



Planning and Strategy Committee of the Whole

AGENDA

11 October 2017

Commencing at 5.30pm

**Council Chambers
253 Crawford St, Queanbeyan**

On-site Inspections - Nil

Council at its meeting of 23 November 2016 resolved (M/N 295/16) as follows:

The Planning and Strategy Committee of the Whole be delegated authority in accordance with Section 377 of the Local Government Act 1993 to determine matters pursuant to the:

- Environmental Planning and Assessment Act 1979
- Local Government Act 1993
- Swimming Pools Act 1992.
- Roads Act 1993
- Public Health Act 2010
- Heritage Act 1977
- Protection of the Environment Operations Act 1997

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LIST OF ATTACHMENTS –

(Copies available from General Manager's Office on request)

Open Attachments

- Item 4.1 Preliminary Rezoning Enquiry - 239 Cooma Street, Karabar
Attachment 1 Applicant submission in support of Preliminary Rezoning Enquiry for 239 Cooma Street Karabar (Under Separate Cover)
- Item 4.2 South Bungendore Stormwater Drainage and Subdivision DEV.2009.0327
Attachment 1 Map showing easement associated with DA. 2009.327 (Under Separate Cover)
- Item 4.3 Mount Jerrabomberra Bushfire Management Plan
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- Item 4.5 2018 Super Rugby Trial Game
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- Item 5.1 Committee Delegates and Representatives for 2017-2018
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- Item 6.1 Outcome of Class 1 Appeal to NSW Land and Environment Court - DA.201.254 - 199 Wallace Street - Police Paddock - Samowill Pty Ltd v Queanbeyan-Palerang Regional Council
Attachment 1 DA.2014.254 - Police Paddock - Judgement - 199 Wallace Street, Braidwood (Under Separate Cover)
- Item 6.2 Outcome of Class 1 Appeal - Land and Environment Court - DA.2016.001 - Childcare Centre - 35 Trucking Yard Lane - Chong v Queanbeyan-Palerang Regional Council
Attachment 1 DA.2016.001 - Childcare Centre - 35 Trucking Yard Lane, Bungendore - Court Order (Under Separate Cover)
- Item 6.3 Fire Safety Inspection - Eaglehawk Holiday Park - 200 Bidges Road, Sutton
Attachment 1 Letter from NSW Fire Brigades - Fire Safety - Eaglehawk Holiday Park (Under Separate Cover)

Closed Attachments

- Item 4.4 Conservation Volunteers - Work for the Dole Program
Attachment 1 CVA - WFD Proposal (Under Separate Cover)

ITEM 3 DECLARATION OF CONFLICTS/PECUNIARY INTERESTS

The provisions of Chapter 14 of the Local Government Act, 1993 regulate the way in which Councillors and nominated staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public trust.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest must be disclosed as soon as practicable after the start of the meeting and the reasons for declaring such interest.

As members are aware, the provisions of the Local Government Act restrict any member who has declared a pecuniary interest in any matter from participating in the discussions, voting on that matter, and require that member to vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code also provides for a number of ways in which a member may manage non pecuniary conflicts of interest

Recommendation

That the Mayor disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.

4.1 Preliminary Rezoning Enquiry - 239 Cooma Street, Karabar (Ref: C17150229;
Author: Thompson/Jansen)

Summary

A preliminary rezoning enquiry for the site at 239 Cooma Road, Karabar has been lodged with Council. The matter is referred to Council prior to requesting the preparation of further reports and studies from the applicant pending the preparation of a planning proposal.

Recommendation

That Council:

- 1. Request the applicant prepare detailed studies undertaken by suitably qualified consultants in respect of both the traffic and amenity impacts associated with the preparation of a planning proposal at 239 Cooma Street, Karabar.**
 - 2. Note negotiations on the potential acquisition and use of Council's site for a park and ride facility and associated uses.**
-

Background

At the time of preparing the Queanbeyan Local Environmental Plan (QLEP) 2012, a number of sites were considered by Council for further investigation in respect of planning proposals for other uses. At the Planning and Development Committee meeting on 9 May 2012 Council resolved that *the suitability and capability of Lot 12 DP 113631 (239 Cooma Street, Karabar) for a combined service station, shop/supermarket, motor vehicle servicing and tyre repair/outlet be investigated once the draft LEP was gazetted, to determine if a planning proposal is warranted* (Item 10k – PDR 045/12).

Since the date of this resolution, a change of ownership has occurred and the current owners have lodged a formal preliminary enquiry requesting a planning proposal to permit a number of uses on the site. Supporting documentation and a draft concept plan is attached to this report.

The subject site is currently zoned RU2 Rural Landscape. Permitted uses in this zone include dwelling houses, home businesses, home industries, farm buildings and a range of other uses. However, the zoning does not allow for a service station and associated uses. The applicants are seeking to locate businesses on the site which they describe as 'motor-vehicle focussed':

1. Service Station
2. Auto Services Centre
3. Carwash
4. Fast Food Drive Through
5. Signage
6. Park & Ride Facility

4.1 Preliminary Rezoning Enquiry - 239 Cooma Street, Karabar (Ref: C17150229; Author: Thompson/Jansen) (Continued)

The possibility of a park and ride facility on site has been raised in the past with Council and it should be noted that to accommodate this, the applicants would need to negotiate with Council the purchase of adjacent Council owned land. The site has been considered as part of a potential ring of park and ride facilities in the city.

A previous applicant raised the possibility of purchasing the adjacent land and as a result Council resolved:

- 1. That the owner of 239 Cooma Street be advised that Council does not support the closure and sale of any portion of the adjacent western road reserve and crown road at this time.*
- 2. That the owner of 239 Cooma Street be advised, that any future planning proposal should be restricted to this land and there are likely to be traffic management and amenity issues that would need to be addressed prior to progressing any rezoning proposal.*

Council Officers have advised the applicants that any potential rezoning if supported would occur by adding additional permitted uses for this specific site to Schedule 1 of the QLEP 2012 rather than creating a B4 Mixed Use zone. This will ensure that the hierarchy of centres are not compromised.

The preliminary concept plans for the site were referred to Council's Development Engineering Section and a number of issues were raised in relation to access via Candlebark Road, access over and usage of Council land, width of entry driveway, access to, and manoeuvrability on the site.

Council staff have identified that the following further investigation reports are required to support any planning proposal in regard to this site:

1. A report from a qualified traffic and transport engineer to assess the traffic impacts of the intended future land use identified for the site. This report should consider two options for access, the first one being entry and access via Cooma Street only and the second option for access via Cooma Street and an alternative access.
2. A report from a suitably qualified consultant on the potential amenity impacts on neighbouring properties with regard to noise, traffic and other relevant matters such as lighting and visual impacts.

As stated previously, these reports will need to be prepared at the applicant's expense prior to the preparation of a planning proposal to ascertain if the site is suitable for the proposed use. If the issues that have been raised can be addressed or mitigated to Council's satisfaction, Council will consider progressing a planning proposal for the site.

The NSW Department of Planning and Environment has produced guideline documents for Planning Proposals and for the preparation of Local Environmental Plans (LEP's). These guidelines state that a planning proposal is a document that explains the intended effect of the proposed LEP and provides justification for making it. The guideline also emphasises the importance of identifying issues that will require further investigation if the planning proposal is to proceed. These detailed investigations are required to be undertaken by the applicants at their expense.

**4.1 Preliminary Rezoning Enquiry - 239 Cooma Street, Karabar (Ref: C17150229;
Author: Thompson/Jansen) (Continued)**

Implications***Legal***

The preparation of any planning proposal will be required to comply with the relevant provisions of the *Environmental Planning and Assessment Act 1979* and *Regulations 2000*.

Policy

The preparation of any planning proposal will be required to comply with any relevant policies and the guidelines of the Department of Planning and Environment.

Environmental

Any planning proposal will be required to identify any potential issues and identify how these will be addressed.

Asset

The preliminary enquiry includes a park and ride facility. This would require negotiations with Council in regard to adjacent Council owned land and may require re-classification of land from community to operational.

Economic

The proposed future use of the site has the potential to provide local employment opportunities during and after construction.

Strategic

The site is in a strategic location with access from Cooma Street. The site is currently zoned RU2 Rural Landscape, the objectives for the zone are set out below:

1. To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
2. To maintain the rural landscape character of the land.
3. To provide for a range of compatible land uses, including extensive agriculture.

The site has an area of 5706m² and the potential for any agricultural land uses is extremely limited.

Engagement

Community consultation will be undertaken in regard to any planning proposal following a Gateway determination by the NSW Department of Planning and Environment in the event that one is issued. Initial representations have been received by Council on the possibility of using the site as proposed from residents/occupiers.

Financial

An initial enquiry fee has been paid by the applicant. Costs for the preparation and assessment of any planning proposal will be covered by the applicable fees to be paid in accordance with the QPRC fees and charges schedule.

**4.1 Preliminary Rezoning Enquiry - 239 Cooma Street, Karabar (Ref: C17150229;
Author: Thompson/Jansen) (Continued)**

Conclusion

This report has provided an outline of the preliminary rezoning proposal lodged for 239 Cooma Street, Karabar and summarised the issues associated with the intended future land use for the site. Prior to requesting further detailed investigation reports from the applicant at their expense, the matter is referred to Council to ascertain if it is supportive of the matter progressing at this stage.

Attachments

Attachment 1 Applicant submission in support of Preliminary Rezoning Enquiry for 239 Cooma Street Karabar (*Under Separate Cover*)

4.2 South Bungendore Stormwater Drainage and Subdivision DEV.2009.0327 (Ref: C17138583; Author: Thompson/Robb)

Summary

The report identifies the possible need to address the South Bungendore stormwater system, primarily an open drainage channel on the southern area of the land that is the subject of DEV.2009.0327 (Lot 12 Section 11 DP 976608 and lot 2 DP 1132203). The land is part of the South Bungendore area which, as development in the area is increasing, is experiencing stormwater management issues. Development approval DEV.2009.0327 proposes 20 residential lots and is now under construction. Currently an open drainage channel exists within an easement on Lot 12 Section 11 DP 976608 and the development approval allows this to be included in the rear of lots 12-20 (Attachment 1).

Part of the same drain (upstream) exists on an adjoining residential subdivision known as Milleara Estate which was discussed in a report to the meeting of Council on 24 May 2017. Council adopted the recommendations of the report which will assist in the management of stormwater for the South Bungendore area.

Recommendation

- 1. That the potential need to pipe the open drainage channel on Lot 12 Section 11 DP 976608 (the subject of development approval DEV.2009.0327) be noted by Council and included in any considerations regarding the management of the open drainage channel on the Milleara estate.**
 - 2. That Council consider allocating funding in the 2018-2021 Delivery Plan for a consultant to review the stormwater system in the southern area of Bungendore from King Street to the southern side of Trucking Yard Lane and to recommend options for the management of the stormwater system.**
 - 3. That Council note options for the management of the stormwater system in South Bungendore are likely to include:**
 - a. the installation of stormwater infrastructure including pipes or large box culverts**
 - b. the creation of easements on private property**
 - c. the acquisition of land to accommodate the infrastructure**
 - d. the development of a contributions plan to collect funds to undertake the above work**
 - 4. That Council seek legal advice regarding whether it is appropriate to place a note on 149(2) certificates issued for the future lots 12-20 advising of large stormwater flows in high rainfall events and the easement under section 149(5) of the *NSW Environmental Planning and Assessment Regulation 2000*.**
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4.2 South Bungendore Stormwater Drainage and Subdivision DEV.2009.0327 (Ref: C17138583; Author: Thompson/Robb) (Continued)

Background

On 13 August 2010, Council approved a development application (DEV.2009.0327) for the creation of 20 residential lots on Lot 12 Section 11 DP 976608 and lot 2 DP 1132203. Currently an open drainage channel exists within a 7 metre easement on Lot 12 Section 11 DP 976608 and the development approval allows this to be included in lots 12-20 (Attachment 1). These lots range in size from 775m² to 1625 m².

The open drainage channel and easement are also part of the adjoining (upstream) residential subdivision known as Milleara Estate. All of the above land is within the South Bungendore area which is experiencing pressure on its stormwater drainage system as development has increased. To assist in the management of stormwater in the South Bungendore area, a report was prepared for the meeting of Council 24 May 2017 outlining a strategy to manage the flows. The report included the following statement which assists in providing the context to the matter:

“Much of Bungendore south from King Street is not supported by any formal underground drainage system. Like the village more generally, this area is notoriously flat and more or less drains westward toward Halfway Creek, or north to Turallo Creek. Few established open drains exist, with the notable exception being a system stretching from Ellendon Street to the Kings Highway immediately south of Milleara Estate. This system effectively drains an area of around 50ha extending to the developing area near Majara Street and beyond to the hilly terrain near the Turallo reservoirs. On a 20 year ARI event the system could be expected to convey around 2.9m³s⁻¹ in the area of Ellendon Street; a significant flow for an open drain in an emerging residential area.

The situation is compounded somewhat with the location of a portion of this drain in the rear of a series of residential blocks within the recently constructed Milleara Estate.

Notwithstanding the fact that the drain is supported by a 7 metre wide easement in Council's favour, the conditions approving the Milleara development effectively allowed the building envelope to abut the edge of this easement, the outcome being what can be seen (in Figure 2 above). On top of this, no condition on the developer requiring the drainage system to be piped was prescribed. Accordingly the local terrain conditions shown above persist today and effectively represent the backyards of these properties.

This matter has been the subject of some complaint in this area as residential development has progressed. Issues such as the effective sterilisation of land (as a result of the adverse terrain), deep high flows in times of heavy rain and even persistent nuisance flows in drier times have all been raised”

Council adopted the report's four recommendations (136/17) which include the investigation and funding of a joint stormwater trunk main project across lots 3 and 4 DP 976608 (south of Milleara Estate) but does not include piping the open drainage channel.

4.2 South Bungendore Stormwater Drainage and Subdivision DEV.2009.0327 (Ref: C17138583; Author: Thompson/Robb) (Continued)

The report notes that in relation to the above proposal (subsequently adopted by Council) that, *“it is likely that some pressure would then be brought to bear on improving the easement drain within Milleara. The best solution would be for the installation of a low flow inter-allotment piped drain.”* It is suggested that despite the recommendations from the meeting of 24 May 2017 occurring, that as the proposed lots in DEV.2009.0327 will contain a similar open drainage channel and that the lots will be of a similar area to those in the Milleara development, that the views and actions of potential property owners will be similar to the owners of the Milleara lots and they will seek Council’s assistance in addressing their concerns regarding the open drainage channel.

Attachment 1 shows the above lots, the adjoining Milleara Estate and the drainage easement.

Implications***Legal***

The open drainage channel is within an easement on Lot 12 Section 11 DP 976608 and the development approval (DEV.2009.0327) does not preclude development on the proposed lots 12-20. However, potential property owners should be warned via a section 149(2) certificate that there is a rear easement and that a potential hazard does exist. Currently, Council places the following on 149(2) certificates issued for the lots on Milleara Estate that have the open drain and easement.

*Each of lots 2 to 7 (inclusive) DP286479 is affected by an easement to drain water 7 metres wide (**the easement**) which was created on the registration of DP 645123. The Council is aware that water can flow quickly along the drain within the easement during and after high rainfall events. The lot is also affected by a restriction on the use of land created on the registration of DP286479 which provides that no above ground works are to be erected or allowed to remain within 1.5 metres of the easement.*

Strategic

Recommendation 2 seeks to take a strategic approach to stormwater management in this part of Southern Bungendore.

Financial

Recommendation 2 also recommends that Council consider allocating funds to engage a consultant to review the stormwater system in the southern area of Bungendore from King Street to the southern side of Trucking Yard Lane and to recommend options for the management of the system.

It is estimated that it would cost approximately \$500,000 to institute a piped solution in regard to Lot 12 Section 11 DP 976608 and lot 2 DP 1132203 (DEV.2009.0327).

Resources (including staff)

Resources involved up to this point have been one member of staff to prepare the report and a number of others to review it. However, should recommendation 2 be adopted and pursued then further staff resources will be necessary.

4.2 South Bungendore Stormwater Drainage and Subdivision DEV.2009.0327 (Ref: C17138583; Author: Thompson/Robb) (Continued)

Conclusion

The inclusion of an open drainage channel in the proposed residential lots on the southern side of DEV.2009.0327 is an issue. The report has raised the matter and made recommendations to manage the situation.

Attachments

Attachment 1 Map showing easement associated with DA. 2009.327 (*Under Separate Cover*)

4.3 Mount Jerrabomberra Bushfire Management Plan (Ref: C17141907; Author: Thompson/Abbott)

Summary

The revised Bushfire Management Plan for Mt Jerrabomberra endeavours to provide effective management measures to protect life, preserve environmental assets, minimise the likelihood of a significant portion of the Reserve burning in a single event and enhance biodiversity within Mt Jerrabomberra.

This plan has been developed by staff in consultation with stakeholders including the NSW Rural Fire Service (NSW RFS) and Fire and Rescue New South Wales (FRS). This assessment has included consideration of the ecological fire management guidelines for the vegetation associations that comprise Mt Jerrabomberra. Treatments or recommendations have been proposed to mitigate the bushfire threat. This plan is to be reviewed in five years, unless a fire event occurs within Mt Jerrabomberra prior to this time elapsing.

Recommendation

1. That Council note the completion of the Mt Jerrabomberra Bushland Reserve Bushfire Management Plan 2017-2022.
 2. That Council investigate funding opportunities for consideration in the Delivery Program to implement the 49 conservation and fire treatment recommendations of the "Action Plan" provided within the Bushfire Management Plan noting in particular the following:
 1. Create CAT 1 fire trails as recommended (APZ1 Fire Trail, APZ2 Fire Trail, APZ3 Fire Trail, APZ4 Fire Trails and Jerrabomberra Hill Road Fire Trail) to provide firefighting agencies with safe access to the interface of properties and Mt Jerrabomberra to facilitate firefighting. *Very High to Moderate Priority.*
 2. Create asset protection zones as recommended (APZ1, APZ2, APZ3, APZ4) to increase the separation distance between houses and vegetation posing a hazard within Mt Jerrabomberra. *Very High Priority to Moderate Priority.*
 - a. An Inner Asset Protection Zone (IAPZ) of 10m –co-located with the proposed fire trails where practicable.
 - b. An Outer Asset Protection Zone (OAPZ) of 10m
 3. Create asset protection zones as recommended (APZ5, APZ6, APZ7) to increase the separation distance between the economic assets (Lower and Upper Thornton Reservoirs and Telecommunication tower). *Very High Priority*
 - a. An Inner Asset Protection Zone (IAPZ) of 10m
 - b. An Outer Asset Protection Zone (OAPZ) of 10m
 4. Submit the Mt Jerrabomberra BMP to the NSW Rural Fire Service and Fire and Rescue NSW for endorsement. *Very High Priority.*
 5. Council to work with NSW RFS & FRNSW to provide bushfire education information to residents within APZ1, APZ2, APZ3 and APZ4 to achieve an increase in the effective separation distance by removing fuel from the property between the house and the boundary with Mt Jerrabomberra. *Very High Priority.*
 6. Create Conservation Land Management Zone CLMZ1 Dry Forest. *High Priority.*
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4.3 Mount Jerrabomberra Bushfire Management Plan (Ref: C17141907; Author: Thompson/Abbott) (Continued)

7. Conduct a vegetation survey to map the vegetation communities (plant class types) within the Dry Forest Association throughout Mt Jerrabomberra. *High Priority*
 8. Conduct a survey to locate populations of *Delma impar* (Striped Legless Lizard), listed as Vulnerable under the NSW TSC Act 1995 and under the EPBC Act. *High Priority*
 9. Harvest and remove the remnant pine plantation (removal of timber from the Reserve). *High Priority.*
 10. Conduct a prescribed burn in accordance with NSW RFS 2006, for ecological purposes in spring or autumn 2019 within the northern section of remnant pine plantation following removal of pines as recommended to initiate restoration of the former Dry Forest formation. *High Priority.*
 11. Conduct a prescribed burn in accordance with NSW RFS 2006, for ecological purposes in spring or autumn 2021 within the southern section of remnant pine plantation following removal of pines as recommended to initiate restoration of the former Dry Forest formation. *High Priority.*
 12. QPRC map the location of threatened flora and fauna within Mt Jerrabomberra to inform fire exclusion zones. *Moderate Priority.*
 13. Conduct a prescribed burn in accordance with NSW RFS 2006, for ecological purposes in autumn 2018 within the Dry Forest formation as recommended. *High Priority.*
 14. Conduct post prescribed fire spring vegetation assessments at six months, 18 months and 4.5 years following a prescribed fire. *High Priority*
 15. Create a managed vegetation corridor (easement) under the power lines that supply the telecommunication tower in accordance with ISSC (2016) and ISSC (2012). *High Priority*
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Background

This Mt Jerrabomberra Bushland Reserve (Mt Jerrabomberra) Bushfire Management Plan (BMP) has been developed following a review of the existing 2007 Mt Jerrabomberra BMP.

Mt Jerrabomberra occupies approximately 142 hectares of bushland reserve and is contiguous with the extensive remnant bushland that occupies Lots 118 and 119 of Deposited Plan 823513 to the south east owned by the Ngunnawal Local Aboriginal Land Council (NLALC). The Edwin Land Parkway bisects the NLALC property forming a firebreak between the remnant bushland to the north that includes Mt Jerrabomberra and the remnant bushland to the south that includes Stringybark Reserve.

To the north, Mt Jerrabomberra extends to Southbar Road where it adjoins The Scar Recreation Reserve that includes areas established as a BMX track, off-leash dog park, shared mountain bike and walking tracks and is a rehabilitation area.

4.3 Mount Jerrabomberra Bushfire Management Plan (Ref: C17141907; Author: Thompson/Abbott) (Continued)

The Mount Jerrabomberra Plan of Management (Planning for People et al. 2004) describes three vegetation types including: Dry Forest dominated by Red Stringybark (*Eucalyptus macrorhyncha*), Scribbly Gum (*Eucalyptus rossii*), Bundy (*Eucalyptus goniocalyx*) and the Red Anther Wallaby Grass (*Rytidosperma pallidum*) with Red Stringybark and Red Box (*Eucalyptus polyanthemos*) open forest woodland. There is Southern Tablelands Dry Shrub – Grass Forest with Broad-leaved Peppermint (*Eucalyptus dives*), Brittle Gum (*Eucalyptus mannifera*) and Red Stringybark and Southern Tablelands Dry Shrub – Grass – Herb Forest with Broad-leaved Peppermint and Red Anther Wallaby Grass.

Mt Jerrabomberra is located within the NSW Rural Fire Service (NSW RFS) Region South, Lake George Bushfire Zone and Queanbeyan City RFS District (NSW RFS 2012). QPRC is located within the South East Local Land Service Region (LLSR) (NSW Government 2017).

Existing bushfire control strategies and actions are presented within the Mt Jerrabomberra Bush Fire Management Plan (Hansen 2007) and bushfire hazard reduction works have been conducted by QPRC in accordance with Bushfire Hazard Reduction Certificates issued under section 100G of the New South Wales *Rural Fires Act 1997*.

Implications***Legal***

In accordance with the requirements of the *Local Government Act 1993*, Mt Jerrabomberra has been classified as bushland. Under section 36(5) of the LG Act, there are core objectives for management of community land categorised as bushland. This includes ensuring ecological viability by protecting biodiversity, protecting aesthetic, heritage, recreational, educational and scientific values of the land, protect and enhance values, minimise disturbance caused by human intrusion and restore degraded bushland.

The following treatments are applicable to fire trails (new) within Mt Jerrabomberra.

1. Fire trails are to comply with The Bush Fire Coordinating Committee Policy No. 2/2007 – Fire Trails Cat 1 standard.
 - a. Vehicle carrying capacity must be clearly identified on maps and roadside signage
 - b. Fire trail must be maintained free of obstructions
 - c. Permanent fire trail signage must be installed at both ends of the Jerrabomberra Hill Road fire trail. An example of appropriate signage is provided below.



4.3 Mount Jerrabomberra Bushfire Management Plan (Ref: C17141907; Author: Thompson/Abbott) (Continued)

2. The fire trail access gate is to be painted white with red markings in accordance with AS1744 (Standard alphabets for road signs), AS1743 (Road sign specifications) (high reflectivity for low light conditions).
3. Annual inspections of fire trails (August) are to be carried out and appropriate maintenance undertaken to rectify identified issues.

Environmental

The residential developments that abut Mt Jerrabomberra were developed prior to the Planning for Bushfire Protection (PBP): *A Guide for Councils, Planners, Fire Authorities and Developers* (NSW RFS 2006) and, as a consequence, there is no formed road or access between the Reserve and the residences that would otherwise have formed the asset protection zone (APZ). Secondly, Mt Jerrabomberra Bushland Reserve is of high environmental and social value to the community and it is therefore necessary to minimise adverse impacts upon the Reserve.

The environmental issues that require management within Mt Jerrabomberra are typical of bushland reserves with an extensive urban interface. Encroachment by neighbouring residents, utilising reserve land for their own purposes and illegal dumping of waste and garden refuse are management issues that are monitored by QPRC. Other significant management issues within Mt Jerrabomberra are the creation of new bike riding tracks and jumps and illegal vehicular access that both contribute to the removal of vegetation and increase the potential for erosion and weed invasion of the disturbed areas.

The majority of Mt Jerrabomberra is Vegetation Category 1, dry forest and box gum woodland. This land is categorised as bushfire prone land defined as land that is either capable of supporting a bushfire or is subject to bushfire attack, including ember attack (NSW RFS 2014). Development within the BPA now requires an assessment under the Australian Standards AS 3959 – ‘Construction of buildings in bushfire prone areas’ (Standards Australia 2009) to determine the mandatory construction standards. Development must also comply with the NSW RFS (2006) ‘Planning for Bushfire Prevention Guidelines’.

There are recorded occurrences of threatened plant species on Mt Jerrabomberra. Fire plays an important role in maintaining biodiversity within a plant association or community. The response to fire of key species within each plant association needs to be understood so that this information can be applied to fire management practices.

Asset

Mt Jerrabomberra is itself a major environmental asset. Mt Jerrabomberra supports fauna species of both state and national significance. Mt Jerrabomberra also has cultural value to the Ngambri / Ngunnawal traditional owners of the land.

The Plan includes a bushfire risk assessment (BRA) and review of assets including communities, buildings, infrastructure, and culturally and environmentally significant locations within the area. This process allows an updated asset register to be established. The threat posed to these assets by bushfire can then be calculated and risk mitigation measures developed.

Due to its height and geographic location, there is a small amount of built infrastructure with associated access roads within Mt Jerrabomberra. There are no formal fire breaks established within Mt Jerrabomberra however, there are a number of tracks around sections of the perimeter and Jerrabomberra Hill Road extends from Halloran Drive across the three peaks to Benalla Court and Southbar Road to the north and Kinsella Street to the east.

A water reservoir tank has been built into the hill slope approximately 210 metres east from the end of Tully Place and 1.13 kilometres along Jerrabomberra Hill Road from Halloran Drive.

4.3 Mount Jerrabomberra Bushfire Management Plan (Ref: C17141907; Author: Thompson/Abbott) (Continued)

These tanks are fenced and there are no water standpipes or hydrants installed to facilitate re-filling by fire fighting vehicles and the gate has no signage present to indicate access to water is available. While there is a substantial laydown area within the compound, no formal asset protection zone (APZ) is established.

Two additional reservoir water tanks are located on the crest of the northern-most ridge approximately 2.3 kilometres along Jerrabomberra Hill Road from Halloran Drive. These water reservoir tanks provide no opportunity for fire fighting vehicles to re-fill at this location and no formal APZ is present at this location.

A telecommunications tower and associated buildings are located at the crest of Mt Jerrabomberra an additional 500 metres along the road or 150 metres southeast of the water tanks. There is no formal APZ around the perimeter of the telecommunication tower compound and no fire-fighting infrastructure is present at this location.

It was noted that vegetation is growing within close proximity to power lines near the telecommunication tower presenting a potential ignition hazard. Vegetation growing beneath and around these power lines and poles must be managed in accordance with the Electrical Industry Safety Steering Committee Guidelines [ISSC] (2012) and ISSC (2016) so as to reduce the potential of a flashover ignition.

There are no residences located within the Mt Jerrabomberra Reserve; however, the BMP takes into consideration the residences that abut the Reserve. These residences principally occur within the suburbs of Jerrabomberra along the western boundary of Mt Jerrabomberra and Karabar on the eastern side. Hulston (2014) indicates that “85 per cent of houses are lost in the first 100m from bushland” and that ember attack is a significant factor. In consideration of the potential for ember attack arising from a fire within Mt Jerrabomberra and taking into account the layout of residential areas, the asset zones extend 50m from the boundary of Mt Jerrabomberra.

Human settlement assets adjacent Mt Jerrabomberra

Asset Number	Asset Type	Asset Sub-type	Asset Name	Description
APZ1	Human Settlement	Residential	Carolyn Jackson Drive	Extends from the Glenora Court access to the main entrance of Jerrabomberra Hill Road. A formed track does not extend the entire length of this APZ. Numerous homes have native vegetation within their boundary that greatly reduces the separation distance.
APZ2	Human Settlement	Residential	Halloran Drive	Extends from the main entrance of Jerrabomberra Hill Road to the entrance at Minda Place. Mt Jerrabomberra Hill Road extends approximately halfway along the interface of the residences and Mt Jerrabomberra increasing the separation distance. The remaining interface does not have a formed track present.
APZ3	Human Settlement	Residential	Murruba Place	Extends from the entrance at Minda Place through to the entrance at Murruba Place. A formed track separates the residences and the vegetation within Mt Jerrabomberra.
APZ4	Human Settlement	Residential	Southbar Road	Extends from number 84 Candlebark Road along the eastern edge of Mt Jerrabomberra to Southbar Road. The majority of this APZ lacks a formed track. The separation distance is often determined by the house position on the block.

4.3 Mount Jerrabomberra Bushfire Management Plan (Ref: C17141907; Author: Thompson/Abbott) (Continued)

Economic assets within Mt Jerrabomberra.

Asset Number	Asset Type	Asset Sub-type	Asset Name	Description
APZ5	Economic	Infrastructure	Lower Thornton Water Supply Reservoir – Mt Jerrabomberra Hill Road	This water supply reservoir and associated infrastructure is located within Mt Jerrabomberra along Jerrabomberra Hill Road. It comprises a single large tank (60 metre diameter) and a smaller tank (12.5 metre diameter) and is built into the hill mid-slope.
APZ6	Economic	Infrastructure	Upper Thornton Water Supply Reservoir – Mt Jerrabomberra Hill Road	This water supply reservoir and associated infrastructure is located within Mt Jerrabomberra along Jerrabomberra Hill Road and comprises two tanks (32 metre and 20 metre diameter). The tanks are located on an upper slope but are not built into the hill.
APZ7	Economic	Infrastructure	Telecommunication tower and infrastructure	The telecommunication tower is located on the northern most crest within Mt Jerrabomberra and is supplied by power from an overhead powerline.

Environmental assets within Stringybark Reserve.

Asset Number	Asset Type	Asset Sub-type	Asset Name	Description
CLMZ1	Environmental	Endangered (species)	Dry Forest	This vegetation association is the dominant vegetation type across the Reserve and includes EPBC Act listed plant species.

Strategic

The process for recognising and assessing bushfire risk within Mt Jerrabomberra is based on that of the NSW Rural Fire Service, Bushfire Risk Management Planning Framework (NSW RFS 2008) and the Australian risk management standard AS/NZS ISO 31000:2009.

The precise location of fire management zones and the type of zones employed within the vicinity of an asset is identified through the Lake George Zone Bush Fire Risk Management Plan, (BFRMP) therefore the location and nature of the fire management zones recommended in the BMP should be considered indicative until the NSW RFS has endorsed the Mt Jerrabomberra BMP as a sub-plan of the Lake George Zone BFRMP.

4.3 Mount Jerrabomberra Bushfire Management Plan (Ref: C17141907; Author: Thompson/Abbott) (Continued)

Engagement

The consultant engaged various stakeholders during the preparation of the BMP including:

- QPRC Staff
- Queanbeyan Landcare
- Several residents of Jerrabomberra and Candlebark Road
- District Manager, Lake George Zone, NSW Rural Fire Service
- Retired officer of NSW Rural Fire Service
- Fire Behaviour Analyst, Community Planning, NSW Rural Fire Service
- District Assistant, Lake George Zone, NSW Rural Fire Service
- Queanbeyan Station Commander, NSW Fire and Rescue
- Vice President, Canberra Orchid Society
- Technical Assistant, ANU

Public consultation to facilitate community involvement and to foster community ownership of the Mt Jerrabomberra BMP is required. Bushfire prevention and preparedness is a shared responsibility and engagement of a range of community stakeholders in bushfire management remains a key element for successful bushfire risk management within and surrounding Mt Jerrabomberra.

Financial

Costing of the actions within the plan has not been provided. Timing of actions extends from October 2017 for education, to October 2020 for completion of fire trails.

Substantial funding over the period of the next Delivery Plan will be required to complete works.

Integrated Plan

QPRC has manages Mt Jerrabomberra in accordance with the following plans:

- Planning for People et al. (2004) Mount Jerrabomberra Plan of Management.
- QPRC (2016¹) Plan of Management Mount Jerrabomberra – Addendum 1
- QCC (2010) Plan of Management: Natural Areas.
- QPRC (2016²) Plan of Management: Natural Areas – Addendum 1
- Hansen (2007) Mount Jerrabomberra Bush Fire Management Plan
- QCC (2011) Weed Management Plan 2011-2021.

Conclusion

The plan recognises that Council has significant management responsibilities and actions to implement in order to protect life, preserve environmental assets, minimise the likelihood of a significant portion of the Reserve burning in a single event and enhancing biodiversity within Mt Jerrabomberra.

One of the main concerns is that access to Mt Jerrabomberra to fight fires is restricted due to the lack of a complete perimeter formed fire trail separating residences and Mt Jerrabomberra. The typical separation distance between buildings and vegetation that presents a hazard is poor (Mean distance = 15m) at the interface of APZ1 and Mt Jerrabomberra. The recommendations of the report are made to improve access for firefighting.

Attachments

- | | |
|--------------|---|
| Attachment 1 | Mt Jerrabomberra Bushfire Management Plan 2017-2022 - Final Report Including all Maps and Photo's (<i>Under Separate Cover</i>) |
|--------------|---|

4.4 Conservation Volunteers - Work for the Dole Program (Ref: C17144895; Author: Thompson/Abbott)

Summary

Council has been approached by Conservation Volunteers Australia (CVA) with a proposal to partner in a Work for the Dole program. The suggested activities involve the clearing of asset protection zones (APZ) on Mount Jerrabomberra as recommended in the new Bushfire Management Plan, and clearance of flood debris on Turallo Creek in Bungendore.

Recommendation

That Council approve an upfront investment of \$16,500 to Conservation Volunteers Australia, for a 26 week Work for the Dole program at Mount Jerrabomberra and Turallo Creek commencing in November 2017.

Background

Council has an ongoing relationship with Conservation Volunteers Australia (CVA) and discussions have taken place on opportunities to expand the partnership. CVA has an agreement with Employment Services Group (ESG Employment) to deliver job active on-ground Work for the Dole programs. These programs are to facilitate meaningful outcomes and positive experiences for participants. This program could be very advantageous in assisting Council with works at the following locations:

1. Mount Jerrabomberra
2. Turallo Creek

The proposed program will be 26 weeks in length with 15 hours (two days) per week. It will have one supervisor and up to 9 participants with a vehicle, tools, equipment, PPE and insurances provided by CVA. All supervisors with CVA have current first aid and CPR, defensive driving, WHS and chemical qualifications.

The proposed work would include the following:

Mount Jerrabomberra

The new Mt Jerrabomberra Bushfire Management Plan has made some significant and costly recommendations on asset clearing and providing access trails. This is due to the risk of not having a well-defined perimeter formed fire trail separating residences and Mt Jerrabomberra to fight fires. As such, the existing typical separation distance between buildings and vegetation that presents as a hazard, is poor.

Work for the Dole teams could focus on clearing a buffer around the perimeter of the Mountain, working on the following priority locations:

- APZ1 - Glenora Court access to the main entrance of Jerrabomberra Hill Road.
- APZ2 - the main entrance of Jerrabomberra Hill Road to the entrance at Minda Place.
- APZ3 – the Entrance of Minda Place through to the entrance of Murruba Place.

4.4 Conservation Volunteers - Work for the Dole Program (Ref: C17144895; Author: Thompson/Abbott) (Continued)

Bungendore Creek

Council received a request to clean up debris from the 2016 flood in Turallo Creek. The debris has formed several dams that restrict the flow of water in the Creek and may cause the Creek to flood its banks across recreation paths with a heavy rain event.

This is a suitable project which the Work for the Dole team could be engaged to undertake.



4.4 Conservation Volunteers - Work for the Dole Program (Ref: C17144895; Author: Thompson/Abbott) (Continued)

Implications

Legal

All insurances and WHS is covered by CVA. Copies to be obtained prior to engagement.

Policy

The Plan of Management for Mt Jerrabomberra identified the need for a bushfire risk assessment and considered fire escaping into the surrounding bushland as high. Given the mountain's setting, the significant infrastructure assets and the large number of homes in the adjacent and abutting urban areas, it was considered appropriate that a specific fuel and fire management strategy be developed.

Environmental

The bushfire risk associated with CLMZ1 the Dry Forest vegetation association across Mt Jerrabomberra is 'High' due to the presence of plant species listed under the EPBC Act and at the state level.

Mount Jerrabomberra is a Dry Sclerophyll Forest vegetation association is dominated by *Eucalyptus rossii* (Scribbly Gum, with *Eucalyptus polyanthemos* (Red Box), *Eucalyptus macrorhyncha* (Red Stringybark), *Eucalyptus goniocalyx* (Bundy) and *Eucalyptus nortonii* (Mealy Bundy).

Dry Forest plant associations can accumulate fuel rapidly (NPWS 2004). Evidence obtained from the site inspection indicates that the presence of *Kunzea ericoides* (Burgan) or other shrubs with a similar structure can have a significant impact upon the fuel hazard rating

Burgan is considered a highly flammable plant (Fogarty 2001) that forms dense monospecific stands increasing the fuel load and increasing the probability of high fire intensity across the area in which it occurs (Simmons, Adams and Stoner 2006). Spread of Burgan within Mt Jerrabomberra in response to fire must be monitored, as an increase in distribution increases the likelihood of a high intensity bushfire.

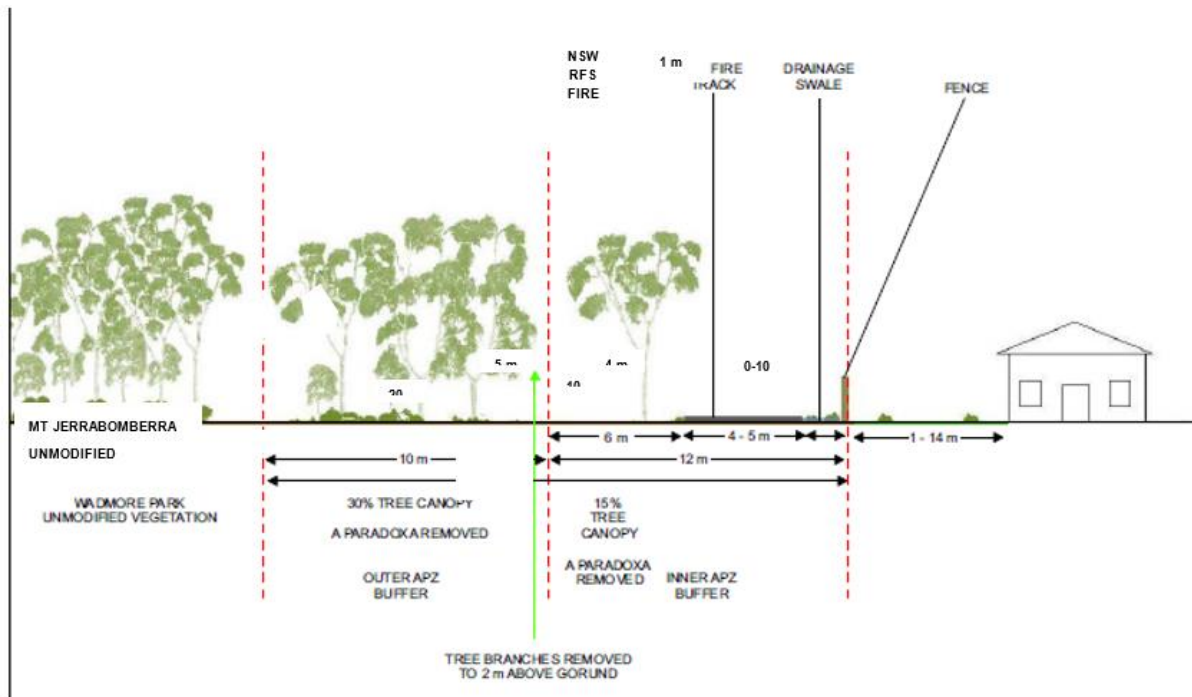


Council and residents should recognise that there will be significant clearing of plant material within the APZ.

4.4 Conservation Volunteers - Work for the Dole Program (Ref: C17144895; Author: Thompson/Abbott) (Continued)

The recommended construction involves the reduction of the fuel load for a distance of 10m from the boundary of the Inner APZ. Fuel load reduction can be achieved by ‘skirting’ trees, whereby branches lower than 2m from the surface are removed and selective branch removal practiced to create canopy coverage of approximately 30 per cent. More importantly the ground and near ground fuel layers are reduced by weed removal, slashing, pruning and selective shrub removal and thinning.

Proposed APZ construction details



Asset

The commencement of clearing work on Mt Jerrabomberra will be an important start to improved fire management on the Mountain and reducing fuel to the APZ.

An APZ provides:

- a buffer zone between a bush fire hazard and an asset;
- an area of reduced bush fire fuel that allows suppression of fire;
- an area from which back burning may be conducted; and
- a relatively safe area for firefighters to operate in area and allows emergency services access (NSW RFS 2005).

Resources will be directed in the first instance to reduce the risk to premises located within APZ1 that abut Mt Jerrabomberra where bushfire risk is categorised as ‘Extreme’.

4.4 Conservation Volunteers - Work for the Dole Program (Ref: C17144895; Author: Thompson/Abbott) (Continued)

Asset	Asset Type	Asset Subtype	Asset Location	Bushfire Likelihood	Bushfire Consequence	Bushfire Risk
APZ1	Human Settlement	Residential	Extends from the Glenora Court access to the main entrance of Jerrabomberra Hill Road	Likely	Catastrophic	Extreme
APZ2	Human Settlement	Residential	Extends from the main entrance of Jerrabomberra Hill Road to the entrance at Minda Place.	Likely	Moderate	High
APZ3	Human Settlement	Residential	Extends from the entrance at Minda Place through to the entrance at Marruba Place.	Likely	Moderate	High

Engagement

Information regarding the proposed clearing works will be released to the community by Council website and social media. A hardcopy flyer to residents directly affected by the clearing work will also be mail box dropped.

Financial

To facilitate this program CVA is seeking an upfront investment of \$16,500, plus GST from QPRC. In addition, as part of the program CVA can provide a materials budget of \$5,000 that can be utilised on the program. From this investment CVA is able to facilitate a program that is worth over \$117,000 in labour for QPRC.

No other quotes have been requested for this work.

Program Code	Expense Type	Funding source	Amount
100502	4080	Mount Jerrabomberra (Unspent 2016 funds in reserve)	\$15,000
100498	4080	Bushland Maintenance	\$1,500

Resources (including staff)

Minimal supervision by Manager Natural Landscapes & Health and Coordinator Open Spaces.

Conclusion

Partnership with CVA will allow economical allocation of basic resources to the highest priority bushfire risk areas of Mount Jerrabomberra and clearance of Bungendore Creek without deployment of Council’s resources. This will allow commencement of important bushfire hazard reduction work.

Attachments

Attachment 1 CVA - WFD Proposal (Under Separate Cover) - **CONFIDENTIAL**

4.5 2018 Super Rugby Trial Game (Ref: C17153596; Author: Thompson/Geyer)

Summary

Staff have been in discussions with the ACT Brumbies to bring a Super Rugby Trail game to Queanbeyan on a similar model as used for the Raiders NRL Pre-season Trial games. Talks have been positive and a small project team has been put together to work through the arrangements.

Recommendation

That Council endorse Super Rugby Pre-season Trial games at Seiffert Oval, utilising the same model to conduct the NRL trial games.

Background

Following the successful NRL Pre-season trial games at Seiffert Oval between Canberra Raiders and Newcastle Knights, approaches were made to ACT Brumbies to explore options for a Super Rugby Pre-season game. The proposal is to host the game in the alternate year to the NRL trial, but follow the same business model. This model involves both QPRC and the Club staff working together to coordinate the event. Council is responsible for providing the venue in Game ready condition and the club is responsible for providing two competition ready Super Rugby teams. Apart from staff time, all other associated costs from hosting the trial are recouped through ticket sales and sponsorship. The 2015 and 2017 NRL trials attracted crowds of approximately 7,500 spectators and a great deal of flow on business in the CBD after the games Attachment 1 shows economic modelling for an event of this nature.

The ACT Brumbies have agreed to bring a Super Rugby trial game to Seiffert Oval, Brumbies V Melbourne Rebels, on Saturday 3 February 2018, using the established business model. The game will be preceded by other rugby games and family activities in conjunction with Queanbeyan Whites. If this trial proves successful, it is proposed to continue into the future, on the alternate years to NRL trials.

Implications

Legal

The proposal is in keeping with the dedication of Seiffert Oval Crown reserve.

Social / Cultural

Queanbeyan-Palerang region has a strong interest in sporting events of this nature. The high level of sports and family atmosphere attracts a good audience from across the wider Southern Tablelands and ACT, adding to the richness of the local lifestyle.

Economic

Over the past 6 years Council has invested significant funds into upgrading Seiffert Oval for this very purpose. The vast improvement to assets onsite is now returning on this investment, largely in social capital and economic return to the wider community.

**4.5 2018 Super Rugby Trial Game (Ref: C17153596; Author: Thompson/Geyer)
(Continued)**

Engagement

Thorough community consultation was conducted in developing the East Queanbeyan Sporting Hub Plan of Management and the Queanbeyan-Palerang Regional Council Sports Facilities Strategic Plan. In each document the use of Seiffert Oval for high level Rugby League and Union was encouraged.

Financial

The business model focusses on providing a high level sporting event at a cost neutral basis on game day. The game day estimate is a cost of \$70,000, with these costs being recouped through ticket sales.

Resources (including staff)

The main resource required from Council is staff time, from Urban Landscapes, Communications and the Events team, generally equating to one person-hour per week from October until February, and are covered from existing budgets.

Conclusion

The Super Rugby Trial game brings a level of sports to Queanbeyan that is sought after by the community. The economic return and cultural value to the Queanbeyan community from events of this nature are proven. Ongoing use of Seiffert Oval for trial games is in keeping with the Sports Facilities Strategic Plan and all the work council has carried out over the past 6 years.

Attachments

Attachment 1 Sports Event Economic Modelling (*Under Separate Cover*)

5.1 Committee Delegates and Representatives for 2017-2018 (Ref: C17155123;
Author: Tegart/Ferguson)

Summary

Council is required to appoint its representatives and delegates to a number of Council, regional and s.355 committees and external organisations for the coming year. This item was deferred at the Extraordinary meeting on 20 September and referred to a workshop on 27 September 2017 for discussion.

Recommendation

That Council:

1. **Appoint its delegates and representatives for 2017-2018 on the Council, regional and external organisations;**
 2. **Consider which of the seven options listed in the report is preferred to administer committees;**
 3. **Consider whether community representatives on committees be reimbursed for travel costs to meetings, should Council decide to implement collective or locality-based s.355 committees;**
 4. **Determine that the method of ballot for the election of representatives and delegates be by open voting, pursuant to Schedule 7, Part 1(3) of the *Local Government (General) Regulation 2005*, if more than one nomination is received for a representative position.**
-

Background

The following is an extract from the minutes of the Extraordinary Meeting held on 20 September 2017:

4.8 Appointment of Committee Delegates and Representatives 2017-2018

Resolution No.244/17 that:

- 1. Council defer to a workshop the consideration of the structure of committees.*
- 2. The items listed for consideration in the substantive motion be considered in that workshop.*
- 3. Council appoint a delegate and an alternate delegate to the Southern Joint Regional Planning Panel.*
- 4. Council delegate to the Planning and Strategy Committee of the Whole the appointment of members to the committees.*

The workshop to consider the structure of committees was held on 27 September 2017.

A review of s.355 committees had been recommended by the Office of Local Government (OLG) via Circular 16-24 which highlighted in part several cases of s.355 committees failing to meet basic governance and accounting standards, thus creating significant risks for councils.

The OLG encouraged councils to review the operations of all s.355 committees following the local government general elections to ensure they continued to be fit for purpose, and their functions and expenditures aligned with the goals of Council's Delivery Program.

**5.1 Committee Delegates and Representatives for 2017-2018 (Ref: C17155123;
Author: Tegart/Ferguson) (Continued)**

The review, including a revised list of organisational committees incorporating the changes outlined in the substantive motion moved at the Extraordinary meeting, was discussed at the workshop. The following options for a change to the structure of s.355 committees were discussed:

1. The status quo to remain;
2. Two combined s.355 committees be established with a councillor/s delegate for all halls/facilities and all reserves; with a community representative of the s355 committees nominated to the combined committee/s
3. Four s355 committees be established based on town/village localities; with a community representative of the s355 committees nominated to the combined committee/s
4. The Sports Council be the peak advisory body scheduling for seasonal usage and bookings of Council's sporting reserves and facilities
5. Staff manage all Council community centres; expand bookings, fee collection and other online services to the facilities and reserves; and provide equipment to s355 committees to maintain the facilities and reserves
6. A hybrid of Points 2 - 5 above, or
7. Creating incorporated "Friends of..." groups to maintain local community input, particularly for the option 2 above.

While several s.355 committees currently manage reserve trusts, and others act as advisory committees, Councillors were informed at the workshop that these committees should not be set up under s.355 of the *Local Government Act 1993*, but rather as organisational committees.

Councillors also noted at the workshop that single issue committees such as the Floodplain Risk Management Committees, and the Bungendore Town Centre & Environs Committee could be advisory committees with local community members and subject matter experts invited and/or coopted to have input.

Council Committees

The following list of Council's organisational and statutory committees was included in the business paper for the Extraordinary meeting on 20 September 2017, and is now re-presented with proposed changes listed in the substantive motion moved at that meeting.

Council may choose to appoint any of the community representatives by way of an expression of interest process, continuation of an existing appointment, or by personal approach to persons known to have the necessary skills, experience and interests.

5.1 Committee Delegates and Representatives for 2017-2018 (Ref: C17155123;
Author: Tegart/Ferguson) (Continued)

	COMMITTEE	RECOMMENDATION FOR CHANGE	DELEGATE	Frequency
	COUNCIL COMMITTEES			
1.	Planning and Strategy Committee of Whole	No change	Whole Council	Monthly
	ORGANISATIONAL COMMITTEES			
2.	Audit, Risk and Improvement Committee	No change	Councillor and Portfolio GM Organisation Capability	Quarter
3.	Australia Day and Community Awards Committee		Mayor	As required
4.	Australia Day Organising Committee	No change	Portfolio GM Community Choice	As required
5.	Consultative Committee on Aboriginal Issues	No change	Councillor	Quarter
6.	Cultural Development and Public Arts Advisory Committee	No change	Councillor	Quarter
7.	Dangerous Dog Panel	No change	Councillor	As required
8.	Disability Access	To be formed	Councillor and Staff	As required
9.	Heritage Advisory Committee	Combine with Palerang Heritage Advisory s.355 Committee to form QPRC Heritage Advisory Committee	Councillor and Portfolio GM Natural Built Character	Bi-monthly
10.	Braidwood Heritage Advisory Committee	To be formed	Councillor and staff	As required

5.1 Committee Delegates and Representatives for 2017-2018 (Ref: C17155123;
Author: Tegart/Ferguson) (Continued)

11.	Environment and Sustainability Advisory Committee	No change – includes climate change responses, water, energy, waste actions	Councillor	Quarter
12.	Queanbeyan Showground Advisory Committee	No change	Councillor	As required
13.	Sister City Committee	No change	Mayor, one councillor and Portfolio GM Community Choice	As required
14.	Queanbeyan Sporting Gallery Committee	No change	Mayor	As required
15.	Sports Council	No change	Two Councillors	Quarter
16.	Q Advisory Board		Councillor, Chair Cultural Advisory Committee; Portfolio GM Community Choice	Bi-month
17.	Queanbeyan-Palerang Library Service	Not required following amalgamation	N/A	
18.	Queanbeyan-Palerang Library Service – NSW Public Library Zone	Delegate required to attend Zone meetings	Councillor	As required
19.	Bungendore War Memorial Committee	No change	Councillor	As required
20.	Implementation Advisory Group	New (oversee merger transition) – sunset committee	Two Councillors, and Chair ARIC	Quarter
21.	Economic Advisory Panel	To be formed	Councillor	Quarter
22.	General Manager’s Performance Review Committee		Mayor, Deputy Mayor and two Councillors	Annual
23.	Youth Advisory Council	To be formed	Chair and Deputy Chair elected from community membership; Councillor and staff	Quarter

5.1 Committee Delegates and Representatives for 2017-2018 (Ref: C17155123;
Author: Tegart/Ferguson) (Continued)

	STATUTORY COMMITTEES			
24.	Dargues Reef Community Consultative Committee	No change	Staff	As required
25.	Integrated Water Cycle Management Project Reference Group	No change	Staff	As required
26.	Jupiter Wind Farm Community Consultative Committee	No change	Staff	As required
27.	Lake George District Liaison Committee	Delete (has not met since 2014)		
28.	Lake George Bush Fire Management Committee	No change	Councillor and LEMO	Bi-annual
29.	Lake George Emergency Management Committee (meets quarterly)		Portfolio GM Community Connections (Chair) (<i>State Emergency & Rescue Management Act 1989</i>)	Quarter
30.	Local Traffic Committee		Councillor, Portfolio GM Community Connections	Bi-month
31.	Holcim Quarry Consultative Committee	No change	Councillor	As required

5.1 Committee Delegates and Representatives for 2017-2018 (Ref: C17155123;
Author: Tegart/Ferguson) (Continued)

Section 355 Committees

The following is the current list of s.355 committees as presented to the Extraordinary meeting on 20 September.

Should Council wish to change the structure of these committees, a list of alternatives is at Attachment 1. The s.355 committees that are currently managing a trust, or are advisory committees, have been removed and will be retained as organisational committees, subject to Council's decision.

S355 COMMITTEES				
Facility Committees				
	Braidwood Gymnasium Committee	No change; set up by formal agreement with NSW Education	Councillor	As required
	Braidwood National Theatre Community Centre Committee	No change	Councillor	As required
	Bungendore School Hall Management Committee	No change; set up by formal agreement with NSW Education	Staff	As required
	Bungendore School of Arts Management Committee	No change	Councillor	As required
	Fernleigh Park Hall	No change	Councillor	As required
	Hoskinstown Community Hall Committee	No change	Councillor	As required
	Les Reardon Reserve Facility Management Committee	No change	Councillor	As required
	Mick Sherd Oval Canteen Facility Committee	No change	Councillor	As required
	Wamboin Hall Management Committee	No change	Councillor	As required
	Braidwood Saleyards	Option to disband due to facility being managed by staff	Councillor	As required

5.1 Committee Delegates and Representatives for 2017-2018 (Ref: C17155123;
Author: Tegart/Ferguson) (Continued)

	Reserve Committees			
	Braidwood Recreation Ground Committee	No change	Councillor	As required
	Braidwood Historic Cemetery Committee	To be managed by Cemetery Officer		
	Burra and Cargill Park Management Committee	No change	Councillor	As required
	Canning Close Reserve Committee	No change	Councillor	As required
	Greenways Management Committee	No change	Councillor	As required
	Nerriga Sports Ground Reserve Committee	No change	Councillor	As required
	Royalla Common Committee	No change	Councillor	As required
	Advisory Committees			
	Araluen Area Committee	No change	Councillor	As required
	Captains Flat Area Committee	No change	Councillor	As required
	Carwoola/Stoney Creek Area Committee	No change	Councillor	As required
	Bungendore Town Centre Committee	No change	Two Councillors	As required
	Braidwood Floodplain Risk Management Committee	To be formed	Councillor	As required
	Bungendore Floodplain Risk Management Committee	No change	Councillor and staff member	As required

5.1 Committee Delegates and Representatives for 2017-2018 (Ref: C17155123;
Author: Tegart/Ferguson) (Continued)

	Queanbeyan Flood Management Committee	To be formed	Councillor	As required
	Captains Flat Floodplain Risk Management Committee	Floodplain Plan complete - disband		
	Palerang Heritage Advisory Committee	Combine with Queanbeyan Heritage Advisory Committee to form QPRC Heritage Advisory Committee		
	Braidwood Showground Reserve Trust Committee	No change	Councillor	As required
	Queanbeyan Trust Committee	No change	Mayor and all Councillors	As required

Regional, External and Workplace Committees

The following list comprises the regional, external and workplace committees where Council is represented by a Councillor or a staff member.

	REGIONAL COMMITTEES			
60.	ACT-NSW Cross Border Illegal Dumping Steering Committee	No change	Portfolio GM Connections or delegate	As required
61.	Canberra Airport Community Aviation Consultation Group	No change	CEO or delegate	Quarter
62.	Canberra Joint Organisation (CBRJO)	No change	Mayor	Bi-month
63.	Community Safety Precinct Committee – Monaro Local Area Command	No change	Councillor	As required

5.1 Committee Delegates and Representatives for 2017-2018 (Ref: C17155123;
Author: Tegart/Ferguson) (Continued)

64.	Interim ACT and Region Catchment Management Coordination Group	Replaced by Catchment Network	Staff	
65.	Southern Joint Regional Planning Panel	No change	Councillor (Bray) and alternate Councillor (Harrison)	As required
66.	QPRC Transport Working Group	Re-form with Integrated Transport Strategy		
67.	South East Australia Transport Strategy (SEATS)	No change	Councillor and Portfolio GM Community Connections	Quarter
68.	South-East Weight of Loads Group	No change	Staff	As required
69.	Southern Tablelands Arts Board	No change	Portfolio GM Community Choice	As required
70.	WaterNSW (Local Government Reference Panel)	No change	Staff	As required
71.	Upper Murrumbidgee Catchment Network	No change	Staff	Quarter

5.1 Committee Delegates and Representatives for 2017-2018 (Ref: C17155123;
Author: Tegart/Ferguson) (Continued)

	EXTERNAL COMMITTEES			
72.	Braidwood & Villages Tourism Inc	No change	Councillor	
	WORKPLACE COMMITTEES			
73.	Workplace Consultative Committee	No change	Management representatives and staff/union representatives	Month
74.	Workplace Health and Safety Committee	No change	Management representatives and staff representatives	Month
75.	Risk Committee	No change	Management representatives and staff representatives	Bi-month
76.	Workplace Innovation Group	New	Staff	Bi-month

Implications

Legal

Council must address the issues raised by the Office of Local Government (OLG) in Circular 16-24 in relation to the governance of s.355 committees.

Social / Cultural

There is clearly a need to reduce the number of s.355 committees. However, it is strongly recommended that community input is maintained in some form, particularly for those living in the outlying rural areas, as not only is the local facility a key element of their social lives, but Council is often dependent on timely local knowledge and advice to inform future maintenance and repair programs.

Council is considering the ‘asset-based-community’ (ABC) approach to focus investment and gatherings at key community facilities such as halls or pools for example.

If the committee structure were to change to collective or locality-based s.355 committees, one option to ensure community input is maintained would be to establish “Friends of the (*Community Hall/Reserve*)” groups. This would allow interested volunteers to be involved in the running of a particular facility, while responsibility for the governance, financial and risk management issues of individual facilities would be transferred to collective s.355 committee and ultimately Council.

**5.1 Committee Delegates and Representatives for 2017-2018 (Ref: C17155123;
Author: Tegart/Ferguson) (Continued)**

The option of setting up incorporated, not-for-profit community organisations, with an initial funding grant from Council to cover incorporation and set-up costs, may also have merit.

Financial

A change in the management structure of Council's facilities will impact on Council's resources. For example, Council staff may become responsible for the bookings and security of community halls rather than the s.355 committee volunteers; however this may be partially offset by the introduction of online booking systems and swipe access cards.

Should Council decide to implement collective or locality-based s.355 committees, it should also consider whether community representatives on these committees be reimbursed for travel costs to meetings.

Conclusion

Council must appoint its representatives and delegates to committees for 2017-18. The most appropriate delegates need to be appointed to represent the interests of Council and the community. In some instances, the representatives may include either a staff member or a member of the community.

If there are two or more nominations for each position as delegate or representative, an election may take place. It is recommended that any such election be conducted by open voting.

Attachments

Attachment 1 Committee Structure Options (*Under Separate Cover*)

5.2 LGNSW Annual Conference 2017 (Ref: C17156049; Author: Tegart/Ferguson)

Summary

The Local Government NSW (LGNSW) Annual Conference is being held from Monday, 4 December to Wednesday, 6 December 2017 in Sydney. Council is requested to nominate its voting delegates for the Conference and for the election of the LGNSW Board.

Recommendation

That Council:

- 1. nominate four persons as voting delegates for the LGNSW Annual Conference and election of the LGNSW Board to be held 4 – 6 December 2017 in Sydney;**
 - 2. consider whether it wishes to submit one or more motions for the 2017 Annual Conference.**
-

Background

The LGNSW Annual Conference is being held later than normal in 2017 to accommodate those councils which held their elections in September. Timeframes for this year are compressed to allow those councils to participate fully in the Conference while at the same time meeting the legal requirement for LGNSW to hold its Conference before the end of the year.

The Conference is the main policy-making event for the local government sector where issues are debated and motions put forward for the consideration of delegates.

As 2017 is a Board election year, voting for the new LGNSW President and Director positions will also take place at the Conference. The election of the LGNSW Board is being conducted by the Australian Electoral Commission (AEC) in accordance with AEC timeframes and as provided in the LGNSW rules.

Council is a financial member of LGNSW and is thus eligible for a certain number of voting entitlements depending on the population of the local government area as advised by the 2016 Census.

In accordance with the LGNSW rules, members' voting entitlements will be calculated on 9 October 2017. While QPRC's voting entitlement is unknown at the time of writing this report, it is likely to be in the vicinity of four.

Member Councils need to advise LGNSW of the names of their delegates to vote on conference motions and for the Board election by 1 November 2017. Members may notify a change to the names of their voting delegates for the Board election by 5.00pm on 4 December 2017. No further change will be accepted after that date.

Given the very short timeframe between LGNSW advising councils of their voting entitlements and the requirement for councils to notify LGNSW with the names of their voting delegates,

**5.2 LGNSW Annual Conference 2017 (Ref: C17156049; Author: Tegart/Ferguson)
(Continued)**

LGNSW encourages member Councils to prepare notional lists of voting delegates as soon as possible.

Further information regarding the Board election will become available when the official Election Notice is released on 16 October 2017.

Motions for Annual Conference

All members can put forward motions to be considered at the Conference. The LGNSW Board is working to ensure debate on the motions centres on advancing the sector-wide policy agenda in new ways. Proposed motion should be strategic, affect members state-wide and introduce new or emerging policy issues and actions.

For a motion to be included in the business paper for the Conference, the submitting member needs to provide accompanying evidence, such as an extract of the minutes of a meeting, of its support.

While members are asked to submit their motions by CoB on Monday, 9 October 2017, the latest date that motions can be accepted is 12 midnight on Monday, 6 November 2017.

Implications***Financial***

Council is a financial member of LGNSW for 2017/18. The cost of QPRC's membership for the year is \$54,167.58.

There is provision on Council's budget for the attendance of its voting delegates at the Conference.

Conclusion

Council is requested to nominate its voting delegates for the LGNSW Annual Conference 2017 and the election of the LGNSW Board.

Attachments

Nil

6.1 Outcome of Class 1 Appeal to NSW Land and Environment Court - DA.201.254 - 199 Wallace Street - Police Paddock - Samowill Pty Ltd v Queanbeyan-Palerang Regional Council (Ref: C17155337; Author: Thompson/Thompson)

6.1 Outcome of Class 1 Appeal to NSW Land and Environment Court - DA.201.254 - 199 Wallace Street - Police Paddock - Samowill Pty Ltd v Queanbeyan-Palerang Regional Council (Ref: C17155337); Author: Thompson/Thompson

Report

Development application DA.2014.254 was lodged for a five lot subdivision of part of the land known as the Police Paddock at 199 Wallace Street, Braidwood. The proposed subdivision would have resulted in four new residential lots ranging in size from 1150m² to 1656m² with the remaining lot to contain the existing motel building. The proposed works incorporated a new road off Wallace Street, Braidwood.

The application was refused by Council on the basis that the application was not provided concurrence from the Heritage Council of NSW ('NSW Heritage'). Concurrence was refused due to the developments detrimental impact on the heritage item - "Braidwood and its Setting".

The applicant subsequently appealed the refusal. In conjunction with the NSW Heritage Council, QPRC defended the appeal. The Council and NSW Heritage maintained the application should be refused for the following reasons:

1. The proposed development would have an unacceptable adverse impact on the heritage significance of "Braidwood and its Setting" as listed in the State Heritage Register ('SHR');
2. The concept plan filed by the applicants did not retain the appearance of traditional lot development suitable for Braidwood; and
3. The development was inconsistent with the controls in Council's planning instruments.

After hearing evidence from the applicants, Council, NSW Heritage, local residents and expert heritage consultants the Court handed down its determination on 3 October 2017.

In handing down the determination the Commissioner concluded as follows:

I find the impact of the proposed development on the heritage significance of the item sufficiently detrimental to warrant refusal of the application pursuant to s79C(1)(b) of the Act.

In my assessment I have given weight submissions made by members of the public in accordance with s 79C(1)(d) of the Act and the consistency of those submissions with the significance identified in the SHR listing for Braidwood and its Setting. I find that it is not in the public interest to approve the development as proposed.

As a consequence the orders of the Court were:

1. The appeal is dismissed.
2. Development application DA.2014.254 for a five lot residential subdivision of Lot 11 in DP 1096463 and Lot 111 in DP 755913 at 199 Wallace Street, Braidwood is determined by way of refusal.

As such Council was successful in the appeal and Council's original determination to refuse the application has been confirmed. Judgement attached.

6.1 Outcome of Class 1 Appeal to NSW Land and Environment Court - DA.201.254 - 199 Wallace Street - Police Paddock - Samowill Pty Ltd v Queanbeyan-Palerang Regional Council (Ref: C17155337; Author: Thompson/Thompson) (Continued)

Recommendation

That the report be received for information.

Attachments

Attachment 1 DA.2014.254 - Police Paddock - Judgement - 199 Wallace Street, Braidwood (*Under Separate Cover*)

**6.2 Outcome of Class 1 Appeal - Land and Environment Court - DA.2016.001 -
Childcare Centre - 35 Trucking Yard Lane - Chong v Queanbeyan-Palerang
Regional Council (Ref: C17155347; Author: Thompson/Thompson)**

**6.2 Outcome of Class 1 Appeal - Land and Environment Court - DA.2016.001 -
Childcare Centre - 35 Trucking Yard Lane - Chong v Queanbeyan-Palerang
Regional Council (Ref: C17155347); Author: Thompson/Thompson**

Report

Development application DA.2016.001 was lodged for a 50 place childcare centre at 35 Trucking Yard Lane, Bungendore.

The application was refused by Council on the basis that sufficient parking could not be provided on-site to meet the demands of the new childcare centre. The applicant sought a review of the refusal under S82 of the *Environmental Planning and Assessment Act*. The review confirmed Council's original decision to refuse the application.

The applicant subsequently appealed the refusal to the Land and Environment Court and the matter proceeded to conciliation under the direction of a Commissioner as per s34 of the Act.

At the conciliation conference the Commissioner heard representations from members of the local community as well as receiving presentations from the applicant and Council.

During the conference Council made it clear that it would not accept off-site parking for a new child care centre in a new residential area and that all required parking should be provided on-site. After some deliberation the applicants sought the Commissioner's leave to submit amended plans for a 40 place child care centre in lieu of a 50 place centre.

Council concurred that there was sufficient parking on-site to comply with the parking requirements for a 40 place centre.

The Commissioner then adjourned the proceedings to allow the applicant to prepare amended plans and for Council to review those plans. Following the review and the preparation of draft conditions of consent there were no reasons on which Council could rely which would warrant refusal of the application.

As such on 29 September 2017 the Commissioner made the following orders:

1. The applicant is granted leave to rely on the amended plans set out in Annexure "B".
2. The appeal is upheld.
3. Development application (DA.2016.001) for the construction and operation of a single storey 40 place child care centre at 35 Trucking Yard Lane, Bungendore, NSW (contained in Lot 1 in DP12110698) and associated works is approved subject to the conditions set out in Annexure "A."

While the appeal was upheld Council was successful in ensuring all the required car parking was provided on site. Court Order attached (including conditions of consent).

Whether the operation of a 40 place childcare centre is commercially viable, and therefore worth proceeding to the construction phase, is now a matter for the applicants to determine.

Recommendation

That the report be received for information.

Attachments

Attachment 1 DA.2016.001 - Childcare Centre - 35 Trucking Yard Lane, Bungendore -
Court Order (*Under Separate Cover*)

6.3 Fire Safety Inspection - Eaglehawk Holiday Park - 200 Bidges Road, Sutton (Ref: C17153384; Author: Thompson/Coman)

6.3 Fire Safety Inspection - Eaglehawk Holiday Park - 200 Bidges Road, Sutton (Ref: C17153384); Author: Thompson/Coman

Report

The Council has received an inspection report from Fire and Rescue NSW (FRNSW) in relation to the adequacy of the provision of fire safety at the premises known as Eaglehawk Holiday Park located at 200 Bidges Road, Sutton.

FRNSW has powers under the Environmental Planning and Assessment Act 1979 to carry out inspections of buildings and have identified a number of deficiencies in the provision of fire safety services at the Holiday Park. FRNSW are required to forward its findings to the Council in the Local Government Area where the inspection took place.

FRNSW reports received by the Council are required to be tabled before the Council. Council will note that the report recommends that Council inspect and address any other deficiencies at the premises as well as ensuring that the deficiencies identified by FRNSW are complied with.

Following the inspection Council is then required to determine whether or not to exercise its power to issue an order under Section 121B of the Environmental Planning and Assessment Act 1979. This determination may be made at the next meeting of the Council held after the tabling of the Fire and Rescue NSW reports. That Report is currently being prepared and will come before Council in the near future.

Attached is a copy of the report received by the Council from FRNSW that is required to be tabled.

Recommendation

That the report be received for information.

Attachments

Attachment 1 Letter from NSW Fire Brigades - Fire Safety - Eaglehawk Holiday Park
(Under Separate Cover)

6.4 Queanbeyan Honour Walk (Ref: C17155253; Author: Richards/Richards)

6.4 Queanbeyan Honour Walk (Ref: C17155253); Author: Richards/Richards
Report

The Queanbeyan Honour Walk is a project to honour notable people, both past and present, who have made a significant and lasting contribution to Queanbeyan or to the wider region in any area of life. On 24 November 2010 Council resolved to establish the Queanbeyan Honour Walk which was officially launched on 28 September 2012. It is located in the Crawford Street Lifestyle Precinct and includes the names and achievements of 22 of Queanbeyan's most influential residents on bronzed plaques which have been set into the pavement.

In 2016 Council called for further nominations (13 received) for Stage 2 of the Honour Walk and agreed to consider (25) unsuccessful nominations received during Stage 1. The closing date for nominations was 24 March 2017. The Awards Committee met in July to review all nominations and eleven people were chosen.

Stage 2 of the Honour Walk is now ready and will be launched at a morning tea event in mid-November 2017.

The Stage 2 inductees endorsed by the Awards Committee are:

Charles McManus	Significant contribution to the City of Queanbeyan over 60 years through outstanding support of the ex-service community and the dependants of ex-service personnel.
Miles Franklin	Grew up on Brindabella Station. Best known for her 1901 novel <i>My Brilliant Career</i> . Established the Miles Franklin Award to recognise uniquely Australian literature.
George Lazenby	Moved to Queanbeyan at 14 and attended Queanbeyan High School. An international actor, most famous for his role as James Bond in the film <i>On Her Majesty's Secret Service</i> .
Matt Giteau	Grew up in Queanbeyan, playing for the Whites. Played in 61 Super Rugby matches and earned 100 test caps with the Australian National Rugby Union team.
Alan Morton AM	Born and raised in Queanbeyan. Selected for the Wallabies and played 11 tests for Australia. Awarded an OAM in 2001 for academic achievement in the development of Sports Science.
Peter Morton BEM	Born and raised in Queanbeyan. Achieved world standard in martial arts as 6 th Dan Black Belt in Judo Jujitsu Karate. Awarded British Empire medal in 1972 for service to youth, physical fitness and sport.
Elizabeth McKeahnie	Owned and ran Blythburn, an 810ha cattle and dairy property. One of few rural women of her era to operate as a successful, independent pastoralist.
Thomas Wentworth Wills	Grew up in Burra. Known as the 'father of AFL' and one of Australia's greatest cricketers. Coach and captain of the first Aboriginal XI to tour England.
Frank Bresnik Snr	Councillor 1973-1985. Over 50 years of service to small business, the arts and local government. One of the founders of the Queanbeyan Arts Society.
Peter Edward Sutton	Queanbeyan born, gifted horticulturalist. Judge at horticultural shows. Regularly on TV and radio and in print. Managed landscape of Canberra's premier public gardens. One of the originators of Floriade.
John James Wright	First mayor of Queanbeyan 1885-1888. Contributed strongly to the development of the city. Opened first Post Office in 1849. Successfully agitated for railway.

6.4 Queanbeyan Honour Walk (Ref: C17155253; Author: Richards/Richards)
(Continued)

Recommendation

That the report be received for information.

Attachments

Nil

7 NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION

Nil