserve running through the middle of the adjoining Portion 389.

At a NSW Land Court hearing in 1975 it was decided that the then existing road reserve be closed and a new fenced-out access to our property be excised from Portion [REDACTED]. As owners of Portion [REDACTED] we were given permission to construct the new access. This was completed about 1976.

Around 1978, Portion [REDACTED] was subdivided and one of the subdivisions needed primary access via that leading to my place. This subdivision is currently occupied by [REDACTED].

During the ensuing years traffic on the access has considerably increased such that the surface is now degraded.

[REDACTED]
10/10/2016

 Virus-free. www.avast.com

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting Attachment

12 APRIL 2017

ITEM 5.1 PLANNING PROPOSAL - MALBON STREET,
BUNGENDORE

ATTACHMENT 1 PLANNING PROPOSAL 14A MALBON ST

Ordinary Meeting

1 October 2015

Attachment 1

PALERANG COUNCIL PLANNING PROPOSAL, REZONING OF PART OF LOT 5 DP 1204393, 14A MALBON STREET, BUNGENDORE

Background

In recent years Council purchased No 12 (Lot 4 DP 1204393) and No 14 (Lot 1 DP 1198404) Malbon Street for the purposes of an off-street public car park to be built on the rear sections of the lots. Subsequently, subdivisions of both of these properties have occurred which have resulted in the creation of Lot 5 DP 1204393 (a single car park lot) and separate lots over the two houses which have retained their original street addresses. As part of the preparation of the *Palerang Local Environmental Plan 2014*, Council zoned the car park site including the rear parts of 12 (Lot 4 DP 1204393) and 14 (Lot 1 DP 1198404) Malbon Street and other lots to be used for the proposed car park SP2 Infrastructure (public car park). The remainder of Lot 5 DP 1204393 is currently zoned B2 Local Centre (see map 2 below). Council has prepared a preliminary plan for the construction of the car park.

Map 1 illustrates the location of Lot 5 DP 1204393 and Map 2 shows the current land use zoning of Lot 5 DP 1204393.



Ordinary Meeting

1 October 2015

Map 1 Location of Lot 5 DP 1204393

Source *Palerang Council and Land and Property Information*



Map 2 Extract from *Palerang Local Environmental Plan 2014 Land Zoning Map 4A* (note that the angled lot boundary lines are an artefact of the PDF rendering process and do not accurately reflect actual lot boundaries)

Source *Palerang Council and Land and Property Information*

Note The cadastre in Map 1 and Map 2 differs due to the subdivision (outlined above in the background).

Description of the Planning Proposal

Council has prepared a draft planning proposal to rezone the area of Lot 5 DP 1204393 currently zoned B2 Local Centre to SP2 Infrastructure for use as a public car park. The rezoning will apply a consistent zoning across all of Lot 5 and will remove the ability to construct a commercial building on its access handle (which is considered inappropriate). Map 3 below illustrates the proposed zoning.

Ordinary Meeting

1 October 2015

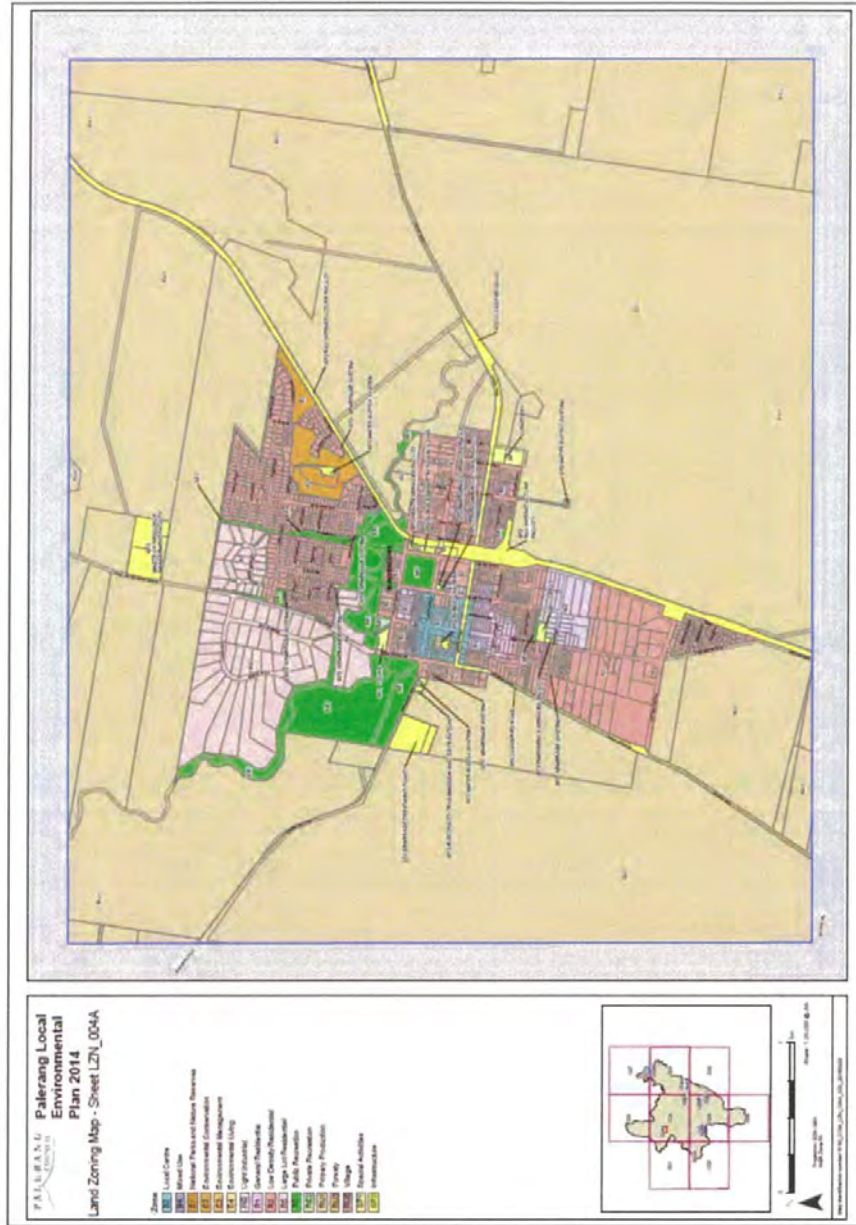


Map 3 Amended, *Palerang Local Environmental Plan 2014* Land Zoning Map 4A in detail (not the Zoning map that will be included in the *Palerang Local Environmental Plan 2014*). The area to be rezoned in this planning proposal is outlined in red.

Source *Palerang Council and Land and Property Information*

Ordinary Meeting

1 October 2015



Map 4 Amended *Palerang Local Environmental Plan 2014* Land Zoning Map 4A
Source *Palerang Council and Land and Property Information*

Ordinary Meeting

1 October 2015

Site description

The area to be rezoned contains several buildings and areas of exotic vegetation. The land is flat and there are no watercourses. The southern boundary fronts Malbon Street which forms part of the Kings Highway, this area is approximately ten metres wide. This part of Malbon Street is used for parking by people visiting the surrounding businesses.

PART 1 INTENDED OUTCOME

All of Lot 5 DP 1204393 is zoned SP2 Infrastructure (public car park).

PART 2 EXPLANATION OF PROVISIONS

The western and southern parts of Lot 5 DP 1204393 are zoned SP2 Infrastructure (public car park).

PART 3 JUSTIFICATION

SECTION A NEED FOR THE PLANNING PROPOSAL

Question 1 Is the planning proposal a result of any strategic study or report

The Bungendore Land Use Strategy and Structure Plan identifies opportunities for residential development at a broad scale. Bungendore is currently experiencing development growth in both commercial and residential development in some of the areas identified in the structure plan. Council is currently undertaking strategic planning work to manage this growth and to review the structure plan with a view to likely development over the next thirty years. The development of a central car park in is a key component in providing economic opportunities for Bungendore and managing the amenity of the area. The zoning of the whole of Lot 5 DP 1204393 SP2 Infrastructure (public car park) will enable the whole of the lot to be managed as a central car park.

Additionally, the removal of the B2 Local Centre land use zoning will prevent any structures or buildings (other than a community centre) that are not related to the car park being erected on the lot particularly the southern portion. A consideration in this has been that if a building is erected on Lot 5 DP 1204393 within in close proximity to an existing building on adjoining land then upgrading measures for the management of fire will be required under the Building Code of Australia if that building is proposed for commercial purposes.

Question 2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way

The planning proposal is the only means of achieving the intended outcome.

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SECTION B RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

Question 3 Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy

The *Sydney-Canberra Corridor Regional Strategy 2016-31* identifies that an additional 14,200 dwellings will be required in the Southern region up to 2031 and that there is some opportunity for the expansion of Bungendore (p37). At the time of the 2001 census, the population of Bungendore was 1,685 and in 2011 the population was 2,754 (ABS) with 967 dwellings (ABS). The planning proposal assists in the provision of a central car park in Bungendore that is commensurate with a town with an increasing residential population and associated commercial area.

Question 4(a) Is the planning proposal consistent with a council's local strategy or other local strategic plan

As outlined in the response to Part 3, Question 1, Council is reviewing the existing structure plan to manage growth in the residential and commercial areas. This work involves detailed planning in regard to land use, hard and soft infrastructure and character and amenity for Bungendore for the next thirty years.

Question 4(b) Is the planning proposal consistent with the local council's community plan, or other local strategic direction

Focus Area 4: Rural and Urban Development of the *Palerang Community Strategic Plan 2013-32* does not specifically discuss the growth of Bungendore. However, it seeks to manage development in a manner that takes into account water and natural resources and the rural character of the local government area.

Question 4(c) If the provisions of the planning proposal include the extinguishment of any interests in the land, an explanation of the reasons why the interests are proposed to be extinguished should be provided

There are no interests to be extinguished.

Question 4(d) The concurrence of the landowner, where the land is not owned by the relevant planning authority

Lot 5 DP 1204393 is owned by Palerang Council.

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1 October 2015

Question 5 Is the planning proposal consistent with the applicable State Environmental Planning Policies

	<i>Name of State Environmental Planning Policy</i>	<i>Consistency with applicable State Environmental Planning Policy</i>
21	Caravan Parks	Consistent - The planning proposal does not involve the construction of a caravan park
30	Intensive Agriculture	Consistent - The planning proposal does not involve intensive agriculture
32	Urban Consolidation (Redevelopment of Urban Land)	Consistent - The use of the land will assist in facilitating multi-unit housing in the inner part of Bungendore
33	Hazardous and Offensive Development	Consistent - The planning proposal does not involve hazardous and offensive development
36	Manufactured Home Estates	Consistent - The planning proposal does not involve manufactured home estates
44	Koala Habitat Protection	Consistent - There is no habitat suitable for koalas
50	Canal Estates	Consistent - The planning proposal does not involve canal estates
55	Remediation of Land	Consistent - The land will not be used for residential, educational, recreational, child care or hospital purposes.
62	Sustainable Aquaculture	Consistent - The planning proposal does not involve sustainable agriculture
64	Advertising and Signage	Consistent - The planning proposal does not involve advertising or signage
65	Design Quality of Residential Apartment Development	Consistent - The planning proposal does not involve the construction of residential apartment buildings
	SEPP (Affordable Rental Housing) 2009	Consistent - The planning proposal does not involve the construction of affordable rental housing
	SEPP (Housing for Seniors or People with a Disability) 2004	Consistent - The planning proposal does not involve housing specifically for seniors or people with a disability
	SEPP (Building Sustainability Index BASIX) 2004	Consistent - The planning proposal does not involve the design of housing

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1 October 2015

	Name of State Environmental Planning Policy	Consistency with applicable State Environmental Planning Policy
	SEPP (Major Development) 2005	Consistent - The planning proposal does not involve major development of the nature detailed in the SEPP (Major Development) 2005
	SEPP (Mining Petroleum Production and Extractive Industries) 2007	Consistent - The planning proposal does not involve mining petroleum production or extractive industries
	SEPP (Infrastructure)	Consistent
	SEPP (Miscellaneous Consent Provisions) 2007	Consistent - The planning proposal does not involve the erection of temporary structures
	SEPP (Exempt and Complying Development) 2008	Consistent
	SEPP (State and Regional Development) 2011	Consistent – the development is not state significant development

Question 6 Is the planning proposal consistent with applicable Ministerial Directions

	Name of direction	Consistency with applicable Ministerial Direction
1.1	Business and Industrial Zones	Consistent – the rezoning will encourage employment in Bungendore and does not reduce potential floor space. Development of the land for commercial purposes would not be consistent with the proposed car park and would not be appropriate.
2.1	Environmental Protection Zones	Inconsistent – there are no provisions in the planning proposal relating to the protection and conservation of environmentally sensitive areas. However the land has been heavily disturbed over a long time due to urban development and the inconsistency is justified.
2.3	Heritage Conservation	Inconsistent – The <i>Palerang Local Environmental Plan 2014</i> heritage schedule and associated map shows the lot as having a heritage item. However, this is due heritage items I207 (12 Malbon Street) and I208 (14 Malbon Street) being on the parent lots prior to subdivision (see above) and the inconsistency is justified. The mapping anomalies caused by subdivisions will be addressed in a future subdivision.
2.4	Recreation vehicle areas	Consistent. The planning proposal does not enable land to be developed for the purpose of a recreational vehicle area.

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1 October 2015

	Name of direction	Consistency with applicable Ministerial Direction
3.3	Home Occupation	Consistent - Dwelling houses are not permissible in the SP2 Infrastructure zone and no dwelling houses are located on the subject land.
3.4	Integrating Land Use and Transport	Consistent - The rezoning will assist in improving access to business and employment and in the longer term transport options
4.1	Acid Sulphate Soils	Consistent - The land is not mapped as having a probability of containing acid sulphate soils as it is not in a coastal region
4.3	Flood Prone Land	Consistent - the land is shown on the Palerang Local Environmental Plan 2014 Flood Planning Map. The use of the land as a car park is considered to comply with the <i>Floodplain Manual 2005</i>
5.1	Implementation of Regional Strategies	Consistent. The planning proposal is consistent with the <i>Sydney-Canberra Corridor Regional Strategy</i> (see above)
6.1	Approval and Referral Requirements	Consistent - The Planning Proposal will not result in development that requires additional concurrence or referral requirements.
6.2	Reserving Land for Public Purposes	Consistent - The land is owned by Palerang Council and the part of the land not subject to this planning proposal is currently zoned SP2 Infrastructure
6.3	Site Specific Provisions	Consistent - The planning proposal will zone the land SP2 Infrastructure which allows the public car park

SECTION C ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

Question 7 Is there any likelihood that critical habitat or threatened species populations or ecological communities or their habitats will be adversely affected as a result of the proposal

There is no critical habitat as listed in NSW legislation in the Palerang local government area. Lot 5 DP 1204393 has been disturbed through previous urban development.

Question 8 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed

No. The planning proposal will not alter the proposed development of the land under the drfat Car park development plan.

Question 9 Has the planning proposal adequately addressed any social and economic effects

As stated above, Council is currently undertaking strategic planning work in relation to the development of Bungendore. A key part of this will be the consideration of the economic environment. The car park is viewed as essential to the economic development of Bungendore.

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1 October 2015

SECTION D STATE AND COMMONWEALTH INTERESTS

There are no state or commonwealth interests as the car park will be owned and managed by Palerang Council.

Question 10 Is there adequate public infrastructure for the planning proposal

The surrounding roads are owned and managed by public authorities and all are sealed. It is considered that the associated public infrastructure is adequate.

Question 11 What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination

The views of government agencies have not been sought yet. The planning proposal will be sent to Roads and Maritime Services as the land fronts a classified road (Malbon Street/Kings Highway).

Part 4 Mapping

One amended, *Palerang Local Environmental Plan 2014* maps have been prepared -- *Palerang Local Environmental Plan 2014* Land Zoning Map 4A.

Part 5 Community consultation

The planning proposal will be exhibited for a minimum of 28 days.

Part 6 Project timeline

<i>task</i>	<i>anticipated completion date</i>
Date of gateway determination	October 2015
Government agency consultation	November 2015
Consideration of submissions by Council	December 2015
Community consultation	February 2016
Consideration of submissions by Council	March 2016
Submission to the NSW Department of Planning and Environment	April 2016
Amendment of the <i>Palerang Local Environmental Plan 2014</i>	June 2016

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting Attachment

12 APRIL 2017

ITEM 5.1 PLANNING PROPOSAL - MALBON STREET,
BUNGENDORE

ATTACHMENT 2 GATEWAY DETERMINATION



Planning &
Environment

Attachment 2.

24 March 2016

Contact: Meredith McIntyre
Phone: 02 6229 7912
Email: Meredith.mcintyre@planning.nsw.gov.au

Our ref: PP_2015_PALER_004_00 (15/16115-1)

Mr Peter Bascomb
General Manager
Palerang Council
PO Box 348
Bungendore NSW 2621

Attention: Sue Robb

Dear Mr Bascomb

Planning proposal to amend Palerang Local Environmental Plan 2014

I am writing in response to your Council's letter dated 23 October 2015 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to rezone Lot 5, DP 1204393 Malbon St, Bungendore to SP2 Infrastructure (public car park).

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed the planning proposal's inconsistency with S117 Direction 1.1 Business and Industrial Zones is of minor significance. In relation to S117 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the creation of land for public purposes on the basis that the land is owned and has been purchased by the Council for the purposes of a public car park. No further approval is required in relation to these Directions.

Plan making powers were delegated to councils by the Minister in October 2012. It is noted that Council has now accepted this delegation. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment for administrative purposes.

Planning and Environment - Southern Region
PO Box 5475 Wollongong NSW 2520 | T 02 4224 9450 | F 02 4224 9470 | www.planning.nsw.gov.au

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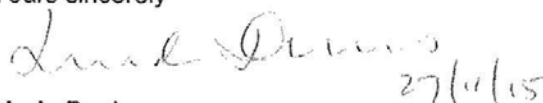
Ordinary Meeting

24 March 2016

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Ms Meredith McIntyre of the Department's regional office to assist you. Meredith can be contacted on (02) 6229 7912.

Yours sincerely

Handwritten signature of Linda Davis in cursive script, with the date '27/01/15' written below it.

Linda Davis
Acting General Manager
Southern Region
Planning Services

Encl:
Gateway Determination
Written Authorisation to Exercise Delegation
Attachment 5 – Delegated Plan Making Reporting Template



Planning &
Environment

24 March 2016

Gateway Determination

Planning proposal (Department Ref: PP_2015_PALER_004_00): to rezone Lot 5, DP 1204393, 14A Malbon Street, Bungendore from B2 Local Centre to SP2 Infrastructure (public car park).

I, the Acting General Manager, Southern Region at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Palerang Local Environmental Plan (LEP) 2014 to rezone Lot 5, DP 1204393, 14A Malbon Street, Bungendore from B2 Local Centre to SP2 Infrastructure (public car park) should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the *Environmental Planning and Assessment Act 1979* (the Act) as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A Guide to Preparing LEPs* (Department of Planning and Environment 2013).
2. No consultation is required with public authorities under section 56(2)(d) of the Act
3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
4. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 27th day of November 2015

Linda Davis
Acting General Manager
Southern Region
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning

Ordinary Meeting

24 March 2016



Planning &
Environment

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Palerang Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2015_PALER_004_00	Planning proposal to rezone Lot 5, DP 1204393, 14A Malbon Street, Bungendore from B2 Local Centre to SP2 Infrastructure (public car park)

In exercising the Minister's functions under section 59, the Council must comply with the Department of Planning and Environment's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated 27 / 11 / 2015

A handwritten signature in black ink, appearing to read "Linda Davis".

Linda Davis
Acting General Manager
Southern Region
Planning Services
Department of Planning and Environment



Mr John Wright
Director Planning and Environmental Services
Queanbeyan-Palerang Regional Council
PO Box 348
Bungendore NSW 2621

Our ref: 15/16115

Dear Mr Wright

Planning Proposal PP_2015_PALER_004_01 – Alteration of Gateway Determination

I am writing in relation to the need to extend the timeframe for finalising the above planning proposal to rezone land at Bungendore to SP2 Car Park.

I have determined as the delegate of the Minister, in accordance with section 56(7) of the *Environmental Planning and Assessment Act 1979* (the Act), to alter the Gateway determination dated 27 November 2015 for PP_2015_PALER_004_00. The Alteration of the Gateway Determination is enclosed.

If you have any questions in relation to this matter, I have arranged for Ms Meredith McIntyre to assist you. Meredith can be contacted on (02) 6226 7912.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Linda Davis', followed by the date '4/11/16' written vertically.

Linda Davis
Acting Director Regions
Southern
Planning Services

Encl:
Alteration to Gateway Determination



Planning &
Environment

Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2015_PALER_004_01)

I, Acting Director Regions, Southern at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* (the Act) to alter the Gateway determination dated 27 November 2015 for the proposed amendment to the Palerang Local Environmental Plan 2014 as follows:

1. Delete:

condition [4] "The timeframe for completing the LEP is to be **12 months** from the week following the Gateway determination."

and replace with:

a new condition [4] "The timeframe for completing the LEP is to be **15 months** from the date of the Gateway determination."

Dated 4th day of November 2016

A handwritten signature in black ink, appearing to read "Linda Davis".

Linda Davis
Acting Director Regions, Southern
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning



Mr Michael Thompson
Director Planning and Environmental Services
Queanbeyan-Palerang Regional Council
PO Box 348
BUNGENDORE NSW 2621

Our ref: 15/16115

Dear Mr Thompson

Planning Proposal PP_2015_PALER_004_02 – Alteration of Gateway Determination.

I am writing in relation to the need to extend the timeframe for finalising the above planning proposal to rezone land at Bungendore to SP2 Car Park.

I have determined as the delegate of the Minister, in accordance with section 56(7) of the *Environmental Planning and Assessment Act 1979* (the Act), to alter the Gateway determination dated 27 November 2015 for PP_2015_PALER_004_00 (as altered on 4 November 2016). The Alteration of the Gateway Determination is enclosed.

If you have any questions in relation to this matter, I have arranged for Ms Meredith McIntyre to assist you. Meredith can be contacted on (02) 6226 7912.

Yours sincerely

A handwritten signature in black ink, which appears to read 'Linda Davis 23/2/17'. The signature is written in a cursive, flowing style.

Linda Davis
Acting Director Regions
Southern
Planning Services

Encl:
Alteration to Gateway Determination

Planning and Environment - Southern Region
PO Box 5475 Wollongong NSW 2520 | T 02 4224 9450 | F 02 4224 9470 | www.planning.nsw.gov.au



Mr Michael Thompson
Director Planning and Environmental Services
Queanbeyan-Palerang Regional Council
PO Box 348
BUNGENDORE NSW 2621

Our ref: 15/16115

Dear Mr Thompson

Planning Proposal PP_2015_PALER_004_02 – Alteration of Gateway Determination.

I am writing in relation to the need to extend the timeframe for finalising the above planning proposal to rezone land at Bungendore to SP2 Car Park.

I have determined as the delegate of the Minister, in accordance with section 56(7) of the *Environmental Planning and Assessment Act 1979* (the Act), to alter the Gateway determination dated 27 November 2015 for PP_2015_PALER_004_00 (as altered on 4 November 2016). The Alteration of the Gateway Determination is enclosed.

If you have any questions in relation to this matter, I have arranged for Ms Meredith McIntyre to assist you. Meredith can be contacted on (02) 6226 7912.

Yours sincerely

A handwritten signature in black ink that reads 'Linda Davis' followed by the date '23/2/17'.

Linda Davis
Acting Director Regions
Southern
Planning Services

Encl:
Alteration to Gateway Determination

Planning and Environment - Southern Region
PO Box 5475 Wollongong NSW 2520 | T 02 4224 9450 | F 02 4224 9470 | www.planning.nsw.gov.au



Planning &
Environment

Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2015_PALER_004_02)

I, Acting Director Regions, Southern at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* (the Act) to alter the Gateway determination dated 27 November 2015 for the proposed amendment to the Palerang Local Environmental Plan 2014 as follows:

1. Delete:

condition [4] "The timeframe for completing the LEP is to be **15 months** from the date of the Gateway determination."

and replace with:

a new condition [4] "The timeframe for completing the LEP is to be **21 months** from the date of the Gateway determination."

Dated 23rd day of February 2017

A handwritten signature in black ink, appearing to read "Linda Davis".

Linda Davis
Acting Director Regions, Southern
Planning Services
Department of Planning and
Environment

Delegate of the Minister for Planning

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting Attachment

12 APRIL 2017

ITEM 5.1 PLANNING PROPOSAL - MALBON STREET,
BUNGENDORE

ATTACHMENT 3 PARLIAMENTARY COUNSEL OPINION



PARLIAMENTARY COUNSEL

Opinion

Environmental Planning and Assessment Act 1979
Proposed Palerang Local Environmental Plan 2014 (Amendment No 4)

Your ref: Chris Kurzyniec PROJ0035/11; PP_2015_PALER_004_01
Our ref: FHG e2017-049.d03

In my opinion the attached draft environmental planning instrument may legally be made.

When the environmental planning instrument is made, a map cover sheet that lists the final form of the map adopted by the instrument should be signed by the person making the instrument.

A handwritten signature in black ink, appearing to read 'D Colagiuri'.

(D COLAGIURI)
Parliamentary Counsel
22 March 2017



Palerang Local Environmental Plan 2014 (Amendment No 4)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979.

Minister for Planning

e2017-049.d03

C:\Docs\lep\e2017-049\d03\e2017-049EXN.fm 23/2/17, 04:03 pm

Palerang Local Environmental Plan 2014 (Amendment No 4) [NSW]

Palerang Local Environmental Plan 2014 (Amendment No 4)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Palerang Local Environmental Plan 2014 (Amendment No 4)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to part of Lot 5, DP 1204393, being part of 14A Malbon Street, Bungendore.

4 Maps

The maps adopted by *Palerang Local Environmental Plan 2014* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Plan.

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting Attachment

12 APRIL 2017

- | | |
|--------------|--|
| ITEM 5.2 | PLANNING PROPOSAL - CAPTAINS FLAT FLOOD MAP
AND MISCELLANEOUS MATTERS |
| ATTACHMENT 1 | PLANNING PROPOSAL - CAPTAINS FLOOD MAP AND
OTHER AMENDMENTS |

Ordinary Meeting

6 November 2014

Attachment 1: Planning Proposal

Planning Proposal, *Palerang Local Environmental Plan 2014*, insertion of Captains Flat flood planning area map, amendment of the heritage schedule and heritage map no.4 and amendment of the numbering of clauses

The planning proposal concerns the following matters:

Captains Flat Flood Planning Map

The *Palerang Local Environmental Plan 2014* contains clause 6.2 *Flood planning* and associated maps for Bungendore and Braidwood. At the time of making the majority of the local environmental plan maps, data was only available for Braidwood and Bungendore. As a result of modelling carried out as part of the Captains Flat Flood Study, Council now has the flood planning level (1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard) data for Captains Flat.

The incorporation of the Flood Planning Map into the PLEP 2014 does not alter the flood planning provisions that apply in the flood affected parts of Captains Flat. Clause 6.2 *Flood planning* of the PLEP 2014 applies equally to land shown on a flood planning map and 'other land at or below the flood planning level'. Thus as soon as data becomes available to determine where the flood planning level is located, the flood planning clause applies to land at or below that level. On the other hand the ability to carry out exempt or complying development on land within the flood planning area is affected, because clause 3.3 *Environmentally sensitive areas excluded* (subclause (2)(b)) refers only to land identified on the Flood Planning Map, not other land at or below the flood planning level.

The inclusion of the Captains Flat Flood Planning Map in the *Palerang Local Environmental Plan 2014* will mean that land that has been identified as being within in the flood planning level will be identified on a publicly available map. This will mean that flood information will be easily available to the community, developers and government agencies which will assist in managing the flood hazard in Captains Flat. The map to be included in the *Palerang Local Environmental Plan 2014* is attached.

The inclusion of Lot 11 DP 237079, Item no 175 in Schedule 5 Environmental Heritage in the Palerang Local Environmental Plan 2014 Heritage map

Item 175 of Schedule 5 Environmental Heritage in the *Palerang Local Environmental Plan 2014*, Currandooley, including stables and garden is located on Lot 11 DP 237079, however, the heritage item is not shown on the *Palerang Local Environmental Plan 2014* Heritage Map 4. It is a requirement that items in Schedule 5 are mapped. The planning proposal seeks to amend Heritage map no.4 of the *Palerang Local Environmental Plan 2014* to include item no. 175. The map to be included in the *Palerang Local Environmental Plan 2014* is attached.

Insertion of the property description for Item 233 in Schedule 5 Environmental Heritage of the Palerang Local Environmental Plan 2014

The property description for item 233 (Werriwa, including gardens and outbuildings) has not been included in Schedule 5 Environmental Heritage of the *Palerang Local Environmental Plan 2014*. The planning proposal seeks to include Lot 1 DP 1173605 in Item 233 of Schedule 5 Environmental Heritage of the *Palerang Local Environmental Plan 2014*.

The numbering of clauses 6.7 Highly erodible soils and Slopes over 18 degrees

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The *Palerang Local Environmental Plan 2014* contains two clauses concerning highly erodible soils and slopes over 18 degrees. Both clauses have been numbered 6.7. The planning proposal seeks to amend the numbering of the *Palerang Local Environmental Plan 2014*.

To amend the local environmental plan it is necessary to prepare and publicly exhibit a planning proposal, consider any submissions received, and following this, for the Minister for Planning to agree to the amendment. The following section outlines the planning proposal process.

Part 1 Intended outcome

The intended outcome of the planning proposal is the inclusion of the Captains Flat Flood Planning Map and the correction of a number of minor errors in the *Palerang Local Environmental Plan 2014*, specifically:

- the identification of Lot 11 DP 237079, Item no 175 in Schedule 5 Environmental Heritage on *Palerang Local Environmental Plan 2014* Heritage map 4;
- the inclusion of 'Lot 1 DP 1173605' as the property description for Item 233, in Schedule 5 Environmental Heritage of the *Palerang Local Environmental Plan 2014*; and
- the renumbering of Clause 6.7 Slopes over 18 degrees as clause '6.7A'.

Part 2 Explanation of provisions

The amendments are minor and will fit within the existing *Palerang Local Environmental Plan 2014* provisions. The amendments do not represent any policy changes directly relating to flood planning, but will affect the ability to carry out exempt or complying development on land identified as within the flood planning area, because of the operation of clause 3.3 of the *Palerang Local Environmental Plan 2014*.

Part 3 Justification

Section A Need for the planning proposal

Question 1 Is the planning proposal a result of any strategic study or report

The planning proposal is not part of a strategic study or a report.

Question 2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way

The planning proposal is the only means of achieving the intended outcome.

Section B Relationship to strategic planning framework

Question 3 Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy

The planning proposal is site specific and not of a regional or sub-regional nature.

Question 4(a) Is the planning proposal consistent with a council's local strategy or other local strategic plan

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Palerang Council does not have a local strategic plan.

Question 4(b) Is the planning proposal consistent with the local council's community plan, or other local strategic direction

The planning proposal is consistent with the *Palerang Community Strategic Plan 2013-32*.

Question 4(c) If the provisions of the planning proposal include the extinguishment of any interests in the land, an explanation of the reasons why the interests are proposed to be extinguished should be provided

There are no interests to be extinguished.

Question 4(d) the concurrence of the landowner, where the land is not owned by the relevant planning authority

Not applicable.

Question 5 Is the planning proposal consistent with the applicable State Environmental Planning Policies

There are no applicable State Environmental Planning Policies

Question 6 Is the planning proposal consistent with applicable Ministerial Directions

	<i>Name of direction</i>	<i>Consistent with the direction</i>
1.2	Rural Zones	Consistent - The planning proposal does not rezone rural land or contain provisions that will increase the permissible density of rural land (other than land within an existing town or village)
1.5	Rural Lands	Consistent - the planning proposal is consistent with the Rural Planning Principles of the <i>State Environmental Planning Policy (Rural Lands) 2008</i>
2.1	Environmental Protection Zones	Inconsistent - The planning proposal does not include provisions that facilitate the protection and conservation of environmentally sensitive areas. However, the existing environmental protection standards of the <i>Palerang Local Environmental Plan 2014</i> will continue to apply and the inconsistency is of minor significance.
2.3	Heritage Conservation	Consistent - The planning proposal contains provisions that facilitate the conservation of environmental heritage items by correcting minor errors in the <i>Palerang Local Environmental Plan 2014</i> heritage schedule and map.
2.4	Recreation vehicle areas	Consistent - The planning proposal will not enable the land to be developed for the purpose of a recreation

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		vehicle area.
3.1	Residential Zones	<p>Inconsistent – The planning proposal does not encourage housing that will:</p> <ul style="list-style-type: none"> • broaden the choice of building types and locations available in the housing market • make more efficient use of existing infrastructure and services • reduce the consumption of land for housing and associated urban development on the urban fringe • be of good design <p>The inconsistency is considered minor as the Captains Flat Flood Planning Area map will improve the wellbeing of residents of the Captains Flat residential area.</p>
3.2	Caravan Parks and Manufactured Home Estates	Consistent – The planning proposal does not alter provisions in relation to Caravan Parks and Manufactured Home Estates.
3.3	Home Occupations	Consistent – The planning proposal does not require development consent for home occupations.
4.3	Flood Prone Land	Consistent – The planning proposal in relation to the Captains Flat Flood Planning Area map is consistent with the NSW Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i> .
4.4	Planning for Bushfire Protection	Consistent – The land is shown on Council's bushfire map as bushfire prone land. The planning proposal will be referred to the NSW Rural Fire Service.
5.1	Implementation of Regional Strategies	Consistent – The Sydney-Canberra Corridor Regional Strategy deals with issues at a regional scale that is not relevant to this site specific planning proposal.
6.1	Approval and Referral Requirements	Consistent – The planning proposal does not contain concurrence, consultant or referral provisions.
6.2	Reserving Land for Public Purposes	Consistent – The planning proposal does not create, alter or reduce existing zonings or reservations of land for public purposes.

Section C Environmental, social and economic impact

Question 7 Is there any likelihood that critical habitat or threatened species populations or ecological communities or their habitats will be adversely affected as a result of the proposal

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There is no critical habitat in the Palerang local government area. The amendments will not impact threatened species populations or endangered ecological communities.

Question 8 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed

No.

Question 9 Has the planning proposal adequately addressed any social and economic effects

Yes, the insertion of the Captains Flat Flood Planning Area map will assist in improving the wellbeing of the Captains Flat community.

Section D State and Commonwealth interests

Question 10 Is there adequate public infrastructure for the planning proposal

Not applicable.

Question 11 What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination

The NSW or Commonwealth public authorities have not been consulted. The planning proposal will be referred to the NSW Rural Fire Service, the NSW Office of Environment and Heritage and the NSW State Emergency Service.

Part 4 Mapping

The Captains Flat Flood Planning Map will be an additional map (attached) in the *Palerang Local Environmental Plan 2014* and there will be one amendment to the existing Heritage Map no. 4 of the *Palerang Local Environmental Plan 2014*.

Part 5 Community consultation

The Planning Proposal will be exhibited for 14 days due to the minor nature of the amendments. The Captains Flat community is aware of the flood hazard due to flood events and the recent completion of a flood study in the Captains Flat village. Community members sit on the Captains Flat Floodplain committee.

A public hearing is not considered necessary.

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Part 6 Project timeline

<i>stage</i>	<i>anticipated completion date</i>
Anticipated commencement date (date of gateway determination)	December 2014
Anticipated timeframe for government agency consultation	Mid February 2015
Anticipated commencement and completion dates for public exhibition period	April 2015
Anticipated timeframe for consideration of submissions	May 2015
Anticipated date of report to Council	June 2015
Anticipated date of submissions, Council report and recommendation to the NSW Department of Planning and Environment and to finalise the draft local environmental plan	July 2015
Anticipated date local environmental plan will be amended	August 2015

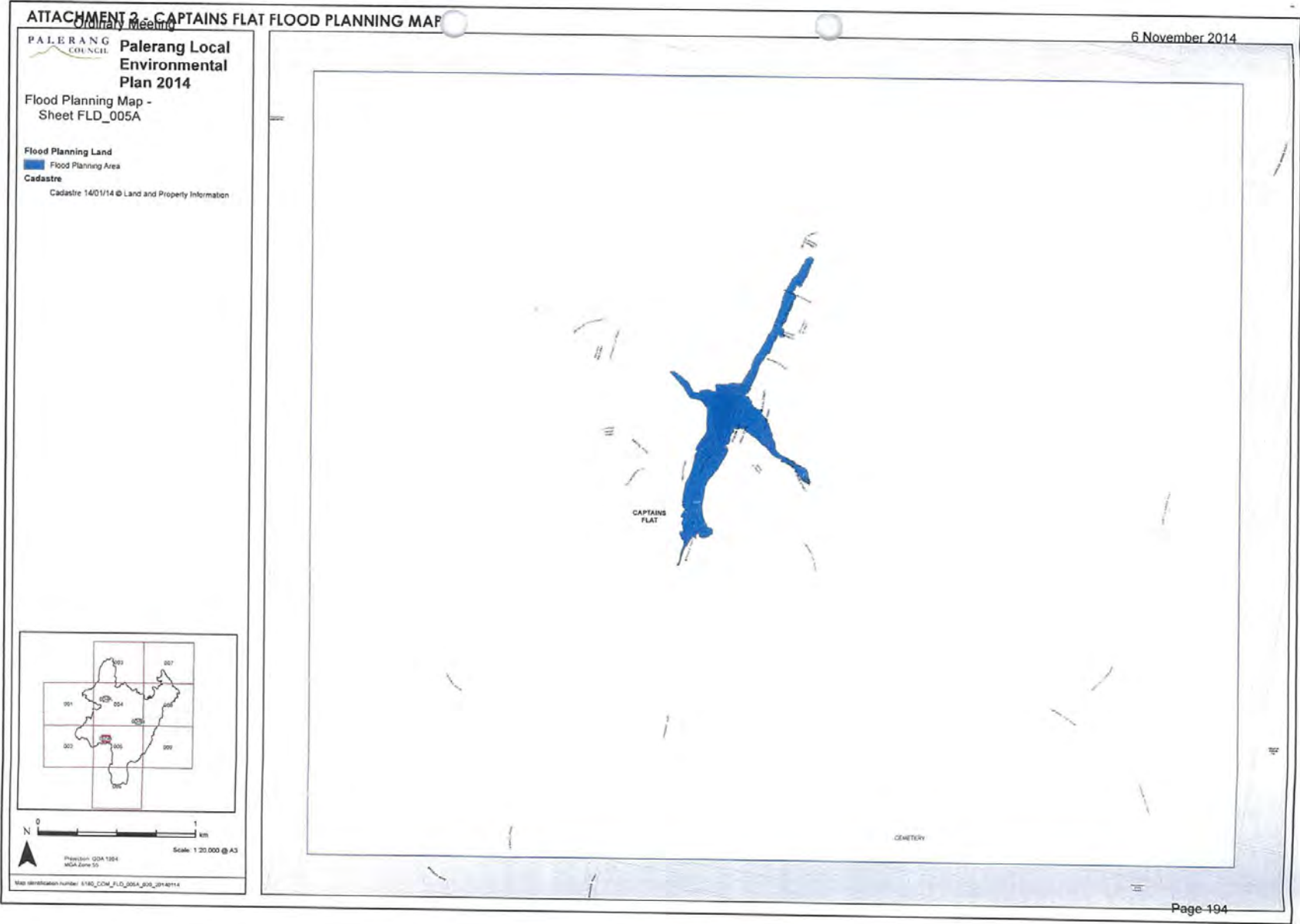
Ordinary Meeting

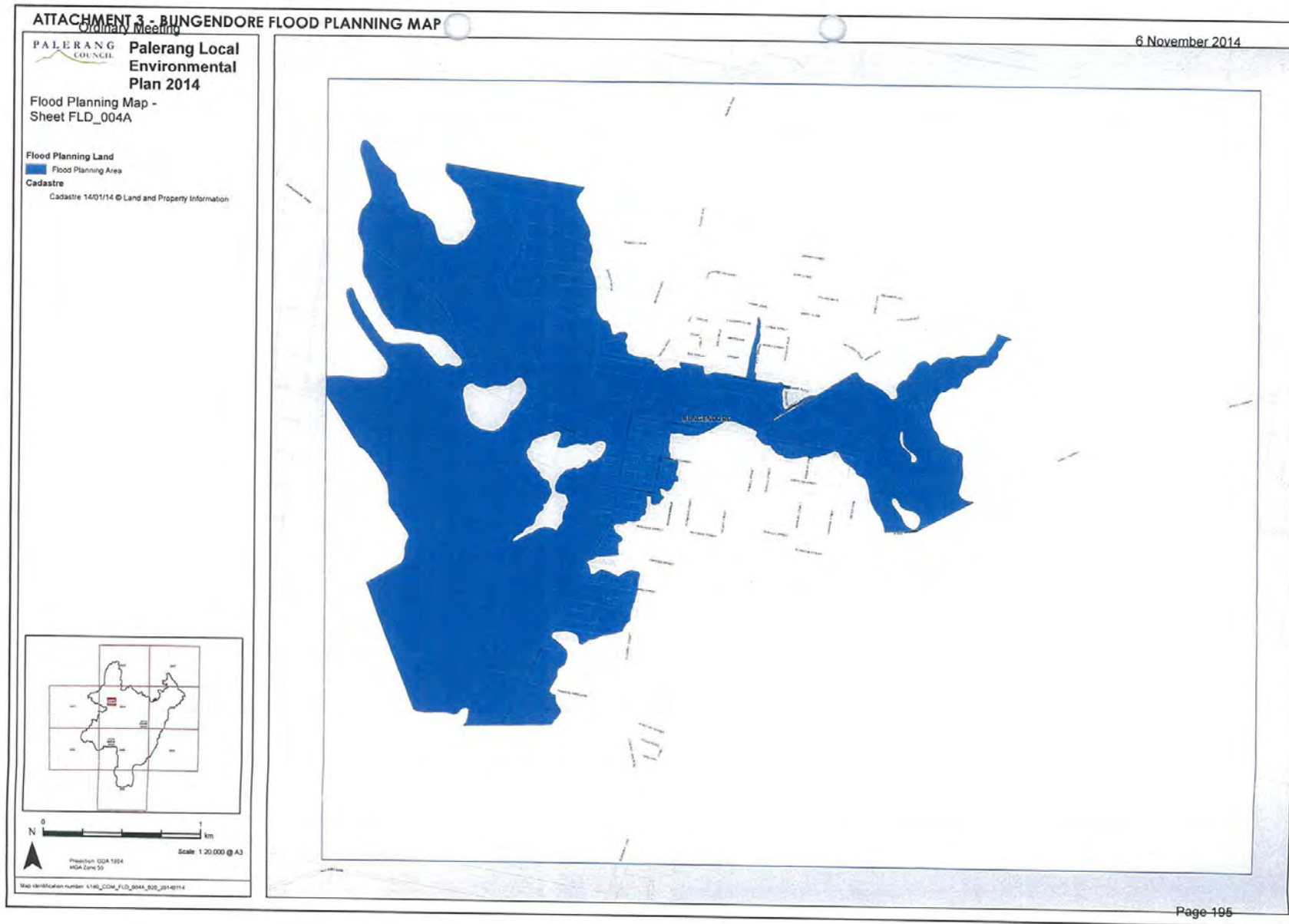
6 November 2014

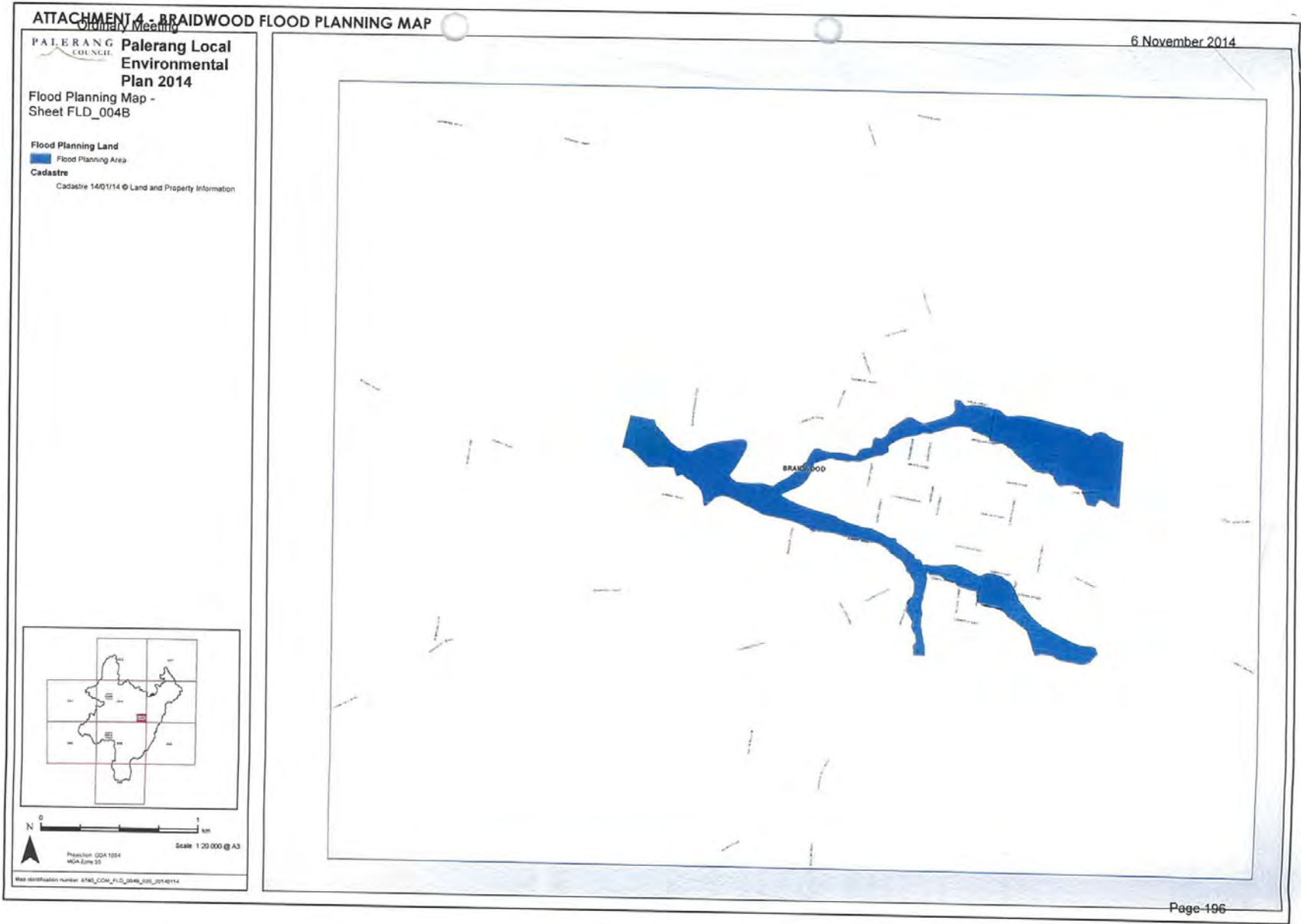
Map 1 Captains Flat Flood Planning Area Map, *Palerang Local Environmental Plan 2014*

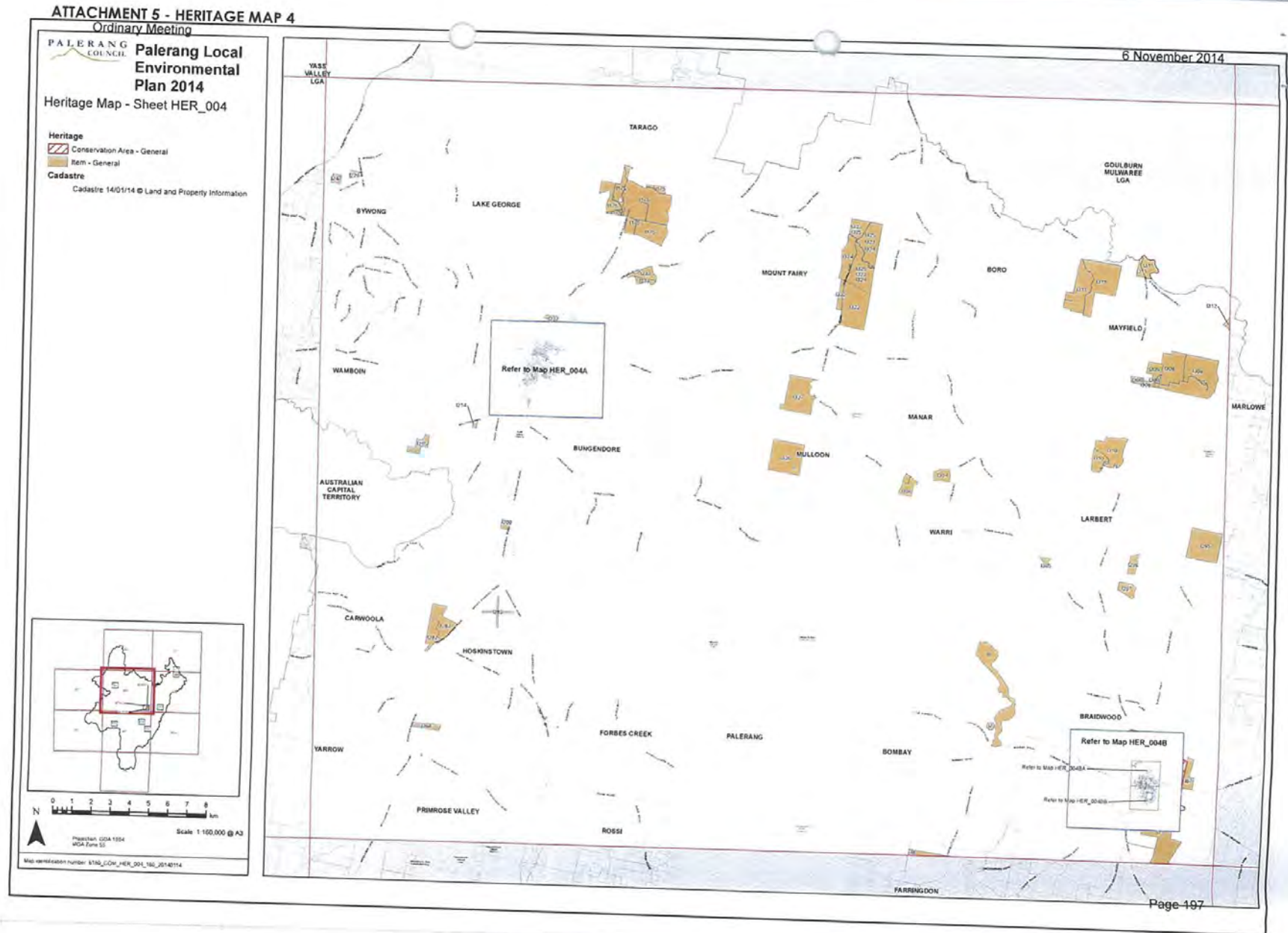
Map 2 Map 4 Heritage, *Palerang Local Environmental Plan 2014*

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QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting Attachment

12 APRIL 2017

ITEM 5.2 PLANNING PROPOSAL - CAPTAINS FLAT FLOOD MAP
AND MISCELLANEOUS MATTERS

ATTACHMENT 2 GATEWAY DETERMINATION



Planning & Environment

Mr Peter Bascomb
The General Manager
Palerang Council
PO Box 348
BUNGENDORE NSW 2621

Our ref: PP_2014_PALER_003_00 (14/19702)
Your ref: PROJ0035/11

Attention: John Wright/Sue Robb

Dear Mr Bascomb,

Planning proposal to amend Palerang Local Environmental Plan 2014

I am writing in response to your Council's letter dated 17 November 2014 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend Palerang Local Environmental Plan (the LEP) 2014 to:

- insert a flood map for Captains Flat township,
- to update existing flood maps consistent with technical requirements,
- to correct a missing heritage item on the Heritage Maps,
- to insert a missing property description for an existing heritage item in Schedule 5 of the LEP, and
- to amend an incorrect numbering of clauses.

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed that any inconsistencies between the planning proposal and S117 Directions 2.3 *Heritage Conservation* and 4.3 *Flood Prone Land* are of minor significance in the circumstances. No further approval is required in relation to these Directions.

Plan making powers were delegated to councils by the Minister in October 2012. It is noted that Council has now accepted this delegation. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending LEP is to be finalised within 12 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment for administrative purposes.

Southern Region Level 2 Block G 84 Crown Street WOLLONGONG NSW 2500
Telephone: (02) 4224 9450

Facsimile: (02) 4224 9470

PO Box 5475 WOLLONGONG NSW 2520
Website: www.planning.nsw.gov.au

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Martin Brown of the Department's regional office to assist you. Mr Brown can be contacted on (02) 62297913.

Yours sincerely,



Brett Whitworth
General Manager
Southern Region
Planning Services

Encl:
Gateway Determination
Written Authorisation to Exercise Delegation
Attachment 5 – Delegated Plan Making Reporting Template



Planning & Environment

Gateway Determination

Planning proposal (Department Ref: PP_2014_PALER_003_00): to amend Palerang Local Environmental Plan (LEP) 2014 to insert a flood map for Captains Flat township; to update existing flood maps consistent with technical requirements; to correct a missing heritage item on the Heritage Maps; to insert a missing property description for an existing heritage item in Schedule 5 and to amend an incorrect numbering of clauses.

I, the General Manager, Southern Region at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Palerang Local Environmental Plan 2014 ("the LEP") to insert a flood map for Captains Flat township; to update existing flood maps consistent with technical requirements; to correct a missing heritage item on the Heritage Maps; to insert a missing property description for an existing heritage item in Schedule 5 and to amend an incorrect numbering of clauses, should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - the planning proposal must be made publicly available for a minimum of **14 days**; and
 - the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A Guide to Preparing LEPs (Department of Planning and Environment 2013)*.
2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:
 - NSW Office of Environment and Heritage
 - NSW State Emergency Service
 - NSW Rural Fire Service

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
4. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 4th day of December 2014.

A handwritten signature in blue ink, appearing to read "Brett Whitworth".

Brett Whitworth
General Manager
Southern Region
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Palerang Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2014_PALER_003_00	Planning proposal to insert a flood map for Captains Flat township; to update existing flood maps consistent with technical requirements; to correct a missing heritage item on the Heritage Maps; to insert a missing property description for an existing heritage item in Schedule 5 and to amend an incorrect numbering of clauses.

In exercising the Minister's functions under section 59, the Council must comply with the Department of Planning and Environment's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated 4th December 2014

A handwritten signature in blue ink, appearing to read "Brett Whitworth".

Brett Whitworth
General Manager
Southern Region
Planning Services
Department of Planning and Environment



Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the Department of Planning and Environment following receipt of the planning proposal
- The Department of Planning and Environment will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the Department of Planning and Environment with the RPA's request to have the LEP notified

Table 1 – To be completed by Department of Planning and Environment

Stage	Date/Details
Planning Proposal Number	PP_2014_PALER_003_00
Date Sent to DP&E under s56	17/11/2014
Gateway determination date	

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Have changes been made to the draft LEP after obtaining final PC opinion?	YES NO	
Date LEP made by GM (or other) under delegation		
Date sent to DoP&E requesting notification		

Table 3 – To be completed by Department of Planning and Environment

Stage	Date/Details
Notification Date and details	

Additional relevant information:



Mr John Wright
Director Planning and Environmental Services
Palerang Council
PO Box 348
Bungendore NSW 2621

Our ref: 14/19702
Your ref: PROJ0035/11

Dear Mr Wright

Planning Proposal PP_2014_PALER_003_00 – Alteration of Gateway Determination

I have determined as the delegate of the Minister, in accordance with section 56(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determination dated 4 December 2014 for PP_2014_PALER_003_00. The Alteration of the Gateway Determination is enclosed.

If you have any questions in relation to this matter, I have arranged for Ms Meredith McIntyre to assist you. Meredith can be contacted on (02) 6226 7912.

Yours sincerely

A handwritten signature in dark ink, appearing to read "Linda Davis". To the right of the signature, the date "20/11/15" is handwritten in the same ink.

Linda Davis
Acting General Manager
Southern Region
Planning Services

Encl:
Alteration to Gateway Determination

Planning and Environment - Southern Region
PO Box 5475 Wollongong NSW 2520 || T 02 4224 9450 | F 02 4224 9470 | www.planning.nsw.gov.au



Planning &
Environment

Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2014_PALER_003_00)

I, Acting General Manager, Southern Region at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* (the Act) to alter the Gateway determination dated 4 December 2014 for the proposed amendment to the Palerang Local Environmental Plan 2014 as follows:

1. Delete:

"condition [4]"

and replace with:

a new condition [4] "The timeframe for completing the LEP is to be **18 months** from the week following the date of the Gateway determination."

Dated 20th day of November 2015

A handwritten signature in black ink, appearing to read "Linda Davis".

Linda Davis
Acting General Manager, Southern Region
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning



Planning &
Environment

Mr John Wright
Director Planning and Environmental Services
Queanbeyan-Palerang Regional Council
PO Box 348
Bungendore NSW 2621

Our ref: 14/19702
Your ref: PROJ0035/11

Dear Mr Wright

Planning Proposal PP_2014_PALER_003_00 – Alteration of Gateway Determination

I have determined as the delegate of the Minister, in accordance with section 56(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determination dated 4 December 2014 for PP_2014_PALER_003_00 that updates the Captain's Flat flood map, updates other flood maps, corrects errors on a Heritage Map and Schedule 5 of the LEP and amends the incorrect numbering of clauses in the LEP. The Alteration of the Gateway Determination is enclosed.

If you have any questions in relation to this matter, I have arranged for Ms Meredith McIntyre to assist you. Meredith can be contacted on (02) 6226 7912.

Yours sincerely

A handwritten signature in black ink, appearing to read "Linda Davis", with the date "31/5/16" written below it.

**Linda Davis
Acting Director
Southern Region
Planning Services**

Encl:
Alteration to Gateway Determination

Planning and Environment - Southern Region
PO Box 5475 Wollongong NSW 2520 || T 02 4224 9450 | F 02 4224 9470 | www.planning.nsw.gov.au



Planning &
Environment

Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2014_PALER_003_00)

I, Acting Director, Southern Region at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* (the Act) to alter the Gateway determination dated 4 December 2014 for the proposed amendment to the Palerang Local Environmental Plan 2014 as follows:

1. Delete:

"condition [4]"

and replace with:

a new condition [4] "The timeframe for completing the LEP is to be **24 months** from the date of the Gateway determination."

Dated 31st day of May 2016

A handwritten signature in black ink, appearing to read "Linda Davis".

Linda Davis
Acting Director, Southern Region
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning



Planning &
Environment

Mr John Wright
Director Planning and Environmental Services
Queanbeyan-Palerang Regional Council
PO Box 348
Bungendore NSW 2621

Our ref: 14/19702
Your ref: PROJ0035/11

Dear Mr Wright

Planning Proposal PP_2014_PALER_003_03 – Alteration of Gateway Determination

I am writing in relation to the need to extend the timeframe for finalising the above planning proposal that updates the Captain's Flat flood map, updates other flood maps, corrects errors on a Heritage Map and Schedule 5 of the LEP and amends the incorrect numbering of clauses in the LEP

I have determined as the delegate of the Minister, in accordance with section 56(7) of the *Environmental Planning and Assessment Act 1979* (the Act) to alter the Gateway determination dated 4 December 2014 for PP_2014_PALER_003_00. The Alteration of the Gateway Determination is enclosed.

If you have any questions in relation to this matter, I have arranged for Ms Meredith McIntyre to assist you. Meredith can be contacted on (02) 6226 7912.

Yours sincerely

A handwritten signature in black ink, appearing to read "Linda Davis".

3/11/16

Linda Davis
Acting Director Regions
Southern
Planning Services

Encl:
Alteration to Gateway Determination

Planning and Environment - Southern Region
PO Box 5475 Wollongong NSW 2520 || T 02 4224 9450 | F 02 4224 9470 | www.planning.nsw.gov.au



Planning &
Environment

Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2014_PALER_003_03)

I, Acting Director Regions, Southern at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* (the Act) to alter the Gateway determination dated 4 December 2014 for the proposed amendment to the Palerang Local Environmental Plan 2014 as follows:

1. Delete:

condition [4] "The timeframe for completing the LEP is to be **12 months** from the date of the Gateway determination."

and replace with:

a new condition [4] "The timeframe for completing the LEP is to be **27 months** from the date of the Gateway determination."

Dated 3rd day of November 2016

A handwritten signature in black ink, appearing to read "Linda Davis".

Linda Davis
Acting Director Regions, Southern
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning



Planning &
Environment

Mr Michael Thompson
Director Planning and Environmental Services
Queanbeyan-Palerang Regional Council
PO Box 348
BUNGENDORE NSW 2621

Our ref: 14/19702
Your ref: PROJ0035/11

Dear Mr Thompson

Planning Proposal PP_2014_PALER_003_04 – Alteration of Gateway Determination

I refer to Council's email of 15 February 2017 seeking an extension of time to complete Planning Proposal PP_2014_PALER_003_04 which updates the Captain's Flat flood map, updates other flood maps, corrects errors on a Heritage Map and Schedule 5 of the Palerang Local Environmental Plan 2014 (LEP) and amends the incorrect numbering of clauses in the LEP.

I have determined as the delegate of the Minister, in accordance with section 56(7) of the *Environmental Planning and Assessment Act 1979* (the Act) to alter the Gateway determination dated 4 December 2014 for PP_2014_PALER_003_00 (as altered). The Alteration of the Gateway Determination is enclosed.

I note that Council has received 4 extensions to this Gateway determination since it was issued in 2014. I would appreciate if Council could provide advice about the milestones yet to be completed to finalise this LEP. I would encourage Council to provide sufficient resources to have this LEP completed by the new Gateway timeframe.

If you have any questions in relation to this matter, I have arranged for Ms Meredith McIntyre to assist you. Meredith can be contacted on (02) 6226 7912.

Yours sincerely

A handwritten signature in black ink, appearing to read "Linda Davis", with the date "24/2/17" written below it.

Linda Davis
Acting Director Regions
Southern
Planning Services

Encl:
Alteration to Gateway Determination

Planning and Environment - Southern Region
PO Box 5475 Wollongong NSW 2520 | T 02 4224 9450 | F 02 4224 9470 | www.planning.nsw.gov.au



Planning &
Environment

Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2014_PALER_003_04)

I, Acting Director Regions, Southern at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* (the Act) to alter the Gateway determination dated 4 December 2014 for the proposed amendment to the Palerang Local Environmental Plan 2014 as follows:

1. Delete:

condition [4] "The timeframe for completing the LEP is to be **27 months** from the date of the Gateway determination."

and replace with:

a new condition [4] "The timeframe for completing the LEP is to be **33 months** from the date of the Gateway determination."

Dated 24th day of February 2016

A handwritten signature in black ink, appearing to read "Linda Davis".

Linda Davis
Acting Director Regions, Southern
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting Attachment

12 APRIL 2017

ITEM 5.2 PLANNING PROPOSAL - CAPTAINS FLAT FLOOD MAP
AND MISCELLANEOUS MATTERS

ATTACHMENT 3 PARLIAMENTARY COUNSEL OPINION & DRAFT FLOOD
MAPS



PARLIAMENTARY COUNSEL

Opinion

Environmental Planning and Assessment Act 1979
Proposed Palerang Local Environmental Plan 2014 (Amendment No 3)

Your ref: Sue Robb
Our ref: FHG e2016-056.d06

In my opinion the attached draft environmental planning instrument may legally be made.

When the environmental planning instrument is made, a map cover sheet that lists the final form of the maps adopted by the instrument should be signed by the person making the instrument.

A handwritten signature in black ink, appearing to read 'D Colagiuri'.

(D COLAGIURI)
Parliamentary Counsel
16 February 2017



New South Wales

Palerang Local Environmental Plan 2014 (Amendment No 3)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979.

Minister for Planning

e2016-056 d06

\\Docs\ep\2016-056\d06\2016-056EXN fm 14/2/17 05:09 pm

Palerang Local Environmental Plan 2014 (Amendment No 3) [NSW]

Palerang Local Environmental Plan 2014 (Amendment No 3)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Palerang Local Environmental Plan 2014 (Amendment No 3)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to land to which *Palerang Local Environmental Plan 2014* applies, and, in particular, to the following land:

- (a) Lot 11, DP 237079, land known as Currandooley, including stables and garden, Currandooley Road, Bungendore,
- (b) Lot 1, DP 1173605, land known as Werriwa, including gardens and outbuildings, 866 Tarago Road, Bungendore,
- (c) certain land at Captains Flat identified as "Flood Planning Area" on the Flood Planning Map.

4 Maps

The maps adopted by *Palerang Local Environmental Plan 2014* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Plan.

5 Amendment of Palerang Local Environmental Plan 2014

(1) Clause 1.2 Aims of Plan

Omit "Palerang" from clause 1.2 (1).

Insert instead "that part of Queanbeyan-Palerang Regional local government area to which this Plan applies (in this Plan referred to as *Palerang*)".

(2) Clause 6.7 Slopes over 18 degrees

Renumber the clause as clause 6.7A.

(3) Schedule 5 Environmental heritage

Insert "Lot 1, DP 1173605" under the heading "Property description" in the matter relating to item no I233 in Part 1.

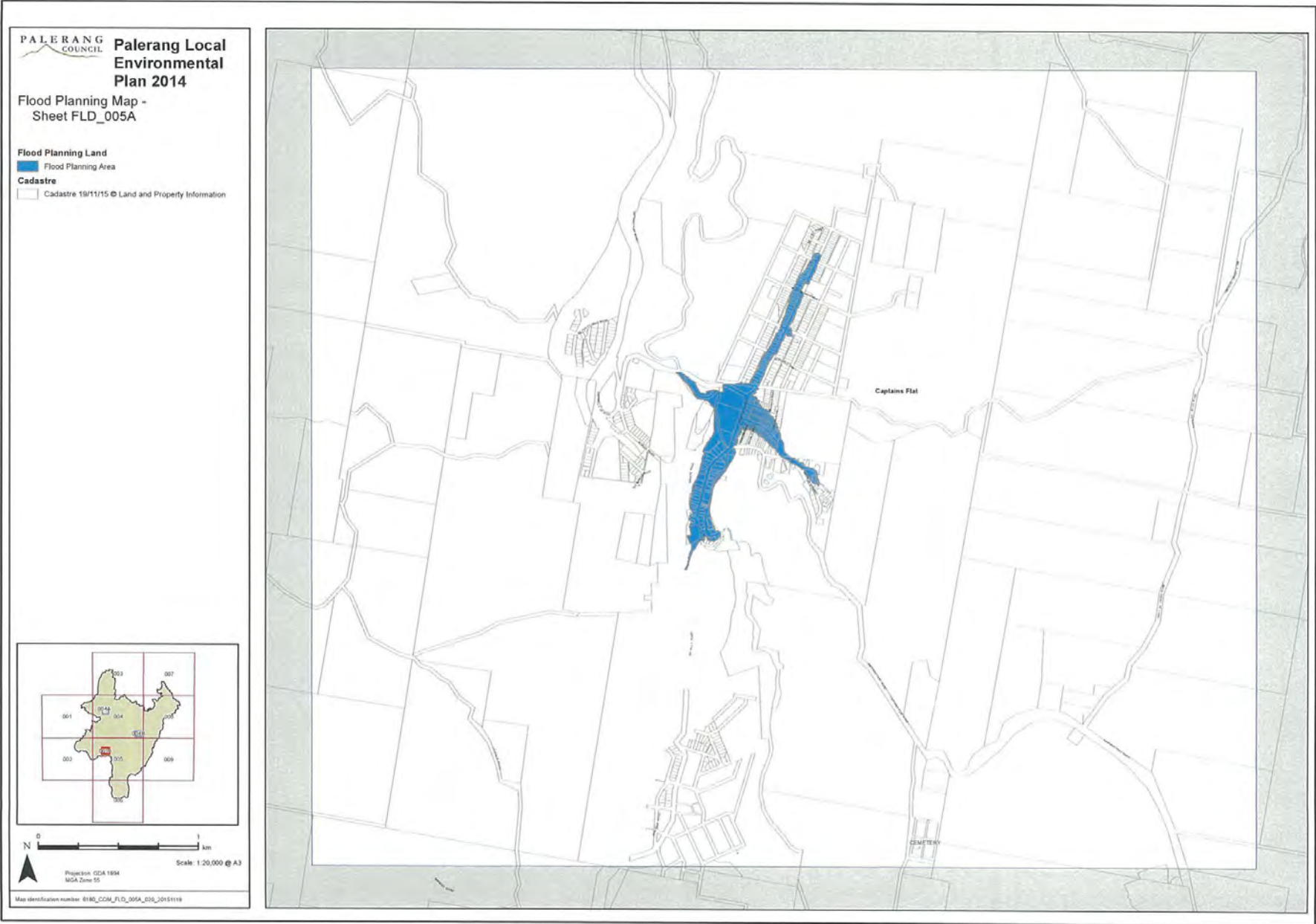
(4) Dictionary

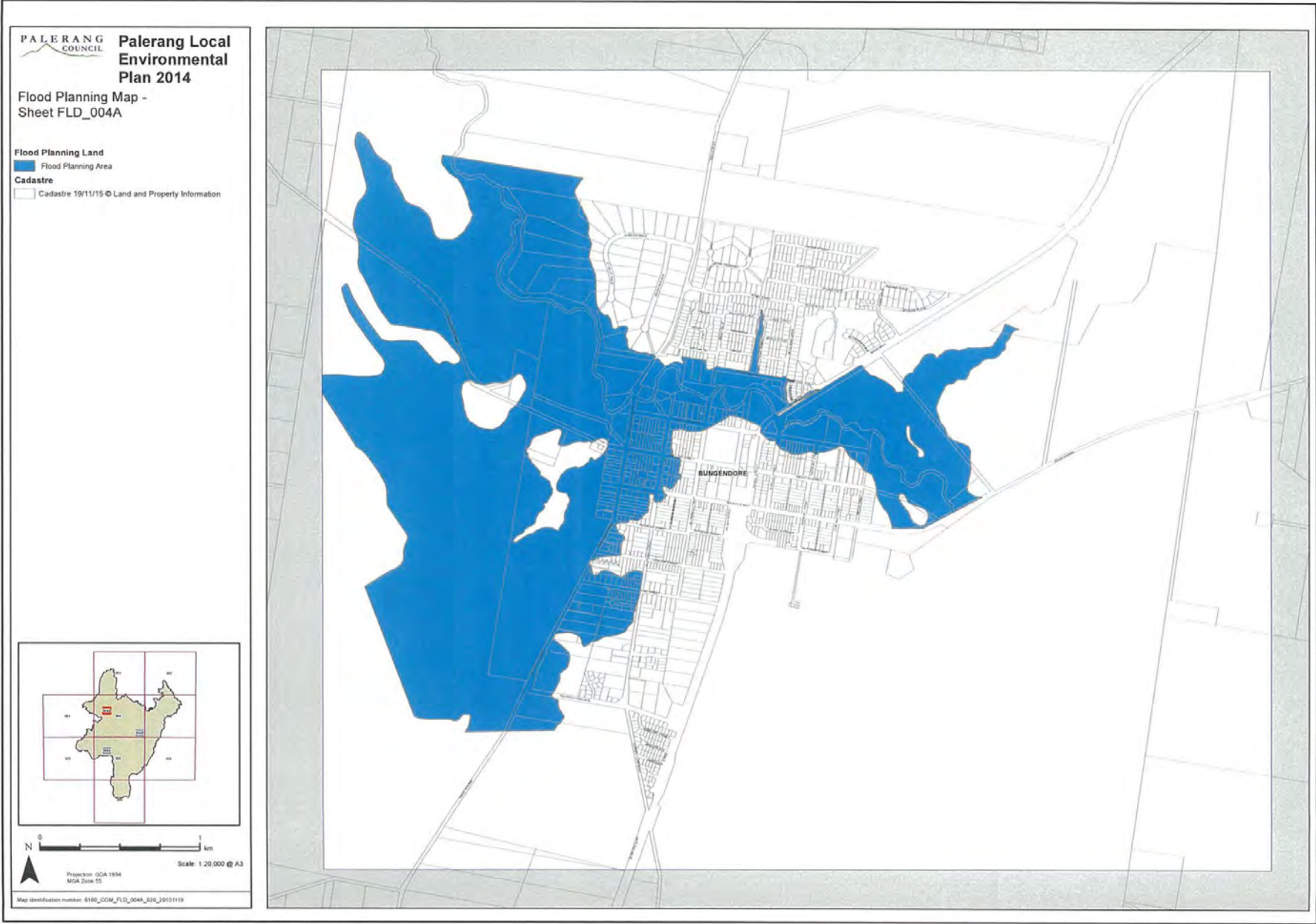
Omit "Palerang" from the definition of *Council*.

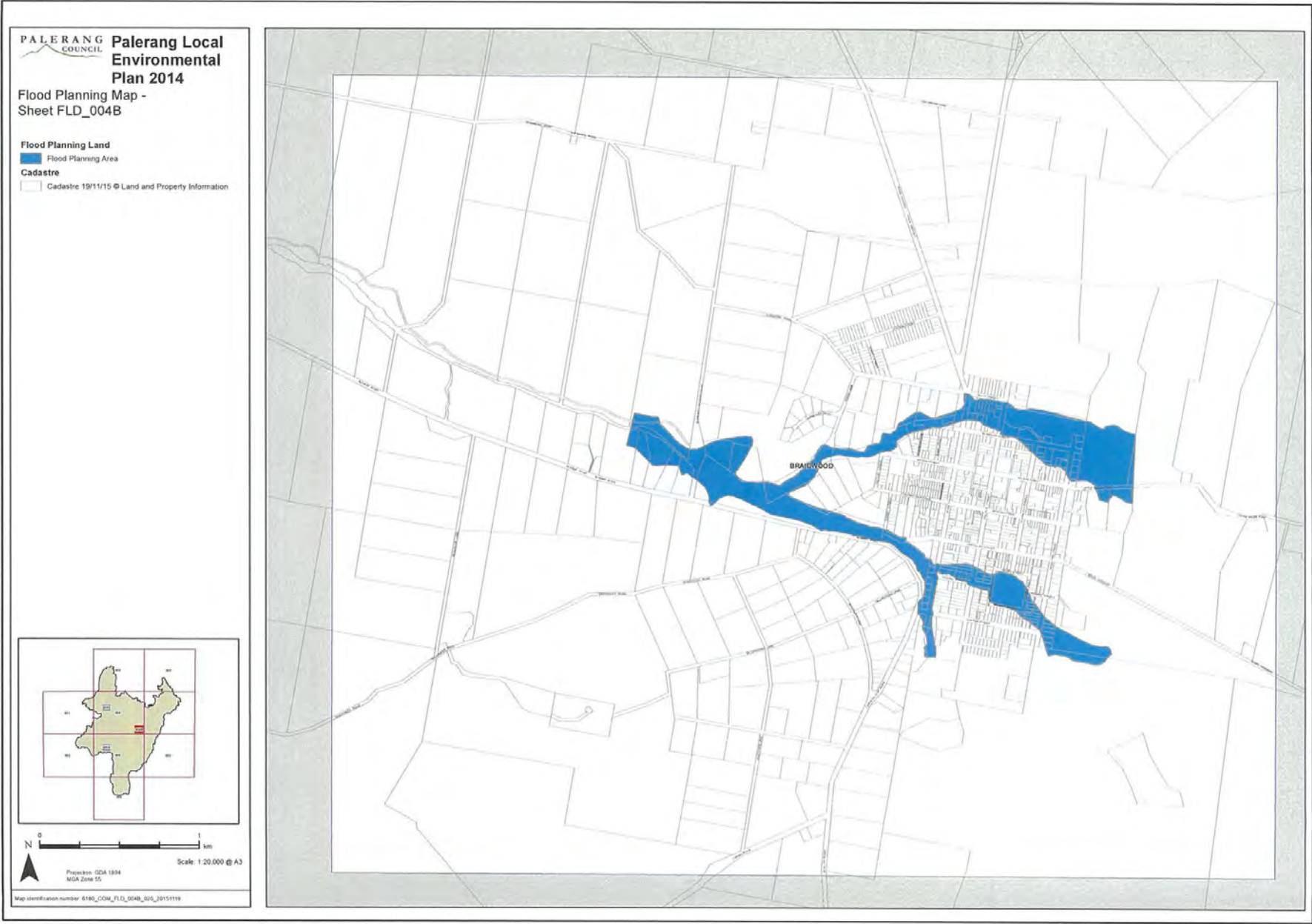
Insert instead "Queanbeyan-Palerang Regional".

Page 2

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QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting Attachment

12 APRIL 2017

ITEM 6.2 QUEANBEYAN-PALERANG REGIONAL COUNCIL
DONATIONS POLICY 2017

ATTACHMENT 1 DRAFT DONATIONS POLICY



Donations Policy

**(for donations under
s.356 of the *Local Government Act 1993*)**

Date policy was adopted:/...../2017
Resolution number:/2017
Next Policy review date:/...../.....
Reference number:

1. OUTCOMES

Under s.356 of the *Local Government Act 1993*, Queanbeyan-Palerang Regional Council (QPRC) may exercise a function by resolution to provide various forms of assistance to the community through grants, donations, rental rebates, rate relief, non-financial contributions, in-kind donations and sponsorships. This assistance, referred to collectively as donations, provides the community with funding for activities and programs that align with Council's strategic objectives. This policy establishes an equitable, transparent and accountable management framework to guide the provision of consistent funding administration and assessment processes across Council.

2. LEGISLATIVE OBLIGATIONS AND/OR RELEVANT STANDARDS

2.1 Section 356 of the *NSW Local Government Act 1993* states:

- (1) A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.
- (2) A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given.
- (3) However, public notice is not required if:
 - (a) the financial assistance is part of a specific program, and
 - (b) the program's details have been included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and
 - (c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and
 - (d) the program applies uniformly to all persons within the council's area or to a significant group of persons within the area.
- (4) Public notice is also not required if the financial assistance is part of a program of graffiti removal work.

2.2 Section 610E of the *Local Government Act 1993* states:

1. A council may waive payment of, or reduce, a fee (whether expressed as an actual or a maximum amount) in a particular case if the council is satisfied that the case falls within a category of hardship or any other category in respect of which the council has determined payment should be so waived or reduced.
2. However, a council must not determine a category of cases under this section until it has given public notice of the proposed category in the same way as it is required to give public notice of the amount of a proposed fee under section 610F(2) or (3).

2.3 Section 377 of the *Local Government Act 1993* states, inter alia:

- (1) A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council, other than the following:

...

 - (q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons.

- 2.4 Under this policy, financial assistance including community grants and the waiving of Council fees and charges is considered to be a donation, provided in accordance with s.356 of the *Local Government Act 1993*.
- 2.5 This policy is to be read in conjunction with the following documents:
- *NSW Local Government Act 1993*,
 - QPRC Code of Conduct,
 - Revenue Policy and pricing policies for waste, water and sewerage services.
- 2.6 This policy rescinds the following documents:
- The QPRC Rental Rebate Policy 2016
 - The former Queanbeyan City Council Donations Policy 2013
 - The former Palerang Council Donations Policy 2015
 - The former Queanbeyan City Council Rates and Charges Relief Policy 2013

3. DEFINITIONS

Donation — a voluntary, freely-given form of financial assistance given by Council that meets QPRC's strategic goals and objectives. There are generally no formal conditions or reporting measures, excluding those relating to a rental rebate, placed on recipients of donations other than that the funds are expended within the intent for which they were given.

Grant — a payment made by Council to an independent organisation or individual for a specific purpose or project that demonstrates community benefit and assists in meeting QPRC's strategic goals and objectives. Grants are subject to an application process and are generally equitably distributed among a range of individuals, organisations or groups.

In-kind donation — rather than contribute direct funding, Council may undertake works using its own resources. Such in-kind donations will be costed the same way in which Council's own works are costed, including for labour and plant.

Non-financial contribution — the provision of a Council service, product or facility free of charge or at a subsidised rate. A non-financial contribution may be subject to eligibility criteria and shall meet QPRC's strategic goals and objectives.

Rental rebate — assistance in the form of a subsidy given by Council to community lessees/licensees of Council-owned or managed properties or facilities. The level of rental rebate will vary between 0 – 100% of the market rental value of the property.

Sponsorship — is provided in exchange for a negotiated mutual benefit that meets QPRC's strategic goals and objectives. A sponsorship can be of a financial or non-financial nature.

4. POLICY

- 4.1 Council is committed to providing financial assistance for the development of positive and beneficial projects within the community which address identified objectives in the QPRC Community Strategic Plan. Preference will be given to organisations that are based, or have a branch, in the QPRC area.
- 4.2 Council will assess applications and proposals for financial assistance against established criteria and will ensure compliance measures are met.

- 4.3 Council will make certain that rigorous processes are in place to ensure consistency, fairness, transparency and accountability. Funded projects will be monitored to ensure the benefit to the community is realised and worthwhile.
- 4.4 Funded projects will be required to provide timelines. Approved requests for financial assistance will require lodgement of evidence to Council that funds have been expended for the purpose for which the funds were approved.
- 4.5 All Council employees, Councillors or Committee members must declare any conflict of interest in assessing any application or proposal for funds, in accordance with the QPRC Code of Conduct.
- 4.6 Council provides financial assistance within four categories:

4.6.1 **Category 'A' Funding – general assistance**

- (a) The relief of poverty, hardship or provision of assistance to less advantaged persons through welfare services and facilities, public health services and facilities, education services and facilities, transport services and facilities, and housing.
- (b) The advancement of education through education services and facilities.
- (c) Any other purpose for which there is agreement by resolution of Council.
- (d) From time to time, Council may make funds available under its Annual Grants Program for local, not-for-profit community groups and, in some cases, individuals. The aim is to support a wide range of activities that builds community capacity, fosters social networks and information exchange, facilitates cooperation and builds on existing community strengths.

4.6.2 **Category 'B' Funding – hire/lease fees**

Financial assistance will be provided to community, not-for-profit or charitable organisations that wish to hire or lease a Council facility but are unable to meet this cost. The grant will be non-monetary and will be recognised financially as a donation and as income for the facility. The grant will be either full or partial payment of venue hire or lease (see **Clause 5** for conditions relating to this category).

4.6.3 **Category 'C' Funding – rates, fees and annual charges**

- (a) Council will make annual donations as provided in **Schedule 1** to this policy. Council will review this Schedule every two years.
- (b) Council may, at its discretion, consider upon application a one-off rates rebate for sporting, recreational and other community organisations.
- (c) Eligible organisations in (b) above must demonstrate that such donations will enable a particular purpose or project to be undertaken that meets QPRC's strategic objectives.
- (d) Eligible organisations in (b) above may receive a rebate of up to 100% of Council's rates and charges, depending upon their level of eligibility (see **Schedule 4** for eligibility criteria calculations).
- (e) Council will consider the waiving of fees and annual charges for not-for-profit community organisations and s.355 committees on a one-off basis for development application fees and associated charges (see **Schedule 2** for a full list of relevant fees and associated charges).

- (f) Where a ratepayer can demonstrate a high level of non-discretionary water use due to the requirements of a home dialysis patient, Council will grant a 100% rebate on the water access charge to their property. The application for such a rebate must be supported by a current doctor's certificate.

NOTE 1: Churches and religious bodies are exempt from all rates under s.555 of the *Local Government Act 1993*.

NOTE 2: There is no legislative requirement for Council to provide relief to sporting, recreational and community organisations for rates and charges. Any donation provided for this purpose is at Council's discretion.

4.6.4 **Category 'D' Funding – rental rebate**

- (a) Council may assist community organisations using Council's leased or licensed properties or facilities by providing a rental rebate for a specified period (see **Schedule 5** for eligibility criteria calculations).
- (b) The rental rebate will be defined as a donation.

NOTE: This category does not include:

- Council's facilities that are covered by specific legal commercial leasing and licensing agreements as approved by Council;
- leases and licenses where the lessee/licensee is not a charitable or not-for-profit, incorporated organisation.

5. **PROCESS**

Category A funding – General Assistance

Annual Grants Program

- 5.1 Council may determine that the Annual Grants Program for any given year will be directed towards particular outcomes, but the emphasis will always be towards supporting the community's aspirations as articulated in the QPRC Community Strategic Plan.
- 5.2 Applications will only be considered for one-off expenditure in the financial year in which the costs occur.
- 5.3 Applications will be sought through advertising in local media, community newsletters, social media, Council's website and Engagement HQ following the allocation of funds, this being typically through the adoption of Council's Operational Plan in June each year. Applications are to be made on the relevant form (**Schedule 3**), and address all criteria outlined in the Annual Grants Program guidelines for that year.
- 5.4 Applications must be received by the advertised closing date on the relevant application form with supporting documentation, rather than on an ad hoc basis.
- 5.5 Notwithstanding Clause 5.4, Council may consider applications outside the funding round if the applicants are able to demonstrate that the purpose for which they are seeking the donation was not foreseen at the time of the Annual Grants Program round.
- 5.6 Should any applications be received in accordance with Clause 5.5, consideration of the applications will be dependent on any funds being available following allocation from the current round, and will require a resolution from Council regarding the assessment of the applications.

- 5.7 Any request for financial assistance outside the Annual Grants Program must address the criteria detailed in the guidelines, and be submitted on the relevant application form.
- 5.8 Applications will be assessed in accordance with the current guidelines, criteria and budget allocations by a panel of staff nominated by the General Manager. The panel will prepare recommendations for funding to the next available ordinary meeting of Council. All approved fees and charges to be waived will be in the form of a donation and paid by Council on behalf of the organisation.

Category B funding – hire/lease fees

- 5.9 Requests for the waiving of hire/lease fees of Council facilities should be in writing addressed to Council's General Manager. When making requests, applicants need to clearly outline how the event will benefit the QPRC community.
- 5.10 When submitting an application, applicants should ensure that:
 - (a) bookings are confirmed;
 - (b) a copy of the facility's "Hire Agreement", including a quote for the cost of hire, is submitted with the application;
 - (c) once the hire agreement is in place and the donation amount has been awarded, any variation to the hours of hire that may affect the total donation provided, is to be reported to Council as soon as possible. For example, if the hours are reduced, the donation amount will reduce proportionately. If the hours increase, full hire charges will apply for the additional hours.
- 5.11 The following criteria will be applied in assessing these requests:
 - (a) the purpose of the donation;
 - (b) the alignment with Council's Community Strategic Plan and Delivery Plan;
 - (c) any previous donations and support provided to the applicant by Council;
 - (d) the amount requested;
 - (e) the applicant's access to alternative sources of funding, including the ability to raise general income from usage of the facility,
 - (f) Council's annual budget allowance.
- 5.12 Waiving of fees and charges for ongoing usage or events will not be considered unless negotiated in a service level agreement with Council.

Category C funding – rates, fees and annual charges

- 5.11 Standing donations of rates and annual charges within Category C funding (see **Schedule 1**) will be processed at the time of the levy of the annual rates and charges notices. A letter will be issued to the recipient organisation notifying them of Council's donation.
- 5.12 Any increase in standing donations, other than for rates or annual charges, is limited to the statutory rate pegging limit. Any request for an increase above this limit is to be referred to Council for consideration.
- 5.13 All requests from not-for-profit community organisations, sporting and recreation bodies and s.355 committees for the waiving of development application fees should be in writing and addressed to Council's General Manager.
- 5.14 All requests should consider the criteria below when outlining the reasons for waiving of fees, and be submitted prior to the lodgement of the development application:

- (a) the proposed improvements are to be constructed on land owned by or vested in Council, OR
- (b) where the improvements are to be constructed on freehold land by a not-for-profit community, sporting or recreation body, Council may consider the waiving of applicable fees and charges where a community benefit will be provided by the construction of the facility.

In addition, the facility:

- (c) is to be freely accessible to all sectors of the community;
 - (d) must satisfy a need that has been previously identified in the community;
 - (e) is in accordance with plans of management or a sporting or recreational strategy adopted by Council; and
 - (f) is designed for multi-use purposes.
- 5.15 Council will not consider waiving development application fees if the proposed works are for commercial purposes, e.g. for the development of land for commercial sale or the undertaking of a commercial enterprise or commercial activity regardless of the charitable status of the organisation.

Category D funding – rental rebate

- 5.16 A market rental valuation or assessment of a Council-owned or managed property or facility will be obtained by Council at its cost, prior to the granting of a rental rebate. This will indicate the amount of annual rent that Council could charge if the property or facility had been licenced or leased in a competitive market.
- 5.17 The total cost to Council in operating a facility or managing a property will be determined, and will include but not be limited to:
- depreciation
 - maintenance
 - land rates
 - rent payable by Council to the Department of Industry - Crown Lands
 - water charges
 - waste removal
 - telephone
 - gas and/or electricity
 - administration costs
 - improvements
- 5.18 In the case of a new building, a facility management plan and appropriate sinking fund will be established as part of its long-term asset management planning.
- 5.19 The level of rebate to not-for-profit community organisations will be reviewed on a regular basis so that Council is informed of the total level of rebates being applied.
- 5.20 The level of the rental rebate will be determined based on the criteria contained in **Schedule 5**, which will be provided to potential lessees and licensees prior to establishing an agreement.
- 5.21 The level of rebate will vary between 0 – 100% of the market rental value; however, a minimum annual rental fee applies (see Council's adopted **Fees and Charges Schedule** on its website). This minimum annual rental fee will not attract any rebate and will be payable by the organisation leasing or licensing the property or facility.

- 5.22 All rental rebates will be reported to the community on an annual basis.
- 5.23 Community groups and organisations occupying Council-owned or managed properties will be required to report annually in relation to the facility and the group's activities.

6. REVIEW

This policy is a local policy and accordingly will be automatically revoked 12 months after the declaration of the poll for the next NSW general local government election, unless revoked sooner by Council. **[Note:** automatic revocation of this policy is provided for under s.165(4) of the *Local Government Act 1993*. The next general local government election is scheduled to be held in September 2017].

This policy may be reviewed and updated as necessary if:

- (a) legislation requires it, or
- (b) Council's functions, structure or activities change.

Schedule 1

S1.1 Annual Donations

Council will make annual donations as follows:

1. Public schools located within the Queanbeyan-Palerang Regional Council Local Government Area for their annual prize giving/speech day ceremonies, to be increased by the annual rate peg amount, rounded up to the nearest \$5.00 starting from \$100.00 donated in 2016/17.
2. A donation equivalent to the ordinary rates levied for the year to the following organisations and facilities located within the Queanbeyan-Palerang Regional Council Local Government Area:
 - (a) Any Scouts Australia group
 - (b) Braidwood & District Historical Society
 - (c) Braidwood Show Society
 - (d) Any Country Women's Association branch
 - (e) Any service club including Lions and Rotary
 - (f) Any registered pre-school
 - (g) Bungendore War Memorial Hall
 - (h) Araluen Community Hall
 - (i) Charleys Forest Community Hall
 - (j) Gundillion Community Hall
 - (k) Majors Creek Community Hall
 - (l) Nerriga Community Hall
 - (m) Any men's shed registered with the Australian Association of Men's Sheds

NOTE: The Captains Flat Community Hall, and Queanbeyan halls and community centres are under Council's control.

S1.2 Cemetery Plots

Council will make a donation equivalent to 50% of the cost of a plot within one of Council's cemeteries for children aged 18 years and under, of current Queanbeyan-Palerang Regional Council staff members who have worked with Council or its two predecessor Councils for more than 12 months.

Schedule 2

S2.1 Development applications and associated charges

All fees and charges associated with lodging a development application are:

Council fees:

- Development application
- Local Approval applications (there are a several of these e.g. water/sewer, on-site sewerage management, solid fuel heater, manufactured homes and associated structures)
- Construction Certificate application
- Inspection fees – mandatory
- Inspection fees – construction
- **Re-inspection fees**
- Inspection fees – surveillance
- Fee to lodge 'Notice to Commence and Appointment of a Principal Certifying Authority'
- Fee to lodge 'Notice of Work for Plumbing and Drainage'
- Water and / or sewer connection application
- Section 138 application
- **Advertising fee**
- Integrated development referral fee
- Issue of rural address number
- Section 94 contributions
- Section 64 contributions

State Government fees:

- **Plan First Levy** – applicable on all building works over \$50,000
- **Long Service Levy** – applicable on all building works \$25,000 and over

Schedule 3

S3.1 Annual Grants Program – Application Form



Annual Grants Program Application Form

Applications close: *[date]*

Privacy Management

Information provided in this form is required in order to process the application. Provision of the information is voluntary; however, if insufficient information is provided, support for the application will be difficult when considering competing requests.

LODGING THE COMPLETED APPLICATION

There are three lodgement options available:

- | | |
|--|--|
| 1. Hand-delivered to Council Chambers
263 Crawford St, Queanbeyan
10 Majara Street, Bungendore or
144 Wallace Street, Braidwood | 2. Post
The General Manager
PO Box 90
QUEANBEYAN NSW 2620 |
| 3. Email
records@qprc.nsw.gov.au | |

NB: Applications must be clearly marked 'Annual Grants Program *[year]*'.

For further information or assistance with this application please contact Council's Office

Telephone: 02 6285 6000

GUIDELINES FOR APPROVAL OF COUNCIL DONATIONS

Council's donations generally do not apply to individuals however in certain circumstances donations may be approved. Council's donations policy, and a copy of this application form, can be viewed at *[insert link]*

In allocating funds, Council will give consideration to the nature of the request, the proposed beneficiaries, any recent donations to each applicant, alternative funding sources and equity of support across the local government area.

An application for financial assistance would be enhanced by supporting financial reports i.e. annual financial statements, auditor's reports, recent bank statements, or references from qualified accountants, auditors or financial advisors. Any such reports and documents will be used strictly for assessing financial status of the applicant and kept in strict confidence.

TYPE OF ORGANISATION / CONTACT DETAILS

Name of organisation/group: _____

Postal address: _____

Primary purposes and activities of organisation: _____

Number of members: _____

Property No. _____

Names of primary office-bearers: (President/Treasurer/Secretary) _____

Contact person for this application: _____

Ph _____ Mob _____ Fax _____

Email _____

Is the group/organisation GST Registered? ☐ Yes ☐ No ☐ Exempt
(if yes provide ABN): _____

Is the group/organisation not-for-profit? ☐ Yes ☐ No

FINANCES

Briefly describe why you need financial assistance from Council i.e: what financial resources are available to you and why they are not sufficient for this matter.

Schedule 4

S4.1 Calculation for eligibility of sporting, recreational and community organisations for rate relief

The level of rebate will be determined by assessing each user against the criteria and evaluating their weighted distribution across the categories.

Category	Level of rebate	From (>)	To (<=)
A	High	90%	100%
B	Medium	50%	90%
C	Low	0%	50%
D	None	0%	0%

Points attained	Rate relief	Points attained	Rate relief	Points attained	Rate relief	Points attained	Rate relief
1	0%	7	5%	13	35%	19	65%
2	0%	8	10%	14	40%	20	70%
3	0%	9	15%	15	45%	21	75%
4	0%	10	20%	16	50%	22	80%
5	0%	11	25%	17	55%	23	90%
6	0%	12	30%	18	60%	24	100%

Criteria	Category A (each answer worth 4 points)	Category B (each answer worth 3 points)	Category C (each answer worth 2 points)	Category D (each answer worth 1 point)
Purpose of donation	The organisation provides a unique activity or service to the majority of residents in QPRC	The organisation provides a unique activity or service to a particular group of residents in QPRC	The organisation provides an activity or service to QPRC residents that may be difficult to access outside the LGA	The organisation provides an activity or service to QPRC residents that may be easily accessed outside the LGA
Management of organisation	The organisation is stand-alone and locally managed servicing only the QPRC community	The organisation is locally managed and participates in local and regional activities or services	The organisation is a local branch of a regional umbrella organisation	The organisation is a regional branch of a national umbrella organisation
Accessibility of service or function	Accessible to all QPRC residents and provides disabled access	Accessible to all QPRC residents but no disabled access is provided	Accessible to the majority of the QPRC community	Access is limited to small groups within QPRC
Alignment with QPRC's Community Strategic Plan	Project fully aligns	Project partially aligns	Project has minimal alignment	Project has no alignment
Support provided by Council in the last financial year	The organisation has received no support from Council	The organisation has received a maximum of 25% support from Council	The organisation has received a maximum of 50% support from Council	The organisation has received at least 75% support from Council
Sources of funding	The organisation relies entirely on donations from the community	The organisation can raise income from member subscriptions or participants' fees only	The organisation can raise income from member subscriptions, participants' fees and regular fundraising activities	The organisation can raise income from member subscriptions, participants' fees, regular fundraising activities and grants

Schedule 5

S5.1 Rental rebate calculation

The level of rebate will be determined by assessing each user against the criteria and evaluating their weighted distribution across the categories.

Category	Level of rebate	From (>)	To (<=)
A	High	90%	100%
B	Medium	50%	90%
C	Low	0%	50%
D	None	0%	0%

Points attained	Rebate amount	Points attained	Rebate Amount	Points attained	Rebate amount	Points attained	Rebate amount
1	0%	11	5%	21	54%	31	91%
2	0%	12	10%	22	58%	32	92%
3	0%	13	15%	23	62%	33	93%
4	0%	14	20%	24	66%	34	94%
5	0%	15	25%	25	70%	35	95%
6	0%	16	30%	26	74%	36	96%
7	0%	17	35%	27	78%	37	97%
8	0%	18	40%	28	82%	38	98%
9	0%	19	45%	29	86%	39	99%
10	0%	20	50%	30	90%	40	100%

The total score is referenced with the table above to determine the level of rebate that will be applied.

Criteria	Category A (each answer worth 4 points)	Category B (each answer worth 3 points)	Category C (each answer worth 2 points)	Category D (each answer worth 1 point)
Structural integrity	Assumes full responsibility for long-term maintenance (structural integrity) of the building	Makes some contribution to long-term maintenance (structural integrity) of the building	Makes minimal contribution to long-term maintenance (structural integrity) of the building	Council is responsible for long-term maintenance (structural integrity) of the building
Reactive and ongoing maintenance	Takes responsibility for internal and external reactive maintenance as detailed in the agreement	Takes responsibility for almost all the internal and external reactive maintenance as detailed in the agreement	Takes responsibility for some internal and external reactive maintenance as detailed in the agreement	Takes no responsibility for internal and external reactive maintenance even though detailed in the agreement
Extent of service provided by organisation	Broad community (more than 40% of QPRC residents) is a beneficiary of the service provided by the organisation	Service is significantly used by a number of specific sections of the local community	While the organisation provides a direct service to only a small number within the local community, it forms part of a larger service provision	Service is used by a small number within the local community
Extent of accessibility to community	Facilities are accessible to many in the community	Facilities are generally accessible to the community	Facilities have limited accessibility to others in the community	Facilities have limited access for the community, with fees charges being paid to the lessee/licensee
Number/type of service providers within the local community	A unique service	One of a number of providers of a similar community service	One of a number of providers meeting a less critical community need (in terms of Council-identified targets) or meeting an identified recreational need	Provider meets social or recreational needs only

6.2 Queanbeyan-Palerang Regional Council Donations Policy 2017
Attachment 1 - Draft Donations Policy (Continued)

Ability to charge fees and raise income	Limited or no ability to raise revenue	Some ability to raise revenue and charge fees, which may be varied to reflect ability of clients to pay	Has ability to charge fees and raise revenue	Operates on a profit basis
Access to other sources of funding	No access to other sources of funding	Limited access to other sources of funding (no more than 5% of total funding)	Access to other sources of funding (state, federal and local) which provides between 5 - 30% of total funding	Access to other sources of funding (state, federal and local) which provides more than 30% of total funding
Do they provide direct competition to commercial ventures?	No, the main activity is not a commercial one	While main business is not a commercial activity, some aspects of the business are in direct competition	While they are in direct competition with commercial providers, they provide added or differentiated service to users	Yes, they are in direct competition with commercial providers
Does their service impact on Council's need to provide a similar service?	Without this service provision, Council would be required to provide additional service	Lack of service would have some impact on Council's provision	Service is not a core responsibility of local government, but could be provided	Service is not the responsibility of local government
Organisational status and structure	The organisation is locally-based, stand-alone and not-for-profit; and it has a voluntary management committee, comprised mainly of local area representatives	The organisation is a locally-based service, has a regional focus, is stand-alone and not-for-profit; and has a voluntary management committee, comprised partly of local area representatives	The organisation is a locally-based service outlet or project that is part of a larger not-for-profit organisation; and has a voluntary advisory committee comprised partly of local area representatives	The organisation is a locally-based service, outlet or project that is part of a larger, not-for-profit organisation; there is limited, or no local area representation on the advisory committee or similar
Capacity to undertake a range of administrative and management responsibilities	Dependent on assistance from volunteers for all administrative and management functions	Paid staff undertake some of the administrative and management functions and volunteers assist with other tasks	Staff undertake the majority of administrative and management functions with additional assistance provided by umbrella organisation	Umbrella organisation carries out the majority of administrative and management functions
Social and community benefit for the local community	Service is unique and specific and meets high level of need OR service meets identified social / community needs, with most service users from low socio-economic backgrounds	Service meets identified social/community needs, with service users from a range of socio-economic backgrounds	Service meets a broad social/community need	Service is valued by the community, but is not focused on meeting an identified social / community need

QUEANBEYAN-PALERANG REGIONAL COUNCIL

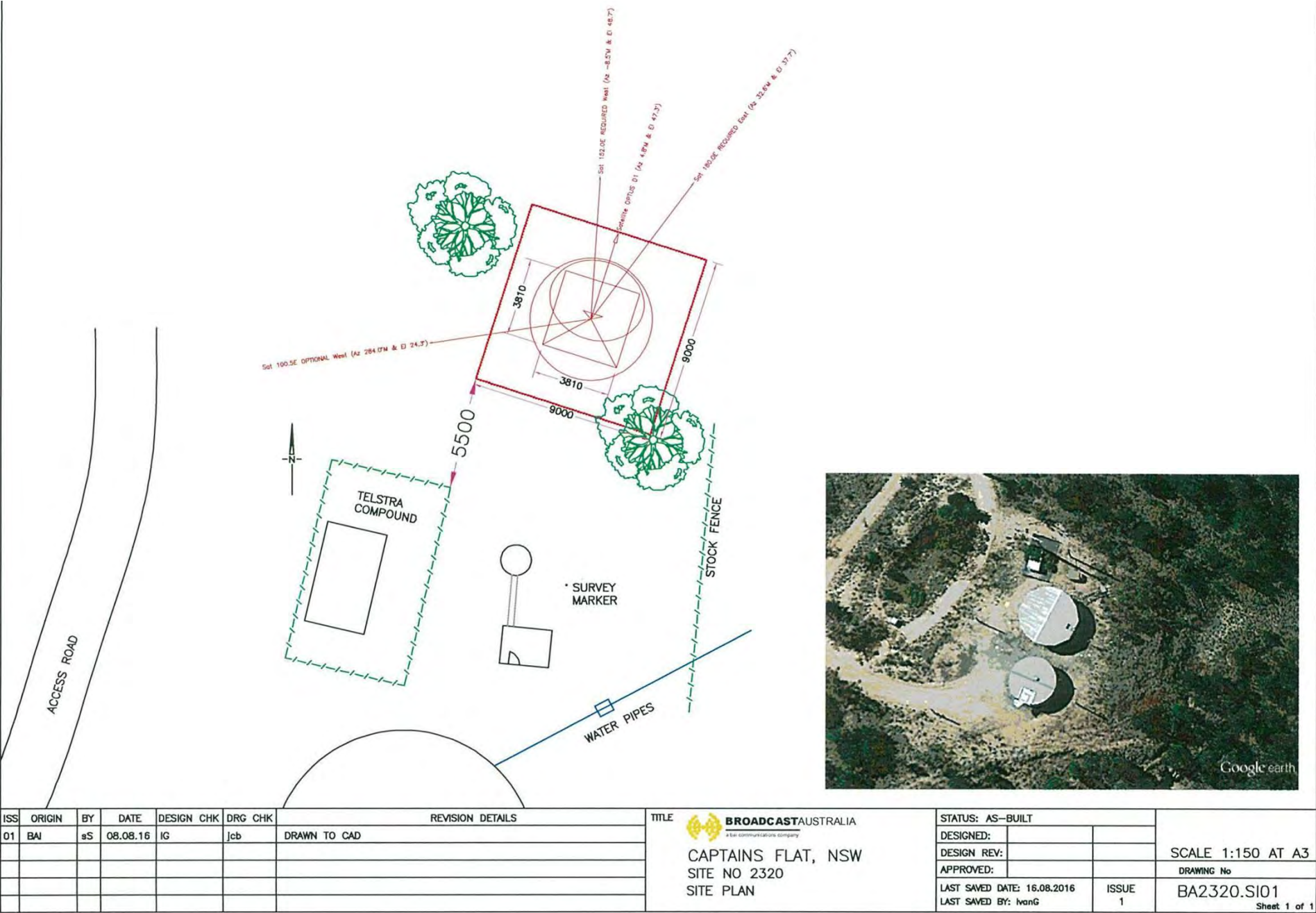
Planning and Strategy Committee of the Whole Meeting Attachment

12 APRIL 2017

ITEM 8.1 PROPOSED SATELLITE DISH CAPTAINS FLAT

ATTACHMENT 1 SATELLITE DISH PLANS - CAPTAINS FLAT.

8.1 Proposed Satellite Dish Captains Flat
Attachment 1 - Satellite Dish plans - Captains Flat. (Continued)





Model 4.7m Prime Focus Antenna

Professional Broadcast

The VertexRSI 4.7-meter antenna delivers exceptional performance for receive only and transmit/receive applications for L, C and Ku-band frequencies. This antenna offers a reflector that incorporates precision-formed panels and contoured radials that ensure ease of installation. It features a prime focus feed design which results in high gain and low noise temperature, with excellent rejection of noise and microwave interference. The reflector is supported by a galvanized pedestal that provides the required stiffness for pointing and tracking accuracy. The pedestals are designed for full orbital arc coverage and are readily adaptable to ground or rooftop installations. The electrical performance is compliant with FCC 25.209 regulations and ITU-RS-580 sidelobe specifications. All configurations meet SATCOM Technologies' own type-approved quality assurance and performance guarantee.



Features

- All aluminum reflector system
- Stretch-formed panels and contoured radials
- Designed to ensure ease of installation
- Fully interchangeable reflector components
- Meets FCC 25.209 and ITU-RS-580 regulations
- Designed for 1 to 15 GHz operation
- Standard Rx only and two port Tx/Rx feeds
- Jack screws or struts in azimuth and elevation
- Galvanized steel elevation over azimuth pedestal
- Survives 125 mph winds in any position
- Foundation hardware kit included

Options

- L, C and Ku-band feed configurations
- C/Ku receive only feed systems
- Fixed or motorizable pedestal mounts
- Antenna control system with tracking
- Reflector and feed deicing systems
- Integrated transmit cross axis kits
- Integrated LNA or LNB systems
- Load frame or non-penetrating mounts
- Packing for sea and air transport
- Turnkey installation and testing

Upgrades

- High wind configuration

GENERAL DYNAMICS
SATCOM Technologies



Model 4.7m Prime Focus Antenna

Technical Specifications

Electrical ⁽¹⁾	C-Band 2-Port Linear Polarized Receive Only	C-Band 2-Port Circular Polarized Receive Only	C/Ku-Band 4-Port Linear Polarized Receive Only	
	C-Band	C-Band	C-Band	Ku-Band
Frequency (GHz)	3.625 - 4.200	3.625 - 4.200	3.625 - 4.200	10.950 - 12.750
Antenna Gain, Midband dBi ⁽²⁾	44.30	44.20	43.80	51.7
VSWR	1.38:1	1.38:1	1.38:1	1.38:1
Pattern Beamwidth ⁽²⁾				
-3 dB, at midband	1.03°	1.05°	1.09°	0.43°
-15 dB, at midband	2.16°	2.20°	2.29°	0.90°
Antenna Noise Temperature	56 K (5° Elevation) 49 K (10° Elevation) 45 K (20° Elevation) 42 K (40° Elevation)	58 K (5° Elevation) 51 K (10° Elevation) 47 K (20° Elevation) 44 K (40° Elevation)	55 K (5° Elevation) 48 K (10° Elevation) 44 K (20° Elevation) 41 K (40° Elevation)	69 K (5° Elevation) 62 K (10° Elevation) 57 K (20° Elevation) 52 K (40° Elevation)
Typical G/T (20° EI) ⁽³⁾				
35 K LNA	25.3 (dB/K)	25.1 (dB/K)	24.8 (dB/K)	
65 K LNA	23.9 (dB/K)	23.7 (dB/K)	23.4 (dB/K)	
70 K LNA				30.7 (dB/K)
90 K LNA				30.0 (dB/K)
Axial Ratio		1.50 dB		
Cross Polarization Isolation				
On Axis	30.0 dB	21.3 dB	30.0 dB	25.0 dB
Within 1.0 dB beamwidth	30.0 dB	21.3 dB	30.0 dB	25.0 dB
Port to Port Isolation				
Rx to Rx (same band)	30 dB	22 dB	30 dB	30 dB
Sidelobe Performance	ITU-RS-580	ITU-RS-580	ITU-RS-580	
RF Specification	975-3563	975-3562	975-3564	975-3564

(1) All values are at rear feed flange. (2) C-band Rx values are at 4 GHz and Ku-band Rx values are at 11.85 GHz. (3) Typical G/T at 20° elevation with clear horizon using single bolt-on LNA to feed.

Mechanical/ Environmental ⁽⁴⁾	Fixed Post Mount (PM) Pedestal	Motorizable Kingpost Pedestal (KP)
Antenna Diameter	4.7 meters (15.42 feet)	
Antenna Type	Prime focus design	
Reflector Construction	10 precision-formed aluminum panels with heat-diffusing white paint Clean and brightened aluminum back-up structure	
Mount Configuration	Elevation over azimuth pedestal, constructed of galvanized steel	
Drive Type	Manual strut	Manual strut or jack screw
Azimuth Travel	360° coarse, 40° fine adjustment	120° continuous
Elevation Travel	0 to 90° continuous	0 to 90° continuous
Foundation (L x W x D)	12.5 x 12.5 x 1.5 ft (3.8 x 3.8 x 0.38 m)	
Concrete	8.7 yds ³ (6.65 m ³)	
Reinforcing Steel	1,125 lbs. (510 kg)	
Shipping Containers	10 units in one 40 ft	8 units in one 40 ft
Operational Wind Loading	30 mph (48 km/h) gusting to 45 mph (72 km/h)	
Survival Wind Loading	125 mph (200 km/h) @ 58° F (15° C), any position	
Operational Temperature	+5° to +122° F (-15° to +50° C)	
Survival Temperature	-22° to +140° F (-30° to +60° C), low temperature options available	
Rain	Up to 4 in/h (10 cm/h)	
Relative Humidity	0 to 100% with condensation	
Solar Radiation	360 BTU/h/ft ² (1,000 Kcal/h/m ²)	
Ice (survival)	1 in (2.5 cm) on all surfaces or 1/2 in (1.3 cm) on all surfaces with 80 mph (130 km/h) wind gusts	
Atmospheric Conditions	As encountered in coastal regions and/or heavily industrialized areas	
Shock and Vibration	As encountered during shipment by airplane, ship or truck	

(4) Some specifications may vary based on the combination of equipment, options and/or upgrades ordered.

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