



Ordinary Meeting of Council

AGENDA

19 December 2018

Commencing at 5:30PM

Bungendore Council Chambers

On-site Inspections - Nil

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1 OPENING

Acknowledgement of Country.

2 APOLOGIES

3 DISCLOSURES OF PECUNIARY INTERESTS

4 CONFIRMATION OF MINUTES

4.1 Minutes of the Ordinary Meeting of Council held on 28 November 2018

5 PRESENTATIONS BY DEPARTMENTAL OR OTHER REPRESENTATIVES

6 BUSINESS ARISING FROM THE MINUTES

7 PRESENTATIONS FROM THE GALLERY RELATING TO LISTED ITEMS ON THE AGENDA AND PETITIONS

8 MAYORAL REPORT

9 MAYORAL MINUTE

10 NOTICES OF MOTIONS OF RESCISSION

11 NOTICES OF MOTIONS

11.1 Graffiti Wall Trial.....3

12 ITEMS FOR DETERMINATION

12.1 Modified Development Application 4-2009/B - Industrial Storage Units - 45 Bayldon Road, Queanbeyan West7

12.2 South Jerrabomberra Planning Proposal.....17

12.3 Rural Land Requests.....23

12.4 Street Naming Proposal - Ricketts Place - Bungendore29

12.5 Braidwood Archaeological Management Plan31

12.6 Swimming Pool Inspection Program.....35

12.7 Council Operations Sustainability Policy.....37

12.8 Proposal from NRMA to Install Electric Car Charging Facilities at Braidwood.....39

12.9 Request for Tender 2019-16 - Irrigation Upgrade to Mick Sherd Oval in Bungendore43

12.10 Southern Lights Project47

12.11 Updating and Harmonisation of Council Policies51

**QUEANBEYAN-PALERANG REGIONAL COUNCIL
ORDINARY MEETING OF COUNCIL**

BUSINESS PAPER AGENDA – 19 December 2018 Page ii

12.12 Investment Report - November 2018.....	57
12.13 Licence Agreement - Riverside Cafe Queanbeyan.....	61
12.14 Licence Agreement - Queanbeyan Children with Special Needs Group	65

13 ITEMS FOR INFORMATION

13.1 New Comprehensive Local Environmental Plan - Gateway Determination	67
13.2 Funding Agreement - Development of Plans of Management for Crown Land....	69
13.3 Queanbeyan Indoor Sport Centre Extension - 4 Star Green Star rating.....	71
13.4 Queanbeyan CBD Transformation - Business Case.....	73
13.5 Major Projects Status - Stronger Communities Fund	77
13.6 Canberra Region Joint Organisation documents	79
13.7 Stronger Communities Fund and New Council Implementation Fund Programs.	81
13.8 Resolution Action Sheet	83

14 COMMITTEE REPORTS AND RECOMMENDATIONS

14.1 Braidwood and Curtilage Heritage Advisory Committee Meeting held 8 November 2018.....	85
---	----

15 DELEGATES' REPORTS

16 RESPONSES TO COUNCILLORS' QUESTIONS

16.1 Responses to Councillors' Questions	87
--	----

**17 MATTERS OF WHICH NOTICE HAS NOT BEEN GIVEN BUT RULED BY THE
CHAIR TO BE CONSIDERED**

18 COUNCILLORS' QUESTIONS FOR NEXT MEETING

19 NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION ..89

Confidential - Not for Publication

20 REPORTS FOR CLOSED SESSION

20.1 Award of RFS Infrastructure Tender

Item 20.1 is confidential in accordance with s10(A) (c) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

LIST OF ATTACHMENTS –

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

Open Attachments

Item 12.1 Modified Development Application 4-2009/B - Industrial Storage Units - 45 Bayldon Road, Queanbeyan West

Attachment 1 Matters for Consideration - Section 79C(1) Table - 45 Bayldon DA-4-2009B (Under Separate Cover)

Attachment 2 Plans - DA 4-2009B - 45 Bayldon Road (Under Separate

**QUEANBEYAN-PALERANG REGIONAL COUNCIL
ORDINARY MEETING OF COUNCIL**

BUSINESS PAPER AGENDA – 19 December 2018 Page iii

- Cover)
- Attachment 3 *Draft Conditions - Modification DA-4-2009B (Under Separate Cover)*
- Item 12.2 South Jerrabomberra Planning Proposal
- Attachment 1 *Amended Draft Planning Proposal South Jerrabomberra 2018 (Under Separate Cover)*
- Attachment 2 *Draft Zoning Map South Jerrabomberra (Under Separate Cover)*
- Attachment 3 *Submissions South Jerrabomberra PP - 7 December 2018 (Under Separate Cover)*
- Item 12.3 Rural Land Requests
- Attachment 1 *Method for Assessing Rezoning and Dwelling Eligibility Requests (Under Separate Cover)*
- Attachment 2 *Lot 9 DP 754867, Silver Lane, Boro - Detailed Assessment (Under Separate Cover)*
- Attachment 3 *Lot 9 DP 754867, Silver Lane, Boro - Objection (Under Separate Cover)*
- Attachment 4 *Lot 9 DP 754867, Silver Lane, Boro - Property Owner - Submission - December 2018 (Under Separate Cover)*
- Attachment 5 *Lot 11 DP 1058498, Llwellyn Drive, Braidwood - Detailed Assessment (Under Separate Cover)*
- Attachment 6 *Lot 11 DP 1058499 - Owner Request (Under Separate Cover)*
- Attachment 7 *Lot 15 DP 1044797, Little River Road, Braidwood - Overview (Under Separate Cover)*
- Attachment 8 *Lots 13 and 15 DP 1044797, Little River Road, Braidwood - Council Letter (Under Separate Cover)*
- Attachment 9 *Lots 13 and 15, DP 1044797, Little River Road, Braidwood - Excerpt from Rural Residential and Environmental Discussion Paper (Under Separate Cover)*
- Attachment 10 *Lot 15 DP 270600, Lot 1 DP669141, Lots 82 and 83 DP 754922, Wanna Wanna Road, Carwoola - Detailed Assessment (Under Separate Cover)*
- Attachment 11 *Lot 15 DP 270600, Lot 1 DP 669141, Lots 82 and 83 DP 757922, Wanna Wanna Road, Carwoola - Rezoning Submission (Under Separate Cover)*
- Attachment 12 *Lot 21 DP 1018890, Grove Road, Lake George - Detailed Assessment (Under Separate Cover)*
- Attachment 13 *Lot 16 DP 846996, Williamsdale Road - Detailed Assessment (Under Separate Cover)*
- Attachment 14 *Lot 16 DP 846996, Williamsdale Road - Submission (Under Separate Cover)*
- Item 12.4 Street Naming Proposal - Ricketts Place - Bungendore
- Attachment 1 *Proposed Ricketts Place (Under Separate Cover)*
- Item 12.5 Braidwood Archaeological Management Plan
- Attachment 1 *Braidwood Archaeological Management Plan - November 2018 (Under Separate Cover)*
- Attachment 2 *Braidwood Archaeological Management Plan - Inventory Sheets November 2018 (Under Separate Cover)*

**QUEANBEYAN-PALERANG REGIONAL COUNCIL
ORDINARY MEETING OF COUNCIL**

BUSINESS PAPER AGENDA – 19 December 2018 Page iv

- Item 12.6 Swimming Pool Inspection Program
Attachment 1 DRAFT QPRC Swimming Pool Inspection Program 2018 (Under Separate Cover)
- Item 12.7 Council Operations Sustainability Policy
Attachment 1 Council Operations Sustainability Policy (Under Separate Cover)
Attachment 2 Former QCC Sustainability Policy (Under Separate Cover)
- Item 12.8 Proposal from NRMA to Install Electric Car Charging Facilities at Braidwood
Attachment 1 NRMA - Letter of Intent - EV Charger- Braidwood - Final (Under Separate Cover)
Attachment 2 NRMA - EV Licence template - Braidwood (Under Separate Cover)
- Item 12.10 Southern Lights Project
Attachment 1 Southern Lights (Under Separate Cover)
- Item 12.11 Updating and Harmonisation of Council Policies
Attachment 1 Overview of Council's Strategic Pillars, Services and Programs (Under Separate Cover)
Attachment 2 QPRC's Document Framework (Under Separate Cover)
Attachment 3 Development Adjacent to Water, Sewer and Stormwater Mains Policy (Under Separate Cover)
Attachment 4 Former QCC Policy: Development Adjacent to Water, Sewer and Stormwater Mains Policy (Under Separate Cover)
Attachment 5 Signs as a Remote Supervisor Policy (Under Separate Cover)
Attachment 6 Former QCC Policy: Signs as Remote Supervisor Policy (Under Separate Cover)
Attachment 7 Sewer Connections - Limit of Council Responsibility Policy (Under Separate Cover)
Attachment 8 Former QCC Policy: Sewer Connections - Limit of Council Responsibility (Under Separate Cover)
Attachment 9 Backflow and Connection Policy (Under Separate Cover)
Attachment 10 Former QCC Policy: Backflow and Cross Connection (Under Separate Cover)
Attachment 11 Playground Management Policy (Under Separate Cover)
Attachment 12 Former QCC Policy: Playground Management Policy (Under Separate Cover)
Attachment 13 Private Works - Pre-payment Policy (Under Separate Cover)
Attachment 14 Former QCC Policy: Private Works Pre-payment (Under Separate Cover)
- Item 12.12 Investment Report - November 2018
Attachment 1 Investment Report - November 2018 - Attachment 1 - 19 December 2018 (Under Separate Cover)
- Item 13.1 New Comprehensive Local Environmental Plan - Gateway Determination
Attachment 1 Gateway Request Letter to the Department of Planning and Environment 24 September 2018 (Under Separate Cover)
Attachment 2 Gateway Determination Letter from DPE - 23 November 2018 (Under Separate Cover)
- Item 13.4 Queanbeyan CBD Transformation - Business Case
Attachment 1 QCBD Business Case (Under Separate Cover)

**QUEANBEYAN-PALERANG REGIONAL COUNCIL
ORDINARY MEETING OF COUNCIL**

BUSINESS PAPER AGENDA – 19 December 2018 Page v

- Item 13.8 Resolution Action Sheet
Attachment 1 Resolution Action Sheet (Under Separate Cover)
- Item 14.1 Braidwood and Curtilage Heritage Advisory Committee Meeting held 8 November 2018
Attachment 1 Minutes of the Braidwood and Curtilage Heritage Advisory Committee Meeting held 8 November 2018 (Under Separate Cover)
- Item 16.1 Responses to Councillors' Questions
Attachment 1 Responses to Councillors' Questions (Under Separate Cover)

Closed Attachments

- Item 12.9 Request for Tender 2019-16 - Irrigation Upgrade to Mick Sherd Oval in Bungendore
Attachment 1 Tender Evaluation Report - Mick Sherd Irrigation (Under Separate Cover)
- Item 16.1 Responses to Councillors' Questions
Attachment 2 Responses to Councillors' Questions with confidential details (Under Separate Cover)
- Item 20.1 Award of RFS Infrastructure Tender
Attachment 1 Captains Flat Demountable Tender Evaluation Report (TER) (Under Separate Cover)



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Council Chambers, 10 Majara Street, Bungendore, on Wednesday, 28 November 2018 commencing at 5.30pm.

ATTENDANCE

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

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

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

1. OPENING

The Mayor acknowledged the traditional owners and custodians of the land upon which the meeting was held.

2. APOLOGIES

384/18

RESOLVED (Marshall/Bray)

That apology for non-attendance from Cr Taylor be received and that leave of absence be granted.

The resolution was carried unanimously.

3. DISCLOSURES OF PECUNIARY INTERESTS

385/18

RESOLVED (Marshall/Bray)

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

The resolution was carried unanimously.

Cr Winchester declared a significant pecuniary interest in Item 12.11 – Family Day Care, stating his sister is a family day care educator and could be impacted financially by Council's decision.

Cr Winchester declared a significant non-pecuniary interest in Item 12.20 – Respite Centre Request for Provision of Land, stating he is the vice-president of the Respite Centre for Queanbeyan Foundation.

4. CONFIRMATION OF MINUTES

4.1 Minutes of the Ordinary Meeting of Council held on 24 October 2018

386/18

RESOLVED (Hicks/Marshall)

That the Minutes of the Ordinary Meeting of Council held in the Bungendore Council Chambers on Wednesday 24 October 2018 be confirmed subject to the following amendment:

- Cr Overall voted for Item 11.2.

The resolution was carried unanimously.

387/18

RESOLVED (Bray/Schweikert)

That the Minutes of the Planning and Strategy Committee of the Whole meeting held in the Queanbeyan Council Chambers on Wednesday 14 November 2018 be confirmed.

The resolution was carried unanimously.

5. PRESENTATION BY DEPARTMENTAL OR OTHER REPRESENTATIVES

There were no presentations.

6. BUSINESS ARISING FROM THE MINUTES

There was no business arising.

7. PRESENTATIONS FROM THE GALLERY RELATING TO LISTED ITEMS ON THE AGENDA AND PETITIONS

The following presenters were heard:

Mr Paul Walshe – Item 12.20 – Respite Centre Request for Provision of Land

Mr Don Cameron – Item 12.27 – QPRC Long Term Financial Plan 2018-2028

A petition from Ms Debra Olde for ‘Do you want a fenced off leash dog area in Bungendore?’ was tabled.

A petition from Ms Janet Spencer for ‘Sealing of Williamsdale Road’ was presented.

388/18

RESOLVED (Bray/Hicks)

Ms Spencer be granted an extension of two minutes to speak.

The resolution was carried unanimously.

8. MAYORAL REPORT

There was no Mayoral Report.

9. MAYORAL MINUTE

There was no Mayoral Minute.

10. NOTICES OF MOTIONS OF RESCISSION

There were no Notices of Motions of Rescission.

Procedural Motion

389/18

RESOLVED (Bray/Schweikert)

That Item 12.20 be brought forward following Item 11.1.

The resolution was carried unanimously.

11. NOTICES OF MOTIONS**11.1 Safety Lighting****MOVED (Schweikert/Hicks)**

That Council allocate funds and resources in the FY19/20 budget to install appropriate street lighting at the intersection of Kings Hwy and Trucking Yard Lane, Bungendore.

AMENDMENT (Brown/Winchester)

That Council consider allocating funds and resources in the FY19/20 budget to install appropriate street lighting, line marking and speed limit amendments at the intersection of Kings Hwy and Trucking Yard Lane, Bungendore.

The amendment (of Crs Brown and Winchester) was PUT and CARRIED unanimously, and became the motion.

The motion (of Crs Brown and Winchester) was PUT and CARRIED.

390/18

RESOLVED (Brown/Winchester)

That Council consider allocating funds and resources in the FY19/20 budget to install appropriate street lighting, line marking and speed limit amendments at the intersection of Kings Hwy and Trucking Yard Lane, Bungendore.

The resolution was carried unanimously.

Item 12.20 was brought forward at this juncture.

Cr Winchester declared an interest in this Item and left the meeting at 6.01pm.

12.20 Respite Centre Request for Provision of Land

391/18

RESOLVED (Overall/Bray)

That Council:

1. Receive and note the report.
2. Agree in principle to lease part of the preferred site at 16 Agnes Avenue Queanbeyan to Respite Care for QBN Incorporated for a 30 year period and the Lease be progressed in accordance with S45 of the *Local Government Act 1993*, and Council undertake the necessary planning actions (including the preparation of a Planning Proposal if necessary) to ensure that the proposed use as a respite centre for the benefit of carers (being residential accommodation) is permissible on the site.
3. In accordance with S45, give the required public notice for a long term lease, advise affected neighbours and residents (and also property owners immediately opposite), consider submissions, and forward to the Minister for the Minister's consent.
4. Prior to the lease being executed, require Respite Care for QBN Incorporated to obtain the required approval for the project.
5. In accordance with the *Environmental Planning and Assessment Act 1979*, as amended, undertake the required public notification processes in respect of any Development Application and convene an on-site inspection prior to a determination at a meeting of Council.
6. Agree the annual lease rental for the land be determined in accord with the Rental Rebate Policy.
7. Consider incorporation of playground/park facility accessible by the community, into the developed site by the proponents.
8. Consider reclassification and potential sale of the remaining three lots, noting the requirement for a Planning Proposal, public exhibition, the holding of an independently chaired public hearing with a report to Council.
9. Review other potential sites for the other community uses that have been proposed for the 16 Agnes Avenue site.

The resolution was carried unanimously.

Cr Winchester returned to the meeting at 6.12pm.

12. ITEMS FOR DETERMINATION**12.1 Resch's Creek Crossing and Foxlow Bridge**

392/18

RESOLVED (Schweikert/Biscotti)

That:

1. Council adopt Option 2 for Resch's Creek and Option 2 for Foxlow Bridge as the long term scenarios for providing flood free access to Rossi.
2. Funding be provided to complete the following reports:
 - a. An assessment of the existing Foxlow Bridge that provides estimated costs and possible staging of preservation and restoration work to restore the bridge and increase the current carrying capacity of the bridge, to be funded from the 2018/19 budget.
 - b. An estimate of the cost to construct a new bridge at Resch's Creek, with funding to be included in the 2019/20 budget.
3. A future report be provided to Council for further consideration detailing the results of the work required in (2).

The resolution was carried unanimously.

Procedural Motion

393/18

RESOLVED (Winchester/Marshall)

That Item 12.27 be brought forward at this juncture.

The resolution was carried unanimously.

12.27 QPRC Long Term Financial Plan 2018-2028**MOVED (Biscotti/Schweikert)**

That Council:

1. Adopt the Long Term Financial Plan 2018-2028, confirming Scenario 2 as the preferred option.
2. Forward the Long Term Financial Plan 2018-2028 to Treasury Corp and place the Plan on Council's website.

Cr Marshall foreshadowed a CONTRARY motion: ["The Long Term Financial Plan be placed on public exhibition until the end of January 2019."]

The motion (of Crs Biscotti and Schweikert) was PUT and CARRIED.

394/18

RESOLVED (Biscotti/Schweikert)

That Council:

1. Adopt the Long Term Financial Plan 2018-2028, confirming Scenario 2 as the preferred option.
2. Forward the Long Term Financial Plan 2018-2028 to Treasury Corp and place the Plan on Council's website.

For: Crs Biscotti, Bray, Brown, Hicks, Noveska, Overall, Schweikert and Winchester

Against: Crs Harrison and Marshall

12.2 STP Upgrade Project - Contract Award for Design Consulting Services (12/2015)

395/18

RESOLVED (Schweikert/Marshall)

That Council:

1. Award Contract No.12/2015 to Hunter H2O Holdings Pty Ltd for the Queanbeyan Sewage Treatment Plant Upgrade Project for the amount of \$8,519,012.46.
2. Approve Hunter H2O Pty Ltd to undertake the baseline water quality monitoring (for the upper limit price of \$266,850.00) in support of determining design criteria, undertaking environmental studies, and providing for future operational reporting.
3. Approve a total budget of \$9,750,000.00 for the STP Upgrade Project investigation and design services.

The resolution was carried unanimously.

12.3 STP Upgrade Project - Contract Award for Project Management Services (19/2018)

396/18

RESOLVED (Marshall/Schweikert)

That Council, based on the outcome of the Tender Evaluation Process, and in accordance with the Local Government (General) Regulation 2005:

1. Award the Contract for Project Management Services to Turner and Townsend Pty Ltd.
2. Approve the tender price (upper limit price) in the sum of \$3,417,468.00.
3. Approve an additional sum of \$350,000.00 to provide for risk (contingency) associated with the provision of the services by Turner and Townsend Pty Ltd.

The resolution was carried unanimously.

12.4 Tender Recommendation - Rusten House Roof Replacement and Associated Works

397/18

RESOLVED (Schweikert/Marshall)

That Council accept the tender from Gibson and Harriden Pty Ltd for the provision of works under Contract Number 01/2019, being for the replacement of roof and associated works for Rusten House (Queanbeyan), for the lump sum price of \$116,903 (including GST).

The resolution was carried unanimously.

12.5 Amendments to Googong Development Control Plan 2010

398/18

RESOLVED (Harrison/Bray)

That pursuant to the *Environmental Planning and Assessment Act 1979 and Regulations 2000*, Council adopt the draft amendments to the Googong Development Control Plan 2010, with the inclusion of amendments as set out in this report.

The resolution was carried unanimously.

12.6 Local Heritage Places Grants 2018-19

399/18

RESOLVED (Schweikert/Noveska)

That Council adopt the recommendations to provide funding to the applications as listed below:

Address	Funding
Braidwood Show Ground 6247-6249 Kings Highway Braidwood	\$2,500
116 Wallace Street Braidwood	\$3,000
28 Meredith Street Queanbeyan	\$3,500
55 Stornaway Road Queanbeyan	\$2,000
12 Alice Street Queanbeyan	\$2,500
Braidwood Pharmacy 128 Wallace Street Braidwood	\$2,000
198 Wallace Street Braidwood	\$3,000
64 Lascelles Street Braidwood	\$3,750
25 Park Street Queanbeyan	\$2,000
10 Gibraltar Street Bungendore	\$2,000
33 Elrington Street Braidwood	\$2,250
11 Meredith Street Queanbeyan	\$1,500
Total	\$30,000

The resolution was carried unanimously.

12.7 Regional Sports Complex - Community Consultation Report and Funding Offer

400/18

RESOLVED (Biscotti/Noveska)

That Council:

1. Receive the report and note the community feedback.
2. Amend the master plan from four premier standard synthetic football pitches to two premier standard synthetic and two premier standard natural grass fields.
3. Accept the NSW Government grant offer of \$10m toward Stage one of the Regional Sports Complex.
4. Progress the masterplan to detail design of Stage one, and receive a report on sequencing of the elements of Stage one, and their respective maintenance and operation costs, based on available funding.
5. Investigate options for funding the Indoor Component of the Regional Sports Complex.

For: Crs Biscotti, Bray, Brown, Harrison, Hicks, Noveska, Overall, Schweikert and Winchester

Against: Cr Marshall

12.8 Macedonian Cup Football Tournament - January 2019

401/18

RESOLVED (Biscotti/Noveska)

That Council meet the following costs of the Macedonian Cup as a donation from the Sports Assistance Scheme:

1. Ground hire fees of approximately \$2,000.
2. Up to \$700 toward the provision of marquees for the High Street fields to provide additional change facilities.

The resolution was carried unanimously.

12.9 Establishment of Alcohol Prohibited Area - Low Level Bridge Reserve - Crown Land at 100 Morisset Street Queanbeyan**MOVED (Marshall/Harrison)**

That this matter be referred to the Monaro Local Area Command for comment and then brought back to Council.

Cr Schweikert foreshadowed a CONTRARY motion: ["That:

1. A new Alcohol Prohibited Area be proposed for a four-year period at the Reserve at 100 Morisset Street Queanbeyan as shown in Figure 3 of this report.
2. Council publicly exhibit the intention to impose an Alcohol Prohibited Area at the Reserve at 100 Morisset Street, for a period of 30 days.
3. A copy of the proposal be provided to the local Police

Commander, affected liquor licensees and registered clubs, and any other organisation required to be notified, according to the Ministerial Guidelines, allowing them 30 days to make representation.”]

During discussion Cr Schweikert raised a point of order relating to a comment made by Cr Marshall that Cr Schweikert had ‘booted’ him off the Community Safety Precinct Committee, stating: “I never ‘booted’ anyone off the Community Safety Precinct Committee and I consider that comment a slur”. The Mayor requested Cr Marshall withdraw the comment.

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

For: Crs Brown, Harrison, Noveska and Marshall

Against: Crs Biscotti, Bray, Hicks, Overall, Schweikert and Winchester

The foreshadowed motion (of Cr Schweikert) was brought forward, seconded by Cr Biscotti, PUT and CARRIED.

402/18

RESOLVED (Schweikert/Biscotti)

That:

1. A new Alcohol Prohibited Area be proposed for a four-year period at the Reserve at 100 Morisset Street Queanbeyan as shown in Figure 3 of this report.
2. Council publicly exhibit the intention to impose an Alcohol Prohibited Area at the Reserve at 100 Morisset Street, for a period of 60 days.
3. A copy of the proposal be provided to the local Police Commander, affected liquor licensees and registered clubs, and any other organisation required to be notified, according to the Ministerial Guidelines, allowing them 60 days to make representation.

The resolution was carried unanimously.

12.10 Award Tender - Design, Fabrication and Installation of Retractable Seating - Bicentennial Hall, Queanbeyan

403/18

RESOLVED (Marshall/Brown)

That Council award Contract No. 2019-09 for the design, fabrication and installation of retractable seating at the Bicentennial Hall, Queanbeyan to Maxwell Technology Australia Limited in the amount of \$519,127 excl GST.

The resolution was carried unanimously.

Cr Winchester declared an interest in this item and left the meeting at 6.55pm.

12.11 Family Day Care

404/18

RESOLVED (Marshall/Noveska)

That Council:

1. Approve the continuation of Family Day Care services at the current level.
2. Approve the recruitment of new Educators across the region (up to the approved 45 in total).
3. Review the service at the end of the 2018-2019 financial year.

The resolution was carried unanimously.

Cr Winchester returned to the meeting at 6.59pm.

12.12 Australian Jazz Convention Event

405/18

RESOLVED (Bray/Marshall)

That Council:

1. 'Pitch' the Queanbeyan CBD as the location of choice for the Australian Jazz Convention in 2019, 2020 and possibly 2021.
2. If successful, approve the funding of a \$20,000 in kind contribution for the event to be taken from Category 3 events funding.

The resolution was carried unanimously.

12.13 Community Satisfaction and Wellbeing Survey 2018

MOVED (Schweikert/Hicks)

That Council note the Community Satisfaction and Wellbeing Survey.

AMENDMENT (Marshall/Harrison)

That Council:

1. Note the Community Satisfaction and Wellbeing Survey.
2. Review the methodology of the survey.

The amendment (of Crs Marshall and Harrison) was PUT and CARRIED and became the motion.

For: Crs Bray, Brown, Harrison, Marshall, Noveska and Winchester

Against: Crs Biscotti, Hicks, Overall and Schweikert

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

406/18

RESOLVED (Marshall/Harrison)

That Council:

1. Note the Community Satisfaction and Wellbeing Survey.
2. Review the methodology of the survey.

The resolution was carried unanimously.

12.14 QPRC Stakeholder and Community Engagement Policy Framework

407/18

RESOLVED (Marshall/Overall)

That Council endorse the draft Stakeholder and Community Engagement Policy Framework for public exhibition for 60 days and note that a further report will be provided to Council for adoption.

The resolution was carried unanimously.

12.15 2017-18 Annual Report

MOVED (Schweikert/Bray)

That:

1. Council endorse the Annual Report 2017-18.
2. A copy of Council's Annual Report be posted on Council's website and provided to the Minister of Local Government.

Procedural Motion

408/18

RESOLVED (Bray/Marshall)

That this matter be dealt with Closed Session at the conclusion of tonight's agenda, as elements are confidential in accordance with s10(A) (2)(i) of the *Local Government Act 1993* because it contains alleged contraventions of any code of conduct requirement applicable under section 440.

The resolution was carried unanimously.

12.16 Queanbeyan CBD Retail Growth Strategy

409/18

RESOLVED (Hicks/Bray)

That Council:

1. Note and receive the Community Engagement Report.
2. Endorse the Queanbeyan CBD Retail Growth Strategy.
3. Receive further reports on key actions, including establishment of Business Improvement District and Retail Investment Development Group.

The resolution was carried unanimously.

12.17 What's Your Story - Queanbeyan Mural Project

410/18

RESOLVED (Bray/Marshall)

That Council approve the Bicentennial Hall north facing wall to be used as the site for the proposed 'What's Your Story Queanbeyan' mural.

The resolution was carried unanimously.

12.18 Bungendore Quilters Inc. Cultural Arts Assistance Scheme application

411/18

RESOLVED (Noveska/Schweikert)

That Council approve the allocation of a grant of \$1,500 from the Cultural Arts Assistance Scheme to the Bungendore Quilters Inc. to assist in the presentation of their annual exhibition event in the Bungendore War Memorial Hall, 24 – 25 November 2018.

The resolution was carried unanimously.

12.19 Library Program - Food for Fines**MOVED (Bray/Biscotti)**

That Council approve the Queanbeyan-Palerang Library Service to conduct an annual 'Food for Fines' campaign for the month of December.

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

1. Deploy food donation bins at all its sites.
2. Fines collected during the month of December be donated to Oz Harvest.
3. Receive a report in April 2019 on how it intends to recover the \$14,000 in outstanding fines."]

The motion (of Crs Bray and Biscotti) was PUT and CARRIED.

412/18

RESOLVED (Bray/Biscotti)

That Council approve the Queanbeyan-Palerang Library Service to conduct an annual 'Food for Fines' campaign for the month of December.

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

Against: Cr Schweikert

12.20 Respite Centre Request for Provision of Land.

This item was dealt with in earlier business.

- 413/18 **12.21 Confirmation of membership of Audit, Risk and Improvement Committee**
RESOLVED (Marshall/Biscotti)
- That Council confirm Cr Harrison and Portfolio General Manager, Organisation Capability as its representatives for the Audit, Risk and Improvement Committee.
- The resolution was carried unanimously.
- 414/18 **12.22 Organisation Structure**
RESOLVED (Winchester/Harrison)
- That Council endorse the Organisation Structure.
- The resolution was carried unanimously.
- 415/18 **12.23 Election Projects**
RESOLVED (Hicks/Schweikert)
- That Council endorse the priority schedule of projects for advocacy to local members and candidates for the NSW and federal elections.
- For: Crs Biscotti, Bray, Brown, Harrison, Hicks, Noveska, Overall, Schweikert and Winchester
Against: Cr Marshall
- ADJOURNMENT: The meeting adjourned at 7.30pm and resumed at 8.00pm.
- 416/18 **12.24 QPRC Loan Borrowing Program 2018/19**
RESOLVED (Biscotti/Schweikert)
- That Council approve the proposed borrowings and authorise the Mayor and Chief Executive Officer to enter into two loan agreements for FY2018 and FY2019 with NSW Treasury Corporation for a total loan amount of \$50,400,000.
- For: Crs Biscotti, Bray, Brown, Hicks, Marshall, Noveska, Overall, Schweikert and Winchester
Against: Cr Harrison
- 417/18 **12.25 Award RFT Q18-18 Internal Audit Services**
RESOLVED (Harrison/Schweikert)
- That Council award the RFT Q18-18 for the provision of Internal Audit Service to O'Connor & Marsden Associates' at a single blended hourly rate of \$144, and fixed for the term of the contract.
- The resolution was carried unanimously.

- 418/18 **12.26 QPRC Annual Financial Statements 2017-2018**
RESOLVED (Harrison/Bray)
That Council adopt the Annual Financial Statements 2017-18 and accept the Auditor's Reports, as submitted by the Audit Office of NSW.

The resolution was carried unanimously.
- 12.27 QPRC Long Term Financial Plan 2018-2028**
This item was dealt with in earlier business.
- 419/18 **12.28 Quarterly Budget Review Statement for the Quarter Ending 30th September 2018**
RESOLVED (Bray/Schweikert)
That Council:
 1. Adopt the September 2018 Quarterly Budget Review Statement and variations as outlined in this report.
 2. Note the predicted consolidated surplus of \$3.369m.
The resolution was carried unanimously.
- 420/18 **12.29 Investment Report - October 2018**
RESOLVED (Marshall/Harrison)
That Council:
 1. Note the 2018/19 investment income reduced by \$279,002 in October 2018.
 2. Note the investment portfolio has been made in accordance with the *Local Government Act 1993*, and the *Local Government (General) Regulation 2005*.
 3. Adopt the Investment Report for the month of October 2018.
The resolution was carried unanimously.
- 421/18 **12.30 Proposal for Queanbeyan District Tartan**
RESOLVED (Harrison/Bray)
That Council note:
 1. The request from the QPRC Town Crier, and that a new tartan, known as the "Queanbeyan District Tartan" will be designed, woven and offered for sale through Council.
 2. Funding has been provided under the Stronger Communities Fund.
The resolution was carried unanimously.

13. ITEMS FOR INFORMATION

There were no items for information.

Procedural Motion

422/18

RESOLVED (Schweikert/Hicks)

That Items 14.1 to 14.8 be moved as a bloc.

The resolution was carried unanimously.

423/18

RESOLVED (Marshall/Schweikert)

That Items 14.1 to 14.8 be adopted.

The resolution was carried unanimously.

14. COMMITTEE REPORTS AND RECOMMENDATIONS**14.1 Braidwood and Curtilage Heritage Advisory Committee Meeting held 11 October 2018**

424/18

RESOLVED (Marshall/Schweikert)

That Council note the Minutes of the Braidwood and Curtilage Heritage Advisory Committee Meeting held on 11 October 2018.

The resolution was carried unanimously.

14.2 Queanbeyan-Palerang Sports Council - Minutes of the meeting held 5 November 2018

425/18

RESOLVED (Marshall/Schweikert)

That Council note the minutes of Queanbeyan-Palerang Sports Council meeting held on 5 November 2018.

The resolution was carried unanimously.

14.3 Report of the Cultural Development and Public Art Advisory Panel - 4 September 2018

426/18

RESOLVED (Marshall/Schweikert)

That Council note the minutes of Cultural Development and Public Art Advisory Panel held on Tuesday 4 September 2018.

The resolution was carried unanimously.

14.4 Bungendore Locality Committee Meeting Minutes 25 October 2018

427/18

RESOLVED (Marshall/Schweikert)

That Council:

1. Note the minutes of Bungendore Locality Committee meeting held on 25 October 2018.
2. Adopt the follow recommendation from the meeting held on 25 October 2018:

BDLC04/2018 RECOMMENDATION that Point 3 of the Terms of Reference for the Bungendore Locality Committee be amended to read: "Meetings will be held twice yearly in the Council Chambers, Bungendore..."

The resolution was carried unanimously.

14.5 Araluen Locality Committee Meeting Minutes 16 October 2018

428/18

RESOLVED (Marshall/Schweikert)

That Council:

1. Note the minutes of Araluen Locality Committee meeting held on 16 October 2018.
2. Adopt the following recommendation from the meeting held on 16 October 2018:

ALC03/2018 RECOMMENDATION That Point 3 of the Terms of Reference for the Araluen Locality Committee be amended to read: "Meetings will be held twice yearly in the Braidwood Meeting Room (Park Lane)..."

The resolution was carried unanimously.

14.6 Royalla Common s.355 Committee Meetings Minutes

429/18

RESOLVED (Marshall/Schweikert)

That Council:

1. Note the minutes of Royalla Common s.355 Committee's meeting held on 22 August 2018.
2. Note the minutes of Royalla Common s.355 Committee's Annual General Meeting held on 26 September 2018.
3. Approve the following office-bearers and membership for 2018-19:
 - Chair: Paul Bombardier
 - Deputy Chair: Geoff Patterson
 - Secretary/Treasurer: Michael Kitchen
 - Committee: Brendan Robinson, Maryke Booth, Jim Orman, Rick Sullivan, Richard Blewett, Steve Donlan, Brad Griffin

The resolution was carried unanimously.

- 430/18
- 14.7 Canning Close Reserve s.355 Committee Annual General Meeting Minutes 25 October 2018**
- RESOLVED (Marshall/Schweikert)**
- That Council:
1. Note the minutes of Canning Close Reserve s.355 Committee's Annual General Meeting held on 25 October 2018.
 2. Approve the following membership and office-bearers for 2018-19:
 - Chair: Peter Evans
 - Secretary: Pete Harrison
 - Member: Toni Cuthbertson
- The resolution was carried unanimously.

- 431/18
- 14.8 Braidwood Showground Reserve Trust s.355 Committee Meeting Minutes**
- RESOLVED (Marshall/Schweikert)**
- That Council note the minutes of Braidwood Showground Reserve Trust's Committee meeting held on 31 July 2018.
- The resolution was carried unanimously.

15. DELEGATES' REPORTS

Cr Overall reported on his attendance at the following:

- Multicultural NSW Regional Council meeting in Queanbeyan
- Courtesy visit from the Consul General of Japan from Sydney
- Sister City Committee
- Graduation ceremony of the RFS Cadets from Queanbeyan and Karabar High Schools
- Sod turning of the Rugby League Centre of Excellence
- Regional Cities NSW meeting

Cr Harrison reported on his attendance at the South East Australian Transport Strategy (SEATS) meeting.

Cr Marshall reported on his attendance at Council's NAIDOC awards ceremony.

Cr Schweikert reported on his attendance at the following:

- Bungendore Quilt Festival opening
- Centenary of ANZAC's Armistice Day dinner dance in Bungendore
- Bungendore Remembrance Day service
- Australia Day Committee meeting
- Heritage Advisory Committee meeting
- Cyber Safety for Parents seminar

Cr Bray reported on his attendance at the Queanbeyan War Widows annual function.

16. RESPONSES TO COUNCILLORS' QUESTIONS**16.1 Responses to Councillors' Questions**

432/18

RESOLVED (Winchester/Marshall)

That the report be received for information.

The resolution was carried unanimously.

17. MATTERS OF WHICH NOTICE HAS NOT BEEN GIVEN BUT RULED BY THE CHAIR TO BE CONSIDERED

There were no matters.

18. COUNCILLORS' QUESTIONS FOR NEXT MEETING

1. Cr Biscotti referred to the zoning review of Bywong and Wamboin currently being undertaken by a Consultant and requested a copy of the statement of works.
2. Cr Schweikert requested question no 37 regarding the speed zone past Bungendore Transfer Station be followed up.

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

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

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

PRESENTATIONS

There were no presentations.

433/18

RESOLVED (Harrison/Marshall)

That pursuant to Section 10A of the *Local Government Act, 1993* the following items on the agenda for the Ordinary Council meeting be dealt with in Closed Session for the reasons specified below:

Item 12.15 2017-18 Annual Report

Item 12.15 is confidential in accordance with s10(A) (2)(i) of the Local Government Act 1993 because it contains alleged contraventions of any code of conduct requirement applicable under section 440.

Item 20.1 Completion of 257 Crawford Street demolition

Item 20.1 is confidential in accordance with s10(A) (di) of the Local Government Act 1993 because it contains

commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

The resolution was carried unanimously.

The meeting then moved into Closed Session at 8.27pm to discuss the matters listed above.

Cr Overall declared an interest in this item, vacated the Chair, and left the meeting at 8.27pm. The Deputy Mayor assumed the Chair.

12.15 2017-18 Annual Report

434/18

RESOLVED (Marshall/Hicks)

That:

1. Council endorse the Annual Report 2017-18.
2. A copy of Council's Annual Report be posted on Council's website and provided to the Minister of Local Government.

The resolution was carried unanimously.

Cr Overall returned to the meeting at 8.41pm and assumed the Chair.

20.1 Completion of 257 Crawford Street demolition

435/18

RESOLVED (Marshall/Brown)

That Council:

1. Exempt the contractor to complete the demolition of 257 Crawford Street, Queanbeyan from the requirements of Section 55 (1) and (2) of the *Local Government Act 1993* and to negotiate with and engage a qualified contractor in accordance with Section 55 (3) (i) and (k) of the *Local Government Act 1993* as quickly as possible to complete the works for a lump sum price.
2. Authorise the CEO to enter into a contract to complete the demolition of 257 Crawford Street Queanbeyan.

The resolution was carried unanimously.

436/18

RESOLVED (Schweikert/Harrison)

That Council return to the Ordinary meeting.

The resolution was carried unanimously.

The meeting returned to Open Session at 8.43pm.

The doors of the Chambers were opened to allow the public to enter.

In accordance with Clause 253 of the Local Government (General) Regulations 2005, the Mayor then read out the decisions of Council made in Closed Session.

The time being 8.45pm Cr Overall, announced that the Agenda for the meeting had now been completed.

**CR TIM OVERALL
MAYOR
CHAIRPERSON**

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

11.1 Graffiti Wall Trial (Ref: C18171186); Author: Taylor/Schweikert

Notice

Councillor Mark Schweikert will move the following motion:

Motion

That Council establish a trial Graffiti Wall in Bungendore for review in 18 months to examine:

- **its utility;**
- **applicability to graffiti reduction;**
- **acceptance by the community;**
- **long term viability, and**
- **for potential roll out in to other parts of the LGA.**

Introduction

Through discussions with local Police it has been learned that Bungendore's youth have vigorously requested a legal Graffiti Wall be established somewhere in town.

Across the border in the ACT Graffiti Walls are 'plentiful'. From the ACT Government website https://www.tccs.act.gov.au/city-living/public_areas/graffiti/legal-graffiti-practice-sites;

Legal graffiti practice sites are diversionary sites on ACT Government assets in public places like underpasses and toilet blocks, which are usually out of site from residential property. The sites are available to graffiti writers/artists on an ongoing basis with no permits required.

Such sites have proven effective at diverting graffiti from surrounding areas. The Police, City Rangers and contracted graffiti removers are notified that the particular site has been given the status of a legal wall and the artists are given approval to paint there.

The works featured at these sites change frequently and are for use by all members of the public. Legal graffiti practice sites differ from murals, as they are an ongoing changing space where as murals are fixed (semi-permanent) works.

There are currently 27 legal graffiti art sites around Canberra. Each wall will be signposted indicating that it is a legal site.



Local Bungendore Police advise that the rear of Bungendore Skate park may be an appropriate site given its distance from neighbours and orientation facing away from the surrounding roads. It is also an area they patrol regularly.

General practice for a legal Graffiti Wall is to outline the wall area which is free for graffiti and erect signs to inform the participants of the rules, i.e. no offensive words or images, paint within the border provided, all tags or graffiti can be painted over whenever and respect this privilege.

Social

Youth will feel their needs are being understood and met by the community through Council. Police expect offences for graffiti and thus their workload will decrease with a graffiti wall particularly in the area proposed where they have made numerous visits and issued fines and even made arrests.

The Graffiti Wall will attract more people to the skate park reducing its reputation as a site of anti-social behaviour.

Cost of Graffiti

The cost to QPRC for graffiti removal in the former Palerang shire for 2016/17 was \$4,356.20. So far this FY at the Bungendore Skate Park the cost has been \$109.50 (Police patrol this area regularly).

Background

What is graffiti according to the law?

Graffiti is the act of marking any space with a marker, spray paint or any other substance which can't be easily removed with water or detergent.

Graffiti is only illegal if it's done without the permission of the owner, and the place that is marked isn't a legal graffiti space.

What are the main graffiti offences?

People who are charged with graffiti-related offences are usually charged either under the NSW *Graffiti Control Act*, or charged with property damage under the *Summary Offences Act*.

Specific graffiti-related offences under the *Graffiti Control Act* include:

- Defacing or damaging property by using a graffiti implement.
- Possession of a graffiti implement.
- Posting bills in a public place or marking any building or premises with chalk or paint without the permission of the owner.

It is also an offence to sell or supply spray paint cans to anyone under the age of 18.

What are the penalties for graffiti offences?

The most common penalty for a graffiti offence under the Graffiti Control Act is a fine.

The maximum fine for marking property is \$440, unless there are aggravating circumstances, in which case the maximum fine increases to \$2,200.

The maximum fine for possession of a graffiti implement is \$1,100, and for posting bills the maximum you can be fined is \$440.

There is also a maximum penalty of 12 months' imprisonment if it's not your first offence.

Other penalties you may receive for these offences include a community service order and/or a good behaviour bond.

The court can also make a driver licence order, where they take points from your driving licence or extend your learner or provisional licence period.

If you are found in possession of spray cans or other implements, and police have reason to believe that you are planning to use them for graffiti-related purposes, they can confiscate the items.

Conclusion

This motion is predominantly for a trial. The final outcome of which will depend on the success or otherwise of how the youth of Bungendore treat this privilege and/or if Council/Police see a reduction in community graffiti.

A report to Council to adopt or decommission the legal Graffiti Wall in Bungendore should be presented 18 months after the wall is commissioned for Council to make a final decision.



Attachments

Nil

12.1 Modified Development Application 4-2009/B - Industrial Storage Units - 45 Bayldon Road, Queanbeyan West (Ref: C18170228; Author: Thompson/Yeomans)

Summary

Reason for Referral to Council

This application has been referred to Council as the Portfolio General Manager has determined it is in the public interest to have the matter considered by Council.

While this report relates to the determination of the modification application, the assessment also revealed that additional unapproved structures had been constructed on the site. As such the report also makes recommendations in relation to the unapproved works.

Proposal:	Modification to existing approval for the erection of eight (8) storage units.
Applicant/Owner:	Mr Tonis Risti / Mr Tonis Risti and Mrs Monica Carol Risti
Subject Property:	Lot 2 DP 111324245 Bayldon Road, Queanbeyan West
Zoning and Permissibility:	Zone 4(a) Industrial A under Queanbeyan LEP 1998 as at the time of lodgement (27 July 2012) Currently IN2 Light Industrial under Queanbeyan Local Environmental Plan 2012
Public Submissions:	Nil
Issues Discussed:	Planning Requirements Vehicle manoeuvring, parking and loading/unloading facilities Additional unapproved uses on site not subject to this application
Disclosure of Political Donations and Gifts:	Applicant Declared no Donations or Gifts to any Councillor or Staff have been made

Recommendation

That:

- 1. Modified development application 4-2009/B for the erection of eight (8) storage units on Lot 2 DP 1113242, No. 45 Bayldon Road, Queanbeyan West be granted conditional approval.**
 - 2. Enforcement action commence to resolve the matter of the unauthorised erection of the building marked as “not approved” on the original approved plans and identified as Units 15 – 21 on the plans for modification application 4-2009/B.**
-

Background

On 2 January 2007 a development application was lodged for warehouse facilities (DA-1-2007). On 1 August 2007 Council issued development consent for an Industrial Building as a depot, ancillary workshop, ancillary 2 storey office and one advertising sign. The initial works are shown in Figure 1 below as unhatched and labelled ‘existing’.

**12.1 Modified Development Application 4-2009/B - Industrial Storage Units - 45
Bayldon Road, Queanbeyan West (Ref: C18170228; Author:
Thompson/Yeomans) (Continued)**

On 16 January 2009 a further development application was lodged for 'Additional Storage Units' for 15 units plus amenities block (DA 4-2009). The development sought to be approved is shown hatched in Figure 1 below.

On 20 May 2010 development consent was issued for 8 Industrial Storage Units to the western boundary of the site. Seven units along the southern boundary were excluded from the approval and the approved plans were amended in red to clearly indicate the areas not approved. Those excluded areas can also be seen in Figure 1 below.

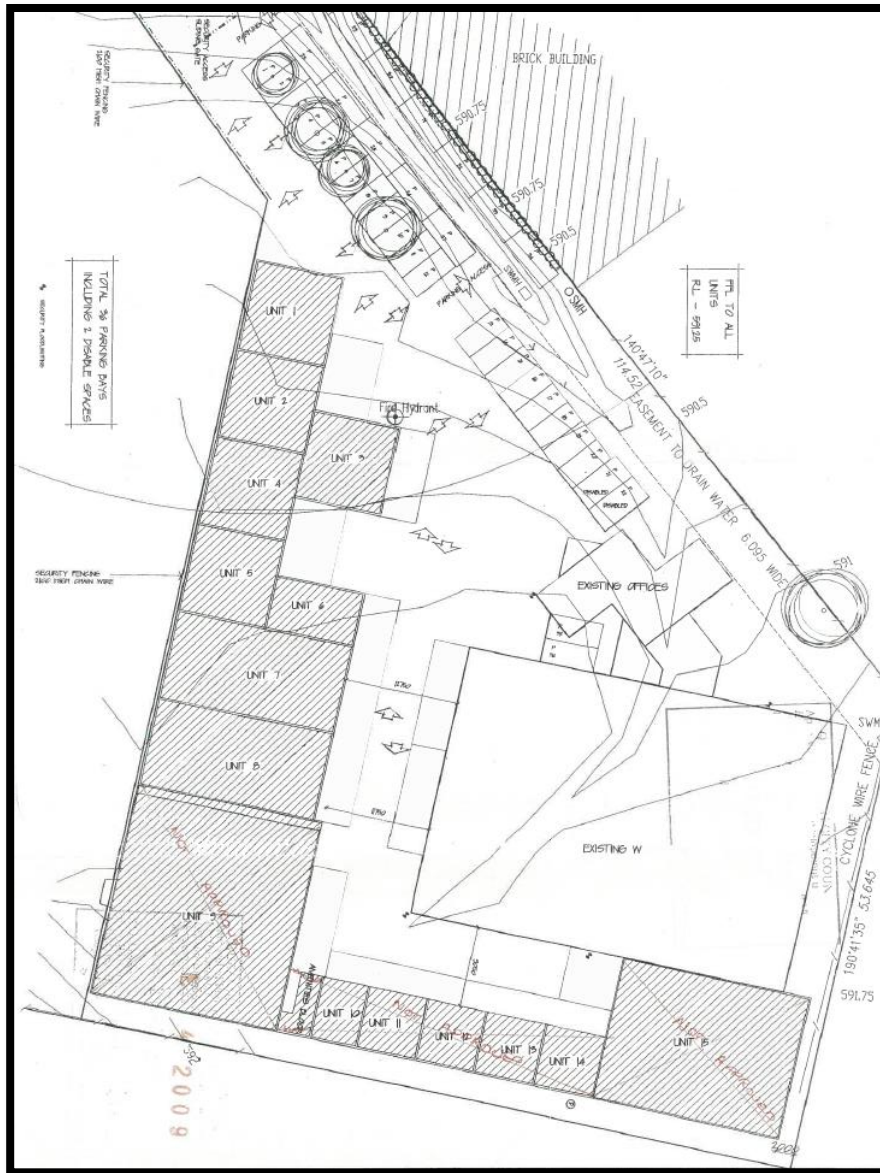


Figure 1: Approved plan showing Units 1-8 approved and Units 9-15 noted as not approved.

12.1 Modified Development Application 4-2009/B - Industrial Storage Units - 45 Bayldon Road, Queanbeyan West (Ref: C18170228; Author: Thompson/Yeomans) (Continued)

Modification 4-2009/A was approved on 16 September 2010 to correct an error made on the approved plans. The amenities block was crossed off the approved plans however they were intended to be included in the approval and would complement the use. The plans were corrected accordingly.

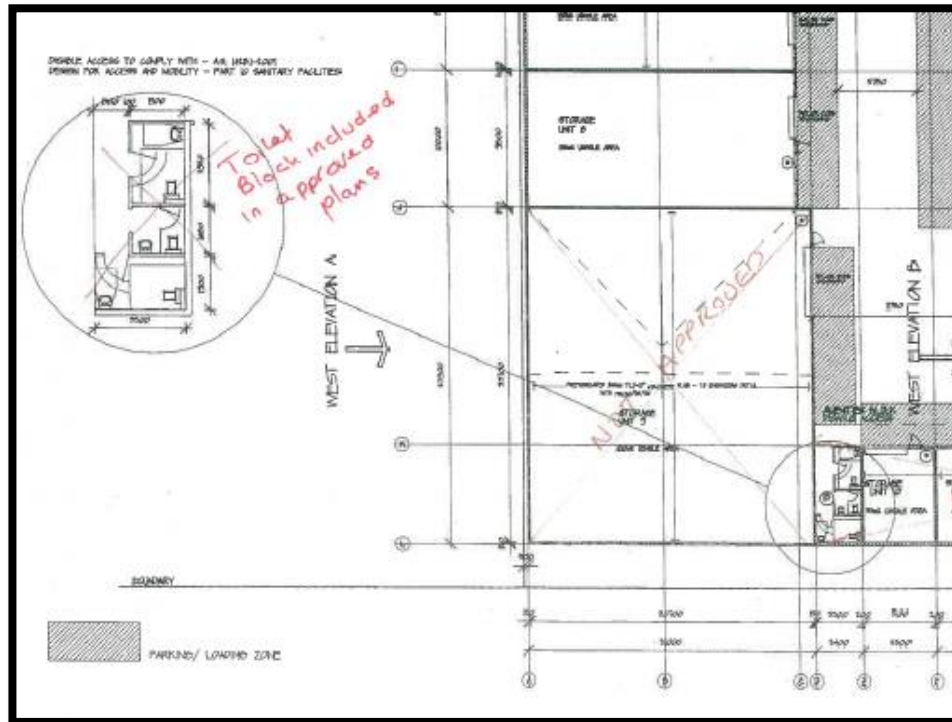


Figure 2: Modified Approved Plan (4-2009/A) including the toilet block

Proposed Development

This is an application for a modification to development consent 4-2009 (reference B). The original consent approved eight (8) industrial storage units on land at 45 Bayldon Road, Queanbeyan West. This modification application was lodged on 25 July 2012 when the previous Queanbeyan Local Environmental Plan 1998 was in force. It is appropriate to use the current Queanbeyan Local Environmental Plan 2012 for the assessment of the modification which came into force on 23 November 2012.

Delays in bringing this application to determination have occurred due to the compliance issues involved and the reluctance of the applicant to resolve these issues. The modification has been long outstanding and this report seeks to finalise the application.

This modification application specifically seeks:

- Reconfiguration of ground floor storage units for nine (9) separate units
- Ground level sub-unit storage within Unit 7 being 7A, 7B, 7C & 7D
- Ground floor shower, toilet and hand basin in Unit 1
- Ground level toilet and basin in Unit 9
- Caretakers Store Room
- Ground floor toilet and basin not associated with any specific unit
- 4 x upper floor offices within Unit 1

12.1 Modified Development Application 4-2009/B - Industrial Storage Units - 45 Bayldon Road, Queanbeyan West (Ref: C18170228; Author: Thompson/Yeomans) (Continued)

- 12 x upper floor sub-unit storage within Unit 7 (7E-7P)
- Upper floor mezzanine for Unit 9
- Upper floor Office and Mezzanine to approved Unit 8 (now referred to as Unit 14)

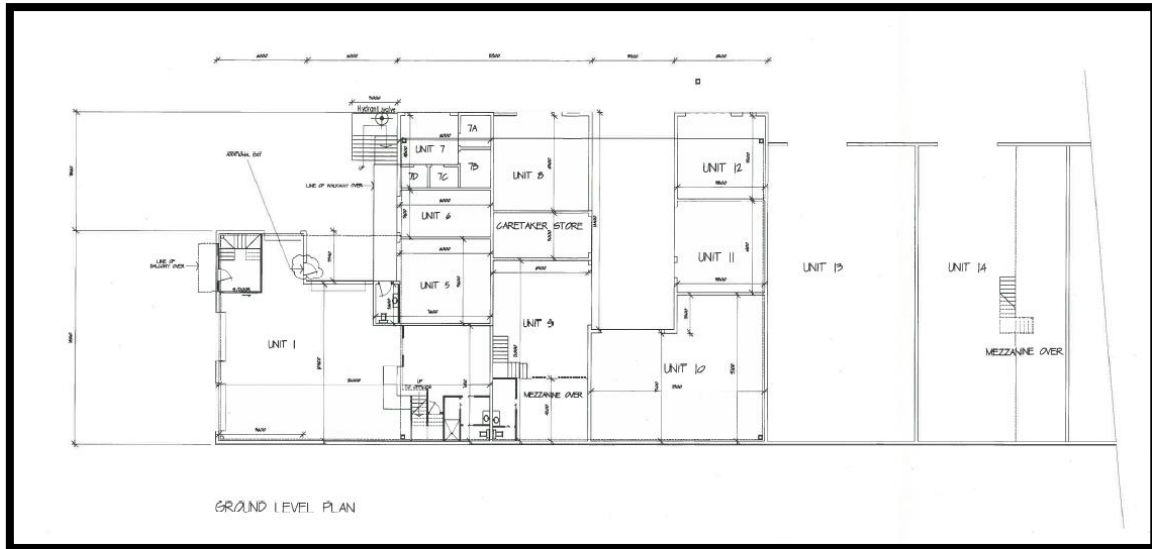


Figure 3: Proposed modified ground floor plan

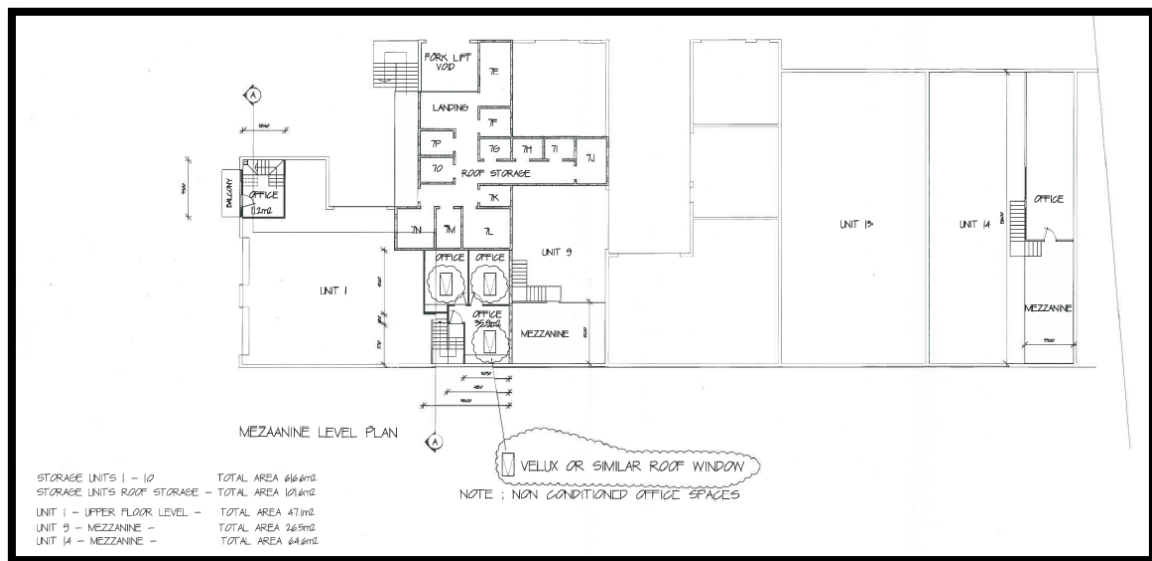


Figure 4: Proposed modified upper floor (mezzanine) level

12.1 Modified Development Application 4-2009/B - Industrial Storage Units - 45 Bayldon Road, Queanbeyan West (Ref: C18170228; Author: Thompson/Yeomans) (Continued)

Units 1-8 as approved are now described on the modification proposal plans as Units 1 and 5-12 inclusive. A more logical numbering sequence is sought as a condition should the application be approved.

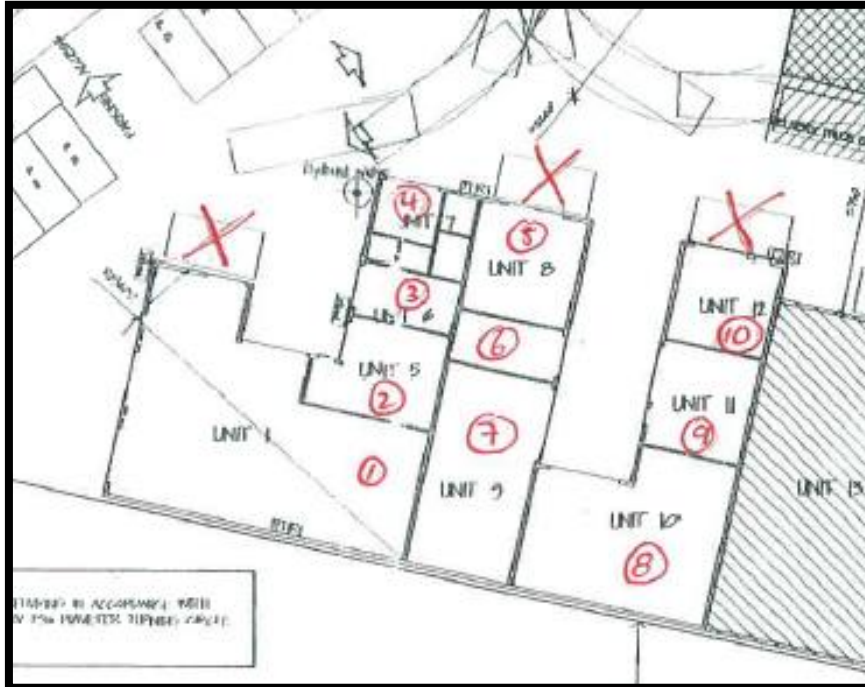


Figure 5: Proposed re-numbering of unit numbers

Subject Property

The development site is known as Lot 2 DP 1113242 located at 45 Bayldon Road, Queanbeyan West. Zoning and aerial views are shown in Figures 6 and 7.

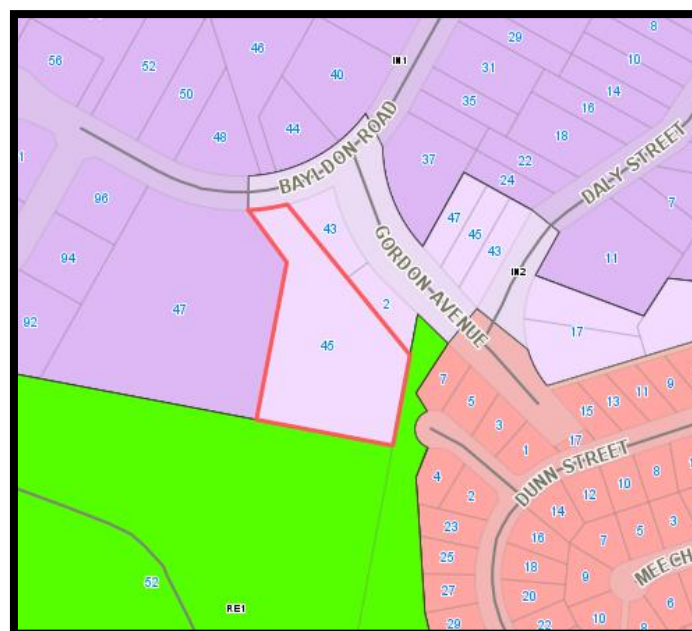


Figure 6: Location of subject site with zoning

12.1 Modified Development Application 4-2009/B - Industrial Storage Units - 45
Bayldon Road, Queanbeyan West (Ref: C18170228; Author:
Thompson/Yeomans) (Continued)



Figure 7: Aerial image of site and existing development

Planning Requirements

Assessment of the application has been undertaken in accordance with Section 4.15 and Section 4.55 of the Environmental Planning and Assessment Act (EPAA) 1979, as amended. The matters that are of relevance under Section 4.15 are summarised in the attached *Section 4.15 Table – Matters for Consideration*.

The following planning instruments have been considered in the planning assessment of the subject development application:

1. State Environmental Planning Policy No 33 Hazardous and Offensive Development,
2. State Environmental Planning Policy No 55 Remediation of Land,
3. State Environmental Planning Policy No 64 Advertising and Signage
4. Queanbeyan Local Environmental Plan 1998
5. Queanbeyan Local Environmental Plan 2012
6. Queanbeyan Development Control Plan 2012

The modified development generally satisfies the requirements and achieves the objectives of these planning instruments. The significant issues relating to the proposal for the Council's consideration are discussed as follows.

**12.1 Modified Development Application 4-2009/B - Industrial Storage Units - 45
Bayldon Road, Queanbeyan West (Ref: C18170228; Author:
Thompson/Yeomans) (Continued)**

(a) Compliance with LEP

The proposed modification does not affect the permissibility of the development nor its compliance with the current LEP or former LEP which applied at the time of lodgement of the application.

(b) Compliance with DCP

This application seeks to modify the layout of approved industrial storage units. The modified design does include a minor projection into the turning aisles used for heavy vehicles and increases the use area. However, these do not significantly alter the ability of these units to generally comply with the relevant DCP relating to parking. It should be noted that the entire workability of the site in terms of manoeuvring, car parking requirements and all other provisions outlined in the DCP has not been undertaken as it is outside the scope of this assessment.

Under the prevailing Development Control Plan at the time this application was lodged (and under the current DCP) the proposed development needs to provide 30 car parking spaces on site. The approved plan DA 4-2009 showed 36 spaces could be provided on site. It will be a condition of any approval that those spaces are provided and continue to be available for the approved uses on site.

(c) Other Matters

The proposed development is considered generally compatible with the context of the locality and its setting.

Other Comments(a) Building Surveyor's Comments

According to the plans submitted for the modification, the applicant has addressed the building issues which arose during the assessment

(b) Development Engineer's Comments

There appears to be conflicts between rigid vehicle swept paths and proposed buildings and car parking spaces. The applicant was requested to provide updated scaled plans which were not supplied. The following comments are provided.

Parking: There are a number of proposed carparks that conflict with traffic aisles, in particular relating to the proposed spaces outside Units 1, 8, 12, 14 & 15. Traffic aisles in these locations need to be two way to facilitate movement to the units.

The area nominated for truck turnaround appears deficient.

Access: The proposed extension of the VKC is not supported as it will conflict with an existing stormwater kerb inlet pit.

Accordingly the proposal plans have been amended in red.

Compliance or Policy Implications

In terms of the assessment of the application for the modification of the development consent, the proposal has complied with the relevant planning instruments and policies. The following provides commentary on the compliance issues related to the buildings erected on the site without approval and their uses.

The following issues are noted from the research conducted and the site inspection conducted on site in June 2016 and November 2018.

**12.1 Modified Development Application 4-2009/B - Industrial Storage Units - 45
Bayldon Road, Queanbeyan West (Ref: C18170228; Author:
Thompson/Yeomans) (Continued)**

- 1) *Dwelling house(s)* – at the time the depot and warehouse was approved, the LEP in force provided that Council could consent to a caretakers' residence. No application is recorded on Council records seeking approval for that use.

It appears that part of the site may be used as a dwelling from clothes hanging on a clothes line and anecdotal evidence. Further investigation of whether part of the site is used for residential purposes is warranted.
- 2) *Unapproved Industrial Storage Sheds* - As noted above, there have been industrial storage sheds erected on site, adjacent to the rear (southern) boundary which have not been approved. These were referred to as Units 9–15 on the original development application plans (DA-4-2009) and were specifically marked as 'not approved' on the stamped plans.
- 3) *Use of unapproved Industrial Storage Sheds* - At least some of the unapproved structures are being used. Further investigation of compliance in terms of the uses on site is warranted.
- 4) *Signage* - Some signage requires development consent. The range of signs on site have not been assessed as part of this application. Further investigation of compliance with State Environmental Planning Policy for signage is warranted.

The approval for Depot and Warehouse DA-1-2007 envisaged storage of caravans on site. The site appears to accommodate a waste dump for the disposal of waste generated by caravan users. Further investigation of this facility in terms of compliance with relevant standards is warranted.

If an unauthorised development is identified, the following options are available to Council:

1. Council takes no enforcement action on the complaint if Council is satisfied that the building has no significant impacts on neighbours or the environment.
2. Council requests the owner to lodge a development application (DA) and application for a building information certificate for the unauthorised development.
3. Council requests the removal/demolition or upgrading of the unauthorised structures through the enforcement process.
4. Council issues a Penalty Notice for the erection of the unapproved structures.
5. Council commences legal proceedings to enforce the above mentioned actions relating to the unapproved structures.

Option 1 is not recommended as the unauthorised structures generate significant impacts, including car parking and land use conflicts that are unlikely to result in Council granting development consent.

Option 2 is possible but development consent is unlikely to be granted, because the unapproved dwelling houses are no longer supported as they create significant land use conflicts between the industrial and residential uses, and the unapproved Industrial Storage Sheds have been assessed in the original DA and where deleted from the approved plan. Therefore the likelihood of approval is low. It is also uncertain whether the structures are compliant with the National Construction Code (NCC). However, there is a possibility for the signage to be approved.

Option 3 is the preferred option as the unauthorised structures in their current form are unlikely to be given development consent. Given this will result in a major change to the development and a scaled back version may be supported, an extended period to make representation on the Notice of Proposed Order (NOPO) will be provided so the recipient

12.1 Modified Development Application 4-2009/B - Industrial Storage Units - 45 Bayldon Road, Queanbeyan West (Ref: C18170228; Author: Thompson/Yeomans) (Continued)

can make proper consideration of the proposed Order or prepare a DA for an acceptable form of development on this property.

Option 4 is not recommended unless Council wishes to simply penalise the owner for not following the proper process. While this is an acceptable punishment for minor and even moderate breaches, the breach in this case is significant as it involves unapproved dwellings in an industrial area and directly contravenes with the original approved plan for DA 4-2009 by erecting structures that are marked as "not approved". In addition simply imposing a fine does not deal with the issue of the unapproved buildings remaining on site.

Option 5 is not recommended at this stage as the enforcement process (Option 3) is a preferable and cost effective option. However, failure to comply with Option 3 may progress to commencing legal proceedings.

Financial Implications

There will be financial implications where Council undertakes enforcement action to remedy the unauthorised erection of buildings or their use on the site. This relates to the resources required to prepare the necessary notices and orders, the cost of progressing the matter through court where required and the fees associated with legal advice and counsel should it be required.

Engagement

The proposal did not require notification under Queanbeyan DCP and no submissions were received.

Conclusion

The submitted proposal is for a modification to the existing approval for the erection of eight (8) storage units on Lot 2 DP 113242 at 45 Bayldon Road, Queanbeyan West. The proposal was not required to be notified to adjoining owner/occupiers and no submissions were received.

The proposal has been assessed under Sections 4.15 and 4.55 of the *Environmental Planning & Assessment Act 1979* including the relevant provisions of *Queanbeyan Local Environmental Plan 2012* and Queanbeyan Development Control Plans.

Provided the original conditions of consent are complied with, the proposed modification to the layout of approved storage units is considered generally satisfactory with respect to the relevant provisions of applicable environmental planning instruments and development control plans, and is considered unlikely to have any significant negative impact upon the environment or the character and amenity of the locality. Changes to conditions to reflect the revised plans and amendments recommended by staff will be incorporated should consent be granted.

The site also contains a number of unapproved units that were specifically excluded from the original development consent and continue to be unauthorised by this modified consent. The erection of the buildings is a clear breach of the original consent and it is also recommended that enforcement action be taken to require the demolition of the unapproved structures.

Attachments

- | | |
|--------------|--|
| Attachment 1 | Matters for Consideration - Section 79C(1) Table - 45 Bayldon DA-4-2009B (<i>Under Separate Cover</i>) |
| Attachment 2 | Plans - DA 4-2009B - 45 Bayldon Road (<i>Under Separate Cover</i>) |
| Attachment 3 | Draft Conditions - Modification DA-4-2009B (<i>Under Separate Cover</i>) |

12.2 South Jerrabomberra Planning Proposal (Ref: C18163828; Author: Thompson/Brown)

Summary

The purpose of this report is to seek Council's endorsement to finalise the draft planning proposal for South Jerrabomberra.

Recommendation

That Council:

1. **Note the report.**
 2. **Authorise staff to take all necessary actions to finalise the draft planning proposal for South Jerrabomberra.**
-

Background

Council has been progressing the proposed urban development at South Jerrabomberra for a number of years consistent with Council's *Queanbeyan Residential and Economic Strategy 2031* as endorsed by the Secretary for Planning in 2008 and subsequently amended and further endorsed by the Department of Planning and Environment (DPE) in May 2014.

As part of this work, Council has recently exhibited a draft planning proposal for the South Jerrabomberra area. The draft plan seeks to finalise the rezoning of the proposed residential lands at South Jerrabomberra, as well as providing for open space, environmental protection and other appropriate uses. This is a separate planning proposal to that of West Jerrabomberra as resolved at the Planning and Strategy Committee in October.

The exhibited draft planning proposal is shown at Attachment 1. A draft Land Zoning Map illustrating the proposed zoning arrangement for the area is also shown at Attachment 2.

The draft plan will amend the previously adopted *Queanbeyan Local Environmental Plan (South Tralee) 2012* to include additional lands known as Forrest/Morrison and Tralee Station. When formally gazetted, the draft plan will be retitled *Queanbeyan Local Environmental Plan (South Jerrabomberra) 2019* to reflect the inclusion of these additional lands.

The draft plan provides for a maximum total of 1,500 residential dwellings at South Jerrabomberra comprising both traditional detached housing, small lot terrace housing and townhouse style development. The figure of 1,500 dwellings has been determined by Council, NSW Roads and Maritime Services (RMS) and NSW Department of Planning & Environment (DPE) having regard to the maximum number of new dwellings that can be serviced by the proposed Lanyon Drive/Tompsett Drive intersection upgrade (currently under construction). A Stage 1 approval for the first 318 residential lots on the previously rezoned, northern part of the area at South Tralee was approved by the Southern Joint Regional Planning Panel on 2 August 2018.

Approximately 1,100 jobs will also be created in the South Jerrabomberra urban release area. These will predominantly be delivered through the draft planning proposal for West Jerrabomberra (comprising land known as The Poplars and North Tralee). That draft plan was endorsed by Council on 10 October 2018 (Minute No. 124/18) and a Gateway determination subsequently issued by DPE on 5 November 2018.

12.2 South Jerrabomberra Planning Proposal (Ref: C18163828; Author: Thompson/Brown) (Continued)

Council also previously adopted a Local Infrastructure Contribution Plan for South Jerrabomberra in April 2018 (Minute No. 119/18) that details the key infrastructure required for the area and the apportionments of this infrastructure to respective developers. This is to ensure the area is supported by the necessary infrastructure required to service the future population's needs.

The draft planning proposal in this instance will now finalise the rezoning of the remaining residential areas for South Jerrabomberra.

Consultation

The draft planning proposal was exhibited for comment from 29 October 2018 to 28 November 2018. A total of five (5) submissions were received and details of these are set out below.

1. *NSW Environmental Protection Agency (EPA)* – The EPA raised no objections in respect of the draft planning proposal.
2. *NSW Rural Fire Service (RFS)* – The RFS raised no objections in respect of the draft planning proposal.
3. *NSW Roads and Maritime Services (RMS)* – The RMS raised no specific objections to the planning proposal, however did request Council confirm appropriate arrangements were in place to ensure a suitable reservation was provided for a future connection to Sheppard Street in the ACT if required in the future.

Comment - A road reserve of 45 metres was provided for this purpose when the development application for South Tralee was approved in August. This has been discussed with the RMS and Council has also forwarded additional background information in response to the matters raised. RMS subsequently advised Council on 8 December 2018 it had no further comments on the draft plan. This issue is now considered to be resolved.

4. *The Village Building Co Ltd (VBC)* – VBC also made a submission on the draft plan. VBC raised no specific objections to the draft plan. However, the submission did raise a number of matters requiring resolution as part of either the current planning proposal, or, as a subsequent amendment to the draft plan when it is made. These are discussed below.

- a) VBC requested that the zoning of a small area of land immediately to the east of the release area be re-examined to confirm any potential for that land to be included within the broader release area.

Comment - Any proposal to rezone that land is likely to require significant engagement with the State Government as this land will likely require further biodiversity investigation. VBC had been advised that Council is open to revisiting the rezoning of the identified land however, intends to progress that work after the current draft plan has been finalised.

- b) VBC also requested that the draft plan be revised to include 'attached dwellings', 'semi-detached dwellings' and 'multi dwelling housing' as permissible residential uses in the proposed R2 Low Density Residential zone.

Comment - Whilst 'attached dwellings' and 'semi-detached dwellings' are seen as minor and appropriate changes to the draft plan (largely as these dwelling types are regulated by the minimum lot size map), 'multi dwelling housing' is considered to be a significant change to the exhibited plan. This is because 'multi dwelling housing' is not regulated by the minimum lot size map (because of a standard clause that will be

12.2 South Jerrabomberra Planning Proposal (Ref: C18163828; Author: Thompson/Brown) (Continued)

included in the final plan). This has the potential to allow dwelling numbers to exceed the maximum of 1,500 dwellings unless additional local provisions are also drafted to control this potential subdivision. Accordingly, it is recommended this change be undertaken as an amendment to the current draft plan post its finalisation.

- c) VBC also requested that 'garden centres', 'hotel or motel accommodation', 'tourist and visitor accommodation', 'function centres' and 'food and drink premises (consistent with private recreation uses)' be permitted with consent in the RE2 Private Recreation zone.

Comment - Some of these uses (for example 'food and drink premises' and 'hotel or motel accommodation') are already permissible on the RE2 land that comprises the proposed buffer area, however are not generally permissible on all RE2 zoned land subject to the draft plan. It is desirable that a suitable range of practical uses be identified for the RE2 land to ensure it has a useful and practical application into the future. However, inserting these uses at this time would represent a significant change to the draft plan and it is recommended these additional land uses be considered as part of a subsequent amendment to the current draft plan post its finalisation. Council staff also need to consider the suitability of allowing such uses more broadly within the zone under the proposed new comprehensive Local Environmental Plan for the amalgamated Council area.

- d) VBC also requested that the southernmost road alignment on the Local Clauses Map be removed noting the development application approved for this area by the JRPP has confirmed it will be used for residential housing.

Comment - This is considered to be an appropriate minor amendment and will be incorporated into the current draft plan as it reflects Council's preferred access into the ACT if ever needed and if agreed to by the ACT Government.

- e) VBC also raised whether the proposed arterial road location on the Local Clauses Map should also be shown on a formal Land Reservation Acquisition Map to accompany the draft plan.

Comment - It should be noted the proposed area is not identified in the draft LEP to reserve its use for the purpose of a future road, rather, to ensure any nearby development is undertaken in a manner that does not preclude this future use of the land for a road if required. If shown on a formal Land Reservation Acquisition Map, Council will be required to acquire the land at the owner's request (at Just Terms). The land includes part of the potential alignment of a future Dunns Creek Road which is not required under any existing traffic studies, but may be required in the future, particularly if further urban development is proposed south of Googong township. However until any final decision is made to formally proceed with Dunns Creek Road it is considered premature to identify the land on a formal Land Reservation Acquisition Map. That will be reviewed as development of the area progresses and as Council continues its ongoing strategic planning activities. Accordingly, it is recommended that Council not proceed with identifying the land on a Land Reservation Acquisition Map at this time.

5. *ACT Environment, Planning and Sustainable Development (EPSD)* – The EPSD raised no specific objections to the draft plan. However, it did raise a number of matters, suggested further work or sought clarification in respect of some aspects of the draft plan. These are discussed below.

- a) The EPSD recommend the accompanying Local Clauses Map be updated to remove potential linkages to Sheppard Street in the ACT as this is not supported.

12.2 South Jerrabomberra Planning Proposal (Ref: C18163828; Author: Thompson/Brown) (Continued)

Comment - It is not intended to make this change to the draft plan as the potential connection may be required and agreed to in the future and continues to be Council's preferred access point if needed (Minute No. 071/14)

- b) EPSD sought confirmation as to how the buffer with Hume is measured.

Comment - The 250m buffer is measured from the ACT border itself.

- c) Concerns were raised in respect of some of the permissible uses allowed in the RE2 buffer area and the suitability of these uses adjacent to an industrial area. Uses include 'child care facilities' and 'respite day care'.

Comment - The draft plan already contains specific provisions that require an assessment of any of these land uses in the buffer area. No change is proposed at this time.

- d) Requested further consideration be given to potential habitat linkages with the ACT and suggested further investigation in respect of air and noise emissions.

Comment - In relation to habitat linkages with the ACT, these have already been considered as part of the environmental studies as well as the environmental attributes and constraints of the site itself. In respect of air and noise emissions, an appropriate buffer of 250 metres between residential and industrial noise uses is being imposed. Also as noted above, the potential permissible uses within the buffer are the subject of satisfying specific provisions before they will be approved. Consequently no changes to the draft plan are proposed at this time.

Agency and landowner submissions are shown at Attachment 3.

A brief comment was also received via the Your Voice website raising concerns in respect of the functionality of the proposed access to the area from a single road linked to Tomsitt Drive. It is noted the residential land release has been limited to a maximum of 1,500 dwellings to ensure it can operate at a functional level without compromising the broader road network. This has been agreed to by Council, the RMS and the DPE. No changes are proposed to the draft planning plan at this time.

Summary

Public exhibition of the draft plan has concluded and, subject to Council endorsement, the draft plan can now be finalised.

Implications***Environmental***

Areas of the draft plan with significant environmental values have been zoned as E2 Environmental Conservation under the draft planning proposal to ensure these values are protected into the future.

Social / Cultural

A range of facilities to service the local area have been identified under the Local Infrastructure Contributions Plan for South Jerrabomberra including sports fields, sporting infrastructure and community facilities.

Economic

Development of the area will provide a range of local and regional construction jobs in the medium term. This will make a significant contribution to the local economy.

12.2 South Jerrabomberra Planning Proposal (Ref: C18163828; Author: Thompson/Brown) (Continued)

Strategic

The draft plan is consistent with the *Queanbeyan Residential and Economic Strategy 2036* and will assist in providing a suitable residential land supply to meet the needs of the growing LGA into the future.

Resources (including staff)

The draft planning proposal has been progressed in-house by Council's staff.

Conclusion

The draft planning proposal is the culmination of many years of work and studies by Council and the respective landowners to provide for residential development and other suitable urban development at South Jerrabomberra.

The draft plan represents an appropriate planning outcome having regard to the constraints of the site and the delivery of infrastructure for the area into the future.

Consequently, it is recommended that the draft planning proposal now be endorsed and finalised by Council.

Attachments

- | | |
|--------------|--|
| Attachment 1 | Amended Draft Planning Proposal South Jerrabomberra 2018 (<i>Under Separate Cover</i>) |
| Attachment 2 | Draft Zoning Map South Jerrabomberra (<i>Under Separate Cover</i>) |
| Attachment 3 | Submissions South Jerrabomberra PP - 7 December 2018 (<i>Under Separate Cover</i>) |

12.3 Rural Land Requests (Ref: C18157446; Author: Thompson/Robb)

Summary

This report follows a Councillor workshop held on 21 November 2018. Its purpose is to assess rural land requests on the following lots:

1. Lot 9 DP 754867, Silver Lane, Boro
2. Lot 11 DP 1058499, Llewellyn Drive, Braidwood
3. Lot 15 DP 1044797, Little River Road, Braidwood
4. Lot 15 DP 270600, Lot 1 DP 669141, Lots 82 and 83 DP 754922, Wanna Wanna Road, Carwoola.
5. Lot 21 DP 1018890, Grove Road, Lake George
6. Lot 16 DP 846996, Williamsdale Road, Williamsdale.

A further two requests for the following lots will be considered in a future report in early 2019:

- Lot 5 DP 846794, Macs Reef Road, Wamboin
 - Lot 1 DP 48576 and Lot 1 DP 378941, Wirreandra Road, Wamboin.
-

Recommendation

That:

1. **The request to allow a dwelling to be erected on Lot 9 DP 754867 not be progressed.**
 2. **The PLEP 2014 minimum lot size for the R5 Large Lot Residential portion of Lot 11 DP 1058499, Llewellyn Drive, Braidwood remain at 5,000m².**
 3. **The request to allow small residential lots on Lot 15 DP 1044797, Little River Road, Braidwood not be progressed.**
 4. **The request to rezone Lot 15 DP 270600, Lot 1 DP 669141, Lots 82 and 83 DP 754922 for development as a residential area not be progressed.**
 5. **The request to remove the E3 Environmental Management zone on Lot 21 DP 1018890 and to rezone the land to permit residential subdivision not be progressed.**
 6. **The request for Lot 16 DP 846996, Williamsdale to be subdivided to allow an existing dwelling to be on a separate lot not be supported.**
-

Background

During the preparation of the draft *Palerang Local Environmental Plan 2014* (PLEP) and the *Palerang Rural Lands Strategy 2016-2036*, Council received numerous requests for amendments to the local environmental plan (LEP) land use planning provisions. Most commonly the requests were for the lowering of minimum lot sizes to allow the subdivision of existing dual occupancies and/or the rezoning of land. This report considers six of the requests and makes a recommendation for each.

The PLEP was gazetted in late 2014. Its preparation was a substantial project which took ten years and included the amalgamation of six local environmental plans (LEPs) and extensive community consultation. The project raised numerous policy issues and requests

12.3 Rural Land Requests (Ref: C18157446; Author: Thompson/Robb) (Continued)

for the rezoning of land or the ability to erect a dwelling with development consent in the rural areas.

As it was not possible to encompass this work and progress the draft PLEP in a timely manner, Council resolved to undertake a Rural Lands Study. Recommendations were adopted by Council in both reports on the draft PLEP exhibition to include requests in the Study. On 6 February 2014, Council resolved to commence the Palerang Rural Lands Study. Further requests were received in the period between the gazettal of the PLEP and the adoption of the Rural Lands Strategy in February 2017. The Rural Lands Study Committee and later Council agreed that the requests would be considered once the Rural Lands Strategy had been adopted by Council.

The Rural Lands Strategy was adopted by Council in February 2017 (Minute No. 046/17). It contains criteria against which each of the requests in this report will be considered. The Rural Lands Study, Strategy and associated reports are available on the Council website.

The methodology for assessing the requests against the objectives of the Rural Land Studies and other relevant documents is provided in Attachment 1.

The following summarises each of the landowner's requests, Council's assessment and recommendations. Detailed assessments for the sites are provided in the Attachments as indicated.

1. Lot 9 DP 754867, Silver Lane, Boro

The property owner would like to erect a dwelling on their land. The lot is below the minimum lot size and would require an amendment of the PLEP to allow a dwelling or a variation under clause 4.6 of the PLEP. It is recommended that the request not be progressed.

2. Lot 11 DP 1058499, Llewellyn Drive, Braidwood

The property owner is seeking the retention of the village landuse zone from the former local environmental plan to enable the residential subdivision of land. This is not possible under the Standard Template LEP and in any case the provisions in the PLEP are considered appropriate and it is recommended that this proposal not be progressed.

3. Lot 15 DP 1044797, Little River Road, Braidwood

The request to allow small residential lots was included in the 2008 strategic planning discussion Palerang Rural, Rural Residential and Environmental Areas Discussion Paper 2008. From a review of the available background information it appears that Council resolved not to progress the request. However, it is unknown how this property has come to be included on the list of properties to be considered as part of the Rural Lands Study. It is recommended that the request not be progressed.

4. Lot 15 DP 270600, Lot 1 DP 669141, Lots 82 and 83 DP 754922, Wanna Wanna Road, Carwoola

During the preparation of the Rural Lands Study, Council received a submission (scoping study) from consultants for the development of a large residential area similar to the Googong development. The proposed landuse zones range from B2 Local Centre, R3 Medium Density Residential, R5 Large Lot Residential, RE1 Public Recreation and RE2 Private Recreation. As there is capacity in the Googong development and an increase in the Bungendore water licence is being sought with a view to a possible increase in its residential development, it is recommended that this request not be progressed.

12.3 Rural Land Requests (Ref: C18157446; Author: Thompson/Robb) (Continued)

5. Lot 21 DP 1018890, Grove Road, Lake George

The owner is seeking the removal of the environmental landuse zone, E3 Environmental Management and to have the lot rezoned to a landuse zone that allows for residential subdivision. Attachment 11 contains a detailed assessment.

It is recommended that the request not be progressed and that Council retain the E3 Environmental Management landuse zone on Lot 21 DP 1018890.

6. Lot 16 DP 846996, Williamsdale Road, Williamsdale

The property owners have requested that the existing lot be subdivided to create an 8.2 hectare lot so that an existing dwelling (part of a dual occupancy) would be on a separate lot. Attachment 12 contains a detailed assessment while Attachment 13 contains the owners' consultant submission.

Lot 16 DP 846996 is a very small agricultural property at 104.7 hectares and it is suggested that it is not necessary to have a separate lot for farm succession purposes. If a covenant was placed on the smaller lot (if subdivided) a dual occupancy would still be permissible with consent on the larger lot.

The dual occupancies referred to in the submission (Attachment 14) are on smaller lots which are of a rural residential nature. Additionally, Council in considering other rural lands requests has generally not supported the creation of additional lots via an existing dual occupancy.

It is recommended that Lot 16 DP 846996, Williamsdale not be subdivided to allow an existing dwelling to be on a separate lot.

Implications***Legal***

The decision to amend a local environmental planning provision generally rests with Council. However, it is possible for property owners to request a review of Council's decision concerning a proposed rezoning from the Department of Planning and Environment (DPE). In regard to a planning proposal, an applicant may ask for a Rezoning Review if:

- A council has notified them that it does not support their plans.
- A council has failed to indicate its support 90 days after the proponent has submitted a request.
- A council has failed to submit a planning proposal for a Gateway determination within a reasonable time after it has indicated its support.

This would be subject to a fee payable to the DPE and if granted a Rezoning Review would be carried out independently by the Southern Regional Joint Regional Planning Panel for this Region.

Council has sound reasons for refusing the following requests and nothing in the assessments appears likely to lend weight to overturning Council's determination.

Policy

The assessment of each request relating to the Palerang Rural Lands Study has involved the consideration of it against the *Palerang Rural Lands Strategy 2016-2036*, the *South East and Tablelands Regional Plan 2036* and relevant Ministerial Directions, *State Environmental Planning Policies* and a draft *State Environmental Planning Policy*. The assessment of the requests has found that a departure from the principles and requirements of these documents does not have merit.

12.3 Rural Land Requests (Ref: C18157446; Author: Thompson/Robb) (Continued)

Environmental

The assessment of each request has considered each of the environmental, social, economic, infrastructure and natural matters.

Sustainability

It is suggested that the creation of additional small lots in rural areas is not sustainable as it will not only fragment rural land but will also create a precedent which will lead to further requests for small lots in these rural areas. This will increase the demand for both hard and soft infrastructure in addition to the need to manage natural hazards such as bushfire on the community.

Strategic

Allowing the requests to proceed and the likely increase in further requests for small lots will create a circumstance where it will be difficult to plan for hard and soft infrastructure. Strategic land use and infrastructure planning allows for the co-ordinated planning of services and infrastructure. For instance the cost of constructing and maintaining rural roads is substantial and accounts for a large portion of the Council funds spent outside of urban areas.

Engagement

There has been no specific community or government agency consultation on the requests. However, all have either been included in a discussion paper exhibited in 2008 and subsequent Council reports, a draft PLEP report to Council in 2013 or 2014 or were considered as part of the Rural Lands Study. Where submissions have previously been received from owners or applicants these are included in the attachments.

Financial

Whilst there would be some development contributions payable to Council if the following requests were progressed, it is suggested that these and income from rates, would not adequately fund the provision of hard and soft infrastructure particularly if further requests were agreed to.

The cost to Council in staff time assessing the requests is included in the current Land-Use Planning budget.

Integrated Plan

The final recommendation relevant to each of the requests considered in this report will feed into the new comprehensive environmental plan. This continues to be a major project for the Land-Use Planning Branch in the 2018-19 Operational Plan.

Conclusion

It is acknowledged that some of the rural land surrounding the lots which are the subject of this report have been fragmented over time and that in some cases the lot sizes are similar to that found in a rural residential area that is not adjacent to an urban area. However, the precedent that is likely to be set by allowing the proposed changes relating to the above properties would probably result in the further fragmentation of land resulting in a loss of agricultural land and the creation of unplanned rural residential areas.

The externalities of this, such as the demand for hard and soft infrastructure and possible land use conflicts, does not warrant an amendment to the current PLEP provisions and land use zones or variations in the draft comprehensive local environmental plan currently being prepared by Council. Other than providing an economic benefit to the individuals requesting

12.3 Rural Land Requests (Ref: C18157446; Author: Thompson/Robb) (Continued)

the LEP amendments there is little from a planning perspective to support these applications.

Attachments

- Attachment 1 Method for Assessing Rezoning and Dwelling Eligibility Requests (*Under Separate Cover*)
- Attachment 2 Lot 9 DP 754867, Silver Lane, Boro - Detailed Assessment (*Under Separate Cover*)
- Attachment 3 Lot 9 DP 754867, Silver Lane, Boro - Objection (*Under Separate Cover*)
- Attachment 4 Lot 9 DP 754867, Silver Lane, Boro - Property Owner - Submission - December 2018 (*Under Separate Cover*)
- Attachment 5 Lot 11 DP 1058498, Llwellyn Drive, Braidwood - Detailed Assessment (*Under Separate Cover*)
- Attachment 6 Lot 11 DP 1058499 - Owner Request (*Under Separate Cover*)
- Attachment 7 Lot 15 DP 1044797, Little River Road, Braidwood - Overview (*Under Separate Cover*)
- Attachment 8 Lots 13 and 15 DP 1044797, Little River Road, Braidwood - Council Letter (*Under Separate Cover*)
- Attachment 9 Lots 13 and 15, DP 1044797, Little River Road, Braidwood - Excerpt from Rural Residential and Environmental Discussion Paper (*Under Separate Cover*)
- Attachment 10 Lot 15 DP 270600, Lot 1 DP669141, Lots 82 and 83 DP 754922, Wanna Wanna Road, Carwoola - Detailed Assessment (*Under Separate Cover*)
- Attachment 11 Lot 15 DP 270600, Lot 1 DP 669141, Lots 82 and 83 DP 757922, Wanna Wanna Road, Carwoola - Rezoning Submission (*Under Separate Cover*)
- Attachment 12 Lot 21 DP 1018890, Grove Road, Lake George - Detailed Assessment (*Under Separate Cover*)
- Attachment 13 Lot 16 DP 846996, Williamsdale Road - Detailed Assessment (*Under Separate Cover*)
- Attachment 14 Lot 16 DP 846996, Williamsdale Road - Submission (*Under Separate Cover*)

**12.4 Street Naming Proposal - Ricketts Place - Bungendore (Ref: C18160135;
Author: Thompson/Bateman)**

Summary

Lonergan Surveying has lodged a request to name a new road that will be created by an approved subdivision. The applicant would like to use the name Ricketts Place, in honour of a local War Veteran. The Geographical Names Board concur with the proposed name.

Recommendation

That Council:

- 1. Adopt in principle the name 'Ricketts Place' as the proposed name for the new road created by the subdivision of Lot 21 DP 1231346, Bungendore.**
 - 2. Advertise the name for public comment for 30 days.**
 - 3. Publish a notice in the NSW Government Gazette if no objections are received.**
 - 4. Include on the street sign a commemoration to the individual's contribution to World War 1.**
-

Background

The applicant has requested consideration of the name Ricketts Place as part of the subdivision of Lot 21 DP 1231346.

The subject road is shown in Attachment 1 and will run in a westerly direction off McKay Drive.

The chosen name will honour a World War 1 soldier that is commemorated on the Bungendore Memorial Roll of Honour. Private Sylvester George Ricketts was killed in action in France in 1918. The name Ricketts references local history and comprises an unambiguous word that is easy to spell and pronounce and is therefore recommended. The applicant has requested that the street name be included in the list of names as part of the 100th anniversary of the Great War. The application was made during the commemoration period but was unable to be considered by Council until this meeting. So this will be the last sign in Bungendore bearing the special commemorative mark.

Policy

The Code of Practice requires the recommended road names to be reported to Council and then advertised for public comment. If supported by Council and the Geographical Names Board and there are no objections received from notifications then the notice will be published in the NSW Government Gazette. If any objections are received then a further report will be brought back to Council.

Consultation

The proposed name will be exhibited for 30 days for public comment. The exhibition will commence mid-January 2019 to avoid exhibiting over the Christmas/New Year period.

12.4 Street Naming Proposal - Ricketts Place - Bungendore (Ref: C18160135; Author: Thompson/Bateman) (Continued)

Financial

All costs associated with advertising of the road name and supply of road name plates are to be borne by the applicant in accordance with Council's adopted fees and charges and the conditions of the development consent issued for the subdivision.

Conclusion

The name chosen is a unique and interesting name appropriate to local history of the area concerned. It incorporates the use of a local historical name in accordance with the Geographical Names Board guidelines for the naming of roads.

Attachments

Attachment 1 Proposed Ricketts Place (*Under Separate Cover*)

12.5 Braidwood Archaeological Management Plan (Ref: C18164847; Author: Thompson/Jansen)

Summary

This report seeks Council's endorsement to place the Braidwood Archaeological Management Plan on public exhibition.

Recommendation

That Council:

- 1. Adopt the draft Braidwood Archaeological Management Plan in principle.**
 - 2. Place the draft document on public exhibition.**
-

Background

Council has received funding from the NSW Office of Environment and Heritage (OEH) for the preparation of an Archaeological Management Plan (AMP) for the State Heritage listed Conservation area of Braidwood.

Whilst many buildings remain from the early period of Braidwood, many older buildings have been demolished over time. Sites may contain remnants of buildings or items of heritage significance. The AMP will assist with the identification and management of these sites.

The AMP provides an 'early warning system' by mapping zones of potential archaeological sensitivity within the 'Braidwood and its Setting' Conservation area. Knowing upfront that a site may have archaeological values can avoid delays to the development process through unanticipated finds, additional costs, expanded project scope, physical restrictions, redesign or other issues.

The overall project will involve three stages, however the current funding only covers Stage 1 of the project.

Stage 1 includes:

1. Review of secondary source material supplemented by primary historical research including relevant maps and plans with a cut-off date of 1900. (A cut-off date of 1900 was imposed due to the limited funding for the project).
2. Assessment of the significance of the likely archaeological resource based on historical analysis and archaeological potential.
3. GIS mapping with basic recommendations such as needs an archaeological assessment or no archaeological assessment required.
4. An updated inventory of items with heritage significance.
5. Recommendations for future work.

Future stages will be:

Stage 2

1. Research framework which will establish relevant research questions for investigation in the town.

12.5 Braidwood Archaeological Management Plan (Ref: C18164847; Author: Thompson/Jansen) (Continued)

2. Delivery of more detailed recommendations based on the level of significance of the archaeology with more specific recommendations for the development assessment process.

Stage 3

This stage will link the AMP and its recommendations into the Development Control Plan for Braidwood.

Consultants have been engaged to prepare a draft AMP as set out in Stage 1 of the project. A draft report has now been completed and forms Attachment 1 of this report. Accompanying the report is an inventory document, which forms Attachment 2.

Implications**Legal**

The consultants have prepared the draft AMP in accordance with relevant Departmental guidelines and Australia's ICOMOS Burra Charter. In addition, the document was prepared in accordance with relevant Council policies such as the *Palerang Local Environmental Plan 2014* and the *Braidwood Development Control Plan 2006*.

Policy

The draft document has been prepared in accordance with relevant guidelines and Council policies.

Environmental

The AMP will have a positive environmental impact as it will result in archaeological heritage sites in the State listed conservation area of Braidwood being protected from inappropriate development.

Social / Cultural

The AMP will contribute to ensuring archaeological heritage sites are recognised and possibly retained as part of the historic and cultural fabric of the town.

Economic

Braidwood's historic township is quite unique in that much of the character is retained. An independent assessment for the NSW Office of Environment and Heritage in 2004 described the town as distinctive for having retained much of the historical layering. Retaining these characteristics is a drawcard for tourism and will benefit the area economically.

Strategic

The draft AMP will contribute to the retention of Braidwood's Heritage character and update the inventory of items of heritage significance. Future stages of the AMP will build on Stage 1 of the project.

Engagement

An introduction to the project was already provided to members of the public on Council's "Your Voice" via a "story map". This explained the purpose of the project and encouraged resident to provide relevant information to Council. Site visits to Braidwood were undertaken by the consultants in August.

An article on the project was also published by the Braidwood Times in August 2018.

12.5 Braidwood Archaeological Management Plan (Ref: C18164847; Author: Thompson/Jansen) (Continued)

It is recommended that the following process be undertaken to finalise the draft Braidwood Archaeological Management Plan:

1. Council resolution to exhibit the draft document. Public exhibition is to commence in January 2019 for a 28 day period.
2. Public notice in the local paper.
3. Exhibition period to include:
 - a. Project on "Your Voice".
 - b. Hard copies available at the Braidwood Office.
 - c. Post on Council facebook page.
4. Consultation with the Braidwood and Curtilage Heritage Committee.
5. Review of submissions.
6. Report to Council on submissions received during public exhibition.
7. Adoption of final AMP.

Financial

The draft AMP has been prepared by external consultants with the assistance of Council Officers. The Office of Environment and Heritage is providing funding under its Heritage Grants program for Local Government Heritage Planning Studies of \$15,000. This funding is provided on a dollar for dollar basis.

Resources (including staff)

The project is managed by two Council staff members on a part-time basis with assistance from Council's GIS staff for mapping requirements for consultation purposes.

Integrated Plan

This plan is part of the Heritage program which is one of the programs on the Service Statement relevant to Land Use Planning in the Operational Plan 2018-19.

Conclusion

The draft Archaeological Management Plan for the "Braidwood and Its Setting" Heritage Conservation Area provides an 'early warning system' by mapping zones of potential historical archaeological sensitivity within the conservation area. The AMP provides a broad scale archaeological assessment to reduce the risk of disturbance or inappropriate development of areas containing potential historic archaeological remains. It is therefore recommended that the draft Braidwood Archaeological Management Plan be adopted in principle and placed on public exhibition.

Attachments

- | | |
|--------------|---|
| Attachment 1 | Braidwood Archaeological Management Plan - November 2018 (<i>Under Separate Cover</i>) |
| Attachment 2 | Braidwood Archaeological Management Plan - Inventory Sheets November 2018 (<i>Under Separate Cover</i>) |

12.6 Swimming Pool Inspection Program (Ref: C18160726; Author: Thompson/Spinks)

Summary

At its meeting of 10 October 2018 Council resolved to place the Draft Swimming Pool Inspection Program on public exhibition for a period of 28 days.

The draft program was promoted via Your Voice, Queanbeyan Age, Bungendore Weekly, Braidwood Times and Council's Facebook Account. The document received 49 online visits with the draft program having been downloaded 23 times. By the end of the exhibition period no submissions were received.

Following the exhibition period the draft Swimming Pool Inspection Program is recommended for adoption.

Recommendation

That Council adopt the QPRC Swimming Pools Inspection Program as attached.

Background

As of 2 October 2018, approximately 1300 private swimming pools are located across the QPRC local government area. Approximately 800 are located in the Queanbeyan urban area with the remaining 500 spread throughout the towns, villages and rural surrounds of the local government area.

With the introduction of the *NSW Swimming Pools Act 1992*, all NSW councils had a requirement under Section 5(b) of the *Act* "to promote awareness within its area of the requirements of this Act in relation to swimming pools".

With the introduction of the *Swimming Pools Amendment Act 2012*, councils were required to develop and implement a formal Swimming Pool Inspection Program. The former Queanbeyan City Council elected to formalise its pre-existing inspection program and continue a proactive three yearly safety inspection regime. The former Palerang Council elected to change to a complaints-based inspection program due to a resource, funding and time constraints. As a result the programs now operating across the whole local government area are inconsistent creating confusion among residents about what services are provided.

This new Policy requires a random 10% of all pools, (which haven't been inspected within 3 years) to be inspected.

Conclusion

If adopted the new QPRC Swimming Pool Inspection Program, will ensure Council continues to meet its requirements under Section 5(b) of the *Swimming Pools Act 1992* and ensure a unified consistent and equitable approach to swimming pool inspections across the whole local government area.

Attachments

Attachment 1 DRAFT QPRC Swimming Pool Inspection Program 2018 (*Under Separate Cover*)

12.7 Council Operations Sustainability Policy (Ref: C18155942; Author: Thompson/Pensini)

Summary

This report proposes a sustainability policy for council operations. The aim of this draft policy is to provide a clear statement of Queanbeyan-Palerang Regional Council's (QPRC) commitment to reducing the environmental impact of Council's operations. More specifically the policy is intended to fill gaps in sustainability key performance indicators (KPIs) within Council.

Recommendation

That Council:

- 1. Adopt the attached QPRC Operations Sustainability Policy.**
 - 2. Rescind the Queanbeyan City Council Sustainability Policy.**
-

Background

In 2011 the former Queanbeyan City Council developed its very first Sustainability Policy. The aim of the policy was to provide a clear statement of Council's commitment to progressing towards sustainability within Council. However the policy lacked clear direction and KPIs.

The proposed draft Queanbeyan-Palerang Regional Council Operations Sustainability Policy has been structured with a similar concept with three fundamental changes. That being:

- The draft policy has been renamed from 'Sustainability Policy' to 'Council Operations Sustainability Policy'.
- The draft policy now includes KPIs in addition to a yearly reporting scheme to provide clear direction.
- The outcome of the draft policy has now been changed so to provide a clear statement of QPRC's commitment to reducing the environmental impact of its operations.

Implications

Legal

A number of legislative instruments impact on Council's sustainability and are detailed in Part 5 of the Policy.

Policy

The Policy states that Council will strengthen, adjust and build internal management frameworks that ensure that the quadruple bottom line is integrated as a core part of its strategic and operational management. This will be achieved via effective integrated management plans, specific action plans, standard operating procedures, training, communication, monitoring and reporting. To this end, the policy includes sustainability performance related key performance indicators (KPIs). Council will report on performance against these KPIs in the annual report.

12.7 Council Operations Sustainability Policy (Ref: C18155942; Author: Thompson/Pensini) (Continued)

The Policy was also developed to align with Council's Procurement Policy, Sustainable Design Policy for Council Buildings, and Council's Health Safety Environmental and Quality Policy.

Sustainability

The Policy provides for the following sustainability measures to be prepared and reported on annually:

- Biodiversity: assessment of Council's natural assets and development of road side and other public land management plans.
- Water: reduce overall water consumption (Council Operations only) by 30% when compared to FY2012-13 baseline.
- Waste: commence waste audit and develop waste relevant KPI.
- Energy emissions: reduce overall greenhouse gas emissions from electricity and gas (Council operations only) by 30% by 2025 when compared to former QCC FY2012-13 and former Palerang FY2009-10 combined baseline.
- Transport emissions: reduce overall greenhouse gas emissions associated with Council's vehicle fleet by 30% by 2025 when compared to FY2012-13 baseline.

Social / Cultural

The draft policy is intended to fill a gap in environmental sustainability KPIs. Hence the draft policy includes environmental related KPIs. Social KPIs are outlined in the QPRC Strategic Service Statement: People. Economic KPIs are outlined in the QPRC Delivery Program 2018–2021.

Economic

If implemented appropriately and according to the quadruple bottom line this policy will result in savings to Council from reductions in electricity, gas, water and fuel usage.

Strategic

The draft policy directly aligns with the Queanbeyan-Palerang Regional Council Delivery Program 2018-21. More specifically strategic pillar 3 key goal "A Sustainable Queanbeyan-Palerang: A clean, green community that cherishes its natural and physical character".

Resources (including staff)

Staff involved with the implementation of the Policy include:

- Infrastructure Sustainability Officer: implementation of the policy.
- Sustainability Project Officer: implementation of the policy.
- Waste Minimisation Officer: implementation of the policy
- Environmental Education Officer: implementation of the policy

Conclusion

The draft QPRC Council Operations Sustainability Policy is presented for formal adoption. Once adopted, the previous Queanbeyan City Council Sustainability Policy will be rescinded.

Attachments

- Attachment 1 Council Operations Sustainability Policy (*Under Separate Cover*)
Attachment 2 Sustainability Policy - QCC (*Under Separate Cover*)

**12.8 Proposal from NRMA to Install Electric Car Charging Facilities at Braidwood
(Ref: C18159331; Author: Thompson/Bonet)**

Summary

The NRMA are installing electric car charging facilities aimed at reaching 95% of NRMA members and non-members across Australia. The NRMA have contacted Council seeking to install electric vehicle charging facilities at Braidwood.

Recommendation

That Council:

- 1. Agree to the inclusion of an electric vehicle charging station as part of any future car park redevelopment of 88 Wallace Street, if and when it occurs.**
 - 2. Consent to a formal arrangement with the NRMA by signing the Letter of Intent (attached).**
-

Background

Council has been working with a number of electric vehicle (EV) charging operators to establish facilities in carparks or street carspaces in Queanbeyan, Bungendore and Braidwood. The Queanbeyan Carparking Strategy proposed EVs in the new repurposed carparks at Morisset, Rutledge and Crawford carparks.

The NRMA are rolling out electric vehicle (EV) charging facilities across Australia. The NRMA believe Braidwood is an important location for one of these facilities given its proximity to the coast and Canberra and is seeking agreement to proceed with the installation of charging facilities. A typical charging facility is shown in the photograph below. More detailed information on the rollout can be found at <https://www.mynrma.com.au/community/initiatives/electric-vehicle-fast-charger-network>.



**12.8 Proposal from NRMA to Install Electric Car Charging Facilities at Braidwood
(Ref: C18159331; Author: Thompson/Bonet) (Continued)**

The proposal is to erect charging facilities for two car parking spaces should Council proceed with the construction of a public carpark at 88 Wallace Street, Braidwood in the future. Should Council be interested in the proposal its commitments are outlined in the letter of intent provided by the NRMA and shown in Attachment 1.

Implications***Legal***

The installation of EV charging facilities aligns with the *Guiding Principles for Councils* set down in section 8A of the *Local Government Act 1993* which provides that when making decisions councils should:

- Recognise diverse local community needs and interests.
- Consider social justice principles.
- Consider the long term and cumulative effects of actions on future generations.
- Consider the principles of ecologically sustainable development.

Environmental

Benefits of the roll out of EVs are far reaching and discussed at length in the media and elsewhere in recent times. For QPRC specifically, this opportunity may result in the first publicly installed electric car charging facilities. Based on Braidwood's location the availability of such facilities will be one of many motivations for people to purchase EVs. This will result in reduced greenhouse gas emissions from residents of QPRC and beyond and will contribute to reducing the community's carbon footprint.

Sustainability

The installation of EV charging facilities in Braidwood will contribute to the transition of the QPRC community, as well as the wider ACT region community, towards a more sustainable future.

Heritage

EV charging units are about the size of a narrow petrol bowser. In previous discussions on this matter it has been held that the installation of EV charging points in the main street of Braidwood would be inconsistent with heritage character of the that street. As such any charging units should be placed close too, but off the main street preferably where cars can be parked.

Asset

Based on proposals to create a car park behind 88 Wallace Street, Braidwood, this location is discussed in the NRMA proposal. The location of a future carpark in this area is considered ideal for EV charging facilities considering the proximity of the site to the CBD. Two parking spaces in the proposed carpark would need to be allocated for installation of the EV facilities.

Social / Cultural

EVs are being promoted as part of the cultural change which is required if the community is to address the risk posed by continuing pollution from vehicles. Council can facilitate and contribute to this change by allocating spaces for EV charging at Braidwood.

**12.8 Proposal from NRMA to Install Electric Car Charging Facilities at Braidwood
(Ref: C18159331; Author: Thompson/Bonet) (Continued)**

Economic

Electricity use in the EV charging facilities will be paid for by the NRMA. There are no operational costs which will be incurred by QPRC as a result of the installation of these facilities. Cost to be incurred by QPRC are limited to maintaining the bay and providing lighting. Both of these activities will be undertaken regardless of the existence of a third party EV charging station within the car park. Revenue arising from the facilities will belong to the NRMA. The NRMA will pay council a peppercorn fee to secure the site for a period of five years with an option to extend this term.

Strategic

The installation of EV charging facilities in Braidwood will contribute to the transition of the QPRC community towards a more sustainable future. This aligns with Council's Community strategy, in particular Theme Three - A Sustainable Queanbeyan- Palerang and includes:

- Ensuring the future planning for the region is well coordinated and provides for its sustainable management.
- Actively promoting and implementing sound resource conservation and good environmental practice.
- Increasing awareness of changing environmental behaviour.
- Designing natural and built landscapes to incentivise population, agricultural and business growth through sustainably and equitably sited residential, rural and employment lands with appropriate infrastructure and environmental offsets

Financial

No direct cost to Council resulting from the installation of the EV charging facilities. Indirect costs include lighting and maintenance of the space. The latter two would be incurred regardless of the existence of the EV charging facilities.

Conclusion

The proposal from the NRMA aligns with Council's vision of a sustainable community and should be embraced as a great opportunity to introduce EV charging facilities in our region.

Attachments

Attachment 1 NRMA - Letter of Intent - EV Charger- Braidwood - Final (*Under Separate Cover*)

Attachment 2 NRMA - EV Licence template - Braidwood (*Under Separate Cover*)

12.9 Request for Tender 2019-16 - Irrigation Upgrade to Mick Sherd Oval in Bungendore (Ref: C18168811; Author: Thompson/Maleganeas)

Summary

As part of Council's capital works program, funding has been allocated for an irrigation upgrade to Mick Sherd Oval in Bungendore. Tenders were called via Tenderlink for the upgrade. One tender submission was received and this report recommends awarding a contract to that tenderer.

Recommendation

That Council:

- 1. Award Tender 2019-16 to Tenderer number 1 for the Mick Sherd Oval Irrigation Project for \$insert.**
 - 2. Assign a total budget cost of \$165,000 for the project.**
-

Background

Mick Sherd Oval, located in the township of Bungendore, is utilised by various sporting groups throughout the year.

It is currently watered by subsurface irrigation which has failed and not operating to its full capacity. This type of existing system isn't considered to be suitable in sports field applications because of its limitations to carry out maintenance to the field, the main issue being aeration or slitting and the possibility of damaging the piping beneath the surface. There is also considerable difficulty in identifying breakages or blockages of the weep holes.

A new overhead watering system, which includes the oval and park areas at the site, will overcome these issues and minimise limitations to carry out maintenance to the field.

Implications

Legal

This tender was carried out in accordance with the Local Government Act 1993 (Section 55) and regulations.

Policy

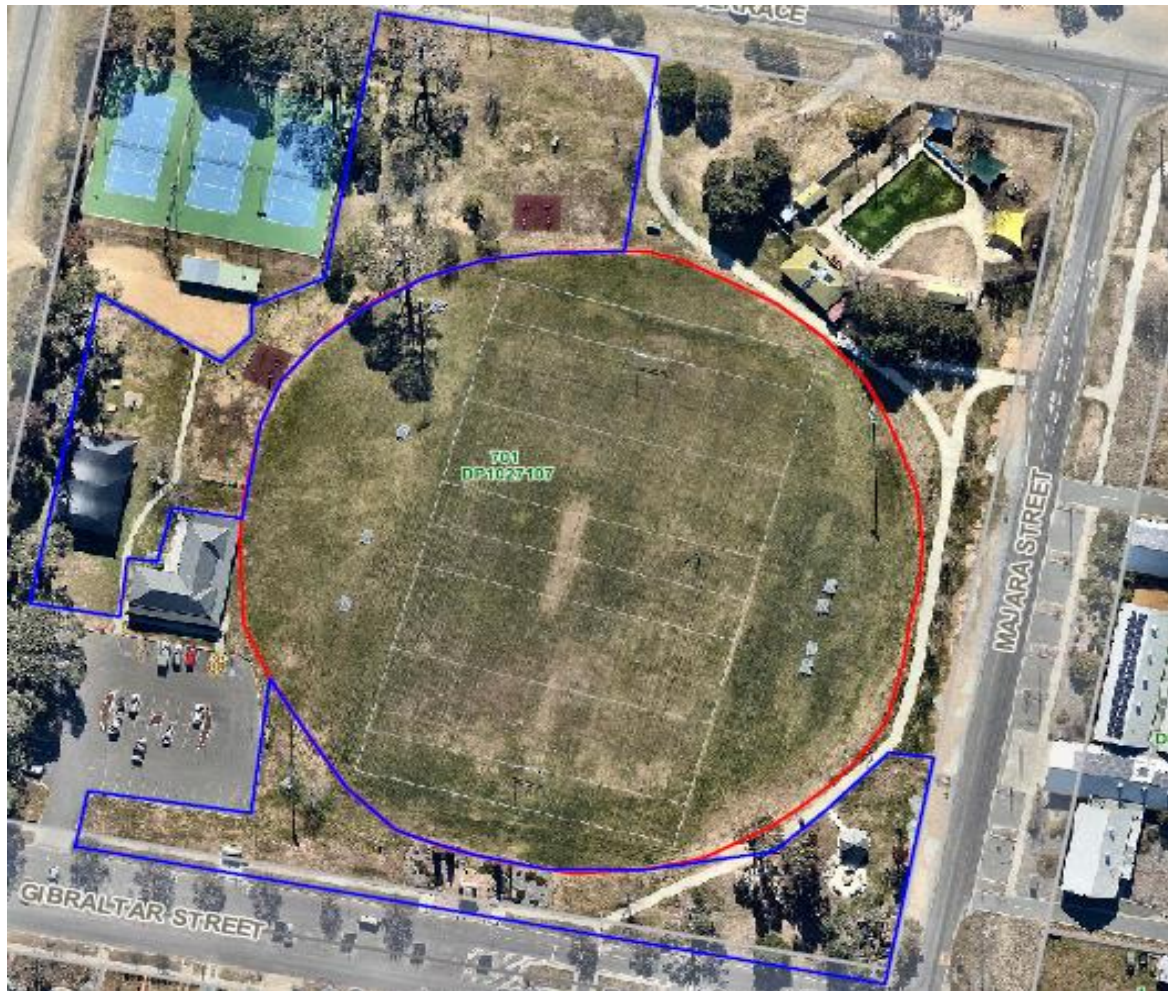
Applicable policies include:

- Queanbeyan-Palerang Regional Council Procurement Policy.
- Queanbeyan-Palerang Regional Council Procurement Procedure Part 1 – Governance.

Sustainability

The new irrigation system has required tenderers to provide design and costing for a fully operational overhead system that will allow a full maintenance program to the field without any limitations. The system will also use recyclable water treated from Council's treatment plant, once the new infrastructure at the plant is commissioned.

A plan of Mick Sherd Oval is below. The irrigation upgrade will be installed within the areas outlined in red and blue.

12.9 Request for Tender 2019-16 - Irrigation Upgrade to Mick Sherd Oval in Bungendore (Ref: C18168811; Author: Thompson/Maleganeas) (Continued)**Asset**

The irrigation system will be owned by the Council and will be added to Council's assets register.

Social / Cultural

The commissioning of a new irrigation system will enable various local sporting clubs and visitors to have a playing surface that is a safe facility for training and competition matches.

Economic

Upgrading the system will enable staff to maintain the surface to a higher level and possibly attract other sports to the venue.

Engagement

An upgrade to the system has come about as a result of enquiries from various local sporting clubs into the sub-standard surface which has been gradually deteriorating.

Financial

Allocation of funding has been provided from Council's capital works program for an amount of \$165,000. The tender amount was for the sports field only. Council staff discussed with the tenderer options of extending the irrigation through areas around the BBQ and playground etc. This will bring the new tender amount to the figure indicated in the

12.9 Request for Tender 2019-16 - Irrigation Upgrade to Mick Sherd Oval in Bungendore (Ref: C18168811; Author: Thompson/Maleganeas) (Continued)

attachment. The balance of funds will be used to rejuvenate the sports field after the irrigation works are complete.

Resources (including staff)

Staff from Council's Urban Landscapes team will manage this project.

Integrated Plan

This irrigation project is contained within the Urban Landscapes section of the 2018/19 Operational Plan.

Conclusion

It is recommended that tenderer number 1 be awarded the contract for Mick Sherd Irrigation.

Attachments

Attachment 1 Tender Evaluation Report - Mick Sherd Irrigation (*Under Separate Cover*)
- **CONFIDENTIAL**

12.10 Southern Lights Project (Ref: C18170551; Author: Tegart/Tegart)

Summary

As a collaboration with CRJO and other JOs, the Southern Lights project proposes to deliver LED street lights and digital enabling infrastructure through 83,000 street lights across southern NSW. It will provide better, cheaper, more efficient, more reliable street lighting and digital connectivity that will be enabling infrastructure for smart community technologies.

This infrastructure will be a 'smart technology deployment' to regional communities and will include opportunities for all types of digital monitoring for example: security, traffic measurements, asset tracking, livestock location, water meter measurements, garbage bin sensors, parking sensors, pedestrian movements and noise monitoring. Southern Lights is seeking the program to be fully funded by the State Government for \$61.4M and implemented over the 3 years.

Recommendation

That Council:

- 1. Note the preparation of a business case for funding of the smart street lighting program by the NSW Government at a cost of \$61.4M and seek support for the project from the local member for Monaro.**
- 2. Support in principle, the rollout of LED lighting with smart technology capability for all street lights in the local government area.**
- 3. Receive a report following assessment of the business case, for estimates and any further involvement of Council.**

Background

The Southern Light Project commenced in 2016 with a number of interested Councils and ROCs collaborating to drive the conversion of street lighting to LED lighting in order to save Councils up to 50% of the cost of their street lighting costs. The consortium of Councils is now represented by Riverina Eastern Regional Organisation of Councils (REROC), the Riverina and Murray Joint Organisation (RAMJO) the Canberra Region Joint Organisation and Broken Hill City Council.

From the initial focus of LEDs, the project has grown to encompass smart street lighting with street lighting being the vehicle for smart controllers that will lead digital technology throughout regional NSW. The group engaged energy consultant NextEnergy to assist the preparation of the business case for the Southern Lights project. Essential Energy was recognised as a major stakeholder in the project being the provider of the majority of street lighting across the area. The Councils group has now been working closely with NextEnergy and Essential Energy to:

- develop a business case to convince the State Government it should be funding an immediate rollout of smart street lighting
- develop the specifications for the street lighting and associated smart technology

12.10 Southern Lights Project (Ref: C18170551; Author: Tegart/Tegart) (Continued)

Each Council is requested to resolve to support the preparation of the business case and specifications. Attached is a brochure outlining the project.

Implications***Legal***

Pending the outcome of the business case, and Council's decision whether to progress further with the project, a range of contracts and other agreements will be required.

Asset

Once commenced, it is expected the project will take 3 years to rollout, with an 8.8 year capex payback.

Strategic

Key Points from the Business Case roll out across the Southern Lights area are:

- The cost to implement the program across the 41 Councils \$71.2 M
- The program covers 83,000 lights
- Essential Energy will provide a rebate of \$9.8M
- The program(subject to funding) would be implemented over a 2-3 year time frame.
- The payback period is 8.8years
- Funding request to NSW Government is \$61.4M

This Business Case was submitted to the NSW Government in November seeking funding for the project.

Financial

There is no cost to Council to prepare the business case – it's being borne by the JOs. The QPRC budget for street lighting is almost \$1m/year.

The following steps are proposed through the collaboration:

- a. Light suppliers – it is proposed call tenders and establish a number of contracts for the supply of luminaire suppliers. The technical specification is in the process of being finalised and Essential Energy propose to call tenders in the near future.
- b. Smart Controllers and the Communication Backbone - tenders will be called for both the smart controllers and the 'communication backbone'. Smart controllers must be compatible with the enabling communication network (low to medium band width). Tenders will be called for these components by Essential Energy in the near future as soon as specifications have been finalised.
- c. Agreement for access to smart controllers – an agreement for access to data from the smart street lights needs to be resolved prior to installation of the lights. This agreement will be developed early in 2019 while tenders for the infrastructure are being processed.

12.10 Southern Lights Project (Ref: C18170551; Author: Tegart/Tegart) (Continued)

- d. Funding and Support– the project needs the NSW Government to commit to funding the rollout of the project across the 41 Southern Lights Councils and our local members need to be familiar with the benefits this project and support its funding by the NSW
- e. Council Commitment - council commitment is needed for 'smart' street lighting and not just upgrading with LEDs. Existing street lighting can be replaced with LED lighting without being 'smart enabled' however such a strategy is considered to be very short sighted and ignores the opportunity for our regional communities to take advantage of current and future digital technology.>

Conclusion

In summary the benefits of the Southern Lights Project are:

- Reduced electricity costs to Council; up to 50% cost saving on traditional street lights
- Improved service levels; smart technology will indicate any failed lights back to the maintenance authority
- Lower maintenance costs; LEDs are more reliable, have a longer life and eliminate the need and maintenance is lower
- Safer lighting; LED lighting levels can be adjusted for high security areas
- Community enabling smart technology; the streetlights are a vehicle for potentially hosting many other forms smart technology through the communication network connecting the street lights eg. for example: security, traffic measurements, asset tracking, livestock location, water meter measurements, garbage bin sensors, parking sensors, pedestrian movements and noise monitoring.

Attachments

Attachment 1 Southern Lights (*Under Separate Cover*)

12.11 Updating and Harmonisation of Council Policies (Ref: C18169502; Author: Tegart/Spyve)

Summary

The proclamation of Queanbeyan-Palerang Regional Council on 12 May 2016 triggered a process to implement a review and integration of the policies which the two former councils had in place. To assist with this process, Council's policies have been organised by Strategic Pillar to better align with the Community Strategic Plan. A Document Framework has been developed which illustrates how all Council's strategic documents relate to each other. This report is seeking Council's endorsement of this framework.

Since the merger, Council has adopted a number of policies specific to the new organisation. Staff are currently reviewing a large number of policies from the former councils as part of the ongoing implementation of the Transition Plan 2016-2019 actions by updating them and progressively bringing them to Council for adoption. This report sets out the first tranche of policies which relate to the Connection Strategic Pillar (SP4) - Connection. There will be other tranches coming forward for consideration during 2019.

Recommendation

That Council:

1. **Endorse Council's Document Framework as set out in Attachment 2.**
2. **Adopt the following policies:**
 - **Development Adjacent to Water, Sewer and Stormwater Mains Policy**
 - **Signs as Remote Supervisor Policy**
 - **Sewer Connections – Limit of Council Responsibility Policy**
 - **Backflow and Cross Connection Policy**
 - **Playground Management Policy**
 - **Private Works – Pre-payment Policy**
3. **Rescind the relevant former Council Policies**

Or

4. **If it believes that further community comment should be sought on these policies that they be placed on public exhibition for the period 20 December 2018 till 8 February 2019 with a report to come forward to the February Council meeting for their final adoption.**

Background

Both Queanbeyan City Council and Palerang Council had in place a range of policies prior to the proclamation of Queanbeyan-Palerang Regional Council on 12 May 2016. At the time of the merger the Department of Premier & Cabinet produced guidelines advising councils how to implement the amalgamation process. In the Guideline *Managing Change*, DPC advised:

Over time, new councils will need to adopt a consistent approach to the provision of services – and to the systems, plans and policies needed to support those services. This process is likely to take some years to complete.

12.11 Updating and Harmonisation of Council Policies (Ref: C18169502; Author: Tegart/Spyve) (Continued)

In some cases, it will be appropriate for new councils to combine particular systems, services, plans and policies. In other cases, the creation of the new council provides an opportunity for improvement, by:

extending the best approach from one of the former councils across the new council,

or

creating a new system, service model or policy approach.

In accordance with the principles guiding the implementation process, councils generally control the prioritisation, process and timing for harmonising systems, services, plans and policies. (Managing Change p.56)

Interim Policy

An Interim Policy to adequately address any inconsistencies which could arise from the two former councils having policies on a given matter whilst a comprehensive policy review process was implemented, was presented to the Council on 12 October 2016. This policy noted that:

That as an interim measure pending harmonisation of the two predecessor Councils' policies, Council adopt the following:

- 1. Where the former Palerang or Queanbeyan City Councils had an adopted policy on the same matter, those policies apply to their respective Local Government Areas;*
- 2. Where one of the former Councils had an adopted policy on a given matter, and the other did not, the adopted policy apply to the whole of the new Queanbeyan-Palerang Regional Council Local Government Area.*

Whilst the Interim Policy ensured 'business as usual' for the newly established Council, the Council's *Transition Plan 2016-2019* identified a specific action to commence a review of the range of former council policies. Actions 1.1.4.33 and 1.1.4.34 in the Transition Plan require QPRC to:

Develop a prioritised program in the Implementation Plan to harmonise policies and procedures.

Work on policy harmonisation has been ongoing since the creation of QPRC, with Council's operational structure (Services, Programs and Outputs) organised around five Strategic Pillars identified within the Community Strategic Plan - *Community, Choice, Character, Connection* and *Capability* (see Attachment 1). Similarly, other Strategic Documents have been based around the Five Strategic Pillars.

Document Framework

A QPRC Document Framework has also been developed to illustrate how all Council's strategic documents relate to each other (See Attachment 2). This Document Framework establishes a hierarchy for QPRC's strategic documents consisting of Studies, Strategies, Plans, Policies, Directives, Procedures and Guidelines.

The key features of this Framework are:

- Studies, Strategies and Plans are adopted by Council and are public documents. They can go through a public exhibition process to seek community input before their finalisation.

12.11 Updating and Harmonisation of Council Policies (Ref: C18169502; Author: Tegart/Spyve) (Continued)

- Policies are adopted by Council and are public documents. They may go through a public exhibition process depending up the issue they are dealing with. A Policy must have a Council Resolution Number.
- Directives are adopted by Executive Committee and are internal documents which deal with operational matters under the authority of the CEO. A Directive must have an Executive Committee Resolution Number
- Procedures are a 'How to' document setting out the processes for the implementation of a policy and/or directive. Procedures can be both a public and internal document depending upon the Policy/Directive they relate to. The processes identified in a Procedure must be captured in ProMapp, Council's internal tool for capturing its business processes. Many of these Procedures are then listed as areas of responsibility/duties in staff Position Descriptions.
- Council Guidelines provide additional information on the implementation process for policies. They are less formal than a procedure and are there to provide 'guiding information' on the implementation process. They are internal documents.
- The Framework also recognises that some external State Agencies may produce Guidelines which relate to specific policies and legislation which can apply to a Council. For example the OLG guidelines relating to the implementation and operation of the Code of Conduct. These types of Guidelines are recognised as external public documents.

This report is seeking Council's endorsement of the QPRC Document Framework.

Policies

This latest report brings forward the first tranche of policies within the Connection Strategic Pillar for Council to consider. All these policies have been placed in the new Policy Template to ensure consistency of presentation and are attached to this report. Copies of the original policies are also attached so that councillors can see what changes have been made from the original documents.

These policies consist of:

- **Development Adjacent to Water, Sewer and Stormwater Mains Policy**
Which sets out Council's requirements if a development application proposes to develop land in close proximity to Council's water supply, sewer and stormwater infrastructure. (Attachments 3 & 4)
- **Signs as Remote Supervisor Policy**
Which relates to the provision of signage at Council facilities in respect of the supervision of a remote location. This policy has been updated to take into account the latest version of the *Best Practice Manual on Signs as Remote Supervision* (v8.1 August 2014) produced by Statewide Mutual. (Attachments 5 & 6)
- **Sewer Connections – Limit of Council Responsibility Policy**
Which sets out the limits of Council responsibility for the maintenance of sewer infrastructure. (Attachments 7 & 8)
- **Backflow and Cross Connection Policy**
Which sets out the requirements for the installation and maintenance of containment backflow prevention devices on high, medium and low hazard properties. (Attachments 9 & 10)
- **Playground Management Policy**
Which ensures that Council's playgrounds are managed within the required national standards and that a system of quality control is maintained. (Attachments 11 & 12)

12.11 Updating and Harmonisation of Council Policies (Ref: C18169502; Author: Tegart/Spyve) (Continued)

- **Private Works – Pre-payment Policy**
Which ensures that Council is not financially exposed in carrying out private works. (Attachments 13 & 14)

Implications***Legal***

This report is acting upon the Actions (1.14.33 and 1.1.4.34) identified within the Transition Plan 2016-2019 which deals with all matters pertaining to the creation of Queanbeyan-Palerang Regional Council as a result of the local government merger.

Strategic

Council is being requested to endorse a Document Framework for the Council which sets out how all its strategic documents relate to each other.

Engagement

As these policies are operational policies which have already been in place with the former councils, there may not be a need to place these out on public exhibition for further public comment. All that has occurred is the existing policies have been updated to represent QPRC as a whole and with reference to revised national standards.

However, it is recognised that Council may choose to place them on public exhibition to see if there is any additional public comment on their contents. Accordingly the recommendation attached to this report provides an option for Council to adopt this course if it so chooses. If Council opts for this course of action it is envisaged that they be placed on exhibition from mid December 2018 until early February 2019. If Council opts for this approach then it would be envisaged that the policies could be reported back to February 2019 meeting for final adoption.

Financial

There are no financial consequences arising from the review of these policies as they were already in existence and covered by the Interim Policy.

Conclusion

As part of the merger process Council is required to consider reviewing and harmonising the policies of the two former councils as per Actions 1.1.4.33 and 1.1.4.34 of the Transition Plan 2016-2019. The Department of Premier & Cabinet envisaged that this harmonisation process could take several years to achieve. Council has introduced several new policies and has been reviewing its policies since its creation in May 2016. This report is bringing forward the first tranche of policies from within the Connection Strategic Pillar. It is envisaged that there will be more tranches of policies coming forward for Council consideration over 2019.

Attachments

Attachment 1	Overview of Council's Strategic Pillars, Services and Programs (<i>Under Separate Cover</i>)
Attachment 2	QPRC's Document Framework (<i>Under Separate Cover</i>)
Attachment 3	Development Adjacent to Water, Sewer and Stormwater Mains Policy

12.11 Updating and Harmonisation of Council Policies (Ref: C18169502; Author: Tegart/Spyve) (Continued)

	<i>(Under Separate Cover)</i>
Attachment 4	Former QCC Policy: Development Adjacent to Water, Sewer and Stormwater Mains Policy <i>(Under Separate Cover)</i>
Attachment 5	Signs as a Remote Supervisor Policy <i>(Under Separate Cover)</i>
Attachment 6	Former QCC Policy: Signs as Remote Supervisor Policy <i>(Under Separate Cover)</i>
Attachment 7	Sewer Connections - Limit of Council Responsibility Policy <i>(Under Separate Cover)</i>
Attachment 8	Former QCC Policy: Sewer Connections - Limit of Council Responsibility <i>(Under Separate Cover)</i>
Attachment 9	Backflow and Connection Policy <i>(Under Separate Cover)</i>
Attachment 10	Former QCC Policy: Backflow and Cross Connection <i>(Under Separate Cover)</i>
Attachment 11	Playground Management Policy <i>(Under Separate Cover)</i>
Attachment 12	Former QCC Policy: Playground Management Policy <i>(Under Separate Cover)</i>
Attachment 13	Private Works - Pre-payment Policy <i>(Under Separate Cover)</i>
Attachment 14	Former QCC Policy: Private Works Pre-payment <i>(Under Separate Cover)</i>

12.12 Investment Report - November 2018 (Ref: C18168653; Author: Taylor/Drayton)

Summary

In accordance with the *Local Government (General) Regulation 2005*, the Investment Report is to be presented to Council on a monthly basis.

This report presents the investment result for November 2018.

Recommendation

That Council:

- 1. Note the 2018/19 investment income for November 2018 was \$168,144.63.**
 - 2. Note the investment portfolio has been made in accordance with the *Local Government Act 1993*, and the *Local Government (General) Regulation 2005*.**
 - 3. Adopt the Investment Report for the month of November 2018.**
-

Background

Cash and Cash Equivalent Investments

The principal amount invested as at 30 November 2018 was \$169,316,886.

Refer to Attachment 1 for the following supporting information:

- 1 Actual return against budget;
- 2 Investment portfolio return against the benchmark AusBond Bank Bill Index (BBI);
- 3 Listing of Council's Cash and Cash Equivalent Investments;
- 4 Strategic placement limits for individual institutions or counterparties;
- 5 Placement with individual institutions as a percentage of Council's total portfolio;
- 6 Market values of Council's tradeable investments;
- 7 Budgeted interest allocation by Entity.

Market Update

The average 30 day BBSW rate for November 2018 was 1.86%.

As widely expected, the Board of the Reserve Bank (RBA) decided to leave the cash rate unchanged at the record low of 1.50% at its December 2018 meeting, citing slowing global trade flows resulting from continuing trade tensions.

Australian inflation remains low and stable, with CPI inflation at 1.90% over the past year (1.75% in underlying terms). A gradual pickup is expected over the next few years, with the "central scenario for inflation to be 2.25% in 2019".

The forecast for GDP growth remained positive with an expected growth of 3.5% before slowing in 2020 on expectations of declining resource export growth. Positive business conditions continued alongside uncertainty towards household consumption due to low household income growth, high debt levels and falling asset prices.

**12.12 Investment Report - November 2018 (Ref: C18168653; Author: Taylor/Drayton)
(Continued)**

The unemployment rate was at a 6 year low of 5%, with further decline expected on the basis that Australian growth remains above trend. High vacancy rates were highlighted, reporting skill shortages in some areas. A gradual rise in wage growth is expected as a result of supportive economic conditions alongside a strengthening labour market.

The RBA again used relatively mild language in their interest rate decision. Nothing suggested a deviation from its slow cycle stance, and markets factor in no rate increase until late 2019.

The TCorpIM Long-Term Growth Fund suffered a negative return this month. The Fund invests across major listed asset classes, with around 70% directed to growth assets and 30% to defensive assets.

The TCorpIM Medium-Term Growth Fund experienced a negative return this month. The Fund contains 58% defensive assets.

Source: CPG Research and Advisory.

Implications***Policy***

I hereby certify that Queanbeyan-Palerang Regional Council investments listed in Table 1 attached to this report have been made in accordance with section 625 of the Local Government Act 1993, and clause 212 of the Local Government General Regulations 2005. During May 2017, Queanbeyan-Palerang Regional Council became noncompliant with its Investment Policy due to an overexposure to the Bank of Queensland counterparty. Currently, based on the November 2018 investment portfolio level, this overexposure is 0.04%.

Shane Taylor
Chief Financial Officer

On 22 May 2017, the ratings agency Standard & Poor's announced a downgrade of the senior long-term ratings of 23 Australian financial institutions including Bank of Queensland (BOQ).

At the current investment portfolio level, Council has regained compliance with Council's Investment Policy in regards to investments with Bank of Queensland.

Refer to Attachment 1 - Tables 2 and 3.

Council's Policy states:

"The portfolio credit guidelines to be adopted will reference the Standard & Poor's (S&P) ratings system criteria and format – however, references to the Minister's order also recognised Moody's and Fitch ratings and any of the three ratings may be used where available."

"Standard and Poor's ratings attributed to each individual institution will be used to determine maximum holdings. In the event of a disagreement between agencies as to the rating band ("split ratings") Council shall use the higher in assessing compliance with portfolio limits, but for conservatism shall apply the lower in assessing new purchases."

12.12 Investment Report - November 2018 (Ref: C18168653; Author: Taylor/Drayton)
(Continued)

Financial

Investment income for the 2018/19 Financial Year as at 30 November 2018 amounted to \$1,504,620. The investment returns are added to the associated restricted funds (i.e. development contributions) that form Council's investment portfolio.

Attachments

Attachment 1 Investment Report - November 2018 - Attachment 1 - 19 December 2018
(Under Separate Cover)

12.13 Licence Agreement - Riverside Cafe Queanbeyan (Ref: C18170237; Author: Tegart/Warne)

Summary

A request has been received to extend the tenure of the Café at Moreton Park. The report outlines the history and associated issues and supports the licence extension.

Recommendation

That:

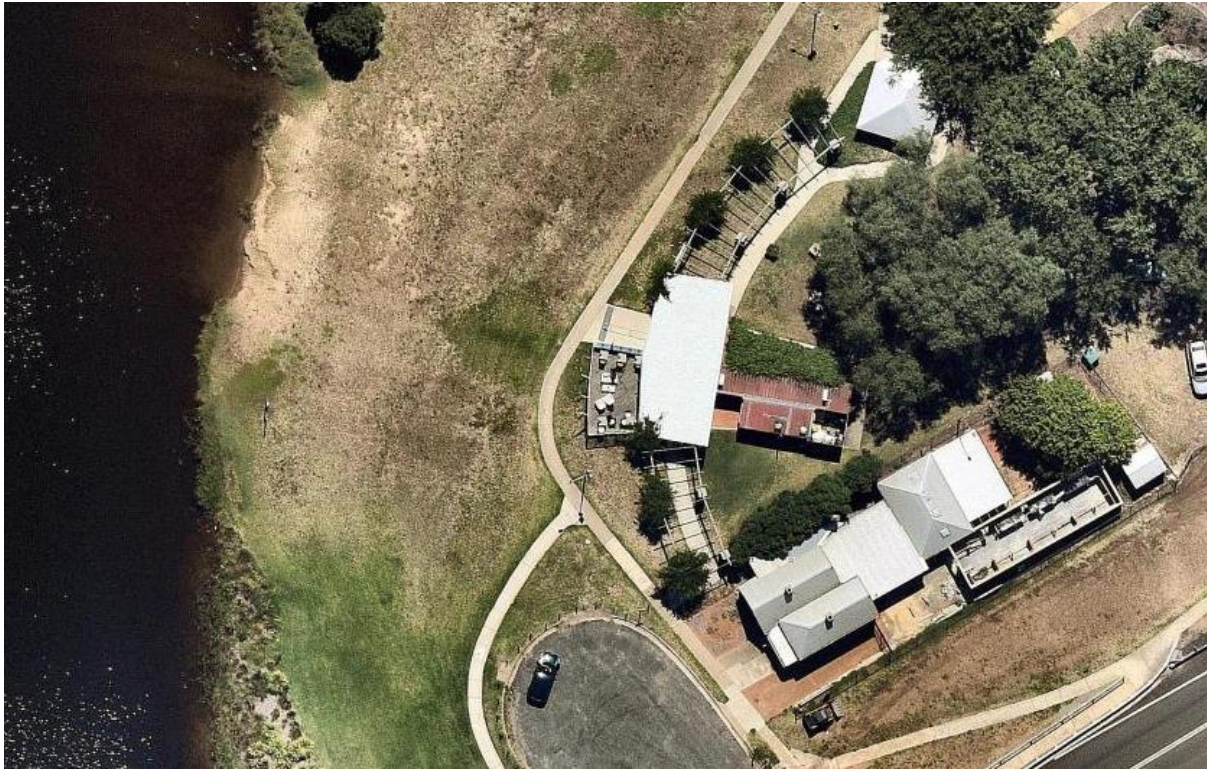
1. The Report be received and noted.
 2. The Council agree in principle to a five year extension to the Licence Agreement for the Riverbank Café at Ray Moreton Park, Queanbeyan and the application be progressed in accordance with S 47A of the *Local Government Act 1993*.
 3. The matter be considered again by the Council only if there are objections to the proposal.
 4. Council consider amending the licence to incorporate the improvements, subject to relevant planning approvals
 5. The improvements be funded initially by the Council and repaid by the tenant as an extra facility payment during the tenancy.
-

Background

As a means to attract more people to the Queanbeyan River parklands in 2010, the Council developed a café in Ray Moreton Park and a licence agreement was entered into in 2011 with the current tenant Richter House Pty Ltd. The Licence Agreement expires in June 2020. As the site was in the flood plain, the café was designed to be removable and two former shipping containers were refurbished to be used as a kitchen and café reception area. A curved pergola and viewing platform were provided together with a pergola adjacent to the café.

12.13 Licence Agreement - Riverside Cafe Queanbeyan (Ref: C18170237; Author: Tegart/Warne) (Continued)

A recent aerial photo shows the facility and adjacent art gallery.



In 2014 the tenants approached the Council to undertake improvements works at the facility with part of the roofed Pergola area being enclosed with fold back perplex doors that enabled the area to be enclosed during time of poor weather conditions. Works totalling \$44K were undertaken and have been funded by the tenant over the period of the Licence.

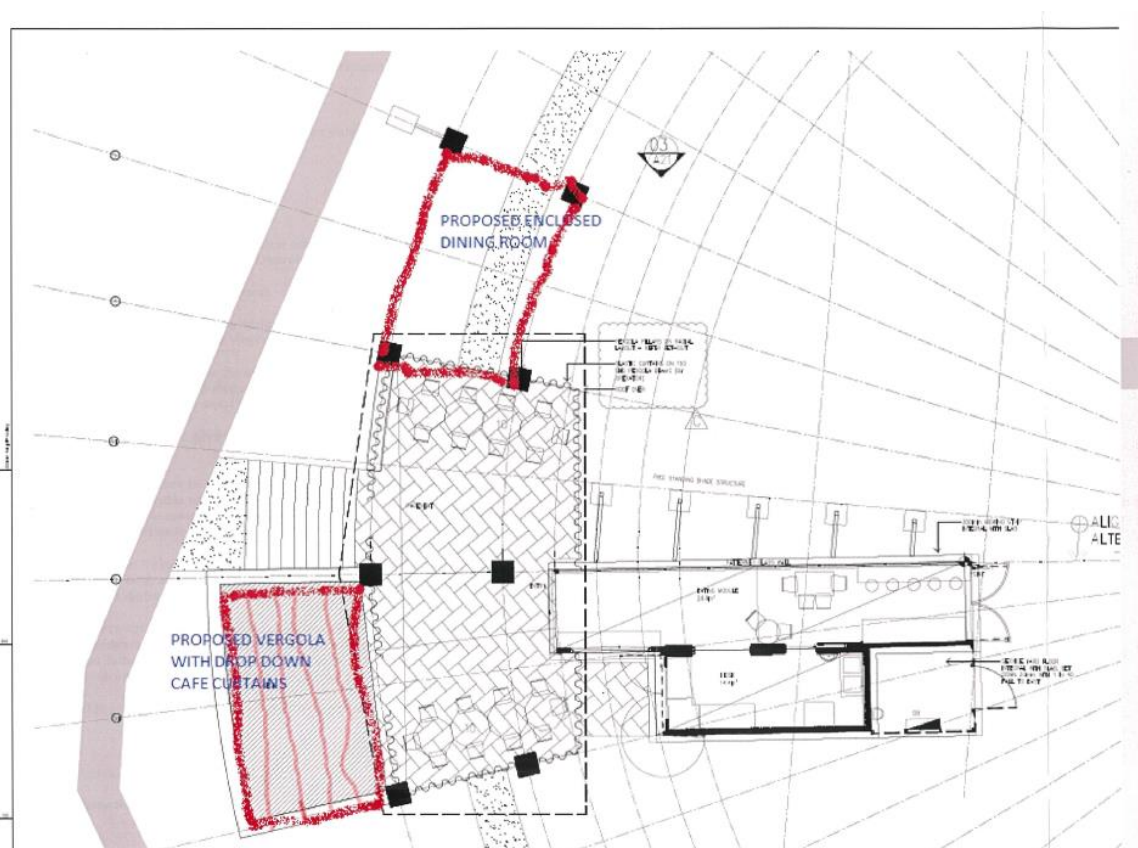
The tenants has now approached the Council with a request that the Licence Agreement be extended for a further 5 years and that a 5 year option be included in the Agreement.

If the Council is agreeable it is proposed to effect the following improvements to the facility to enhance its ability to be used for evening functions and specific events.

- *Enclose the existing deck with a vergola opening louvre roof with drop down vinyl café curtains.*
- *Enclose an additional section of the Pergola with roofing, flooring and bi fold perplex doors to provide evening dining options.*

12.13 Licence Agreement - Riverside Cafe Queanbeyan (Ref: C18170237; Author: Tegart/Warne) (Continued)

A plan of the proposed changes is shown hereunder:



Richter House Pty Ltd has been a good tenant since being awarded the use of the café following the EOI and has worked with the Council in the development of the facility. In addition, the owners work in well with the adjacent Arts Society.

Implications

Legal

The café in Ray Moreton Park is located upon *Community Land* for the purposes of the *Local Government Act 1993*.

The current Licence Agreement with Richter House Pty Ltd has been issued in accordance with S47A of the *Local Government Act 1993*. These provisions lay down the process for the consideration of a Lease or Licence Proposal for community land and any variation or extension to the Licence Agreement would need to be progressed in accordance with S47A. Similar provisions exist for a longer term, (S47) but if there are objections the proposal will need to be referred to the Minister for Local Government for determination.

Environmental

Any proposal for alterations to the premises will need to be considered on its planning merits and appropriate approvals obtained. There are concerns regarding potential impacts from flood activity in the precinct. If supported through the development assessment, it is to be expected that specific requirements would be imposed upon any extension associated with the facility.

12.13 Licence Agreement - Riverside Cafe Queanbeyan (Ref: C18170237; Author: Tegart/Warne) (Continued)

Financial

Previously, the Council has funded the improvement works to the Café and the cost has been recouped from the tenant by means of an extra facility payment during the balance of the licence period.

In the past the accounting treatment of this costs has been to treat the refurbishment expense as a long term debt to be repaid by the tenant. The current improvements are estimated to cost \$50K - \$80K) and it has been requested that they be funded in a similar fashion.

The rental for the facility was market reviewed in March 2018 and increased to \$12K pa. The rental is increased by CPI each year and there is a market review undertaken every fourth year.

If the Council agrees to the Licence extension and proposed works, it is considered that a fresh review of the rental would be appropriate.

Social

The proposed upgrade of walking track and low level crossing along the river will also be beneficial to the Café and will become part of the total walking loop along both sides of the Queanbeyan River.

Conclusion

The development of the café has been beneficial to the river environs and the current tenants have performed well and established a viable business which provides an attraction to the river. The redevelopment of QE II Park is now a real drawcard to the river and the expansion of capacity at the Café will also add to the attraction of the Queanbeyan river and park lands.

It is considered that the request of a licence extension is reasonable and the proposed improvements to the structure would need to be subject to the required planning approvals.

Attachments

Nil

12.14 Licence Agreement - Queanbeyan Children with Special Needs Group (Ref: C18170253; Author: Tegart/Warne)

Summary

A proposal to sublet the Treehouse Building in Queanbeyan Park is proposed and it is recommended that it be supported by the Council.

Recommendation

That:

- 1. Council agree to the following variations to the Licence Agreement with the Queanbeyan Children Special Needs Group (QCWSNG) for the use of the building in Queanbeyan Park known as the “Treehouse”:**
 - To enable the Group to sublet the facility to the NSW Police to be used as a site office during the rebuild of the Queanbeyan Police Station, subject to the building being refurbished for future community use at the end of the tenure,**
 - That the end date of the Licence Agreement be varied to align with the sublet period.**
 - 2. In accordance with S 47 of the *Local Government Act 1993* public notice of the proposal be provided.**
 - 3. The matter only be reconsidered by the Council if objections to the proposal are received.**
-

Background

In 2015 the Council renewed a five year Licence Agreement with the Queanbeyan Children Special Needs Group (QCWSNG) for the use of the building in Queanbeyan Park known as the “Treehouse”.

QCWSNG has relocated the majority of its activities away from the facility but has been using it for some minor activities.

QCWSNG has been approached by the NSW Police to use the facility as an office for the contractor that will be undertaking the rebuild of the adjacent Police Station and will receive a rental payment for the facility during the period of occupancy.

It is also proposed that upon vacation of the facility as part of a sublet arrangement, that the NSW Police will refurbish the Building so that it can be used for an ongoing community use that would be determined by the Council.

The Current Licence is silent regarding the ability to sublet or assign the Licence to a third party. Accordingly, a Council decision is required to amend the Licence in this regard.

12.14 Licence Agreement - Queanbeyan Children with Special Needs Group (Ref: C18170253; Author: Tegart/Warne) (Continued)

It is considered that the arrangement suggested is a good outcome for QCWSNG and the Council. A commercial rental will be received by QCWSNG for the period of occupancy and the Council will have a refurbished facility at the end of the tenure that it can use for future community purposes.

Implications***Legal***

The QCWSNG has a legitimate right to use the facility until 30 June 2020.

S 47C of the *Local Government Act 1993* provides a process for subletting. Accordingly, the public consultation processes prescribed in S47 will be utilised for this purpose.

Asset

The refurbishment of the building will be recognised as a Council asset.

Financial

An annual indexed community facility rental (\$496.00) is paid by QCWSNG for the treehouse. This will continue to be paid for the balance of the Licence period.

There will be no financial consequence associated with this matter, but any asset improvement value will be recognised in the Council Asset register.

Resources (including staff)

The only imposition on the organisation will be the staff time for implementing the changes and advertising cost for the public consultation.

Conclusion

This proposal provides a positive community outcomes for both QCWSNG and the Council and should be supported.

The proposal will also assist with the redevelopment of the Queanbeyan Police Station project.

Attachments

Nil

13.1 New Comprehensive Local Environmental Plan - Gateway Determination (Ref: C18166949); Author: Thompson/Brown

Report

The purpose of this report is to update the Council in respect of the Gateway determination received from the NSW Department of Planning and Environment (DPE) for the draft Comprehensive Local Environmental Plan (Comprehensive LEP) intended to apply to the amalgamated Council area.

At its meeting of 12 September 2018 Council resolved:

That:

1. *Council endorse a draft planning proposal for the new comprehensive local environmental plan for the Queanbeyan-Palerang local government area.*
2. *The draft planning proposal be forwarded to the NSW Department of Planning and Environment seeking a Gateway determination under Section 3.34 of the Environmental Planning and Assessment Act, 1979.*
3. *Council notes that the LEP would have to be reviewed after five years.*
4. *Council request of the Minister a submission date of March 2020.*

Council staff subsequently submitted the draft planning proposal to the DPE on 24 September 2018 requesting that a Gateway determination be issued. A copy of the submission is shown at Attachment 1. Council has now received a Gateway determination from the Department dated 23 November 2018. A copy of the determination is shown at Attachment 2.

In summary, the DPE has agreed to Council progressing the proposed draft plan and has provided a timeframe of 18 months from the date of the determination for the plan to be completed. Accordingly the plan would need to be completed by 23 May 2020. This is broadly consistent with the submission date requested by the Council of March 2020 and will allow approximately two months for the Minister to make the plan after it has been submitted to be finalised. The Gateway determination does not provide delegation to the Council to make the plan, and accordingly the Minister (or delegate) will be required to finally approve the plan. This is the usual procedure for comprehensive LEPs.

It should be noted that the Gateway determination does require a number of policy matters to be removed from consideration in the draft plan at this time to ensure these individual matters do not delay the making of the new plan. These matters are:

- a) Rezoning E4 Environmental Living Zoned land in Bywong and Wamboin,
- b) Requests for additional subdivision opportunities and dwelling entitlements on rural lands in the former Palerang LGA. This requirement does not include the proposed restoration of a dwelling entitlement to Lot 1 DP 555380, Old Cooma Rd,
- c) New provisions regarding rural signage, and
- d) New heritage items (not including amendments to correct existing errors in Schedule 5 or on Heritage Map).

Council staff are continuing to work through all of these respective planning issues and they remain active items on the Land-Use Planning Branch's current work program. However, the DPE's position means that each of the excluded issues will need to be progressed as a separate Planning Proposal. If the issues progress and a more detailed justification is developed then DPE may consider incorporating the issue into the comprehensive LEP but not at the expense of delaying the process.

The new Comprehensive LEP remains a key priority for staff at this time and by the DPE reducing the range of items to be covered in it, there may be an opportunity to finalise the draft plan before the required timeframe.

Staff will keep Council advised on the status of the Comprehensive LEP and these other items as they are further progressed in 2019.

Recommendation

That the report be received for information.

Attachments

- Attachment 1 Gateway Request Letter to the Department of Planning and Environment
24 September 2018 (*Under Separate Cover*)
- Attachment 2 Gateway Determination Letter from DPE - 23 November 2018 (*Under
Separate Cover*)

**13.2 Funding Agreement - Development of Plans of Management for Crown Land
(Ref: C18165780); Author: Thompson/Kurzyniec**

Report

At Council's meeting held on 12 September 2018 (Item No. 6.3), Council was provided with a report regarding the transfer of the management of Crown land to local government under the new *Crown Land Management Act 2016* which commenced on 1 July 2018.

The NSW Government has provided funding through the Office of Local Government (OLG) to support councils in the preparation of plans of management (PoMs) for the Crown land.

Queanbeyan-Palerang Regional Council has been allocated the amount of \$35,197 and has completed and returned the signed funding agreement to the OLG before the Friday 7 December 2018 deadline.

Staff are currently reviewing the Crown land that has been allocated under the *Crown Land Management Act 2018* to:

1. Identify and consider the classification of the land and if the land is suitable for management by Council; and
2. Consider the matters for inclusion in future Plans of Managements (PoMs).

It is anticipated that a report will be provided detailing each lot, whether or not it should be managed by Council and if it needs to be reclassified early in the new year.

The majority of Council-managed Crown land will need to be classified as 'community land' and be included in an appropriate PoM under the *Local Government Act 1993 (LG Act 1993)*.

Councils have been given three years from the commencement of the Act to finalise the PoMs. Consequently the required completion date is 30 June 2021.

Recommendation

That the report be received for information.

Attachments

Nil

13.3 Queanbeyan Indoor Sport Centre Extension - 4 Star Green Star rating. (Ref: C18168713); Author: Thompson/Bonet

Report

The QISC Extension has been awarded a 4 Star - Green Star - Design & As-Built v1.1 certified rating. This represents 'Best Practice' in environmentally sustainable building practices. A Green Star rating showcases leadership in sustainability, creates brand value, encourages innovation, creates new revenue streams, secures stakeholder confidence and mitigates risk.

Some of the features that helped achieve this rating include:

- Climate change adaptation measures in response to a climate change adaptation study. This resulted in changes to ventilation, materials and stormwater management;
- Installation of cyclist facilities including showers, lockers and secured bicycle parking;
- Installation of water efficient taps and other water uses;
- Installation of energy efficient lighting and other energy uses, including upgrading the lights in the old section of this project; and
- The carrying out of a Life Cycle Assessment (LCA) by an external consultant which informed the design. This resulted in the project achieving all LCA related Green Star points.

Recommendation

That the report be received for information.

Attachments

Nil

13.4 Queanbeyan CBD Transformation - Business Case (Ref: C18170424); Author: Tegart/Tegart

Report

The 2017 QCBD Transformation Strategy, seeks to activate the Queanbeyan CBD, encouraging people to walk from carparks through curated corridors from green spaces, past the reactivated fashion, food and lifestyle precincts, and into a CBD with features that mark a point of difference to Canberra.

As previously reported, the overall program of works in the six Stages proposed with the Queanbeyan CBD Transformation includes:

- A new five-storey corporate headquarters for Council staff including a smart hub to house hot desking, coworking and start-ups for Queanbeyan residents who may choose to work in Queanbeyan instead of travelling to Canberra.
- The new corporate headquarters will enable the redevelopment of 11 CBD office/cottages currently occupied by Council staff in the CBD. This will allow for new mixed-use commercial/ residential development to increase density in the CBD
- Repurposing Council-owned carparks with new public domain to attract people to stay in the CBD and create new event spaces. The repurposing will also create opportunities for new mixed use development in the city centre.
- New decked central carparks with smart to replace the large floorplate grade bitumen carparks and reduce CBD congestion as drivers search for a car space.
- Linking the Showground and Town Park to the Queanbeyan River to encourage activity.
- Refurbishment of laneways to connect those green spaces and improve pedestrian access.
- Completion of the Queanbeyan River Walk
- New 'smart' public domain (assisted by the Smart Cities and Suburbs Grant Program) including smart parking, smart lighting, environmental sensors, free Wi-Fi and CCTV. It is important that the CBD supports a curated approach to business innovation and place activation that leverages technology. Curating the Queanbeyan CBD as a smart city is a significant component of the repositioning of the town centre.
- Refurbishment of the main street in Queanbeyan from busy, noisy highway to a place for people, with design elements including Lighting, landscaping, widening of footpaths, new public amenity and beautification. This will include a speed reduction across the CBD to encourage pedestrian movements.
- Incentivising private developments including a cinema, hotel (serviced apartments) and aged care in the town centre.

In May 2018 Council resolved to progress Stages 1-3 being:

1 – Smart City Pilot and River Walk (FY19)

- Smart lighting, sensing and Wifi: Crawford lifestyle precinct
- Smart parking: Morisset carpark
- Low level pedestrian bridge
- Paved shared pathway, both sides, from low level bridge to pedestrian bridge

2 – Lowe carpark (FY20)

- Mixed use redevelopment, commercial and residential
- Office/s and smart hub
- Smart public domain

3 – Morisset carpark (FY21)

- Multi-level smart carpark, with some commercial
- Smart public domain
- Laneway connectors

That decision noted the program of works required investment by government, Council and the private sector. Further to discussions with state agencies, a business case was prepared and presented to the NSW Government seeking grants as well as occupation of part of the new Council head office at 257 Crawford Street. Grants to support construction of the smart hub in that building will also be sought from the Federal Government.

The government funding is directed towards the refurbishment of Monaro Street. The business case notes the construction of the Ellerton Drive Extension (scheduled for completion early 2020) provides a unique opportunity to convert the Kings Highway that currently splits the Queanbeyan CBD, into a corridor that connects people with retail and lifestyle. As a result of the noise and amenity issues from the busy Highway, investors and retailers have been reluctant to remain in the town centre. There has been no new developments in the CBD for over 10 years.

A number of factors constrain the amenity of the CBD and its capacity to perform its key roles, including:

- proximity to the Kings Highway (Monaro Street), which impedes the physical integration of the CBD and creates significant noise and visual impacts
- at-grade car parks centrally located in the heart of the Queanbeyan CBD, which constrains land uses and tends to disperse patrons, rather than concentrating them
- a significant quantity of vacant commercial properties and relatively low value retail activities on many occupied commercial sites
- negligible design considerations to suit a pedestrianised retail environment, especially in relation to
- existing enclosed laneways with limited natural light
- large-scale, high quality retail offerings over the border in the ACT
- relatively low concentrations of local office workers
- poor accessibility between commercial, retail and recreational activity centres

The business case also notes the proposed \$164m capex over the next decade is to be supported by a 17% grant from Government, 15% debt funding by Council (to be serviced by merger savings), 20% debt funding by Council (to be serviced by lease, a dividend or SRV), 10% from land sales and contributions, and 37% from private investment.

A copy of the business case, excluding commercially sensitive material, is attached for information, and is available on the website.

Recommendation

That the report be received for information.

Attachments

Attachment 1 QCBD Business Case (*Under Separate Cover*)

13.5 Major Projects Status - Stronger Communities Fund (Ref: C18169771); Author: Tegart/Ferguson

Report

Following the local government amalgamations in 2016, the NSW Government provided funding to the newly-formed regional councils of \$10m each under the Stronger Communities Fund Program.

The funding was offered in two parts:

1. Round 1 - \$1m to be provided to not-for-profit, incorporated community organisations upon application for projects up to a value of \$50,000 each that directly benefitted the Queanbeyan-Palerang community.
2. Round 2 - \$9m to be provided for major infrastructure projects nominated by Council, excluding roads projects.

Projects funded in the SCF Program had to be underway by 30 June 2018, completed by 30 June 2019 and acquitted by 31 December 2019. Any variation to these dates required written approval from the Office of Local Government (OLG).

The funding agreement between the OLG and QPRC requires six-monthly reports to be submitted to the OLG for the duration of the Program. It also requires status reports to Council.

The table below lists the projects funded under Round 2 and their status as at 30 November 2018 for Council's information.

No.	Approved project	Funding	Status of project
1	Public toilet block at Araluen Recreation Ground Reserve	\$15,000	Project completed.
2	Upgrades to Braidwood, Bungendore, Captains Flat swimming pools	\$400,000	Project in progress; expected to be completed by end June 2019.
3	Town centre improvements Braidwood	\$500,000	Project in progress.
4	Town centre improvements Bungendore	\$500,000	Project in progress.
5	Rusten House – complete restoration of a dilapidated heritage listed building to be used as a community arts centre for Queanbeyan	\$550,000	Tender approved. Roof replacement is expected to commence December 2018.
6	Abbeyfield Bungendore	\$500,000	The amendment to <i>Palerang Local Environmental Plan 2014</i> enabling development for the purpose of seniors housing with development consent on the site was notified (gazetted) on 10 August 2018. A development application is yet to be lodged.
7	Dog Park Googong	\$125,000	Project completed.
8	Refurbish netball courts Karabar	\$175,000	Project completed.

9	Wet play area, Queanbeyan Aquatic Centre	\$450,000	Project completed.
10	Queanbeyan Showground grandstand restoration	\$350,000	Project in progress.
11	Seiffert Oval lights	\$200,000	Project completed.
12	Braidwood Recreation Ground Stage 2	\$300,000	Project in progress.
13	Bungendore Recreation Ground Stage 1	\$1,500,000	Project in progress.
14	River path including low level footbridge Queanbeyan	\$760,000	Shared path completed. Footbridge in progress.
15	Karabar streetscape improvements, commercial precinct	\$46,000	Project completed.
16	Queanbeyan Park central playground equipment	\$250,000	Project completed.
17	Glebe Park Playground	\$90,000	Project completed.
18	Henderson Road Recreation Area	\$125,000	Project in progress.
19	Seiffert Oval spectator entrance improvements	\$200,000	Project completed.
20	Upgraded community facilities Captains Flat	\$100,000	Project in progress.
21	Lascelles Street upgrade Braidwood	\$800,000	Design being finalised.
22	Upgrade lighting Margaret Donohue Oval	\$200,000	Project completed.
23	Queens Bridge approach enhancement from Yass Road	\$200,000	Project in progress.
24	Water storage infrastructure Braidwood Servicemen's Club	\$45,000	Project completed.
	TOTAL	\$8,381,000	

Project No.13 in the table above refers to the Bungendore Recreation Ground Stage 1, to which \$1,500,000 was allocated. This project is now known as the Bungendore Sports Hub, and is the subject of a further grant of \$950,000 under Round 2 of the Stronger Country Communities Fund Program. Due to delays in land acquisition formalities, work is not expected to commence until May 2019. An extension of 12 months has been requested for this project.

Recommendation

That the report be received for information.

Attachments

Nil

**13.6 Canberra Region Joint Organisation documents (Ref: C18169954); Author:
Tegart/Ferguson**

Report

The Canberra Region Joint Organisation (CRJO) is currently developing its new website at <https://crjo.nsw.gov.au> and has uploaded the following documents:

Document	Web link
Agenda Board meeting 7 Dec 2018	https://crjo.nsw.gov.au/wp-content/uploads/7-December-2018-CRJO-Board-Meeting-Agenda2.pdf
Minutes Board Meeting 26 June 2018	https://crjo.nsw.gov.au/wp-content/uploads/CBRJO-Board-Meeting-Minutes-29-June-2018-V1.pdf
Minutes Board Meeting 14 Sept 2018	https://crjo.nsw.gov.au/wp-content/uploads/2018.9.14-CRJO-Board-Minutes.pdf
Charter	https://crjo.nsw.gov.au/wp-content/uploads/14.9.2018-Charter-as-adopted.pdf
Code of Meeting Practice (see Note 1)	https://crjo.nsw.gov.au/wp-content/uploads/2018.9.14-Code-of-Meeting-Practice.pdf
Policy – CL1.01.3 Payment of Expenses, Provision of Facilities and Allowances to Board Members	https://crjo.nsw.gov.au/wp-content/uploads/2018.9.14-Policy-C1.01.3-Payment-of-Expenses-...-to-Board-Members.pdf

As the new website will have all CRJO documents uploaded in the near future, these may be accessed directly from the website rather than be reported to Council.

Recommendation

That the report be received for information.

Attachments

Nil

**13.7 Stronger Communities Fund and New Council Implementation Fund Programs
(Ref: C18170603); Author: Tegart/Ferguson**

Report

Following the local government amalgamations in 2016, the NSW Government established two funds, being the Stronger Communities Fund (SCF) and the New Council Implementation Fund (NCIF).

Funding of \$10m under the SCF was provided to each of the newly-formed regional councils, while \$15m was given to metropolitan councils. This comprised \$1m for community organisations and \$9m for Council-nominated major infrastructure projects. A separate report to this meeting provides an update on the status of those major infrastructure projects.

Funding of \$5m was provided to each new regional council (and \$10m to metro merged councils) under the NCIF to assist with merger costs. QPRC subsequently made representations to the NSW Government seeking additional funding under the NCIF Program due to the high costs of the merger; the discrepancy between funding provided for regional and metropolitan amalgamated councils; and several proposed mergers did not proceed.

Council's representations were successful and in November 2018, the NSW Government provided an additional \$3.5m to QPRC under the NCIF to support the costs of transition. It has also offered a further \$1,989,780 under the SCF for specific community projects identified by the NSW Government following direct representations from the community. The funding agreements have been executed.

The table below lists the projects funded under the additional SCF round.

No.	Approved project	Funding
1	Queanbeyan Golf Club upgrades	\$450,000
2	Oktoberfest 2018/19	\$50,000
3	Oktoberfest 2017 (reimbursement to QPRC)	\$7,000
4	Braidwood Lions Club Writers Festival	\$5,000
5	Bungendore CWA – electrical upgrade to building	\$10,000
6	Googong Community Club – development application	\$100,000
7	Bungendore P&C Smart Board project	\$50,000
8	Majors Creek Recreational Reserve upgrades	\$50,000
9	Queanbeyan Whites upgrades, gymnasium and disabled toilets	\$400,000
10	Treehouse Special Needs Group Inc – operational costs	\$100,000
11	Captains Flat RFS New Shed – additional funding	\$352,000
12	Bungendore Showground Arena upgrade	\$200,000
13	Meals on Wheels	\$45,280
14	1 st Tinderry Scout Group	\$10,000
15	Braidwood Community Radio tower	\$50,000
16	Wamboin Community Hall	\$20,000
17	Royalla Common	\$20,000
18	Bungendore Tigers	\$10,000
19	Queanbeyan Tartan	\$9,000
20	Queanbeyan Rodeo	\$20,000
21	Queanbeyan SES – roller doors	\$30,000
22	Queanbeyan Gift	\$1,500

Recommendation

That the report be received for information.

Attachments

Nil

13.8 Resolution Action Sheet (Ref: C18170460); Author: Ferguson/Ison

Report

The Resolution Action Sheet provides Council with information on action taken or proposed to be taken as a result of resolutions carried at Ordinary Council meetings and Planning & Strategy Committee of the Whole meetings.

The Resolution Action Sheet is an ongoing document, updated progressively by staff. As items are completed and presented to Council, they will be removed from the document.

Recommendation

That the report be received for information.

Attachments

Attachment 1 Resolution Action Sheet (*Under Separate Cover*)

14.1 Braidwood and Curtilage Heritage Advisory Committee Meeting held 8 November 2018 (Ref: C18162685; Author: Thompson/McCauley)

Summary:

The minutes of the Braidwood and Curtilage Heritage Advisory Committee of 8 November 2018 are presented to Council for consideration.

Recommendation

That Council:

1. Note the minutes of the Braidwood and Curtilage Heritage Advisory Committee Meeting held on 8 November 2018.
2. Consider recommendation B&C HAC 004/18 from the meeting held on 8 November 2018.

B&C HAC 004/18 That Council propose to the Office of Environment and Heritage that they provide funding to support the 2006 State Heritage listing of Braidwood and Curtilage.

Attachments

Attachment 1 Minutes of the Braidwood and Curtilage Heritage Advisory Committee Meeting held 8 November 2018 (*Under Separate Cover*)

**16.1 Responses to Councillors' Questions (Ref: C18170462); Author: Ferguson/Ison
Report**

This report provides responses to Councillors' questions taken at Council meetings and subsequently.

Where a response has been given by staff in a meeting at the time the question was asked, the response will be recorded in the minutes.

As discussed at the Council meeting on 24 January 2018, those questions from Councillors that are classified as service requests will be dealt with through Council's Customer Action Request System (CARS) rather than included in the Councillors' Questions table.

The questions are deleted from the rolling table once they have been answered in full and reported to Council.

Any responses that contain personal or other identifying information of any kind will be circulated separately in the confidential attachments.

Recommendation

That the report be received for information.

Attachments

- | | |
|--------------|---|
| Attachment 1 | Responses to Councillors' Questions (<i>Under Separate Cover</i>) |
| Attachment 2 | Responses to Councillors' Questions with confidential details (<i>Under Separate Cover</i>) - CONFIDENTIAL |

19 NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION

It is necessary for the Council to adopt a resolution to formalise its intention to deal with certain matters in Confidential Session. The reports are incorporated in the “confidential” business paper which has been circulated to Councillors.

The *Local Government Act, 1993* requires the General Manager to identify those matters listed on the business paper which may be categorised as confidential in terms of Section 10A of the *Local Government Act, 1993*.

Recommendation

That pursuant to Section 10A of the *Local Government Act, 1993* the following items on the agenda for the Ordinary Council meeting be dealt with in Closed Session for the reasons specified below:

Item 20.1 Award of RFS Infrastructure Tender

Item 20.1 is confidential in accordance with s10(A) (c) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.