



# **Ordinary Meeting of Council**

## **AGENDA**

**27 February 2019**

**Commencing at 5.30pm**

**Council Chambers  
10 Majara Street  
Bungendore**



**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 23 January 2019

4.2 Minutes of the Planning and Strategy meeting held on 13 February 2019

**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**

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**9 MAYORAL MINUTE**

**10 NOTICES OF MOTIONS OF RESCISSION**

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**Confidential - Not for Publication**

**20 REPORTS FOR CLOSED SESSION**

20.1 Quarterly Legal Report - December 2018

*Item 20.1 is confidential in accordance with s10(A) (g) of the Local Government Act 1993 because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

20.2 Potential Property Acquisition - Braidwood

*Item 20.2 is confidential in accordance with s10(A) (c) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and*

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*discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

20.3 Bungendore Properties

*Item 20.3 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 Modification Application - MOD.2018.122 - Delete Condition 3 Requirement for Provision of Right of Carriageway - 121 Wallace Street, Braidwood
- Attachment 2 Mod.2018.122 - DP519457 with Right of Way overlay (Under Separate Cover)*
- Attachment 3 Mod.2018.122 - DP829063 with Right of Way overlay (Under Separate Cover)*
- Attachment 4 Mod.2018.122 - DP1208847 with Right of Way overlay (Under Separate Cover)*
- Item 12.2 North Elmslea (Part Lot 1 DP 798111) Planning Proposal, Tarago Road, Bungendore
- Attachment 1 Gateway Determination - 27 April 2015 (Under Separate Cover)*
- Attachment 2 March 2018 Revised Planning Proposal (sent to government agencies) (Under Separate Cover)*
- Attachment 3 February 2019 Revised Planning Proposal (updates following government agency consultation) (Under Separate Cover)*
- Attachment 4 List Amendments Included in the February 2019 Revised Planning Proposal (Under Separate Cover)*
- Attachment 5 Environmental Assessments (Under Separate Cover)*
- Attachment 6 Flora and Fauna Assessments (Under Separate Cover)*
- Attachment 7 Government Agency Response (Under Separate Cover)*
- Attachment 8 Summary of Government Agency Submissions and Responses to them (Under Separate Cover)*
- Item 12.3 Sutton Planning Proposal (Lot 3, DP 1074706 - Goolabri Drive)
- Attachment 1 Planning proposal Lot 3 DP 1074706 2016 (Under Separate Cover)*
- Attachment 2 Planning Proposal Lot 3 DP 1074706 February 2019 (Under Separate Cover)*
- Attachment 3 Gateway Determination Original August 2016 (Under Separate Cover)*
- Attachment 4 Gateway Determination Extension to 4 August 2019 (Under Separate Cover)*
- Attachment 5 Aboriginal Cultural Heritage Report (Under Separate Cover)*
- Attachment 7 Flora and Fauna Report (Under Separate Cover)*
- Attachment 8 Bush Fire Report (Under Separate Cover)*
- Attachment 9 Office of Environment and Heritage Response (Under*

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- Separate Cover)*
- Item 12.4 Jumping Creek - Future Management and Dedication of Open Space  
*Attachment 1 Jumping Creek Zoning Overlay (Under Separate Cover)*
- Item 12.6 Tender RFT 2019-11 - Underground Creek Piping at Braidwood Recreation Ground  
*Attachment 2 Braidwood Recreation Grounds Redevelopment Project (Under Separate Cover)*
- Item 12.7 IWCM Strategy - Palerang Communities  
*Attachment 1 Executive Summary - Palerang IWCMP (Under Separate Cover)*  
*Attachment 2 Integrated Water Cycle Management Strategy - Palerang Communities (Under Separate Cover)*
- Item 12.8 South Bungendore Stormwater Masterplan  
*Attachment 1 Figure 2 - Existing Inundation (Under Separate Cover)*
- Item 12.9 Six-monthly report on Delivery Program 2018-21  
*Attachment 1 Delivery Program Report - July-December 2018 (Under Separate Cover)*
- Item 12.13 Quarterly Budget Review Statement for the Quarter Ending 31st December 2018  
*Attachment 1 Attachment - QBRS for 31 December 2018 (Under Separate Cover)*
- Item 12.14 Disaster Recovery Funding Arrangements  
*Attachment 1 Scenario 1 - 2016 Flood Damage (Under Separate Cover)*  
*Attachment 2 Scenario 2 - Three Flood Events (Under Separate Cover)*
- Item 12.15 Financial Assistance - Monaro Archers  
*Attachment 1 Rate Relief Application - Monaro Archers (Under Separate Cover)*
- Item 12.16 Investment Report - January 2019  
*Attachment 1 January 2019 - Graphs indicating Investment Performance (Under Separate Cover)*  
*Attachment 2 January 2019 - Investment Report Pack (Under Separate Cover)*  
*Attachment 3 January 2019 - Investment Commentary (Under Separate Cover)*
- Item 12.17 Draft QPRC Code of Conduct  
*Attachment 1 Draft QPRC Code of Conduct 2019 (Under Separate Cover)*  
*Attachment 2 Draft Procedures for the Administration of the Code of Conduct (Under Separate Cover)*  
*Attachment 3 Comparison table between current and new versions of the Model Code of Conduct (Under Separate Cover)*  
*Attachment 4 Summary of Council's submission on the Consultation Draft Code of Conduct (Under Separate Cover)*
- Item 12.18 Councillor Induction and Professional Development Policy  
*Attachment 1 Draft Councillor Induction and Professional Development Policy (Under Separate Cover)*
- Item 13.3 Christmas Shop & Win 2018  
*Attachment 1 2018 Shop & Win Facebook Advertising Report (Under Separate Cover)*

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- Item 14.1 Queanbeyan-Palerang Sports Council - Minutes of meeting held 4 February 2019  
*Attachment 1 Minutes of the QPRC Sports Council - 4 February 2019 (Under Separate Cover)*  
*Attachment 2 Draft TOR Sports Council Jan 2019 (Under Separate Cover)*
- Item 14.2 Sister City Committee  
*Attachment 1 Minutes of Sister City Committee meeting held 22 November 2018 (Under Separate Cover)*
- Item 14.3 Minutes of Captains Flat Locality Committee Meeting 13 November 2018  
*Attachment 1 Minutes of Captains Flat Locality Committee meeting held 13 November 2018 (Under Separate Cover)*
- Item 14.4 Minutes of the Braidwood Locality Committee Meeting 8 October 2018  
*Attachment 1 Minutes of Braidwood Locality Committee meeting held 8 October 2018 (Under Separate Cover)*
- Item 14.5 Minutes of the Burra Locality Committee Meeting 19 November 2018  
*Attachment 1 Minutes of Burra Locality Committee meeting 19 November 2018 (Under Separate Cover)*
- Item 14.6 Minutes of Local Traffic Committee - 12th February 2019  
*Attachment 1 Local Traffic Committee - Minutes 12 February 2019 (Under Separate Cover)*
- Item 16.1 Responses to Councillors' Questions  
*Attachment 1 Responses to Councillors' Questions (Under Separate Cover)*

**Closed Attachments**

- Item 12.1 Modification Application - MOD.2018.122 - Delete Condition 3 Requirement for Provision of Right of Carriageway - 121 Wallace Street, Braidwood  
*Attachment 1 Mod.2018.122 - Submissions (Under Separate Cover)*
- Item 12.3 Sutton Planning Proposal (Lot 3, DP 1074706 - Goolabri Drive)  
*Attachment 6 Aboriginal Cultural Heritage Site (Under Separate Cover)*
- Item 12.6 Tender RFT 2019-11 - Underground Creek Piping at Braidwood Recreation Ground  
*Attachment 1 Tender Evaluation Report - Creek Piping - Braidwood Recreation Ground (Under Separate Cover)*
- Item 12.8 South Bungendore Stormwater Masterplan  
*Attachment 2 Final Draft South Bungendore Stormwater Masterplan (Under Separate Cover)*
- Item 16.1 Responses to Councillors' Questions  
*Attachment 2 Responses to Councillors' Questions - with confidential information (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, 23 January 2019 commencing at 5.30pm.

## ATTENDANCE

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

**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 custodians of the land upon which the meeting was held.

### 2. APOLOGIES

001/19

#### **RESOLVED (Taylor/Harrison)**

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

The resolution was carried unanimously.

### 3. DISCLOSURES OF PECUNIARY INTERESTS

002/19

#### **RESOLVED (Taylor/Hicks)**

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.

There were no disclosures.

**4. CONFIRMATION OF MINUTES****4.1 Minutes of the Ordinary Meeting of Council held on 19 December 2018**

003/19

**RESOLVED (Schweikert/Bray)**

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 19 December 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 Glenn Roberts – Item 12.3 - DA.2018.121 - Three Lot Subdivision - 71 Macdiarmid Road, Burra

004/19

**RESOLVED (Taylor/Schweikert)**

That Mr Roberts be granted an extension of three 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.

**11. NOTICES OF MOTIONS**

There were no Notices of Motions.

**12. ITEMS FOR DETERMINATION****12.1 Consideration of Replacing Balustrades at the Albion Hotel - 119 Wallace Street, Braidwood**

005/19

**RESOLVED (Schweikert/Biscotti)**

That Council:

1. Note that the options to replace the railings at the Albion Hotel at Braidwood are limited given that:
  - Any replacement will require the support of the owner to lodge an amending development application and that support is unlikely to be forthcoming given that the previous work was carried out in accordance with a valid development consent.
  - The cost of carrying out the replacement would likely need to be borne by Council through the General Fund and at present, there are no funds available for such work.
  - The owner would be asking Council to take on certain risks which on balance are not warranted by undertaking the replacement work.
2. Take no further action on this matter.
3. Refer all development applications for individually listed State heritage properties in Braidwood to the Braidwood Heritage Committee for comment before determination.

The resolution was carried unanimously.

**12.2 DA-168-2018 - Bulky Goods Premises - 6 Bungendore Road, Queanbeyan East**

006/19

**RESOLVED (Hicks/Schweikert)**

That:

1. Approval be granted to a variation to Part 2.2 of Queanbeyan Development Control Plan 2012 to allow for a reduction of parking spaces for the following reasons:
  - (a) The applicant's Traffic Impact Assessment demonstrates that proposed car parking is able to accommodate expected parking demand generated by the development.
2. Development application 168-2018 for a bulky goods premises on Lot 21 DP 1000962, No. 6 Bungendore Road, Queanbeyan East be granted conditional approval.

The resolution was carried unanimously.

**12.3 DA.2018.121 - Three Lot Subdivision - 71 Macdiarmid Road, Burra**

007/19

**RESOLVED (Harrison/Marshall)**

That:

1. Development application DA.2018.121 for a three (3) lot Community Title subdivision on Lot 4 DP285984, 71 MacDiarmid Road, Burra be refused for the following reasons.

Reasons for Refusal:

- (a) Council has no ability to consent to the subject application in accordance with Clause 4.1B(5) of the Palerang Local Environmental Plan 2014 as Lot 4 DP 285984 having been created under Clause 20 of the Yarrowlunla Local Environmental Plan 2002 forms a resulting lot as defined under Clause 4.1B(6) of the Palerang Local Environmental Plan 2014 4.15(1)(a)(i) *Environmental Planning and Assessment Act 1979*.
- (b) The proposed development resulting in an average lot size of 3.286ha fails to achieve the 6ha average lot size applicable to the subject site and therefore fails to satisfy the requirements of Clause 4.1(b)(4)(a) of the Palerang Local Environmental Plan 2014 (4.15(1)(a)(i) *Environmental Planning and Assessment Act 1979*).
- (c) Council is unable to approve the subject application in accordance with Clause 4.6(4)(b) of the Palerang Local Environmental Plan 2014 as the Secretary of the Department of Planning and Environment withheld concurrence (4.15(1)(a)(i) *Environmental Planning and Assessment Act 1979*).
- (d) Council is unable to utilise the provisions of Clause 4.6 of the Palerang Local Environmental Plan 2014 to consent to the subject application as the proposed development results in more than two (2) lots of less than the minimum area specified for such lots by a development standard with the E4 Environmental Living Zone and fails to satisfy the requirements of Clause 4.6(6)(a) of the Palerang Local Environmental Plan 2014 (4.15(1)(a)(i) *Environmental Planning and Assessment Act 1979*).
- (e) The proposed development fails to satisfy the provisions of Clause 6.4 – Drinking Water Catchments of the Palerang Local Environmental Plan 2014 as insufficient information accompanied the application as to satisfactorily establish that the development is designed, sited and will be managed in such a way as to avoid any significant adverse impact on water quality within the Googong Drinking Water Catchment (4.15(1)(a)(i) *Environmental Planning and Assessment Act 1979*).
- (f) The proposed building envelopes on proposed lots 31

- and 32 contain significant constraints; when excluding these areas the building envelope on proposed lot 32 fails to satisfy the minimum building envelope area of 4000m<sup>2</sup> required under Section C1.2.5 of the Palerang Development Control Plan 2015 (4.15(1)(a)(iii) *Environmental Planning and Assessment Act 1979*).
- (g) The proposed building envelopes on proposed lots 31 and 32 contain insufficient unconstrained area to accommodate for onsite effluent disposal and as such the proposal fails to satisfy the requirements of Section C1.2.7 of the Palerang Development Control Plan 2015 (4.15(1)(a)(iii) *Environmental Planning and Assessment Act 1979*).
  - (h) The subject site is burdened by a number of environmental constraints that significantly inhibit potential for future residential development and associated infrastructure upon the proposed lots. As such, the subject site is considered to be unsuitable for the purposes of the proposed development. (4.15(1)(c) *Environmental Planning and Assessment Act 1979*).
  - (i) Throughout the public notification period a number of submissions were received raising valid planning concerns in relation to the proposed development (4.15(1)(d) *Environmental Planning and Assessment Act 1979*).
  - (j) The proposed development by way of contravening development standards established under the Palerang Local Environmental Plan 2014 and Palerang Development Control Plan 2015 is considered to be contrary to the public interest (4.15(1)(e) *Environmental Planning and Assessment Act 1979*).
2. Those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.
  3. The NSW Rural Fire Service and Department of Planning and Environment be forwarded a copy of Council's Notice of Determination.

The resolution was carried unanimously.

**12.4 Googong Urban Development Local Planning Agreement Review**

008/19

**RESOLVED (Taylor/Harrison)**

That Council:

1. Agree in principle to vary the Googong Urban Development Local Planning Agreement as follows:
  - i. Definitional alterations to various clauses/wording in the Works Schedule, to maintain the currency of the GLPA to reflect such things as the gazettal of Queanbeyan Local Environmental Plan 2012.
  - ii. Insertion in the works schedule of the Googong Urban Development Local Planning Agreement (GLPA) of completed works relating to the Water Recycling Infrastructure and new items such as smart poles, sensors and Wi Fi capability.
  - iii. A new clause reflecting the July 2016 Memorandum of Understanding between Council, Googong Township Pty Ltd and the Queanbeyan Whites Rugby Union Football Club Incorporated regarding the operation of a community facility.
  - iv. An alteration to the escalation indices for offsite road contributions.
  - v. Other amendments applying to offsite roads, so as to:
    - a) Update the works schedule in the GLPA for offsite roads as well as their contribution values.
    - b) Recognise the Old Cooma Road Grant.
    - c) Cap the total offsite roads contributions at \$61,653,882.
    - d) Include an interest contribution component payable quarterly.
  - vi. Any other consequential administrative amendments recommended and agreed to by the parties' solicitors.
2. Commence the statutory steps to vary that Agreement including community engagement for a minimum of 28 days.
3. Receive a further report on the outcomes of the community engagement process.

The resolution was carried unanimously.

**12.5 Requests For New Road Names - Bungendore and Jerrabomberra**

009/19

**RESOLVED (Schweikert/Taylor)**

That Council:

1. Adopt in principle the names 'Henry Place' and 'Robin Lane' as the proposed street names for the two new roads created by the subdivision approved by DA 196-2016 off Tomsitt Drive, Jerrabomberra.
2. Adopt in principle the name 'Millwood Lane' as the proposed name for the new road created in conjunction with the boundary readjustment of Lots 4 & 5 DP1055202 off Gibraltar Street, Bungendore.
3. Advertise the names for public comment for 30 days.
4. Publish a notice in the NSW Government Gazette if no objections are received.

The resolution was carried unanimously.

**12.6 Sponsorship and Support for the 2019 NSW / ACT Parks & Leisure Conference to be held in Queanbeyan**

010/19

**RESOLVED (Schweikert/Hicks)**

That Council support the 2019 NSW / ACT Parks and Leisure (PLA) Conference with sponsorship to the value of \$6,000, along with in kind support with staff assisting PLA conference organisers.

The resolution was carried unanimously.

**12.7 Tender for Construction of Change Rooms at Mick Sherd Oval - Bungendore**

011/19

**RESOLVED (Hicks/Biscotti)**

That:

1. Council not accept the tender submission for construction of the change rooms at Mick Sherd Oval.
2. The construction of the change rooms at Mick Sherd Oval be project managed in-house by Council staff, utilising Council's pre-approved trades panel, where possible.
3. Any residual funds from the project be used to refurbish the current change shed for the Bungendore pools' use.

The resolution was carried unanimously.

- 012/19                    **12.8    Adoption of the Shopping Trolley Management Plan**  
**RESOLVED (Schweikert/Taylor)**  
That Council:
1.    Note and receive the consultation feedback on the Draft Shopping Trolley and Litter Management Policy.
  2.    Adopt the amended Shopping Trolley Management Policy for Retailers.
- The resolution was carried unanimously.
- 013/19                    **12.9    Cultural Arts Assistance Scheme Application - Waitangi Day**  
**RESOLVED (Marshall/Schweikert)**  
That Council approve the allocation of \$1,500 from the Cultural Arts Assistance Scheme to the ACT Maori Performing Arts Inc. to assist in the presentation of the Waitangi Day 2019 community celebration in Queanbeyan Park.
- The resolution was carried unanimously.
- 014/19                    **12.10   Women's NSW Open Golf Tournament**  
**RESOLVED (Biscotti/Hicks)**  
That Council approve \$15,000 of cash and in kind support for the Women's NSW Open Golf Championship event to be held from 4-10 March 2019 at the Queanbeyan Golf Course.
- The resolution was carried unanimously.
- 015/19                    **12.11   Investment Report - December 2018**  
**RESOLVED (Bray/Schweikert)**  
That Council:
1.    Note the 2018/19 investment income for December 2018 was \$169,363.
  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 December 2018.
- The resolution was carried unanimously.



**12.12 Administration of QPRC's elections, polls and referenda**

016/19

**RESOLVED (Harrison/Taylor)**

That Council resolves:

1. Pursuant to s.296(2) and (3) of the *NSW Local Government Act 1993* (the Act), that an election arrangement be entered into by contract for the NSW Electoral Commissioner to administer all elections of the Council.
2. Pursuant to s.296(2) and (3) of the Act, as applied and modified by s.18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.
3. Pursuant to s.296(2) and (3) of the Act, as applied and modified by s.18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.

The resolution was carried unanimously.

**12.13 Australian Local Government Women's Association NSW Branch's Annual Conference 2019**

017/19

**RESOLVED (Marshall/Noveska)**

That any Councillor who wishes to attend the ALGWA NSW Branch's Annual Conference at Liverpool City Council from 4 – 6 April 2019, submit a written request to the CEO.

The resolution was carried unanimously.

**13. ITEMS FOR INFORMATION****13.1 Rural Signage Investigations**

018/19

**RESOLVED (Schweikert/Taylor)**

That the report be received for information.

The resolution was carried unanimously.

**13.2 Integrated Planning Calendar**

019/19

**RESOLVED (Taylor/Bray)**

That the report be received for information.

The resolution was carried unanimously.

**13.3 Regional Cultural Fund Stage 2 - Bicentennial Hall**

020/19

**RESOLVED (Marshall/Schweikert)**

That the report be received for information.

The resolution was carried unanimously.

**14. COMMITTEE REPORTS AND RECOMMENDATIONS****14.1 Minutes of the QPRC Heritage Advisory Committee Meeting held 13 December 2018**

021/19

**RESOLVED (Marshall/Harrison)**

That Council:

1. Note the minutes of QPRC Heritage Advisory Committee Meeting held on 13 December 2018.
2. Note the recommendations QPRC HAC 15/18 and QPRC HAC 16/18 from the meeting held on 13 December 2018:

QPRC HAC 15/18 The Committee does not support the development of 5 Meredith Street in its current form having regard to its height and bulk as well as the possible precedence for other sites within this part of the Conservation Area.

QPRC HAC 16/18 The Committee generally supports the revised plans for Furlong House, 13-15 Morrissett Street, subject to the external cladding of the toilet and new store room having vertical timber boards with regency moulding or similar as per the Heritage Advisers report.

The resolution was carried unanimously.

**14.2 Minutes of the Braidwood and Curtilage Heritage Advisory Committee Meeting held 13 December 2018**

022/19

**RESOLVED (Marshall/Harrison)**

That Council note the minutes of the Braidwood and Curtilage Heritage Advisory Committee Meeting held on 13 December 2018.

The resolution was carried unanimously.

**14.3 Minutes of the Environment and Sustainability Advisory Committee held on 5 December 2018**

023/19

**RESOLVED (Marshall/Harrison)**

That Council:

1. Note the minutes of the Environment and Sustainability Advisory Committee held on 5 December 2018.
2. Note recommendation QPRC ESAC 10/18 from the meeting held on 5 December 2018.

That Council resolve to:

1. Prepare a risk assessment tool and policy for replacement of trees.

2. Seek community input and consultation on a Draft Replacement Tree Policy.

The resolution was carried unanimously.

#### 14.4 Local Traffic Committee 4 December 2018

024/19

##### **RESOLVED (Schweikert/Marshall)**

That Council:

1. Note the minutes of Local Traffic Committee Meeting held on 4 December 2018.
2. Adopt recommendations LTC 43/18 to LTC 49/18 from the meeting held on 4 December 2018.
  - i. LTC 43/18 Under the *Road Transport Act 2013*, with the exception of the "KEEP LEFT WHEN OVERTAKING" sign, install the signage as per the design for the 2nd Stage of the Duplication of Old Cooma Rd.
  - ii. LTC 44/18 Under the *Road Transport Act 2013* install BB line to create a 4.0m wide lane width on the western side of John Bull Street between the second intersection of Ogilvie Crescent and Nimmitabel Street, Queanbeyan.
  - iii. LTC 45/18 Under the *Road Transport Act 2013* implement the design approved for changes at Cooma Street as recommended at the June 2018 LTC meeting, noting outcomes of the community consultation.
  - iv. LTC 46/18 Under the *Road Transport Act 2013* implement 'No Stopping' signs along the full length of the eastern side of Rosa Street, in the school zone from Gorman Drive to Rogers Road, Googong.
  - v. LTC 47/18 Given the likelihood of serious adverse impacts on the road network that have been observed in Googong for similar scale events, and potential for risk to health and safety of the community due to the likelihood of traffic jams that would restrict efficient access to the area by emergency services, the LTC does not support the TMP/TCP for the proposed Googfest 2019 Event.
  - vi. LTC 48/18 The Committee recommends the QPRC Events Team provide for review a complete Event Evaluation Report for the Freedom of Entry March and Christmas in July Events for review at the next LTC meeting.
  - vii. LTC 49/18 Under the *Road Transport Act 2013* implement changes to Morisset Street Carpark as per the concept design.

The resolution was carried unanimously.

**14.5 Bungendore Town Centre and Environs Committee Meeting Minutes**

025/19

**RESOLVED (Hicks/Marshall)**

That Council:

1. Note the minutes of Bungendore Town Centre and Environs Committee meeting held on 6 December 2018.
2. Defer any work on the Ellendon Street Arts Link until consideration of the draft Public Arts policy.

The resolution was carried unanimously.

**14.6 Royalla Common s.355 Committee Meeting Minutes**

026/19

**RESOLVED (Hicks/Harrison)**

That Council note the minutes of the Royalla Common s.355 Committee's meeting held on 26 September 2018.

The resolution was carried unanimously.

**14.7 Greenways s.355 Committee Meetings Minutes**

027/19

**RESOLVED (Harrison/Marshall)**

That Council:

1. Note the minutes of Greenways s.355 Committee's Annual General Meeting and Committee meeting held on 11 December 2018.
2. Approve the following office-bearers and membership for 2018-19:

Chair: Langdon Patrick

Secretary: Pete Harrison

Treasurer: Maria Taylor

Committee: Kerry Cox, Peter Evans, Kathy Handel and Bill Taylor

The resolution was carried unanimously.

**14.8 Report on Audit, Risk and Improvement Committee meeting of 21 November 2018**

028/19

**RESOLVED (Harrison/Schweikert)**

That Council note:

1. The minutes of the Audit, Risk and Improvement Committee meeting of 21 November 2018.
2. The Committee's annual report to Council for 2017-18.

The resolution was carried unanimously.

**15. DELEGATES' REPORTS**

Cr Schweikert reported on his attendance at the sod turning for the Bungendore Ambulance Station.

Cr Overall reported on his attendance at the following:

- QPRC Carols in Queanbeyan Park
- W-League game, Canberra United v Melbourne Victory, at Seifert Oval
- Sod turning for Old Cooma Road Duplication

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

029/19

**RESOLVED (Taylor/Schweikert)**

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**

Cr Biscotti enquired on the condition of the turf at Riverside stadium. Council's Service Manager Urban Landscapes, advised that the turf was doing well, has benefited from recent weather conditions, been sprayed, top dressed and rolled, and is playable.

Cr Marshall advised that the railing on the eastern approach to Foxlow Bridge is falling down and requested staff to inspect.

Cr Schweikert sought clarification on applications for Easter trading for businesses in the QPRC area.

Cr Hicks requested staff investigate possible illegal camping at 58 Foxlow Street Captains Flat.

Cr Brown requested an explanation as to why a jackhammer was used on the western pylon of the EDE bridge and whether this has incurred any additional costs to Council.

**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.

030/19

**RESOLVED (Harrison/Taylor)**

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 Writing Off Water Usage Accounts Due to Undetectable Leak - Braidwood**

*Item 20.1 is confidential in accordance with s10(A) (b) of the Local Government Act 1993 because it contains discussion in relation to the personal hardship of a resident or ratepayer and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**Item 20.2 Writing Off Water Usage Account Due to Undetectable Leak - Queanbeyan**

*Item 20.2 is confidential in accordance with s10(A) (b) of the Local Government Act 1993 because it contains discussion in relation to the personal hardship of a resident or ratepayer and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**Item 20.3 Writing Off Water Usage due to Undetectable Leak - Bungendore**

*Item 20.3 is confidential in accordance with s10(A) (b) of the Local Government Act 1993 because it contains discussion in relation to the personal hardship of a resident or ratepayer 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 6.31pm to discuss the matters listed above.

**20.1 Writing Off Water Usage Accounts Due to Undetectable Leak - Braidwood**

031/19

**RESOLVED (Harrison/Marshall)**

That Council write off a total of \$1,923.90 in water usage charges for the property listed in this report.

The resolution was carried unanimously.

**20.2 Writing Off Water Usage Account Due to Undetectable Leak - Queanbeyan**

032/19

**RESOLVED (Harrison/Bray)**

That Council write off a total of \$1,375.54 in water usage charges for the property listed in this report.

The resolution was carried unanimously.

**20.3 Writing Off Water Usage due to Undetectable Leak - Bungendore**

033/19

**RESOLVED (Brown/Harrison)**

That Council not write off the water charge as it is not covered by Council's Undetected Leak Policy and no hardship application has been received from the owners.

The resolution was carried unanimously.

034/19

**RESOLVED (Harrison/Hicks)**

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 6.33pm.

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 6.34pm Cr Overall announced that the Agenda for the meeting had now been completed.

**CR TIM OVERALL  
MAYOR  
CHAIRPERSON**







## PLANNING AND STRATEGY COMMITTEE OF THE WHOLE MEETING

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

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

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

MINUTES OF THE PLANNING AND STRATEGY COMMITTEE OF THE WHOLE OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Council Chambers, 253 Crawford Street, Queanbeyan on Wednesday, 13 February 2019 commencing at 5.30pm.

### ATTENDANCE

**Councillor:** Cr Schweikert (Chair), Crs Biscotti, Bray AM, Brown, Harrison, Hicks, Marshall, Noveska, Taylor 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 Deputy Mayor acknowledged the traditional custodians of the land upon which the meeting was held.

#### 2. APOLOGIES

PLA001/19

##### **RESOLVED (Taylor/Biscotti)**

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

The resolution was carried unanimously.

**3. DECLARATIONS OF INTEREST**

PLA002/19

**RESOLVED (Taylor/Harrison)**

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

The resolution was carried unanimously.

Cr Winchester declared a significant non-pecuniary interest in Item 5.3 - Respite Centre Proposal - 16 Agnes Avenue Queanbeyan, stating he is the Vice President for the Respite Centre for Queanbeyan board.

**4. PRESENTATIONS/DEPUTATIONS**

The following presenters were heard:

Mr Peter Evans – Item 5.1 - Rural Lands Request - Wirreanda Road, Wamboin

Mr Paul Hubbard – Item 5.2 - Application for Building Information Certificate - 7 Staunton Road, Googong

Mr Paul Walsh – Item 5.3 - Respite Centre Proposal - 16 Agnes Avenue Queanbeyan

PLA003/19

**RESOLVED (Taylor/Noveska)**

That Mr Walsh be granted an extension of one minute to speak.

The resolution was carried unanimously.

Ms Sandra Young – Item 7.2 - Petition Policy

**STAFF REPORTS**

**5. Environment, Planning and Development**

**5.1 Rural Lands Request - Wirreanda Road, Wamboin**

PLA004/19

**RESOLVED (Harrison/Taylor)**

That Council not support the request in relation to Lot 1 DP 378941 and Lot 1 DP 48576, Wirreanda Road, Wamboin to allow the development of a village and rural residential subdivision.

The resolution was carried unanimously.

**5.2 Application for Building Information Certificate - 7 Staunton Road, Googong**

**MOVED (Harrison/Brown)**

That Council take no action in this matter.

Cr Hicks foreshadowed a CONTRARY motion: “[That Council issue a Building Information Certificate for the following structures erected at 7 Staunton Place, Googong:

- Garage
- Greenhouse
- Gazebo
- Shed
- Pergola Roof”]

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

PLA005/19

**RESOLVED (Harrison/Brown)**

That Council take no action in this matter.

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

Against: Cr Hicks

Cr Marshall did not vote

Cr Winchester declared an interest in this item and left the meeting at 6.11pm.

**5.3 Respite Centre Proposal - 16 Agnes Avenue Queanbeyan**

**MOVED (Bray/Brown)**

That:

1. The report be received and noted.
2. Council support in principle the change of the Community Land category for the Ross Road Reserve from “Sportsground” to “General Community Use” and commence procedures for the implementation of this re-categorisation in accordance with the *Local Government Act 1993*.
3. Council redevelop the balance of the site into a parkland facility with funding to be considered in a future delivery program, subject to the respite centre proceeding.

Cr Hicks foreshadowed a CONTRARY motion: [“That:

1. The report be received and noted.
2. Council support in principle the change of the Community Land category for the Ross Road Reserve from “Sportsground” to “General Community Use” and commence procedures for the implementation of this re-categorisation in accordance with the *Local Government Act 1993*.
3. Redevelop the balance of the site for sale.”]

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

PLA006/19

**RESOLVED (Bray/Brown)**

That:

1. The report be received and noted.
2. Council support in principle the change of the Community Land category for the Ross Road Reserve from "Sportsground" to "General Community Use" and commence procedures for the implementation of this re-categorisation in accordance with the *Local Government Act 1993*.
3. Council redevelop the balance of the site into a parkland facility with funding to be considered in a future delivery program, subject to the respite centre proceeding.

For: Crs Biscotti, Bray, Brown, Harrison, Marshall, Noveska, Schweikert and Taylor

Against: Cr Hicks

Cr Winchester returned to the meeting at 6.28pm.

**6. STRATEGIC DEVELOPMENT**

**6.1 Braidwood Facade Improvement Program**

PLA007/19

**RESOLVED (Marshall/Taylor)**

That Council:

1. Endorse the development of a Façade Improvement Program for Wallace Street, Braidwood and associated grant application.
2. Approve an additional allocation of \$10,000 should the grant application be successful.

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

Against: Cr Schweikert

**6.2 Resident Parking - Lowe Street Queanbeyan**

**MOVED (Hicks/Bray)**

That Council:

1. Consider a policy for parking in the Queanbeyan CBD in relation to:
  - Residential parking scheme
  - Trade person parking scheme
2. Write to the relevant Ministers seeking provision of onsite parking for their tenants, or a lease or contribution on behalf of their tenants towards parking within Council car parks.

Cr Marshall foreshadowed a CONTRARY motion:

["That Council write to the landlord requesting they lease parking spaces for their tenants."]

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

PLA008/19

**RESOLVED (Hicks/Bray)**

That Council:

1. Consider a policy for parking in the Queanbeyan CBD in relation to:
  - Residential parking scheme
  - Trade person parking scheme
2. Write to the relevant Ministers seeking provision of onsite parking for their tenants, or a lease or contribution on behalf of their tenants towards parking within Council car parks.

The resolution was carried unanimously.

**7. ITEMS FOR DETERMINATION**

**7.1 Draft QPRC Code of Meeting Practice**

PLA009/19

**RESOLVED (Winchester/Biscotti)**

That Council:

1. Endorse the Consultation Draft of the QPRC Code of Meeting Practice.
2. Place the consultation draft on public exhibition for 28 days from 15 February – 15 March 2019 and invite public submissions for 43 days from 15 February – 29 March 2019.
3. Consider the public comments prior to formal adoption of the QPRC Code of Meeting Practice.

The resolution was carried unanimously.

**7.2 Petition Policy**

PLA010/19

**RESOLVED (Marshall/Hicks)**

That Council:

1. Endorse the draft Petition Policy and place it on public exhibition for 28 days to seek community feedback on its provisions.
2. Endorse the policy to then take effect simultaneously with the adoption of the QPRC Code of Meeting Practice.

The resolution was carried unanimously.

**8. ITEMS FOR INFORMATION**

**8.1 South Jerrabomberra Contributions Plan - Ministerial Amendment Direction**

PLA011/19

**RESOLVED (Brown/Winchester)**

That the report be received for information.

The resolution was carried unanimously.

**9. NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION**

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

Cr Schweikert 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.

PLA012/19

**RESOLVED (Harrison/Taylor)**

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 10.1 Request for Consideration of Personal Hardship Matter in Closed Session**

*Item 10.1 is confidential in accordance with s10(A) (b) of the Local Government Act 1993 because it contains discussion in relation to the personal hardship of a resident or ratepayer 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 6.50pm to discuss the matters listed above.

**10.1 Request for Consideration of Personal Hardship Matter in Closed Session**

PLA013/19

**RESOLVED (Winchester/Noveska)**

That Council not support the applicant's request and that they be advised accordingly.

The resolution was carried unanimously.

PLA014/19

**RESOLVED (Harrison/Hicks)**

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 7.02pm.

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 Deputy Mayor then read out the decisions of Council made in Closed Session.

The time being 7.03pm Cr Schweikert announced that the Agenda for the meeting had now been completed.

**CR MARK SCHWEIKERT  
DEPUTY MAYOR  
CHAIRPERSON**





**ITEM 3    DECLARATION OF CONFLICTS/PECUNIARY INTERESTS**

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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.**



**12.1 Modification Application - MOD.2018.122 - Delete Condition 3 Requirement for Provision of Right of Carriageway - 121 Wallace Street, Braidwood (Ref: C1923786; Author: Thompson/Perkins)**

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**Summary**

***Reason for Referral to Council***

This application has been referred to Council as more than six submissions have been received.

Proposal:	4.55(1) Modification – Delete Condition 3 Requirement for Provision of Right of Carriageway
Applicant/Owner:	Richard Walker / Scapefall Pty Ltd and Wallace Street Pty Ltd
Subject Property:	Lot 2 DP1208847, 121 Wallace Street, Braidwood
Zoning and Permissibility:	Part B2 Local Centre, Part B4 Mixed Use under Palerang Local Environmental Plan 2014
Public Submissions:	29 submissions
Issues Discussed:	Planning Requirements Right of Carriageway
Disclosure of Political Donations and Gifts:	Applicant Declared no Donations or Gifts to any Councillor or Staff have been made

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**Recommendation**

**That:**

- 1. Modification application MOD.2018.122 to delete Condition 3 of DA.2014.208 relating the provision of a right of carriageway at Lot 2 DP 1208847, 121 Wallace Street Braidwood be refused for the following reasons.**

**Reasons for Refusal:**

- (a) Condition 3 of DA.2014.208 was imposed with sound reasoning and not in error. As such the subject modification is beyond the scope of Section 4.55(1) of the Environmental Planning and Assessment Act 1979 and is unable to be approved.**
  - 2. Those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.**
  - 3. Council continue with enforcement proceedings to require the applicant to comply with Condition 3 of DA.2014.208 i.e. to register a right of way benefiting Lot 1 DP 829063 for access over Lot 2 DP 1208847.**
-

12.1 Modification Application - MOD.2018.122 - Delete Condition 3 Requirement for Provision of Right of Carriageway - 121 Wallace Street, Braidwood (Ref: C1923786; Author: Thompson/Perkins) (Continued)

**Background**

**Previous Applications**

DA.2014.2018 – this development application was approved under delegation on 14 November 2014 for a boundary adjustment between Lot 6 DP 519457 and Lot 2 DP713618. The approved plan (see Figure 1 below) included a right of carriageway 3.605m wide (DP713618) running from the site’s Wallace Street frontage to the eastern boundary of proposed Lot 2 (now Lot 2 DP 1208847) adjoining Lot 1 DP829063. Condition 3 of DA.2014.208 read as follows:

**Existing Right of Carriageway**

- Amend (or rescind and resubmit) the existing Section 88B instrument providing Right of Carriageway to Lot 1 DP 829063 over existing Lot 2 DP 713618 (proposed Lot 1) to reflect new plan details.

Reason: To ensure coinciding legal and physical access to the lot(s) favoured.

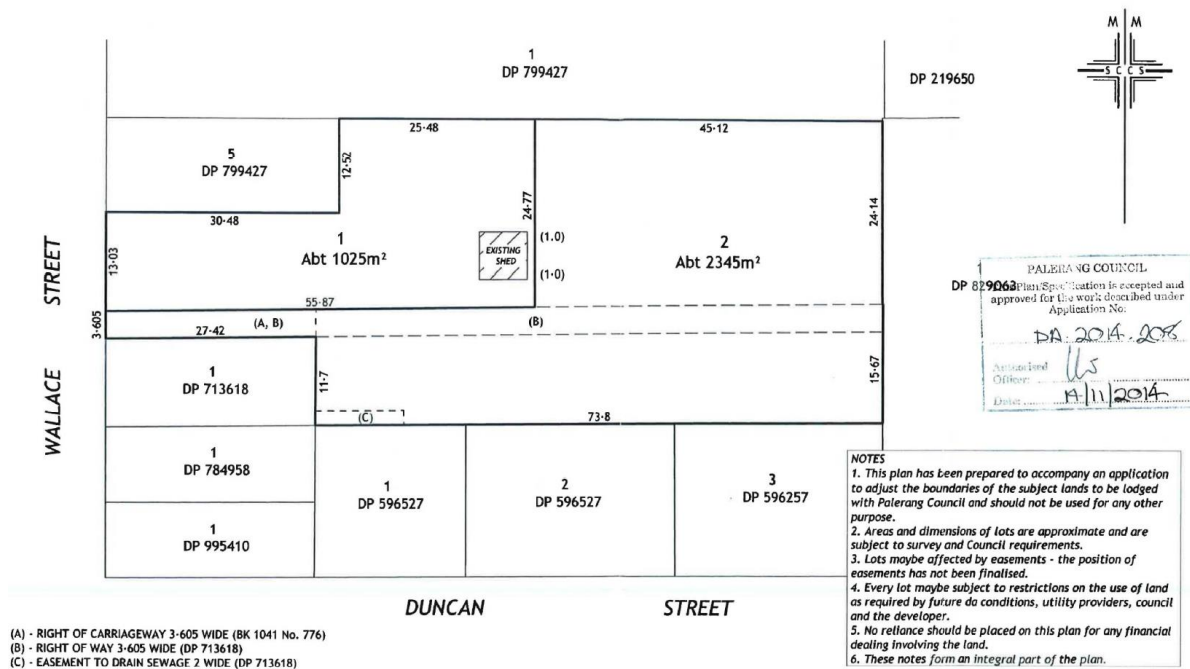


Figure 1: DA.2014.208 Stamped Approved Plan

12.1 Modification Application - MOD.2018.122 - Delete Condition 3 Requirement for Provision of Right of Carriageway - 121 Wallace Street, Braidwood (Ref: C1923786; Author: Thompson/Perkins) (Continued)

SDC.2015.012 – this Subdivision Certificate was released by Council on 30 April 2015 for a boundary adjustment as approved under DA.2015.208 (see Figure 2 below). However, the signed plan erroneously excluded the right of carriageway required by Condition 3 of DA.2014.208 and released a right of carriageway registered in Book 1041 No776 Burdening Lot 2 DP 713618 and Benefitting Lot 6 DP519457 (Note: This instrument of release includes no mention of Lot 1 DP829063 nor was the consent of the owners of Lot 1 DP829063 granted for any such release).

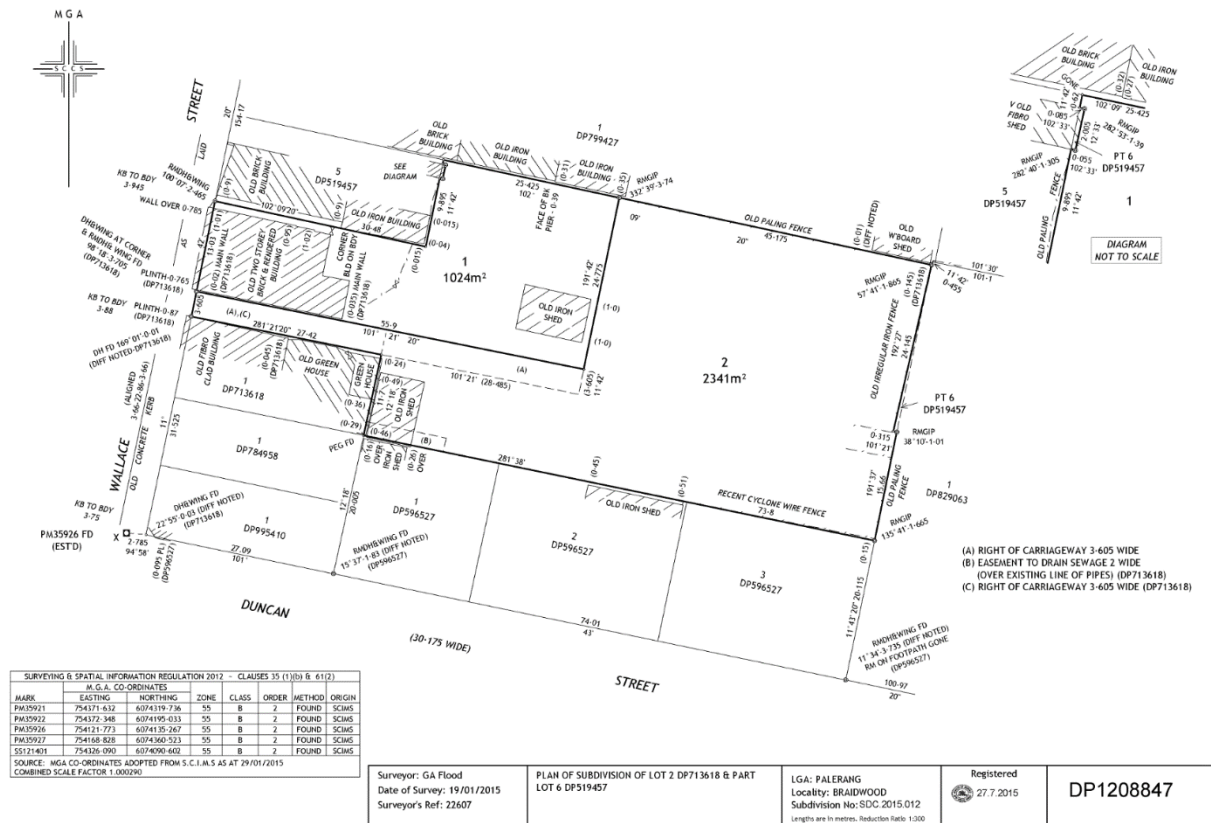


Figure 2: Registered DP1208847

Proposed Development

The subject modification application seeks to modify DA.2014.208 for a boundary adjustment of the subject site to delete Condition 3 requiring amendment of an existing 88b instrument providing a right of carriageway to Lot 1 DP829063 over former Lot 2 DP713618 (now Lot 2 DP 1208847)

The subject application was lodged under Section 4.55(1) of the Environmental Planning and Assessment Act 1979 and seeks to delete condition 3 as an error posing that “no such right of way exists, or has ever existed in favour of Kidd’s Land (Lot 1 DP829063).”





**12.1 Modification Application - MOD.2018.122 - Delete Condition 3 Requirement for Provision of Right of Carriageway - 121 Wallace Street, Braidwood (Ref: C1923786; Author: Thompson/Perkins) (Continued)**

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*subject to subsisting interests created before the Real Property Act Title was created (see our previous advice on prescriptive rights).*

*The right of the Kidd's land to benefit from the easement and to burden lot 2 DP 1208847 is a 'documentary right' and is in addition to any prescriptive rights which exist by way of usage with the consent or acquiescence of the owner*

As such, Council staff are of the opinion that Condition 3 of DA.2014.208 was imposed with sound reasoning to ensure that the right of carriageway is identified throughout the subdivision registration process and was not in error. As such, the subject application fails to satisfy the requirements of Section 4.55(1) of the Environmental Planning and Assessment Act 1979 and is therefore unable to be supported. Accordingly the subject modification application is recommended for refusal.

**Engagement**

While there is no legislated notification requirements for a 4.55(1) modification Council notified the owners of Lot 1 DP829063 of the proposed modification as an affected party from 17 December 2018 to 14 January 2019. 29 submissions were received. The relevant issues raised are as follows:

***Issue: Extent of notification***

Concern was raised over the extent of notification for the subject application.

*Comment:* The subject application was lodged under Clause 4.55(1) of the Environmental Planning and Assessment Act 1979. Such an application has no legislated requirement for public notification; however, in recognition of the potential implications of the proposed modification affected parties were notified. The notification period was extended from 14 days to 30 days.

***Issue: History of the Right of Way***

Concern was raised that the owners of Lot 1 DP829063 have utilised the land comprising the right of way for over 30 years and that the proposed modification removes any means of vehicular access to the site.

*Comment:* As previously noted, legal advice received by Council notes that Lot 1 DP 829063 benefits from documentary rights over Lot 2 1208847. Notwithstanding this there is ample evidence that the access has been in use for many years and the purpose of including the condition was clearly to retain the access to Lot 1 DP 829063. The condition was therefore imposed for a real and legitimate purpose and was not imposed in error.

***Issue: Use of the Landmark Site***

Concern was raised over the current use of the landmark site and future works that may be undertaken upon the site.

*Comment:* The use of Lot 2 DP1208847 as part of the adjoining bulky goods premises commenced as an exempt change of use under State Environmental Planning Policy (Exempt and Complying Development) 2008. Further, the owners of the site have been advised that any proposed shed structures upon the site would require development approval. No such application has been received to date. Notwithstanding this the modification request relates only to the right of way not the use of the site.

**12.1 Modification Application - MOD.2018.122 - Delete Condition 3 Requirement for Provision of Right of Carriageway - 121 Wallace Street, Braidwood (Ref: C1923786; Author: Thompson/Perkins) (Continued)**

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***Issue: Other Laneways***




Concern was raised over the potential precedence the subject application may establish upon other laneways in Braidwood.

*Comment:* The subject application relates to a right of carriageway benefiting private owners and as such set no precedent upon public lane ways.

**Conclusion**

The submitted proposal for a modification of DA.2014.208 under Section 4.55(1) of the Environmental Planning and Assessment Act 1979 as to correct a minor error at 121 Wallace Street Braidwood relating to the provision of a right of carriageway benefitting Lot 1 DP829063 should be refused as Condition 3 was not imposed in error and remains relevant to the development.

**Attachments**

- Attachment 1 Mod.2018.122 - Submissions (*Under Separate Cover*) - **CONFIDENTIAL**
- Attachment 2  Mod.2018.122 - DP519457 with Right of Way overlay (*Under Separate Cover*)
- Attachment 3  Mod.2018.122 - DP829063 with Right of Way overlay (*Under Separate Cover*)
- Attachment 4  Mod.2018.122 - DP1208847 with Right of Way overlay (*Under Separate Cover*)



**12.2 North Elmslea (Part Lot 1 DP 798111) Planning Proposal, Tarago Road, Bungendore (Ref: C19838; Author: Thompson/Hogg)**

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**Summary**

This report provides the submissions from consultation with the government agencies on the planning proposal for North Elmslea being part Lot 1 DP 798111 (Figure 1). The planning proposal seeks to rezone part of the lot to allow for the creation of approximately 309 residential lots.

A revised planning proposal (February 2019) has been prepared to take into account a number of the government agency comments. However, it will be necessary to make some final adjustments to this document to include comment from the Department of Industry – Lands and Water (DPI) when final comments are received regarding the Council request for an increase in the water licence allocation for the proposal. A separate report on the Palerang IWCMP and water allocation is contained in this business paper.

It is recommended that when Council receives written confirmation from NSW Department of Industry – Lands and Water that the water licence allocation for Bungendore will be increased to sufficiently accommodate the planning proposal on part Lot 1 DP 798111 to allow for the creation of approximately 309 lots, Council proceeds to public exhibition of the amended planning proposal.

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**Recommendation**

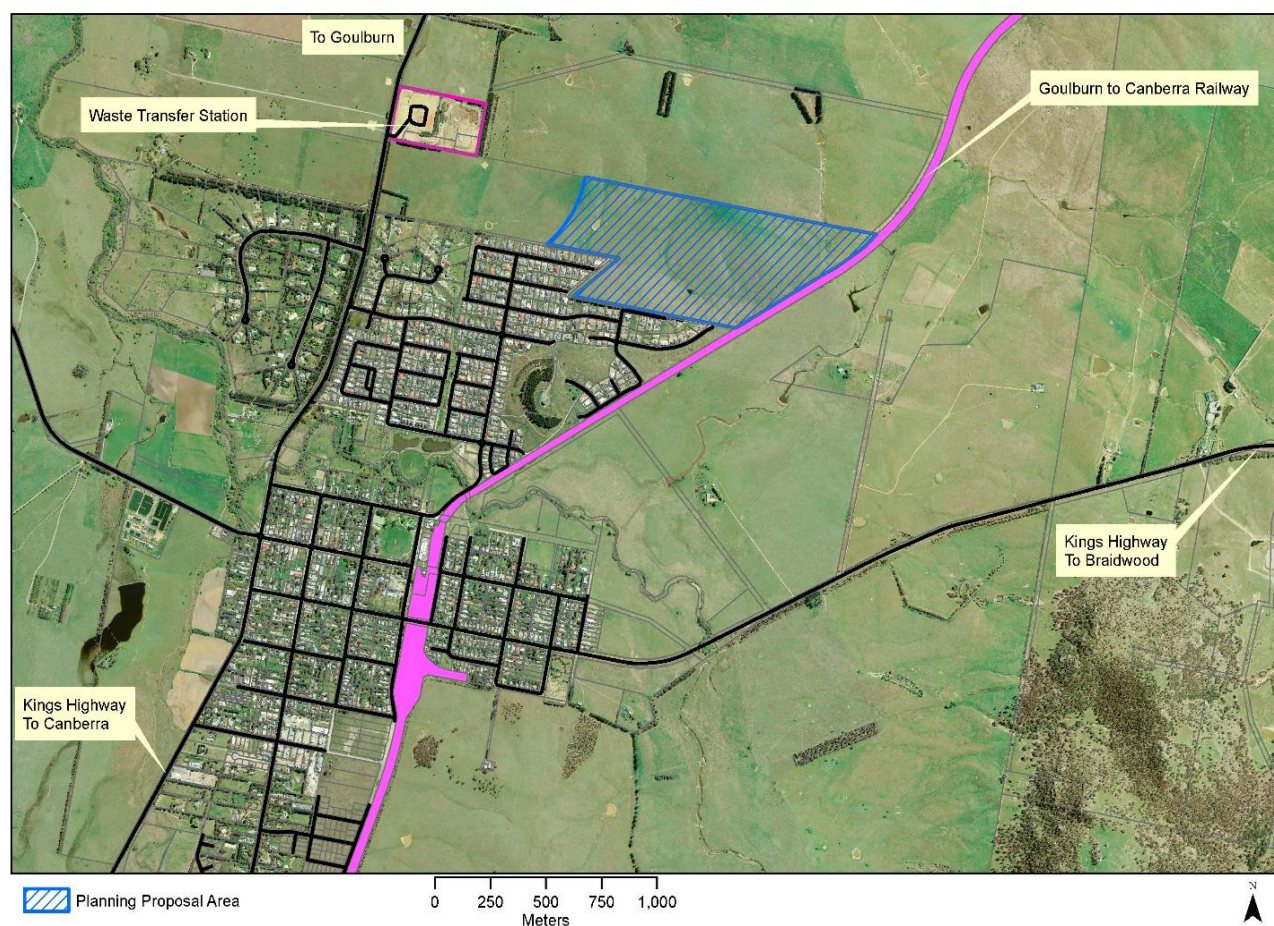
**That:**

- 1. The environmental assessments attached to this report, and the associated government agency and staff comments, be received and noted.**
  - 2. The revised planning proposal (February 2019) taking into account comment from the government agencies comments be received and noted.**
  - 3. It be noted that this planning proposal (February 2019) will be refined for public exhibition once the water licence allocation for Bungendore has been determined.**
  - 4. Subject to Council receiving written confirmation from NSW Department of Industry - Lands and Water that the water licence allocation for Bungendore will be increased to sufficiently accommodate the planning proposal on part Lot 1 DP 798111 to allow for the creation of approximately 309 residential lots, Council agree to progress the planning proposal by placing it on public exhibition.**
  - 5. While the water allocation is being finalised, staff work with the developer on a preliminary road design and the details of a planning agreement in relation to the impacts on Tarago Road including road intersections and a contribution towards community facilities.**
  - 6. The planning proposal buffer area of 500 metres from the resource recovery facility be retained.**
  - 7. Associated water and sewer development contribution plans be prepared**
-

## 12.2 North Elmslea (Part Lot 1 DP 798111) Planning Proposal, Tarago Road, Bungendore (Ref: C19838; Author: Thompson/Hogg) (Continued)

### Background

A planning proposal for the rezoning of Lot 1 DP 798111 North Bungendore from RU1 Primary Production to R2 Low Density Residential, R5 Large Lot Residential and RE1 Public Recreation was submitted to Council and considered for gateway determination in 2014.



**Figure 1 – Part Lot 1 DP 798111, North Bungendore.**

The rezoning of the land would enable a development application to be submitted for the subdivision of Lot 1 DP 798111 to create approximately 309 residential lots.

The initial draft planning proposal had been commissioned and prepared by the applicant's consultant.

Council considered the draft planning proposal at its meeting on 4 December 2014 and the following resolution was made (269/2014):

1. Council forward the planning proposal, council report and recommendations to the Minister for Planning and Environment for a gateway determination.
2. The area within Lot 1 DP 798111, 500 metres from the boundary of Lots 8 and 44 DP 754876 and Lot 1 DP 1087861 remain zoned RU1 Primary Production in the consideration of the planning proposal in accordance with the Land Zoning Map attached to this report.
3. Any environmental assessments required to be carried out by the gateway determination consider all of Lot 1 DP 798111.

The following comment was made in the planning proposal (p4) attached to the report to Council on 4 December 2014:

**12.2 North Elmslea (Part Lot 1 DP 798111) Planning Proposal, Tarago Road, Bungendore (Ref: C19838; Author: Thompson/Hogg) (Continued)**

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*The Planning Proposal has been prepared following the finalisation of the Bungendore Land Use Strategy and Structure Plan which includes the identification of areas of potential residential development. The general area of Lot 1 DP 798111 is identified as "potential extension to residential development subject to possible environmental offset investigations" and water supply. The Bungendore Land Use Strategy and Structure Plan was adopted by Council in 2010 and endorsed by the Director General of the Department of Planning in 2011.*

It should be noted that the rezoning of land surrounding Bungendore must be consistent with the *Bungendore Land Use Strategy and Structure Plan 2009*.

As Lot 1 DP 798111 is adjacent to the Council landfill area, it was recognised that it would be necessary to ensure that there was not a risk of potential landfill gas affecting future dwellings. Consequently, Council required that the land within 500 metres of the landfill was excluded from the planning proposal. However, any environmental assessments undertaken for the planning proposal would include all of Lot 1 DP 798111. This would mean that if it was found in the landfill closure investigation and development of a closure plan that residential development with appropriate buffers was not a risk, then a subsequent planning proposal for the remainder of Lot 1 DP 798111 could be prepared.

To ensure that the above was reflected in the planning proposal, a revised planning proposal was prepared by staff (April 2015). The planning proposal was considered by NSW Planning and Environment and a Gateway determination was made on 27 April 2015 (Attachment 1).

Since this time the planning proposal has continued to evolve with the provision of additional information and a further revised planning proposal (Attachment 2) prepared by Council staff following the finalisation of the environmental assessments in March 2018. This proposal was sent to the government agencies for comment with the assessments.

As the progress of the planning proposal has taken longer than anticipated, the Department of Planning has issued time extensions to the Gateway determination.

Following the issuing of the Gateway determination, the following environmental assessments were undertaken (at the cost of the developer). If Councillors are interested in viewing these assessments, due to their size, they can be viewed in the Councillors room in the Queanbeyan Chambers as Attachment 5:

- Study 1: Soil capability
- Study 2: Aboriginal cultural heritage
- Study 3: Contaminated land and addendum
- Study 4: Bushfire
- Study 5: Water supply
- Study 6: Sewerage
- Study 7: Traffic and Transport
- Study 8: Stormwater

Assessments for flora and fauna were organised by the developer prior to the Gateway determination and included:

- A flora and fauna report, Kevin Mills
- A flora and fauna, Little Whip Snake report (Attachment 6).

As required by the Gateway determination, consultation with the following government agencies was undertaken:

- NSW Office of Environment and Heritage

**12.2 North Elmslea (Part Lot 1 DP 798111) Planning Proposal, Tarago Road, Bungendore (Ref: C19838; Author: Thompson/Hogg) (Continued)**

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- Commonwealth Department of the Environment
- NSW Rural Fire Service;
- NSW Roads and Maritime Services
- Transport for NSW
- NSW Office of Water (now known as Lands and Water, NSW Department of Industry)
- NSW Environmental Protection Authority
- Fire and Rescue NSW
- NSW Department of Education and Communities
- NSW Police
- NSW Health
- Ambulance Service of NSW
- NSW State Emergency Services.

Government agency submissions are provided in full in Attachment 7. A summary of the government agency responses and issues and staff comment on them is provided in Attachment 8.

In addition, the planning proposal was sent to John Holland CRN who are responsible for the management of the railway line and the Commonwealth Department of the Environment in regard to flora and fauna listed under the *Environment Protection and Biodiversity Conservation Act 1999*.

It is noted that a number of state agencies responded to an earlier version of the planning proposal, which included rezoning part of the site R5 Large Lot Residential and RE1 Public Recreation. However, as the overall approximate number of lots that the proposal is seeking is the same and there has been no change in the environmental attributes, it is considered that this matter does not significantly alter the advice provided.

***Current Situation***

At this stage there does not appear to be any substantial impediments to the planning proposal proceeding to public exhibition other than receiving confirmation that an increase in water allocation has been granted. As such it is recommended that as soon as Council receives written confirmation from NSW Department of Industry – Lands and Water that the water licence allocation for Bungendore will be increased to sufficiently accommodate the planning proposal on part Lot 1 DP 798111 to allow for the creation of approximately 309 lots, Council proceeds to public exhibition of the planning proposal.

Council has recently exhibited an Integrated Water Cycle Management (IWCM) Strategy for the former Palerang local government area. The Strategy addresses potable water supply and the management of effluent. The document considered water supply options for Bungendore with a view to Council seeking an increase in the Bungendore water allocation licence to accommodate any urban development outside of the existing urban area. It is understood that a report on the IWCM Strategy is to be reported elsewhere in this business paper.

If the water allocation for Bungendore is increased it will be necessary to prepare new plans under section 64 of *the Local Government Act 1993* for the provision of water and sewer outside of the existing urban area (which the current plans encompass). The plans would include the provision for the construction of a new water reservoir, the upgrade of the existing treatment plants, the cost of groundwater studies and new water and sewer network components.

**12.2 North Elmslea (Part Lot 1 DP 798111) Planning Proposal, Tarago Road, Bungendore (Ref: C19838; Author: Thompson/Hogg) (Continued)**

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Consideration also needs to be given to the provision of road and community infrastructure. It is recommended that while the water allocation is being finalised staff work with the developer on a preliminary road design and the details of a planning agreement in relation to the impacts on Tarago Road including road intersections and a contribution towards community facilities.

A revised planning proposal (February 2019) has been prepared (Attachment 3) which takes into account government agency comments. It is suggested that the planning proposal will need some further minor amendments once Council staff have progressed the increase in water allocation and discussions concerning road and community facilities infrastructure and a possible planning agreement.

A list of amendments made to the revised planning proposal is provided in Attachment 4.

**Implications*****Legal***

The planning proposal is being prepared under Part 3 of the *Environmental Planning and Assessment Act 1979*.

It is a rural planning principle of the State Environmental Planning Policy (Rural Lands) 2008 (7(h)), that development be consistent with applicable with local strategies endorsed by the Director-General. The *Bungendore Land Use Strategy and Structure Plan* August 2009 has been endorsed by the then Director-General.

***Policy***

The *Palerang Development Control Plan 2015* is applicable in considering all aspects of the potential development.

***Environmental***

Environmental matters have been considered in the environmental assessments, government agency submissions and the planning proposal.

***Sustainability***

The supply of water for this proposal has been considered in the Integrated Water Cycle Management Strategy and associated studies.

***Social / Cultural/ Economic***

Social, cultural and economic matters have been broadly considered in the environmental assessments, government agency submissions and the planning proposal. These will be considered in more detail in the current review of the *Bungendore Structure Plan*.

***Strategic***

The proposal is consistent (subject to an increased water allocation) with the currently endorsed *Bungendore Land Use Strategy and Structure Plan* August 2009.

***Engagement***

The body of the report has outlined the government agency consultation.

***Financial***

The environmental assessments have been paid for by the developer.



**12.2 North Elmslea (Part Lot 1 DP 798111) Planning Proposal, Tarago Road, Bungendore (Ref: C19838; Author: Thompson/Hogg) (Continued)**

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***Resources (including staff)***

Council's management plan provides for Council staff to assess and manage this planning proposal.









**Conclusion**

The report has provided Council with an update on the environmental assessments, the government agency responses and an updated planning proposal. It is concluded that at this stage there do not appear to any substantial impediments to the planning proposal proceeding to public exhibition except for, an increased allocation which guarantees the availability of water.

Given the above, it is recommended that Council delay the public exhibition of the planning proposal until Council receives written confirmation from NSW Department of Industry – Lands and Water that the water licence allocation for Bungendore will be increased to sufficiently accommodate the planning proposal on part Lot 1 DP 798111 to allow for the creation of approximately residential 309 lots.

It is also recommended that while the water allocation is being finalised, Council staff work with the developer on a preliminary road design and the details of a planning agreement in relation to the impacts on Tarago Road including road intersections and a contribution towards community facilities. For this site and any other it is proposed that water and sewer contributions plans under the *Local Government Act* be prepared.

**Attachments**

- Attachment 1  Gateway Determination - 27 April 2015 (*Under Separate Cover*)
- Attachment 2  March 2018 Revised Planning Proposal (sent to government agencies) (*Under Separate Cover*)
- Attachment 3  February 2019 Revised Planning Proposal (updates following government agency consultation) (*Under Separate Cover*)
- Attachment 4  List Amendments Included in the February 2019 Revised Planning Proposal (*Under Separate Cover*)
- Attachment 5  Environmental Assessments (*Under Separate Cover*)
- Attachment 6  Flora and Fauna Assessments (*Under Separate Cover*)
- Attachment 7  Government Agency Response (*Under Separate Cover*)
- Attachment 8  Summary of Government Agency Submissions and Responses to them (*Under Separate Cover*)

**12.3 Sutton Planning Proposal (Lot 3, DP 1074706 - Goolabri Drive) (Ref: C19844;  
Author: Thompson/Hogg)**

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**Summary**

The purpose of this report is to update Council on the planning proposal for Lot 3 DP 1074706, Goolabri Drive, Sutton as well as the associated reports for bushfire, Aboriginal cultural heritage and flora and fauna.

The planning proposal seeks to amend Schedule 1 of the *Palerang Local Environmental Plan 2014* to enable the subdivision of Lot 3 DP 1074706 which is zoned E4 Environmental Living into no more than six residential lots and one residual lot.

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**Recommendation**

**That:**

- 1. Council receive and note the bushfire, Aboriginal cultural heritage and flora and fauna reports and the amended planning proposal, February 2019 for Lot 3 DP 1074706.**
  - 2. The amended planning proposal dated February 2019, for Lot 3 DP 10747706 be progressed and forwarded to the Rural Fire Service and NSW Office of Environment and Heritage along with the relevant amended bushfire report, Aboriginal cultural heritage study and flora and fauna reports.**
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**Background**

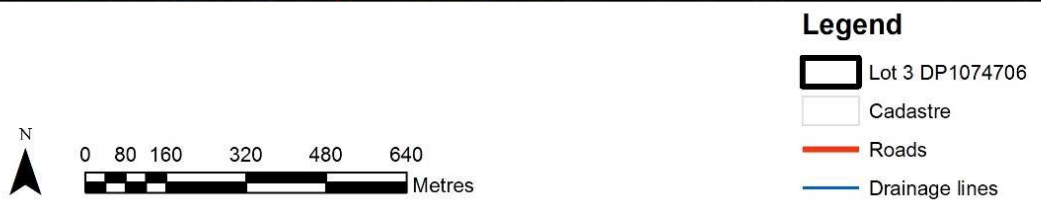
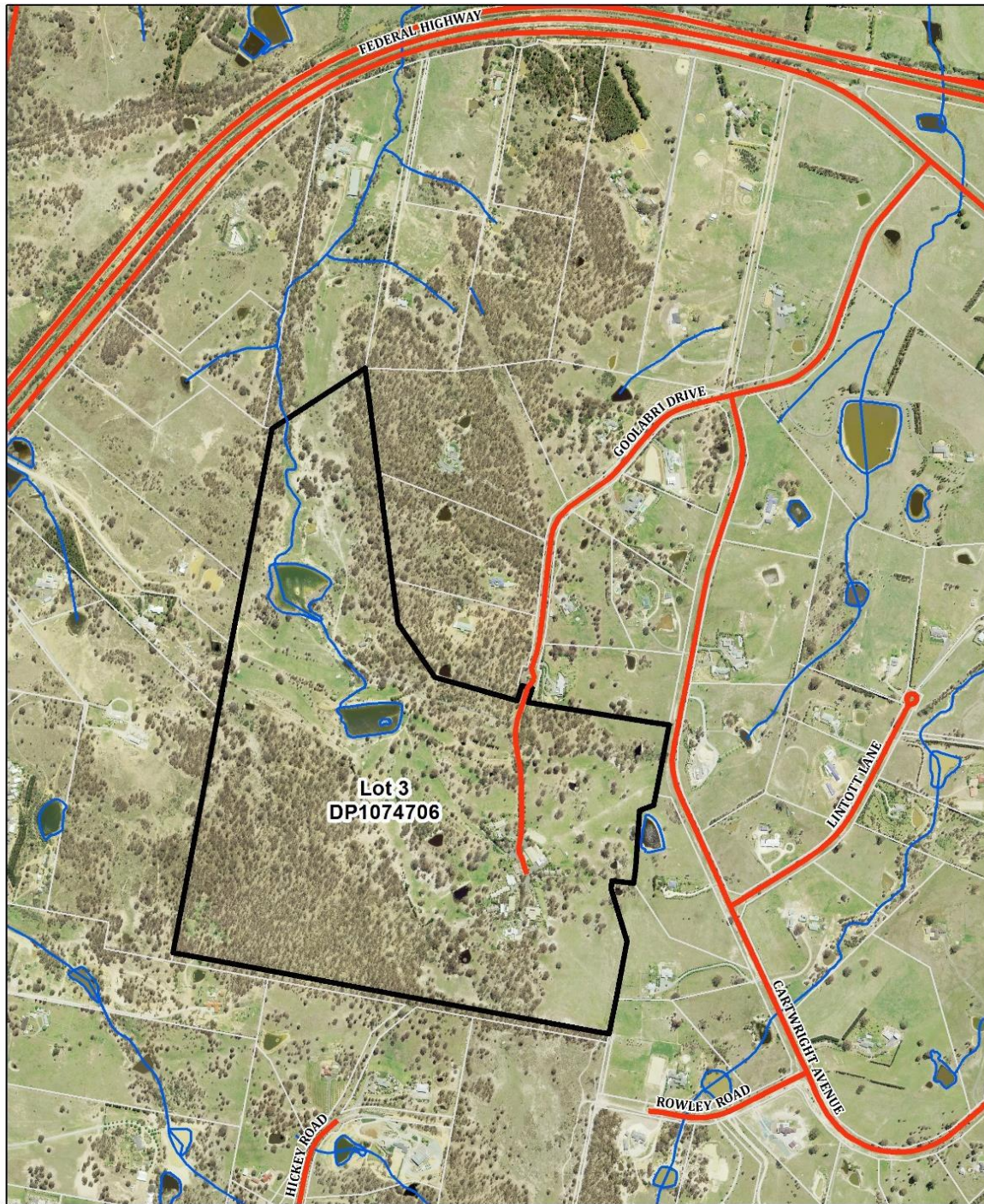
This planning proposal seeks to amend Schedule 1 of *Palerang Local Environmental Plan 2014* (PLEP) to permit with development consent the subdivision of Lot 3 DP 1074706 at Goolabri Drive, Sutton to create six residential lots and one residue lot on E4 Environmental Living zoned land.

A draft planning proposal and accompanying environmental assessments were submitted to Council in 2015 seeking the subdivision of Lot 3 DP 1074706 for residential lots. Council staff revised the draft planning proposal to include an amendment of Schedule 1 and to comply with the NSW Department of Planning and Environment's requirements. It should be noted that the planning proposal also includes a subdivision layout. This should be considered as a draft which will be finalised as part of the subdivision process if the planning proposal is gazetted.

The planning proposal includes a history of Lot 3 DP 1074706 (Figure 1 below) and the justification for the need to amend Schedule 1 of the PLEP.



12.3 Sutton Planning Proposal (Lot 3, DP 1074706 - Goolabri Drive) (Ref: C19844; Author: Thompson/Hogg) (Continued)



**Figure 1 – Lot 3 DP1074706, Goolabri Drive, Sutton**



**12.3 Sutton Planning Proposal (Lot 3, DP 1074706 - Goolabri Drive) (Ref: C19844; Author: Thompson/Hogg) (Continued)**

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The planning proposal and associated reports (environmental assessments) were considered at the meeting of the former Palerang Council on 3 December 2015. As a result Council resolved the following (240/2015):

*Council refer the planning proposal at Attachment 1 for the amendment of schedule 1 of the Palerang Local Environmental plan 2014 to allow the subdivision of Lot 3 DP 1074706 to the Minister for planning for a Gateway Determination in accordance with section 56 of the NSW Environmental Planning and Assessment Act 1979.*

The Department of Planning and Environment requested that Council make some minor amendments to the planning proposal considered by Council, which staff did. The amended planning proposal was submitted to the Department on 8 July 2016 (Attachment 1). A Gateway Determination was issued on 4 August 2016 (Attachment 3).

The Gateway Determination required that the plan be made within 12 months of the date of the determination. Condition 5 of the Gateway Determination has subsequently been amended to *completing the LEP is by 4 August 2019* (Attachment 4).

The Gateway Determination requires that Council consult with the Office of Environment and Heritage (OEH) and the NSW Rural Fire Service (RFS). Consequently, the draft planning proposal and supporting background studies were forwarded to these agencies for comment. These documents are not included as attachments to this report. However, they can be found on the NSW Department of Planning Local Environmental Plan tracking website found at <http://leptracking.planning.nsw.gov.au/currentproposal.php>.

In September 2016, the OEH participated in a site inspection with Council and subsequently advised that an updated flora and fauna report was necessary to provide additional information regarding the vegetation community types, location of any hollow bearing trees, the extent of any clearing and the location of nominated building envelopes.

As Aboriginal objects had already been located on the lot, the OEH also required that a new archaeological survey be undertaken and additional information be provided including the length and placement of the survey transects.

The RFS required a revised bush fire assessment report be prepared demonstrating compliance with Planning for Bush Fire Protection 2006. The RFS also requested information regarding the existing land uses on the site.

To address the comments of the agencies Council engaged consultants to undertake the above work at the applicants' cost.

**Reports (Environmental Assessments)**

The new reports have been considered by staff who comment as follows.

*Aboriginal Cultural Heritage*

The report undertaken by OzArk Environmental and Heritage Management outlines the method used for the assessment and the findings (Attachment 5).

The following sections are from the report's Executive Summary:

*...The desktop assessment found that four Aboriginal site recordings previously registered with AHIMS were located within the study area. These sites are an artefact scatter Goolabri 1 (57-2-1015) and three isolated finds, IA9 (57-2-0206), IA10 (57-2-0200), and IA3 (57-2-0194). However, consultation of the original report found that the AHIMS coordinates for IA3 (57-2-0194) are wrong and that the site is not located in the study area.*

*A visual inspection of the study area was undertaken by OzArk Principal Archaeologist, Ben Churcher, on 15 March 2018 to ground-truth the findings of the desktop assessment.*

**12.3 Sutton Planning Proposal (Lot 3, DP 1074706 - Goolabri Drive) (Ref: C19844;  
Author: Thompson/Hogg) (Continued)**

*The artefact scatter Goolabri 1 (#57-2-1015) was located and found to still be visible in the landscape. No evidence of IA9 (#57-2-0206) or (#57-2-0200) could be found, however, the AHIMS locations match the site description in the report and it must be assumed that the artefacts are obscured and that the sites remain valid.*

*No new Aboriginal sites were identified during this assessment and no landforms of archaeological potential were assessed as being present.*

*It was determined that all Aboriginal objects present in the study area could be avoided. As such, works associated with the proposal are not expected to harm Aboriginal cultural heritage items or places.*

*To ensure the greatest possible protection to the area's Aboriginal cultural heritage values, the following recommendations are made:*

- 1) The proposed work may proceed at Lot 3 DP 1074706 without further archaeological investigation under the following conditions:"*

The report lists five conditions regarding working within the site, observing legislative protocols, the location of the sites and the Unanticipated Finds Protocol.

The report also states that it should be sent to the Registered Aboriginal Parties (RAPs) as a courtesy and to ensure that they are informed that the current assessment will not be progressing further and that an Aboriginal Heritage Impact Permit is not required. Staff will undertake this once the report has been reviewed by the OEH.

Attachment 6 is an aerial showing the study area reported on.

#### *Flora and fauna*

The flora and fauna assessment was undertaken by Eco Logical Australia (Attachment 7). The study area contained six vegetation zones comprising two native vegetation communities: Plant Community Type (PCT) 1330 Yellow Box- Blakely's Red Gum Grassy Woodland and PCT 1093 Red Stringybark – Brittle Gum – Inland Scribbly Gum dry open forest (p28).

The report observes (p29):

*The study area supports a range of habitat features likely to be utilised by native birds, common arboreal mammals and microchiropteran bats including potentially threatened bird or micobat species. These habitat features should be retained in the future via strategic layout of future development to avoid and/or minimise impacts.*

It should be noted that the brief for the flora and fauna report was prepared at the time the new *Biodiversity Act 2016* was being introduced and its requirements for the assessment and removal of native vegetation to be undertaken at subdivision stage had not been finalised. Given this, it is likely that at subdivision stage (assuming that the planning proposal proceeds) that a revised flora and fauna assessment is required that meets the requirements of the new Act and possibly environmental offsets, if clearing is required (refer to p31-31 of the flora and fauna report).

The report (Figure 4, p30) shows the access area for the proposed lot 1 contains native vegetation that is listed under Commonwealth and NSW legislation.

Additionally, the report identifies the proposed residual lot as having native vegetation, some of which is significant. Whilst there is an older management plan for this area it is suggested that a conservation agreement for the area be considered at the time of subdivision.

The report recommendations (p33) are as follows:

## 5 Recommendations

The following measures are recommended to mitigate or minimise the potential impacts of the proposal on native flora and fauna present within the subject land:

- Design the proposal to avoid any impacts to hollow-bearing trees and the EPBC Act listed CEEC.
- Confine all impact areas (building envelopes, infrastructure footprints) to lands mapped as Vegetation Zone 6 Exotic Pasture and Native/Exotic Plantings, to the greatest extent possible to minimise impacts, but also to minimise likely offset obligations.
- Any waterway crossings should be designed and constructed in accordance with the national guidelines entitled '*Why do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings*' (Fairfull and Witheridge 2003). Crossings are to be designed to allow adequate fish passage during operation. The crossings are on Class 3 – Minimal key fish habitat and culvert or fords are the preferred crossing type (in that order) for Class 3 waterways.
- Consider updating and finalising the Vegetation Management Plan for the subject land, with a particular emphasis on managing and restoring the areas of TEC, establishing the vegetated riparian zone and retaining remnant mature trees.
- Develop a Construction Environmental Management Plan (CEMP) to address potential pollution and contamination issues, such as silt control and oil/fuel/chemical storage/spill management, which could arise during construction, and to incorporate Unexpected Find and Pre-clearing and Clearing Supervision procedures (particularly focussed on avoiding impacts to hollow-dependent fauna).

Given the above, it is suggested that the report be discussed with OEH to obtain an understanding of the requirements of the new *Biodiversity Conservation Act 2016* and the implications for this at subdivision stage.

### *Bushfire*

The bush fire assessment was undertaken by Eco Logical Australia (Attachment 8). The recommendations in the report (p15) are below:

## 7 Recommendations

This report presents a Bushfire Protection Assessment of a planning proposal for proposed residential subdivision of the site. Recommendations on how to achieve compliance with s100B *Rural Fires Act 1997*, Clause 44 of the *Rural Fires Regulation 2013* and 'Planning for Bush Fire Protection 2006' are located within Section 3 – Bushfire Protection Measures. They include the provision of Asset Protection Zones (APZs), adequate access, water supply for firefighting, the safe installation of utilities, and discussion of building construction standards for future dwellings.

All opportunities / constraints identified should be considered in conjunction with any environmental impact and rezoning studies. The most crucial bushfire protection measures that will require careful design of the proposed subdivision relate to the provision of APZs and the provision of safe firefighting access.

It is recommended that the minimum APZs applied to the development are those corresponding with BAL-29 construction under AS 3959-2009 both to pre-empt any likely changes to PBP (a revised version is expected to be released during 2018) and to avoid high construction costs and minimise material/design constraints for future dwellings within the proposed subdivision.

Access to the proposed development requires design in accord with the PBP specifications in Table 6, Table 7 and Table 8.

Provision of appropriate APZs and safe firefighting access for the proposed subdivision are critical factors to obtaining approval from the NSW Rural Fire Service for any future residential development of the subject land.

Appendix B Access specifications (p18) of the report is important particularly in regard to the need for *at least one alternative property access road for individual dwellings that are located more than 200 metres from a public through road*. The report states that the proposal can comply. This will need to be demonstrated as part of the subdivision application.

### *Revised Planning Proposal*

A revised planning proposal (February 2019) has been prepared (Attachment 2) taking into account the findings of the above. To date the following amendments have been made to the planning proposal:

- Minor typographical amendments
- Addition of the reports in the Attachments
- Insertion of comment regarding the updated reports (under Introduction)
- Reference to the new regional strategy (Section B)
- Update of the table in relation to applicable *State Environmental Planning Policies* (Question 5)
- Inclusion of comments relating to flora and fauna, Aboriginal cultural heritage and bush fire (Section C)
- Update of the number of dwellings on the lot (Question 8, effluent disposal)
- Update of the project timeline (Part 6).

### **Implications**

#### ***Environmental***

As stated above the revised report for bushfire, Aboriginal cultural heritage and flora and fauna have been undertaken. There are matters in relation to both bushfire and flora and



### 12.3 Sutton Planning Proposal (Lot 3, DP 1074706 - Goolabri Drive) (Ref: C19844; Author: Thompson/Hogg) (Continued)

fauna which require discussion with the RFS and OEH. Once submissions have been received from these agencies discussion may occur.

#### **Strategic**

As stated in the planning proposal (p12) the land is currently zoned E4 Environmental Living and there is no need to amend the landuse zone for the planning proposal to proceed. The proposed lots are similar to existing lots in the E4 Environmental Living landuse zone. The proposal is not inconsistent with the Rural Lands Strategy and the South East and Tablelands Regional Plan 2036.

#### **Engagement**

The amended planning proposal and the report listed above will be forwarded to the RFS and OEH for comment. The responses of these organisations will be assessed by staff and if required amendments made to the planning proposal. This planning proposal and the report will then be placed on public exhibition. Following this, the community and government agency submissions will be reported to Council.











#### **Financial**

The property owners' have funded the background reports and paid an application fee under the former Palerang Council management plan. The assessment and management of the planning proposal by Council staff is allowed for in the Land Use Planning Branch's budget.

#### **Conclusion**

At this stage of the planning proposal there do not appear to be any major impediments to it proceeding to the consultation stage. Matters such as the management of high environmental value native vegetation and a secondary access in the event of a bush fire emergency will need to be discussed with the RFS and OEH prior to the public exhibition and the outcome of this considered at the subdivision stage. As such it is recommended that the revised planning proposal, February 2019 be forwarded to the RFS and OEH for comment and then a public exhibition for 28 days be held. If necessary the planning proposal will be further amended to include comment from these agencies.

#### **Attachments**

- Attachment 1  Planning proposal Lot 3 DP 1074706 2016 *(Under Separate Cover)*
- Attachment 2  Planning Proposal Lot 3 DP 1074706 February 2019 *(Under Separate Cover)*
- Attachment 3  Gateway Determination Original August 2016 *(Under Separate Cover)*
- Attachment 4  Gateway Determination Extension to 4 August 2019 *(Under Separate Cover)*
- Attachment 5  Aboriginal Cultural Heritage Report *(Under Separate Cover)*
- Attachment 6  Aboriginal Cultural Heritage Site *(Under Separate Cover)* -  
**CONFIDENTIAL**
- Attachment 7  Flora and Fauna Report *(Under Separate Cover)*
- Attachment 8  Bush Fire Report *(Under Separate Cover)*
- Attachment 9  Office of Environment and Heritage Response *(Under Separate Cover)*
- Attachment 10  NSW Rural Fire Service Response *(Under Separate Cover)*





**12.4 Jumping Creek - Future Management and Dedication of Open Space (Ref: C1919371; Author: Thompson/Brown)**

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**Summary**

The purpose of this report is to advise the Council in respect of potential options for the future ownership and management of open space land at Jumping Creek. This matter has arisen because Jumping Creek has been rezoned and a development application is being prepared through the developers for submission to Council.

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**Recommendation**

**That Council:**

- 1. Receive and note the report.**
  - 2. Agree to accept residual E2 and RE1 zoned land at Jumping Creek for future ownership and management subject to that land being improved and remediated consistent with plans to be approved by Council.**
  - 3. Agree to Option One in respect of future land dedication at Jumping Creek.**
- 

**Background**

Over the past 12 months, Council staff have been in discussions with the Developers of Jumping Creek (PEET) regarding potential options for the future management of land identified as unsuitable for future residential development. This is consistent with Council's previous resolution of 14 February 2018 (PLA007/18) where following further discussions, initial options for management of the non-developable parts of the site land were submitted by PEET for consideration.

PEET are now finalising potential subdivision options for the site with a view to submitting a development application in the near future. This requires confirmation of the land intended to be dedicated to Council for future management. A decision from Council as to the land which will be dedicated for future dedication and management by Council will allow the developer to finalise the subdivision design.

***The Jumping Creek Site***

As Council is aware, significant areas of Jumping Creek have experienced various forms of environmental degradation resulting from historical mining activities, rural uses and ongoing disturbance from recreational vehicles. This has encouraged significant vegetation loss and soil erosion on the site which has in turn promoted weed growth and sedimentation deposits in Jumping Creek itself (and subsequently the Queanbeyan River).

Whilst parts of the site have been identified as suitable for E4 Environmental Living development (up to 250 lots), many other parts of the site have considerable constraints that preclude development. These constraints include:

- steep slopes,
- contamination,
- land with significant environmental values, and
- riparian lands.

Land with these constraints has been zoned a combination of E2 Environmental Conservation and RE1 Public Recreation (see Attachment 1). If development at Jumping Creek proceeds, these areas will need to be managed as open space, or alternatively, potentially incorporated into lands intended to be used for residential development.

**12.4 Jumping Creek - Future Management and Dedication of Open Space (Ref: C1919371; Author: Thompson/Brown) (Continued)**

As noted in the 14 February 2018 report, Council is generally reluctant to take over the management of residual land from development proposals due to the maintenance liability this can create. Regardless, the Jumping Creek site does have environmental and other values that are considered of interest and importance. With appropriate improvements and works to manage the environmental impacts discussed previously, there is merit in considering these residual lands for future public ownership.

The site has a frontage of approximately 1km to the Queanbeyan River and contains significant environmental, heritage and cultural values that could be of significant interest to the broader community. It would also give Council long-term ownership of the Jumping Creek tributary itself and the capacity to better manage existing sediment run-off into the Queanbeyan River. Low-impact recreational uses such as walking and cycling may also be appropriate for the site although this would need to be further investigated.

The residual lands also contain part of the Queanbeyan River Pathway Cultural Site that was identified through the Ellerton Drive Extension Aboriginal consultation.

Discussions with the developers have resulted in two potential options in respect of the future management of the residual lands at Jumping Creek. These are:

*Option One* – This option would see a total area of 55.84ha of land at the site managed by Council into the future. This option is shown as the 'hatched' area at Figure 1 below. Council would then agree to the RE1 Public Recreation land, and, that part of the E2 Environmental Conservation land subject to the 80ha minimum lot size, being dedicated as future open space. Under this option the remaining area of 13.41ha of E2 Environmental Conservation land would remain in private ownership and be incorporated into 7 large rural residential allotments of approximately 2ha each. Each would have a single dwelling entitlement with that dwelling located on land zoned E4 Environmental Living. This land is generally steep sloping bushland which adjoins other bushland owned by Council, State Government and Ngambri Local Aboriginal Land Council.



**Future 1 – Option 1 land shown hatched**



**12.4 Jumping Creek - Future Management and Dedication of Open Space (Ref: C1919371; Author: Thompson/Brown) (Continued)**

*Option Two* – This option would see a total area of 69.25ha of land at the site managed by Council into the future. This option is shown as the 'hatched' area in Figure 2 below. Council agrees to all the E2 Environmental Conservation and RE1 Public Recreation land at the site being dedicated, including the additional land discussed above.



**Figure 2 – Option 2 land shown hatched**

The developer has indicated to Council that its preferred approach is Option One.

***Future Approach to Environmental Improvement Works***

Regardless of any future ownership arrangements intended for the land, it is important that the environmental improvements works necessary for the site are undertaken at the same time as any development (subdivision) occurs. It is considered reasonable that all necessary remediation works identified for the site be undertaken as a condition of consent for any subsequent development (subdivision) that may be approved.

Prior to Council accepting any residual land, the Developer will be required to rehabilitate the land in accordance with a Soil, Vegetation and Landscape Management Plan approved by Council. This is to ensure ongoing maintenance costs associated with managing the land into the future are minimised. The Developer will also be required to enhance the land consistent with this plan. This plan will be required as a condition of any development approval for the site.

**Implications*****Environmental***

The development of Jumping Creek represents an opportunity to address ongoing land degradation at the site. Subject to appropriate remediation beforehand, public ownership of

**12.4 Jumping Creek - Future Management and Dedication of Open Space (Ref: C1919371; Author: Thompson/Brown) (Continued)**

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the site by Council can assist in addressing soil erosion, weed management, contamination and sedimentation movement into the Queanbeyan River and the long term protection of two important environmental assets being the Queanbeyan River Corridor and part of the Eastern Escarpment.

**Asset**

Council will be acquiring new open space at Jumping Creek to be managed into the future. Some areas are important to provide more formal recreational open space for the residents of Jumping Creek. Other areas such as the River corridor are important biodiversity and access ways that should be managed by Council in perpetuity. Much of the remainder will be managed bushland suitable for passive recreational pursuits.

Council must ensure that any new land dedicated for its management has been appropriately remediated/repared to ensure it does not inherit any maintenance responsibilities for the site. Option 1 minimises the land that Council will need to manage into the future.

**Strategic**

Development at Jumping Creek is consistent with Council's adopted *Queanbeyan Residential and Economic Strategy 2015-2031*. The Strategy also seeks to ensure the environmental impacts associated with residential development are minimised.

**Financial**

At this stage the only cost to Council is the preparation of this report. However, in the longer term there are potentially considerable financial implications depending on which Option that Council takes. Option 1 would be the cheaper option for Council with less land to manage in the long term. Placing some of the E2 land into private ownership also assists in restricting unauthorised access to the area through the Cuumbuen Nature Reserve to the east.

**Resources (including staff)**

Future management of land at Jumping Creek will require additional Council resources, however it is intended that the significant costs associated with rehabilitating the land be borne by the developer prior to the land being received by Council.

**Conclusion**

There are significant benefits to Council accepting the residual land at the Jumping Creek for future management as discussed above in the report. Accordingly, it is recommended Council agree to accept the identified residual land at Jumping Creek once the area has been improved consistent with the management plans discussed above.

It is considered that Option One will result in a lesser long-term maintenance requirement for Council into the future and it is recommended that Council agree with this option.

**Attachments**

Attachment 1  Jumping Creek Zoning Overlay (*Under Separate Cover*)

**12.5 Potential Off-lead Dog Areas - Bungendore (Ref: C1917063; Author: Thompson/Geyer)**

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**Summary**

Over the past year, Council has had a number of representations requesting fencing of the Bungendore dog off-leash area. Staff have investigated options for the existing area and alternative sites to meet community needs. This report provides details of the outcome of those investigations.

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**Recommendation**

**That Council:**

- 1. Place the potential dog park locations on public exhibition.**
  - 2. Consider funding options during the 2019-2020 budget process.**
- 

**Background**

Bungendore currently has an off-leash area dog area at 18 Turallo Terrace, between the scout hall and Turallo Creek, however there is no infrastructure at this location. Dog parks are becoming increasingly popular and councils across the country are coming under increased pressure for more dog parks to be established.

Two options were considered during the investigations. The first option is to fence an existing site and add seating, water and shade. Alternatively an alternate site with similar attributes could be identified. It is estimated a basic dog park can be established for between \$50,000 and \$75,000, excluding off-street parking. This estimate allows for rural style dog fencing, seating and shelter and a water supply into the site for both human and dog consumption.

**1. Existing location**

While the site is open parkland, it is not fenced and dogs can currently access the creek and the road. This concern was raised by the community and presents a real issue for dog owners. The site is also devoid of any trees or other infrastructure. These elements need to be designed into a dog park if it is to be serviceable to the community. This location presents a real challenge for fencing due to the floodway directly impacting the site. This site also has potential for use as open space for scouting activities by the local scout group currently building next door.

**2. New Location - 12 Birch Drive, Bungendore**

Within the same length of parkland is an area, off Birch Drive, which has a good stand of established trees and has good access to housing estates via the existing shared path network. While the site will still require fencing, water and seating, the trees are a great asset.



**12.5 Potential Off-lead Dog Areas - Bungendore (Ref: C1917063; Author: Thompson/Geyer) (Continued)**

Figure 1 below shows the abovementioned locations.



**Figure 1 – Existing and Proposed Dog Park Locations**

While both sites are suitable to walk or exercise dogs, the Birch Drive site is superior as a Dog Park location. This would also retain the open space at Turallo Street for community recreation. It is recommended both sites be placed on public exhibition and seek community feedback, with a further report to return to Council.

**Implications*****Legal***

Both sites are Community Land and the activity would be in keeping with the *Local Government Act* and *Companion Animals Act*.

***Social / Cultural***

A dog park in Bungendore would provide a valuable community asset and enrich the social fabric of the town. Dog parks become popular meeting places for dog owners and the dogs as well. Other locations where dog parks have been established have developed a strong social identity and support from the community.

***Engagement***

While the initial requests for fencing a dog off lead area came from the community, it is appropriate that the proposed locations be exhibited and feedback sought on the suitability and other attributes of the respective sites. Based on community feedback, Council can then make an informed decision on the preferred location of a dog park for Bungendore.

**12.5 Potential Off-lead Dog Areas - Bungendore (Ref: C1917063; Author: Thompson/Geyer) (Continued)**

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***Financial***

A fenced and serviced dog park is estimated to cost \$50,000-\$75,000, with a further \$30,000 if off street parking is required. These estimates and funding options would need to be considered as part of the 2019-2020, or future, budget process.

**Conclusion**

While the concept of creating a dog park at Bungendore has merit, the community engagement process will assist Council in determining the best site and where the project sits within the delivery plan priorities. Exhibiting over March will allow time for the project to be considered before Council adopts its budgets in the coming months.

**Attachments**

Nil



**12.6 Tender RFT 2019-11 - Underground Creek Piping at Braidwood Recreation Ground (Ref: C1917180; Author: Thompson/Sibbick)**

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**Summary**

As part of the continuing upgrade works at the Braidwood Recreation Grounds, Council called for tenders via Tenderlink for qualified contractors to design and construct a culvert to pipe the creek at the Ground. One tender submission was received and that submission was well in excess of the budget allocated for this project. It is believed that the best approach will be for Council staff to project manage the scope internally.

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**Recommendation**

**That:**

- 1. Not accept the tender submission for underground creek piping at the Braidwood Recreation Ground.**
  - 2. Construction of the project be managed in-house by Council staff, utilising Council's pre-approved trade panels where possible.**
- 

**Background**

The Braidwood Recreation Ground (BRG) is located in the south-east segment of Braidwood village, bounded by Araluen Street to the west, Bowler Street to the south, Clyde Street to the east and Keder Street to the north (refer aerial view at Figure 1 below). The BRG currently consists of one full sized football field and one smaller football field; four enclosed tennis courts and related facility building; BMX track and fenced netball/basketball courts.

Council has previously prepared a review of environmental factors titled 'The Braidwood Recreation Grounds Re-Development Project' (the Review – Attachment 2). Some of the projects mentioned in the Review have proceeded including new LED flood lighting which was recently installed on the football fields and in the recent past a new facilities building was constructed to replace the former smaller facility building.

In addition, the Stronger Country Communities Fund Round 2 of \$250,000 is funding further upgrades including installation of new playground equipment; tiered spectator seating at the playing fields; picnic tables and seats including shelters and car park work.

The Review also included the piping of a section of the creek at the Ground. The Review detailed concepts and information required for tenderers to design and construct the culvert. The creek piping will involve a clean-up/clearing of the creek and construction of a culvert and overland flow-path. When complete, the creek work will allow an extension of the sports playing surfaces and will improve access across the Braidwood Recreation Ground.

A Request for Tender for the design and construction of a culvert to pipe the creek was uploaded to Tenderlink on 22 January 2019 and closed on 13 February 2019. There were 50 online Tenderlink searches and the tender documents were downloaded by 24 suppliers.

At the mandatory pre-tender site inspection held on Wednesday 30 January 2019, one Tenderer attended, being Tenderer No. 1.

A tender evaluation was carried out by the Evaluation Committee on 15 February 2019 and it was determined that the tender as submitted was well in excess of the budget allocated for this project. A copy of the Tender Evaluation Report is provided in Attachment 1.



12.6 Tender RFT 2019-11 - Underground Creek Piping at Braidwood Recreation Ground (Ref: C1917180; Author: Thompson/Sibbick) (Continued)



**Figure 1: Aerial View of Braidwood Recreation Ground (Google maps) indicating the creek dissecting the site and approximate length of creek to be piped as part of this project.**

### **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.

#### **Environmental**

The BRG sits within the township of Braidwood and is within the Braidwood heritage area. All relevant approvals from the Office of Environment and Heritage (OEH) are required when



**12.6 Tender RFT 2019-11 - Underground Creek Piping at Braidwood Recreation Ground (Ref: C1917180; Author: Thompson/Sibbick) (Continued)**

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undertaking any work within the Braidwood Recreation Ground. Verbal approvals have been received for the creek piping work from the OEH with formal approvals in progress.

Part 5 of the EP&A Act 1979 requires that determining authorities consider environmental impacts of such projects and s228 of the EP&A Regulation 2000 has been factored into the project.

Consultation has occurred with NSW Department of Primary Industries (DPI), Fisheries, who have no interest in this work. Confirmation from DPI Water regarding overland flows are pending.

The piping of the creek will ensure optimal use of space within the BRG and will have minimal impact on upstream and downstream reaches, with existing bank stabilisation remaining intact and no directional adjustments to the stream. The creek would be canalised for 55m within a concrete culvert.

**Asset**

The piping will be included in Council's assets register and will be maintained by Council staff.

**Social / Cultural/ Engagement**

The 'Review of Environmental Factors – Braidwood Recreation Ground', notes that this project has wide community support and has been developed in response to the expressed needs of the local sporting clubs.

Many letters and expressions of support were received from the community including from the Braidwood Central School, St Bedes School, Redbacks Senior Rugby Club, Redbacks Junior Rugby Club, Braidwood Soccer, Braidwood Tennis Club and Braidwood Rugby League Club. These letters have confirmed the need for the project to upgrade the BRG. When complete the BRG will adequately cater for training, playing and recreational activities within the township and surrounding rural areas.

This project is beneficial to the community for many reasons, including the BRG being a hub for community interaction; emphasising the value of physical activity for all; and fuelling collective enthusiasm for participation in social and team sports and other physical activities.

**Economic**

The overall upgrade to the BRG will render it an option for sporting events and carnivals in the region and with that flows economic benefits to the town. The grounds currently, are rarely utilised for regional events.

**Financial**

A project budget of \$300,000 for design and construction of the creek piping has been allocated under the Stronger Communities Fund (\$9M).

If managed in-house, Council staff experienced in project management will have control of the project, with the objective being to clear the section of creek and install underground piping work within the allocated budget.

**Resources (including staff)**

Staff within Council's Urban Landscapes team will be responsible for managing this project.


**12.6 Tender RFT 2019-11 - Underground Creek Piping at Braidwood Recreation Ground (Ref: C1917180; Author: Thompson/Sibbick) (Continued)**

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**Conclusion**

The Tender received is significantly higher than the available budget and cost estimate for this project. Council staff have sufficient experience to undertake management of this project in-house utilising approved contractors from Council's adopted Trade Services Panel.

**Attachments**

- Attachment 1 Tender Evaluation Report - Creek Piping - Braidwood Recreation Ground  
(*Under Separate Cover*) - **CONFIDENTIAL**
- Attachment 2  Braidwood Recreation Grounds Redevelopment Project (*Under Separate Cover*)

**12.7 IWCM Strategy - Palerang Communities (Ref: C1922486; Author: Hansen/Cunningham)**

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**Summary**

At its Ordinary meeting of 24 October 2018, Council considered a draft of the Palerang Communities IWCM strategy and resolved to place the document on public exhibition for a period of 28 days. This period concluded on 23 November with the receipt of three public submissions. The final draft strategy is now ready for Council's consideration and a recommendation for adoption is presented below.

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**Recommendation**

**That Council:**

- 1. Adopt the "Integrated Water Cycle Management Strategy – Palerang Communities".**
  - 2. Proceed to implement the measures according to the identified timeframes.**
  - 3. Consider the Strategy and measures in context with the draft Bungendore Structure Plan.**
- 

**Background**

Much of the background to the Integrated Water Cycle Management (IWCM) process has previously been described to Council, most recently in the report to Council's ordinary meeting of 24 October 2018. The final Strategy document aims to present a way forward in the development, management and operation of the Palerang Communities water and sewerage schemes over the ensuing 30 year planning horizon.

Reviewable on a four year rolling program, the Strategy will be progressively refreshed and extended in time thereby maintaining its currency.

The focus of this strategy toward the schemes operated by the former Palerang Council (hence reference to "Palerang Communities") has its links to a number of historical influences. The first relates to the fact that the process commenced prior to the 12 May 2016 Local Government amalgamation. In light of this, and moreover the vast amount of data analysis and manipulation that had occurred prior, it simply made sense to continue along these lines. This Strategy is further reinforced by the fact that the Queanbeyan Communities IWCM, whilst underway, still has some way to go before it has similarly reached its "Strategy" stage. To attempt to combine the two at this late stage would have delayed the Palerang Communities assessment, thus affecting the currency of much of the modelling work and effectively delaying key decisions like the future of the Bungendore water supply. Any future consideration to combine Council's IWCM strategies would really only emerge should Council amalgamate the water and sewerage funds.

As it stands, Council continues to maintain separate externally restricted funds for both the Palerang and Queanbeyan water and sewerage enterprises which is consistent with the development of separate IWCM strategies.

**12.7 IWCM Strategy - Palerang Communities (Ref: C1922486; Author: Hansen/Cunningham) (Continued)**

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**The Strategy**

The final draft strategy (complete with all appendices) is contained as attachment 2 to this report. The executive summary (attachment 1) distils the key outcomes of the IWCM with key points listed below for ease of reference.

- The Integrated Water Cycle Management (IWCM) Strategy addresses six elements of the Best-Practice Management of the Water Supply and Sewerage Framework. It is a local water utility's (LWU's) 30-year strategy for the provision of appropriate, affordable, cost-effective and sustainable urban water services that meet community needs and protect public health and the environment. Preparation of an IWCM Strategy will also enable Council to comply with the NSW Government's Best-Practice Management of the Water Supply and Sewerage Framework.
- The development of Council's IWCM has followed the Department of Industry - Water (DI Water) methodology outlined in the IWCM Strategy Check List (July 2014). The following studies have been completed to date.
  - **IWCM Issues Paper** – identifying the IWCM Issues
  - **IWCM Options and Scenario Analysis Paper** – assessing the options to address the issues and evaluating the IWCM scenarios.
- This IWCM Strategy report contains a summary of all the outcomes. It outlines the adopted IWCM Scenario and includes a Total Asset Management Plan (TAMP) and a Financial Plan (FP).
- Palerang has three sewerage schemes servicing townships of Bungendore, Braidwood and Captains Flat. The other much smaller rural villages, as well as the considerable rural residential and rural areas in Palerang are serviced by on-site sewage management systems.
- The major factor contributing to growth in the former Palerang LGA are proposed major Greenfield developments at Bungendore which is expected to more than double the population of Bungendore over the next 10 years. The dwelling growth rates nominated by Council for Braidwood and Captains Flat are 1.2 and 0.2 percent respectively. Dwelling growth in Bungendore is estimated to currently be 10.0 percent, which is expected to decrease exponentially to around 1.1 percent by 2046.
- The key issues impacting on the Palerang Communities' water supply schemes include:
  - Work Health and Safety
  - Levels of Service
  - Best Practice
  - Regulatory
  - Water security
  - Performance
- The key issues impacting on the Palerang Communities' sewerage schemes include:
  - Unserviced communities
  - Catchment performance
  - Work Health and Safety

**12.7 IWCM Strategy - Palerang Communities (Ref: C1922486; Author: Hansen/Cunningham) (Continued)**

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- Levels of Service
  - Best Practice
  - Regulatory
  - Capacity
- Feasible options to address the IWCM issues were evaluated and assessed. The shortlisted options were combined in to three Shire-wide IWCM Scenarios (Table S1). The scenarios address all the identified issues. All the scenarios have common management system measures which relate to data and information management. The scenarios may be modified to reflect the priorities and preferences of individual communities and as a result of additional information and knowledge becoming available from ongoing investigations
  - For the purpose of Triple Bottom Line (TBL) analysis, a total of seven environmental and social targets have been used to score the IWCM Scenarios as to how they address the IWCM Issues
  - Financial models for the water and sewer funds of the IWCM Strategy - Palerang Communities for the adopted IWCM strategy have been developed to forecast the lowest, sustainable price path for the water supply and sewerage services on which to base Council's tariff structure. All costs and revenues in the input data and the model outcomes are in 2017/18 dollars unless stated otherwise.
  - The adopted IWCM scenario does not consider government grant or subsidy for any of the planned capital works for the financial modelling purposes
  - The IWCM Strategy is developed for a planning period of 30 years and is subject to a 4-yearly review cycle. The key assumptions and the renewals plan is reviewed during the 4-year mid-term review. A new strategy is developed after 8 years.

**Implications*****Policy***

The IWCM process represents the peak policy making mechanism for Council's water and sewerage businesses. It sets the scene for the next tranche of developments including a pricing review and review of s64 Developer Contributions. These two engagements are underway and will be the subject of further reports to Council.

***Environmental***

Environmental aspects were considered as part of the strategy development, particularly in respect of system performance for Council's sewerage enterprises. There were no major environmental issues identified although it is noted that Council is currently involved in a major upgrade of the Captains Flat sewage treatment plant, a goal of which is to improve environmental performance.

***Asset***

The IWCM process includes a detailed TAMP for the Palerang Communities which is now to be reviewed and updated on a 4 yearly basis.

**12.7 IWCM Strategy - Palerang Communities (Ref: C1922486; Author: Hansen/Cunningham) (Continued)**

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***Social / Cultural***

The IWCM process aims to project the water and sewerage environments over a 30 year timeframe. A significant component of this is predictive in terms of future demands; predominantly from urban growth – and particularly for Bungendore.

***Economic***

The further development of Bungendore is entirely dependent upon the issue of water. There can be no further greenfield development in and around Bungendore without the resolution of this issue. The IWCM has identified this as the issue of the study and it (together with the matter of wastewater treatment) forms the sole consideration for the scenario analyses; since all other issues are effectively covered by the BAU case. Economic development in this sense then is entirely dependent on securing a resolution to this issue.

***Engagement***

The IWCM process has been supported by staged consultation through the Project Reference Group (PRG) initiative. Constituency of the group was discussed in the body of the report and was determined by an earlier Council resolution. The report before Council follows a recent period of formal public exhibition whereby the draft strategy has been available for review and comment.

The Palerang Communities draft IWCM Strategy, as presented to Council on 24 October, was formally placed on public exhibition from that date until 23 November. At the close of the exhibition period a total of three formal submissions were received. These, together with addressing staff comments, are reproduced below for Council's information and consideration.

**Submission 1**

*QBN, Bungendore and Braidwood receive on average more than 500ml of rainfall PA. Is any of this harvested? (probably not). Any new public structures should incorporate rainwater harvesting technology (e.g. <https://www.vision-water.com/the-watercell/>). One square metre of roof area will capture approx. one litre of water for every one ml of rainfall. Private developments should be encouraged/subsidised to incorporate rainwater harvesting (this would reduce or delay the need for additional water infrastructure and in Bungendore's case reduce demand for artesian water).*

**Staff Comment**

Council has a long established strategy of encouraging/mandating residential developments to make better use of rainwater harvesting. For established dwellings a waterwise initiative has existed now for many years with a tranche of programs that variously aim to subsidise water efficient outcomes. One of these relates to the rollout of rainwater tanks. Waterwise is a voluntary or "opt in" initiative.

For new developments the mechanism is perhaps a bit more forthright whereby Council is able to require the establishment and use of waterwise initiatives (eg tanks). This is largely done through the BASIX program. Both Waterwise and BASIX are covered in the Issues paper (§ 5.2 and 5.8 respectively). Future modelling of water demands have taken account of the effects of these programs.

**12.7 IWCM Strategy - Palerang Communities (Ref: C1922486; Author: Hansen/Cunningham) (Continued)**

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Submission 2

*My worst fear is a return of Paltering [sic] Council. Please consider renaming this initiative.*

## Staff Comment

The history of the development of this strategy as a “Palerang Communities” document has been discussed above. The use of the term “Palerang” is only to give context to the scope of the strategy and to distinguish it from perhaps an LGA wide expectation. Fund wise, the reserves are still entitled “Palerang Water” and “Palerang Sewerage” as distinct from “Queanbeyan Water” and “Queanbeyan Sewerage” and it is noted that the term “Palerang” continues to feature prominently in Council’s gazetted corporate name.

The Palerang Communities IWCM Strategy in no way purports a return to a separate Palerang Council.

Submission 3

*Please remove flouride [sic] and toxic additives to all our water processing. Its links to cancer and other health risks is well researched and documented.*

## Staff Comment

All of Council’s water supplies are fluoridated. Those covered by this strategy are directly managed by Council staff under the provisions of the *Fluoridation of Public Water Supplies Act 1957 (NSW)*. This is a very prescriptive piece of legislation and is supported by the equally prescriptive *Fluoridation of Public Water Supplies Regulation 2017 (NSW)* and the *New South Wales Code of Practice for Fluoridation of Public Water Supplies*. Section 6B of the Act prevents Council (a Water Supply Authority) from discontinuing fluoridation without an approval and direction from the Secretary of the Department of Health.

The benefits of fluoride and other chemical additives (eg chlorine) are most certainly well researched and documented.

**Financial**

The IWCM process is also about financial sustainability. Sections 13 &14 of the strategy examine the financial implications of the TAMP and quantify the likely effect on the TRB. The plan also provides a detailed financial model for both schemes (ref appendices G and H)

**Conclusion**

The inaugural Palerang Communities IWCM project is complete. The process has identified some 24 issues in need of attention, the bulk of which are to be dealt with under the existing BAU scenario and strategies either already underway or yet to be developed.

Save the matters of water security and headworks capacity for the Bungendore Water Supply, all other identified issues are essentially associated with the ‘Business As Usual’ (BAU) case. That is to say, notwithstanding any consideration for the future of any greenfield development, Council’s existing revenue arrangements are sufficient to systematically address all identified BAU issues. Indeed, a number have already been addressed or otherwise are in the process of being addressed either through Council’s own resources or through the assistance of external consultants.

**12.7 IWCM Strategy - Palerang Communities (Ref: C1922486; Author: Hansen/Cunningham) (Continued)**

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The single largest issue that lies beyond the BAU scenario relates to the future of the Bungendore water supply and its ability to support future growth beyond its established village boundaries. Whereas it is Council's desire to not countenance any further greenfield development, then the IWCM process has assessed that its existing alluvial allocation and headworks capability is likely to be sufficient for the village's current and future needs; including anticipated infill development. In such a scenario the BAU arrangements would apply and the strategy will continue to focus on those issues discussed above under the existing revenue arrangements. Development beyond this will require additional investment both in terms of entitlement and headworks and it follows too that these requirements would extend to sewerage infrastructure.

If, on the other hand, Council is of a mind to embrace additional greenfield development for Bungendore, then the strategy has identified Scenario 2 as the most appropriate way forward. Scenario 2 contains a stage 2 option about ten years into the future whereby a decision about additional raw water sources can be made effectively allowing a switch between scenario 2 and 1 depending upon the prevailing conditions of the time. Notwithstanding this future decision point, and assuming a desire to facilitate additional greenfield development, an additional groundwater access entitlement is required now.

Council would be aware that some groundwater infrastructure development works have already been undertaken as a precursor to this option and that these works relate to the Lachlan Fold Belt fractured rock groundwater source. In an effort to secure an allocation from this resource an application for an additional access licence totalling 1 Gigalitre was lodged on 16 November 2017. It is understood that assessment and determination of this application is effectively stalled pending Council's adoption (or otherwise) of this strategy.

As far as revenue predictions go, the strategy predicts a 'no net change' to the combined Typical Residential Bill (TRB) between the BAU and Scenario 2 (or scenario 1 for that matter) options. This is achievable through the combined positive effects of s64 developer contributions, gifted assets and a historically robust user charging regime. The predicted neutral result is predicated however on an expected reduction in sewerage user charge and corresponding increase in water charge as determined by the strategy. Pending adoption, these charges would come into effect for the 2019/2020 financial year.

A number of additional and supporting revenue policies now need reviewing as part of the strategy outcome including the s64 developer contributions and single tier water usage charge. These reviews are currently underway and will be the subject of future reports to Council.

Based on assessments of current growth trends, the strategy predicts a projected population of just under 12,000 people within the 30 year strategy timeframe. Scenario 2 permits the means to facilitate this growth in a measured and staged way with opportunities to review and correct as required in line with the 4 year review cycle of the IWCM process. In financial terms, the strategy predicts a stable revenue arrangement consistent with current consolidated water/sewerage TRBs provided these are supported by appropriate pricing, loan borrowings and developer servicing plans. Many of these plans are now well progressed in their review/redevelopment.

The IWCMP should also be considered alongside the draft Bungendore Structure Plan.





**12.7 IWCM Strategy - Palerang Communities (Ref: C1922486; Author:  
Hansen/Cunningham) (Continued)**

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It is recommended that the Palerang Communities IWCM Strategy be adopted and that the issues and individual strategies contained therein be implemented in accordance with the timeframes identified.

**Attachments**

- Attachment 1  Executive Summary - Palerang IWCMP (*Under Separate Cover*)  
Attachment 2  Integrated Water Cycle Management Strategy - Palerang Communities  
(*Under Separate Cover*)



**12.8 South Bungendore Stormwater Masterplan (Ref: C18166931; Author: Hansen/Belcher)**

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**Summary**

This report provides a background to stormwater issues in the southern area of Bungendore, details the investigations undertaken to assess the issue, and identifies risks related to existing stormwater inundation in the study area.

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**Recommendation**

**That Council:**

- 1. Note the existing flood impacts in South Bungendore.**
  - 2. Place the draft masterplan on exhibition following discussions with potentially affected residents.**
  - 3. Provide a further report to Council that considers responses received during the exhibition period.**
- 

**Background**

The southern area of Bungendore (as shown on Figure 1) is developing rapidly and does not have a coordinated stormwater management strategy or plan for this area. Stormwater management is occurring in an ad-hoc manner and is constraining current and future development. In addition, the development is leaving Council with long-term management issues. Council recognised this, and resolved to prepare a Stormwater Strategy in October 2017.

Several properties in the area have an open stormwater channel flowing through the rear of their properties. Residents have raised with Council on a number of occasions their concerns including:

- occupant safety during rainfall events
- control of domestic animals
- frequency of flows
- encumbrance of private land

Council has received two reports on this matter and resolved the following:

**Resolution 136/17 (24 May 2017)**

*The Administrator resolved that Council:*

- 1. Endorse the proposal to investigate a joint stormwater trunk main project across lots 3 and 4 DP 976608.*
- 2. Investigate the development and execution of a deed of agreement between Council and the parties associated with the above lots where such an agreement can be*

**12.8 South Bungendore Stormwater Masterplan (Ref: C18166931; Author: Hansen/Belcher) (Continued)**

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*reached in relation to the apportionment of costs and the provision of a suitable drainage easement.*

- 3. Subject to the execution of any deed developed and agreed to by the parties in 2 above, authorise the payment of a contribution toward the works to the limit of funds voted as part of the 2016/17 operational plan.*
- 4. Opt not to proceed to formal tender for these works under the provision of section 55 (3)(i) of the Local Government Act 1993, with Council being of the opinion that the option currently before it represents extenuating circumstances and that it would be unlikely that more competitive tenders would be available under the alternate available option.*

**Resolution PLA287/17 (11 October 2017)**

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

This report details the investigations undertaken following on from Item 2 of resolution PLA287/17 – ie review the stormwater system in the southern area of Bungendore from King Street to the southern side of Trucking Yard Lane.

**Stormwater Masterplan**

Council staff engaged Calibre Pty Ltd to undertake a stormwater masterplan (and associated stormwater modelling) for the subject area. The main purpose of the study was to:

**12.8 South Bungendore Stormwater Masterplan (Ref: C18166931; Author: Hansen/Belcher) (Continued)**

- Quantify stormwater flows in the southern areas of Bungendore;
- Develop long-term strategies for the management of stormwater in the southern areas of Bungendore;
- Safely manage stormwater flows along existing drainage paths through residential properties;
- Manage and improve water quality within the catchment;
- Facilitate long-term management of stormwater infrastructure; and
- Provide a basis for the update of Section 94 contributions plans and Development Control Plans.

The study area is shown in the red area on the following figure. The area is generally bounded by King Street to the north, the Goulburn-Canberra railway to the east, Trucking Yard Lane to the south and the Kings Highway to the west. Upstream catchment areas were also considered.



**Figure 1: South Bungendore Study Area**

## 12.8 South Bungendore Stormwater Masterplan (Ref: C18166931; Author: Hansen/Belcher) (Continued)

Council has previously undertaken two studies related to the area. The first of these was the South Bungendore Flood Study undertaken by GHD in 2007. The second was the Bungendore Floodplain Risk Management Study, undertaken by WorleyParsons and completed in 2014.

### Existing Catchment Flows

Catchment flows were modelled using the software packages DRAINS and TUFLOW. Pipe network capacities and overland flow rates were determined using DRAINS. The overland flow paths, depths and velocities were then modelled using TUFLOW (a 2D model) and the overland flow rates derived from DRAINS. The modelled overland flows for the 1% AEP storm are shown in Figure 2.

It should be noted that to generate a worst case scenario, it has been assumed that Halfway Creek is concurrently conveying 1% AEP flows. As a result, the large flows in Halfway Creek prevent flows from the South Bungendore catchment draining away until after the peak of the Halfway Creek flood has passed.

As can be seen in Figure 2, significant areas of the study area are inundated in the 1% AEP event. Of particular note is the area adjacent to the overland flow path between Ellendon Street and Molonglo Street. Details of the flow rate, depth and velocity are shown in Table 1.

**Table 1: Overland flow characteristics at select locations**

Location	Description	Flow Rate (m <sup>3</sup> /s)	Velocity (m/s)	Flow Depth (m)	Provisional Hazard
A	Finch Street upstream of Ellendon Street	0.67	0.21	0.26	H1
B	Overland flow path on the northern boundary of 124A Ellendon Street upstream of the inverted concrete box culvert on Ellendon Street	2.15	0.46	0.19	H1
C	Ellendon Street at the inlet to the culverts under Ellendon Street	3.44	1.34	0.45	H2
D	Open swale immediately adjacent to Molonglo Street	3.58	0.70	0.71	H3

The provisional hazard at each location is also shown in Table 1. These have been taken from Book 6, Chapter 7 of *Australian Rainfall and Runoff – A Guide to Flood Estimation* (Commonwealth of Australia (Geoscience Australia) 2016). The provisional hazard categories are shown in Table 2. As can be seen in the two tables, the flows generated in a 1% AEP event at location D are considered to be unsafe for vehicles, children and the elderly.

**Table 2: Provisional Hazard Categories (Australian Rainfall and Runoff (AR&R), 2016)**

Hazard Vulnerability Classification	Description
H1	Generally safe for vehicles, people and buildings.
H2	Unsafe for small vehicles.
H3	Unsafe for vehicles, children and the elderly.
H4	Unsafe for vehicles and people.
H5	Unsafe for vehicles and people. All buildings vulnerable to

**12.8 South Bungendore Stormwater Masterplan (Ref: C18166931; Author: Hansen/Belcher) (Continued)**

	structural damage. Some less robust buildings subject to failure.
H6	Unsafe for vehicles and people. All building types considered vulnerable to failure.

The provisional hazard categories should be taken as a guide only. True hazard is also affected by additional factors such as the localised effect of buildings, fences and other structures, isolation during a flood, effective warning time and the rate of rise of the floodwaters. The attached confidential report references hazard categories as defined in the NSW Floodplain Development Manual. AR&R is a more recent guideline and is being adopted as the national standard for stormwater and floodplain modelling. In effect, there is little difference between the two on hazard categorisation, and the AR&R categorisation was selected for this report as it is considered to be more easily understood.

Further information on the modelling and outcomes is contained in the confidential attachment.

### Next Steps

A number of options for reducing the flood risks in the study area have been canvassed in the confidential attachment. All options, including the most effective option, involve the resumption of private land. To date, no discussions have been held with land owners that may be impacted by the proposed options. It is considered inappropriate to release the draft masterplan without first discussing the potential impacts with these owners.

It is envisaged that once these discussions are held the draft masterplan will be made public and consultation undertaken. Following consultation, a further report will be prepared for consideration by Council.

### Implications

#### **Legal**

Council enjoys a limited exemption from liability when, in good faith, it provides advice on flood liable land under s733 of the *Local Government Act 1993*. Failure to act on the information in this report may expose Council to liability. This information should be considered when assessing new development proposals in the study area.

#### **Asset**

Rectification of this issue will require Council to invest in replacing, augmenting or constructing new assets. It is not possible at this time to accurately determine what assets will be required.

#### **Social / Cultural**

The existing conditions expose residents to hazards that may result in damage to structures or injury and loss of life for more vulnerable people in the community.

#### **Strategic**

This information will be used to inform the Bungendore Structure Plan which is currently under development.

**12.8 South Bungendore Stormwater Masterplan (Ref: C18166931; Author: Hansen/Belcher) (Continued)**

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***Engagement***

Community engagement will be undertaken through Council's normal engagement platforms following discussions with potentially impacted land owners.

***Financial***

Any works arising from this investigation will likely require significant funds. At this stage it is not possible to determine with any confidence the likely cost of any works. It may be possible to reduce direct costs to Council through voluntary planning agreements, section 7.11 or 64 contributions or grant funding, or consideration ultimately of a stormwater levy.

**Conclusion**

Stormwater inundation in the southern area of Bungendore has been a long-standing issue. Council has previously resolved to investigate the matter and this report details the findings of this investigation. This report recommends consultation with the community on the available options for Council to manage the stormwater risk in this area of Bungendore.

**Attachments**

- Attachment 1  Figure 2 - Existing Inundation (*Under Separate Cover*)  
Attachment 2 Final Draft South Bungendore Stormwater Masterplan (*Under Separate Cover*) - **CONFIDENTIAL**



12.9 Six-monthly report on Delivery Program 2018-21 (Ref: C1922357; Author: Richards/Tozer)

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**Summary**

The Delivery Program 2018-21 was adopted in June 2018 and a report on the progress made during the first six months of the 2018-19 financial year is included in the attachment.

A report will be presented to the February Council meeting each year on the progress against the Delivery Program for the period 1 July – 31 December. The progress report for the Delivery Program for the full financial year will be presented to the August Council meeting each year. This timing allows for staff to finalise projects and programs and for the financial information to align to those being presented in Council's Annual Financial Statements.

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**Recommendation**

**That Council note the progress report on the Delivery Program 2018-21.**

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**Background**

The Delivery Program 2018-21 was adopted by Council at its June 2018 meeting and forms an integral part of Council's requirements under the Integrated Planning and Reporting Framework. As with Council's other Integrated Planning documents, the Delivery Program has been categorised into five strategic pillars.

**Implications**

***Policy***

In line with the Integrated Planning and Reporting Framework and the *Local Government Act 1993*, Council is required to report on the progress of its Delivery Program every six months. *"404(5) The General Manager must ensure regular progress reports are provided to the council reporting as to its progress with respect to the principal activities detailed in its delivery program. Progress reports must be provided every 6 months"*.

***Integrated Plan***


The actions identified in the Delivery Program align with the themes and key directions of the Queanbeyan Community Strategic Plan.

**Conclusion**

The Delivery Program 2018-21 remains in its early stages, however a number of significant projects have commenced.

Staff are still configuring a new planning and reporting software module. It is expected that these reports will contain financial information (original budget, adjusted budget, current expenditure etc) in the near future.

**Attachments**

Attachment 1  Delivery Program Report - July-December 2018 (*Under Separate Cover*)



**12.10 Retransmission of ABC radio signal (Ref: C18125776; Author: Richards/Tozer)**

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**Summary**

Following representations from residents, Council has been progressing discussions with various organisations to determine options for enhancing the ABC 666 radio signal to the eastern and southern parts of the QPRC local government area.

Council has now been provided with a service agreement with N-Com Pty Ltd to allow the installation of a transmitter on Mt Cronin. The land is owned by the NSW Forestry Corporation and a licence agreement has been developed between those two parties to allow the required infrastructure to be installed.

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**Recommendation**

**That Council:**

- 1. Endorse the finalisation of the service agreement.**
  - 2. Fund the service agreement through provision of \$24,245pa in the Delivery Program.**
- 

**Background**

The quality of the ABC radio signal in the eastern and southern parts of the local government area (particularly Braidwood, Captains Flat and surrounding localities) is poor. As the ABC is the official emergency broadcaster, Council has been approached by residents to seek a solution to ensure residents are able to access emergency information when required.

Following the 2013 Sandy Hills fire, the former Palerang Council was approached by residents to address this issue in sections of the local government area.

There are a number of areas with poor reception due to the hilly terrain. This is particularly noticeable around Captains Flat and Braidwood. There are also issues with mobile phone service, so streaming services cannot be utilised.

At the emergency debrief following the Sandy Hills fires, the former Palerang Council raised concerns to the ABC about emergency broadcasting. Legislative barriers to re-broadcasting across the state/territory line were identified. At the time, Palerang Council made representations to the former Federal Member for Eden Monaro, without success.

The matter was raised again with Council following the Currandooley and Carwoola fires during the 2016-17 summer.

Staff contacted the Australian Communications and Media Authority (ACMA) to explore available options to enhance the ABC radio signal. ACMA provided contact details for suitable companies to undertake a survey of the area and propose potential solutions.

Council engaged N-Com to undertake a survey and coverage simulation of the ABC radio signal in the eastern parts of the LGA. The report provided by N-Com considered five potential sites for the installation of a transmitter, including Mt Lowden, Mt Cronin, Mt Cowangerong (BOM site), Captains Flat and Mt Gillamatong. The report determined that Mt Cronin or Mt Cowangerong would provide the best result.

N-Com has since been in discussions with the NSW Forestry Corporation to install the required infrastructure on Mt Cronin. As a result, N-Com has presented Council with a

**12.10 Retransmission of ABC radio signal (Ref: C18125776; Author: Richards/Tozer)  
(Continued)**

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service agreement between the two parties for the installation of a transmitter on Mt Cronin that will enhance the ABC radio signal in the eastern and southern areas of the local government area. The service agreement has been reviewed by Council's Legal and Risk team.

Key features of the service agreement include:

- The service provider (N-Com) will provide for the ABC radio service to be transmitted from Mt Cronin to cover towns within the Council area (Braidwood, Captains Flat and areas in between).
- The client (QPRC) will hold the license for the FM radio service and will pay the application fee and annual license renewal fee
- Agreed service levels are a minimum service availability 95% of the time, 24 hours a day, seven days a week other than scheduled downtime (excluding factors beyond service provider control such as weather and faulty connection from ACT tower).
- Fee rebates are applicable if service does not meet minimum performance requirements.
- A requirement for the service provider to prepare quarterly output reports for QPRC to monitor performance
- The service provider must obtain all relevant insurance policies.
- Electricity fees will be charged in addition to the fees set out in the finance section of this report.
- An early termination clause is available if the service does not meet minimum performance requirements.

As it is not possible to retransmit an AM signal via AM radio, the ABC re-transmission will occur via an FM signal.

The infrastructure already installed on Mt Cronin, provides capacity to re-transmit other radio signals, at a small increase in cost.

**Implications*****Social / Cultural***

There have been a number of requests from members of the community for improvement of the strength of the ABC radio signal in eastern parts and southern of the local government area. This is vitally important during emergency situations because the ABC is the official emergency broadcaster. Increasing the strength of the ABC signal in eastern and southern parts of the local government area will permit residents to be informed in times of need.

***Financial***

The Service Agreement includes a monthly fee of \$2,020.48. Over the five year Service Agreement that equates to a total of \$121,228.80 and \$24,245.76 per year. There is no funding in the 2018-19 budget, meaning that if Council were to support the Service Agreement an adjustment would need to be made in the next quarterly review or alternative funding would need to be sourced, potentially from the State or Federal Government.

***Integrated Plan***

This relates to one of Council's Strategic Pillars in Connection. While this largely refers to our road, footpath and water and sewer infrastructure, it also links heavily to communications connections, including internet and radio. The enhancement of the ABC radio signal in the eastern and southern parts of the local government area will achieve key goal 4.5 *We plan*

**12.10 Retransmission of ABC radio signal (Ref: C18125776; Author: Richards/Tozer)  
(Continued)**

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*for and provide regional facilities which promote better social connection and access for the community.*

**Conclusion**

Advice provided by the Australian Communications and Media Authority suggests that a transmitting arrangement is the best option to increase the ABC radio signal in the eastern and southern parts of the local government area. There is a cost associated with this retransmission, whether Council funds the costs or seeks assistance from NSW or Federal Government is a decision for Council.

**Attachments**

Nil



12.11 Renew Our Libraries Campaign (Ref: C1922774; Author: Richards/Bott)

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**Summary**

*Renew Our Libraries* is an advocacy platform of LGNSW and PLA created in response to the funding crisis facing public libraries in NSW. Public Libraries are a vital part of local communities. NSW libraries receive over 35 million visits a year but State recurrent funding has not increased to meet the demand and was, in fact, cut by 5% in the 2018-19 State Budget. As a result of lobbying by councils and communities, both the NSW Government and the Opposition have committed to providing additional funding to NSW public libraries over four years from 2019. Although these commitments are an important first step, they only go part way to delivering a long term solution for sustainable funding for public libraries. To date 94 Councils across NSW have endorsed the campaign.

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**Recommendation**

**That Council:**

- 1. Endorse the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative, *Renew Our Libraries*.**
  - 2. Support the *Renew our Libraries* initiative to secure the pledged funding, clarify the funding components and liaise with government regarding the funding model.**
  - 3. Support *Renew Our Libraries* to work with the Government to develop a sustainable future funding model with a view guaranteeing an appropriate level of ongoing and indexed state funding.**
- 

**Background**

Queanbeyan-Palerang Regional Council and the former Queanbeyan and Palerang Councils have invested significantly in library services. Council currently spends around \$1.5 million for library services for 168,000 visits and around 350,000 loans annually as well as providing electronic resources and a range of programs.

Whilst Council receives funds from the State Government, these have gradually declined. In 2015/16 State funding for Public Libraries covered only 7.5% of the costs to operate 368 libraries across NSW. NSW public libraries receive the lowest per-capita funding compared to all other states in Australia. The total funding available through the NSW Public Library Funding Strategy is not indexed to population growth or the consumer price index (CPI).

In 2011, the NSW State Government made a pre-election commitment to comprehensively review the level and allocation of funding for NSW public libraries. The Library Council of NSW worked with the NSW Public Libraries Association and the State Library of NSW to develop an evidence-based submission.

The resulting submission *Reforming Public Library Funding*, recommending a fairer, simpler and more transparent method for the distribution of funds, was presented to the State Government in October 2012. Despite the undertaking of the State Government to review funding for public libraries, the recommendations were not adopted.



**12.11 Renew Our Libraries Campaign (Ref: C1922774; Author: Richards/Bott)  
(Continued)**

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In August 2018, the NSW Public Libraries Association joined forces with Local Government NSW to establish a library funding advocacy initiative, *Renew our Libraries*, to campaign for improved and sustainable funding from State Government. The support of this initiative relies on the support of NSW councils, their libraries and their communities.

NSW public libraries are governed by the *Library Act 1939*, a legislative instrument that was initially introduced to ensure the provision and ongoing sustainability of libraries through state Government and Local Government collaboration, and providing up to 50% of the funding required to establish and operate libraries. Since then local government has increasingly carried the funding burden with the situation deteriorating significantly since the 1980s.

The 2018/19 NSW state budget delivered a 5% cut to current library funding and cut access to all infrastructure funding for metropolitan areas. This was in contradiction to the recommendations of the Government's own expert panel, the Library Council of NSW which recommended an increase in public library funding to \$30 million in 2018-19. The public library grant funding component was scrapped entirely. This component financed a competitive grant project which has part-funded countless library infrastructure and service projects over many years. Queanbeyan Palerang Libraries have been successful in obtaining funding from this for a number of projects including: the mobile library service, RFID technologies (self-checking), and the refurbishment of 6 Rutledge St for a Library.

On 24 August 2018 the NSW government announced a \$60 million funding commitment for NSW public libraries. This is an important first step in the right direction and shows the commitment of councils and supporters in their efforts so far to lobby the Government on the importance of libraries in the community. Further clarification is needed and further work is required to fix the long-term funding model to ensure public libraries can continue to grow and provide valued services into the future.

**Implications*****Social / Cultural***

Public libraries play an important role in supporting the educational, social and cultural outcomes in local communities. Libraries support literacy in children, bridge the digital divide, foster social inclusion for newly arrived Australians, serve as a meeting place for older Australians and bring together people from all walks of life. Libraries

Reduction in funding to libraries will result in reduction in services able to be offered to the community and a reduction in hours that the libraries are able to be open to the community.

Libraries are a repository of local history and culture. A reduction in funding will mean will reduce the library's capacity to make local material available and to provide specialist staff to assist community members to access this information.

***Economic***

In 2008 a report was commissioned the Library Council of NSW on the value of public libraries in NSW. The perceived contributions of public libraries to economic wellbeing were as follows:

- Libraries enable users to avoid or reduce expenditures (estimated at \$325 per year per use in 2008)

**12.11 Renew Our Libraries Campaign (Ref: C1922774; Author: Richards/Bott)  
(Continued)**

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- Libraries enable jobseekers to research the employment market, lodge online applications and to communicate with prospective employers via e-mail.
- Libraries, as part of councils, are a significant local employer
- Libraries provide support to local small businesses

Reduction in funding to libraries will lead to a reduction in libraries' ability to acquire resources to contribute to community members' economic wellbeing.

***Financial***

There are no financial consequences to Council in endorsing the *Renew Our Libraries* Initiative, instead there may be increased funding and savings through shared resourcing.

***Resources (including staff)***

Endorsing the *Renew Our Libraries* initiative will not require additional resources. However, if State Government funding for libraries is reduced, costs to Council to run library services will increase.

***Integrated Plan***

Endorsing the *Renew Our Libraries* campaign will support Council in delivering the service objectives in Strategic Pillar 1: Community in the *Community Strategic Plan*.

1. We build on and strengthen our community cultural life and heritage
2. We are an inclusive region with access to opportunities and community support services for those who need them most
3. We are a safe community
4. We are a learning community
5. We have an active and healthy lifestyle

**Conclusion**

The NSW Public Library Network is at serious risk. Neither Council nor the broader NSW Local Government sector can continue with the high degree of uncertainty about the level of ongoing State Government funding for public libraries.

It is recommended that Council endorse the *Renew Our Libraries* initiative to support the NSW local government sector and NSW Public Libraries Association / Local Government NSW to reverse the ongoing deterioration of state funding for public libraries to ensure that local councils will not be forced to continue meeting the funding shortfall.

**Attachments**

Nil



12.12 Licence Agreement - Riverside Cafe Queanbeyan (Ref: C198449; Author: Neil/Warne)

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**Summary**

A request has been received that the Council decision of 19 December 2018 be varied to provide a 5 year option in addition to the grant of a five year Licence Agreement. The option was not included in the recommendation which was an oversight and it is proposed that this be corrected.

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**Recommendation**

**That:**

- 1. The report be received and noted.**
  - 2. Council agree in principle to a new Licence Agreement for the Riverbank Café at Ray Morton Park, Queanbeyan being a five (5) licence with a further five (5) year option, and the application be progressed in accordance with S 47 of the *Local Government Act 1993*.**
- 

**Background**

At the Council meeting on 19 December 2018 the Council resolved as follows:

*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 Morton 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.*

The tenants 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. The request was included and supported in the original report. Unfortunately the “five year option” was not included in the recommendation. This was an error and it now is proposed that the recommendation be altered to accommodate the initial request.

The tenants advise that to effect the improvements proposed and cover the cost of the proposed works will cost in the range \$50K - \$80K a timeframe greater than 5 years is needed for this investment.

**Implications**

***Legal***

If a Licence Agreement proposal exceeds five years the provisions of s 47 of the *Local Government Act 1993* must be met. The requirements are similar to S47A except if there are objections then the matter must be referred to the Minister for Local Government for determination.

12.12 Licence Agreement - Riverside Cafe Queanbeyan (Ref: C198449; Author:  
Neil/Warne) (Continued)

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If the option is included then the combined period of the Licence exceeds five years and it must be dealt with in accordance with S 47, rather than S 47A.

**Conclusion**

With the correction of this anomaly, the processing of the licence proposal can commence.

**Attachments**

Nil

**12.13 Quarterly Budget Review Statement for the Quarter Ending 31st December 2018 (Ref: C1922734; Author: Taylor/Marmont)**

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**Summary**

The December 2018 Quarterly Budget Review Statement (QBRS) is to Council. The Quarterly Budget Review Statement has been prepared in consultation with all Portfolios and Branches within QPRC.

The Quarterly Budget Review Statement result is a consolidated surplus of \$3.617m. The operating result is shown in accordance with Office of Local Government (OLG) requirements including non-cash adjustments for depreciation and asset disposals. The financial reports below indicate the financial position of Council is satisfactory, having regard to the original estimates of income and expenditure.

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**Recommendation**

**That Council:**

- 1. Adopt the December 2018 Quarterly Budget Review Statement and variations as outlined in this report.**
  - 2. Note the predicted consolidated surplus of \$3.617m.**
- 

**Background**

In accordance with clause 203 of the Local Government (General) Regulation 2005, the Responsible Accounting Officer must prepare and submit a quarterly budget review statement to the Council for the purposes of reviewing budget performance against the adopted operational plan and also to consider any necessary budget variations.

The Office of Local Government (OLG) has developed a set of reporting requirements for the Quarterly Budget Reviews. The reporting requirements, known as the Quarterly Budget Review Statement (QBRS), facilitates progress reporting against the original and revised budgets at the end of each quarter.

The overall consolidated result has moved from an accrued operational surplus position of \$3.369m following the September Quarterly budget review, to an operational surplus of \$3.617m for the December Quarterly budget review (before capital income).

Where Council has separately resolved to fund additional projects, they are recorded in the December Quarterly budget review, and thresholds of 10% or \$100,000 are applied in relation to variance reporting. This is considered appropriate for the size of the amalgamated organisation.

The significant variations and issues impacting on the funded result are summarised and discussed in the report attached, with favourable changes identified as (F) and unfavourable as (U).

12.13 Quarterly Budget Review Statement for the Quarter Ending 31st December 2018  
(Ref: C1922734; Author: Taylor/Marmont) (Continued)

**Implications****Legal**

The QBRS complies with clause 203 of the Local Government (General) Regulation 2005 and the Local Government Code of Accounting Practice and Financial Reporting Guidelines.

**Financial**

The tables below summarise the Funds and Consolidated results as at 31 December 2018.

**Total Council Summary**

Description	Original Budget \$,000	Current Budget \$,000	Actual YTD \$,000	Proposed Adjustments \$,000	Forecast Budget \$,000
<b>Income</b>					
Rates, Levies & Annual Charges	(69,640)	(69,629)	(69,909)	(320)	(69,949)
User Charges & Fees	(28,686)	(28,761)	(9,122)	984	(27,777)
Interest & Investment Revenue	(4,823)	(4,823)	(1,674)	0	(4,823)
Other Income	(2,068)	(2,519)	(1,520)	46	(2,473)
Operating Contributions	(735)	(909)	(371)	(1,135)	(2,043)
Operating Grants	(10,421)	(16,548)	(9,231)	(1,301)	(17,849)
Profit or Loss on Disposal	(1,003)	1,259	1,694	0	1,259
<b>Total Income</b>	<b>(117,376)</b>	<b>(121,931)</b>	<b>(90,132)</b>	<b>(1,726)</b>	<b>(123,656)</b>
<b>Expense</b>					
Employee Costs	43,534	44,032	21,815	(883)	43,148
Borrowing Costs	2,411	2,408	434	107	2,515
Materials & Contracts	43,808	46,301	15,160	2,272	48,573
Depreciation & Impairment	21,014	21,014	12,067	0	21,014
Other Expenses	9,990	12,466	7,747	100	12,566
Internal Expenses	(7,883)	(7,659)	(1,910)	(118)	(7,778)
<b>Total Expense</b>	<b>112,875</b>	<b>118,561</b>	<b>55,313</b>	<b>1,478</b>	<b>120,039</b>
<b>Operating (Surplus)/Deficit before Capital</b>	<b>(4,502)</b>	<b>(3,369)</b>	<b>(34,819)</b>	<b>(248)</b>	<b>(3,617)</b>
<b>Capital Income</b>					
Capital Contributions	(21,597)	(23,400)	(2,536)	(39)	(23,439)
Capital Grants	(62,870)	(76,811)	(5,217)	15,500	(61,311)
<b>Operating (Surplus)/Deficit after Capital</b>	<b>(88,968)</b>	<b>(103,580)</b>	<b>(42,572)</b>	<b>15,212</b>	<b>(88,367)</b>
<b>Non Cash</b>					
Capital Contributions	20,509	20,509	0	0	20,509
Depreciation & Impairment	(21,014)	(21,014)	(12,068)	0	(21,014)
Profit or Loss on Disposal	1,003	(1,259)	(1,694)	0	(1,259)
<b>Total Non Cash</b>	<b>498</b>	<b>(1,764)</b>	<b>(13,762)</b>	<b>0</b>	<b>(1,764)</b>
<b>Investing Fund Flows</b>					
Capital Works Program	139,571	174,998	26,324	(28,862)	146,136
Asset Purchases	3,221	4,157	1,888	433	4,590
Loan Principal Repayments	1,859	1,861	0	748	2,609



12.13 Quarterly Budget Review Statement for the Quarter Ending 31st December 2018  
(Ref: C1922734; Author: Taylor/Marmont) (Continued)


## Total Council Summary

Description	Original Budget	Current Budget	Actual YTD	Proposed Adjustments	Forecast Budget
<b>Total Investing Fund Flows</b>	144,651	181,016	28,212	(27,681)	153,335
<b>Financing Fund Flows</b>					
Sale of Assets	(1,003)	(1,003)	(563)	0	(1,003)
Proceeds from Borrowings	(42,650)	(50,150)	0	0	(50,150)
<b>Total Financing Fund Flows</b>	(43,653)	(51,153)	(563)	0	(51,153)
<b>Net (Inc)/Dec in Funds before Transfers</b>	<b>12,528</b>	<b>24,519</b>	<b>(28,684)</b>	<b>(12,469)</b>	<b>12,050</b>
<b>Reserve Movements</b>					
Transfers to Internal Reserves	12,958	18,284	0	(67)	18,218
Transfers to Developer Contributions	1,062	2,601	0	34	2,635
Transfers to Other External Reserves	13,644	13,384	0	10,700	24,084
Transfers from Internal Reserves	(8,300)	(11,952)	(2,367)	(343)	(12,296)
Transfers from Developer Contributions	(9,201)	(9,782)	(3)	(13)	(9,796)
Transfers from Other External Reserves	(22,275)	(38,832)	(1,184)	2,301	(36,531)
<b>Total Reserve Movements</b>	<b>(12,112)</b>	<b>(26,297)</b>	<b>(3,555)</b>	<b>12,613</b>	<b>(13,685)</b>
<b>Net (Inc)/Dec in Unrestricted Funds</b>	<b>416</b>	<b>(1,778)</b>	<b>(32,239)</b>	<b>144</b>	<b>(1,634)</b>

**Conclusion**

Revision of the budget at the second Quarter Review improved the operating position by \$248k before Capital amendments. Major variances includes additional grants and contribution \$2.4 million with associated expenditure \$2.3 million.

**Attachments**

Attachment 1  Attachment - QBRS for 31 December 2018 (Under Separate Cover)



**12.14 Disaster Recovery Funding Arrangements (Ref: C1915445; Author: Tegart/Taylor)**

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**Summary**

From 1 November 2018 the NSW Government is removing restrictions on day labour (including internal plant and equipment hire) for councils that opt-in to a new co-funding model aligned with the Disaster Recovery Funding Arrangements (DRFA) cost-sharing.

QPRC is required to either opt in to the new Co-Funding Model or remain on the Pre-DRFA Co-Funding model. Staff have analysed the strengths and weaknesses of both modes and provided recommendation to opt out of the new Co-Funding model. Rationale behind the recommendation is the co-contribution level is based on 0.75% of the revenue base per event, capped at 2% of your revenue base (\$685,520).

Opting out restricts QPRC from claiming internal labour and plant to reconstruct the assets. Current market conditions have shown there is significant external contractors available if required to reconstruct assets therefore QPRC will be able to claim full amount of expenditure if required.

Therefore if there was three major events over a calendar year totalling \$7,904,105 under the previous scheme QPRC would be required to contribute \$58,000 whereas under new scheme QPRC would be required to contribute \$685,520 whilst able to charge internal labour.

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**Recommendation**

**That Council advise NSW Office of Emergency Management of Council's preference to opt out of the interim Day Labour Arrangements.**

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**Background**

The NSW Government has approved the implementation of interim NSW Day Labour Arrangements from 1 November 2018.

The interim Day Labour Arrangements include:

- eligibility to claim for costs related to day labour (incl. internal plant and equipment hire)
- an extended time limit for Emergency Works from 21 days to 3 months, and
- a new co-funding model for councils aligned with the DRFA cost-sharing principle.

The condition for councils to take advantage of the new interim Day Labour Arrangements is the acceptance of a new co-funding model. Councils have the option to stay with the pre-DRFA arrangement, which means:

- day labour costs (incl. internal plant and equipment hire) remain ineligible for funding assistance.

**12.14 Disaster Recovery Funding Arrangements (Ref: C1915445; Author: Tegart/Taylor) (Continued)**

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- the time limit for Emergency Works remains at 21 days; and
- the co-funding for councils remains the same as under the pre-DRFA policy.

Only councils that have opted-in to the new Day Labour Arrangements prior to an eligible disaster can claim for day labour, internal plant and equipment hire and Emergency Works up to the three (3) month time limit. Once a council has advised OEM of their position regarding the new Day Labour Arrangements, the council's position will stand until 1 November 2019. If a council has not advised OEM of their position and an eligible disaster impacts their local government area after 1 November 2018, the council will be regarded as having opted out of the new Day Labour Arrangements.

**New Co-Funding Model**

Outlined below is the new co-funding model aligned with the DRFA cost-sharing principle:

- Each financial year, a threshold for activating Restoration of Essential Public Asset funding (Emergency Works, Immediate Reconstruction Works and Essential Public Asset Reconstruction Works) will be calculated for every local council. This threshold will be the lesser of 0.75% of the council's total rate revenue in the financial year two (2) years prior or \$1 million (excluding GST).
- For a council to receive funding for Restoration of Essential Public Assets arising from an eligible disaster, the total estimated cost of restoration works must exceed the council's threshold (excl. GST).
- The council must contribute funding or resources to a level that is equivalent to their threshold or 25% of the cost of these works, whichever is lower.
- A council's contribution for restoration of essential public assets arising from all declared eligible disasters in a financial year will be capped at 2% of their total rate revenue in the financial year two years prior to the financial year in which the eligible disasters occurred.
- A council's total rate revenue comprises the four rate categories: residential, farmland, business and mining.
- Councils that opt-in and accept the new cofunding model are eligible for day labour (incl. internal plant and equipment hire) costs, and have an extended time limit of 3 months to complete Emergency Works.

**Pre-DRFA Co-Funding Model**

Outlined below is the pre-DRFA co-funding model.

- Roads and Maritime Services and/or Public Works Advisory will fund 100% of eligible Emergency Works costs (limited to 21 days, and excluding day labour and council's own plant and equipment); and
- For Immediate Reconstruction Works and Essential Public Asset Reconstruction Works on local roads and road infrastructure, councils will be required to contribute 25% of the assessed cost up to \$116,000 (i.e. \$29,000 maximum) for each eligible disaster, capped at \$58,000 per financial year; and

**12.14 Disaster Recovery Funding Arrangements (Ref: C1915445; Author: Tegart/Taylor) (Continued)**

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- For Immediate Reconstruction Works and Essential Public Asset Reconstruction Works on other essential public assets, councils will be required to contribute 25% of the assessed cost up to \$116,000 (i.e. \$29,000 maximum) for each eligible disaster, capped at \$68,000 per financial year, and minus any contributions made for works on local roads and road infrastructure in item above.
- Councils staying with the pre-DRFA arrangements are not eligible for day labour, internal plant and equipment hire costs, and must complete Emergency Works within 21 days.

Regardless of a council's position on the Day Labour Arrangements, all councils must comply with the new eligibility requirements under the DRFA commencing on 1 November 2018.

**Analysis**

The Office of Emergency Management (OEM) provided a Co-Funding calculator for Councils to utilise when deriving judgements on whether to transfer to new co-funding arrangements.

Staff based the initial calculations of the costs of the 2016 Flood damage (\$2,884,105). On the existing contribution model, the co-contribution QPRC would have been \$29,000 whereas if QPRC moved to the new co-funding arrangement, the co-contribution would have been \$257,070. (Attachment 1), resulting in QPRC contributing an additional \$228,070.

By adding two extra events for the year bringing total costs to \$6,526,521, the three events results in QPRC contributing maximum of \$58,000 under the existing contribution model against QPRC contributing \$685,520.

It is noted \$685,250 is the maximum QPRC would need to pay under the New Co-Funding model as this is 2% of the rates revenue. (Attachment 2). QPRC would need to contribute an additional \$627,520 if it decides to move the new co-funding model.

**CRJO Position**

The CRJO has recently considered the matter, noting the changed funding arrangements may not be optimal for small-medium councils. Further representations will be made to the OEM to consider funding changes to enable damaged infrastructure to be returned in a better state. An examination of the QLD disaster recovery arrangements will be explored.

**Implications*****Financial***

By transitioning to the new co-funding model could result in QPRC increasing its contribution to the disaster recovery from \$58,000 to \$685,520, requiring additional expense (worst case).

**Conclusion**



Staff have reviewed a number of scenarios relating to funding previous disasters. Under all scenarios, QPRC found it would be worse off under the new Day Labour funding arrangements. Result is due to the increased capped level of co contribution relating to the size of our rating revenue.

12.14 Disaster Recovery Funding Arrangements (Ref: C1915445; Author:  
Tegart/Taylor) (Continued)

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While desirable to utilise day labour, the analysis shows it is preferable to advise the Office of Emergency Management to opt out of the new funding arrangements and remain on existing arrangements.

**Attachments**

- Attachment 1  Scenario 1 - 2016 Flood Damage (*Under Separate Cover*)  
Attachment 2  Scenario 2 - Three Flood Events (*Under Separate Cover*)

**12.15 Financial Assistance - Monaro Archers (Ref: C1924048; Author: Tegart/Taylor)**

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**Summary**

Council has received an application for financial assistance from the Monaro Archers Inc. Council is requested to consider the application and approve a donation in accordance with the QPRC Donations Policy.

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**Recommendation**

**That Council approve the application under Category C (b) & (e) of the QPRC Donations Policy for 100% rate relief.**

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**Background**

Council adopted a QPRC Donations Policy on 12 April 2017, to provide financial assistance to various sections of the local community.

This application has been received from Monaro Archers Inc for a donation equivalent to their water and sewer access charges attached to leased land. The new committee has only recently been made aware of the account. A letter from the organisation is attached outlining their role in the community and financial implications.

Currently Monaro Archers Inc is not listed under Schedule 1 of the QPRC Donations policy. Organisations are able to apply for rate relief on an annual basis under Schedule 4 of the QPRC Donations Policy. Monaro Archers was encouraged to apply for rate relief under this schedule. Staff reviewed the application under schedule 4 of the QPRC Donation Policy and assessed the application as a Category A to the level of 100%, gaining 24 points under the Policy.

**Implications**

***Policy***

QPRC Donations Policy states:

*“Category ‘C’ Funding – rates, fees and annual charges*

*(a) Council will make annual donations as provided in Schedule 1 to this policy. Council will review this Schedule every two years.*

*(b) Council may, at its discretion, consider upon application a one-off rates rebate for sporting, recreational and other community organisations.*

*(c) Eligible organisations in (b) above must demonstrate that such donations will enable a particular purpose or project to be undertaken that meets QPRC’s strategic objectives.*

*(d) Eligible organisations in (b) above may receive a rebate of up to 100% of Council’s rates and charges, depending upon their level of eligibility*



### 12.15 Financial Assistance - Monaro Archers (Ref: C1924048; Author: Tegart/Taylor) (Continued)

*e) Council will consider the waiving of fees and charges for not-for-profit community organisations and s.355 committees on a one-off basis for development application fees and associated charges (see Schedule 2 for a full list of relevant fees and associated charges).*

*(e) Annual charges for waste, water and sewerage services, where these services are available, will be levied in accordance with Council's pricing policies for these services. Community organisations may apply under the Annual Grants Program for a donation towards these costs."*

#### **Financial**


Program Code	Expense Type	Funding source		Amount
52.5	Donations	Rates Funded	\$	5,976

The current balance of funds remaining in the vote is \$133,631.

#### **Conclusion**

An application was received from Monaro Archer Inc for rate relief. While not received in the annual request period, staff assessed the application in accordance with the QPRC Donation Policy resulting in the assessment for Council to provide 100% rate relief for Monaro Archers Inc.

#### **Attachments**

Attachment 1  Rate Relief Application - Monaro Archers (*Under Separate Cover*)

**12.16 Investment Report - January 2019 (Ref: C1922957; Author: Taylor/Drayton)**

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**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 January 2019.

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**Recommendation**

**That Council:**

- 1. Note the 2018/19 investment income for January 2019 was \$1,001,395.**
  - 2. Note the investment portfolio has been made in accordance with the *Local Government Act 1993*, the *Local Government (General) Regulation 2005* and *Queanbeyan-Palerang Regional Council's investment policy*.**
  - 3. Adopt the Investment Report for the month of January 2019.**
- 

**Background**

***Cash and Cash Equivalent Investments***

The principal amount invested as at 31 January 2019 was \$219,636,438.

Refer to Attachment 1 for the following supporting information:

- 1 Actual return against budget;
- 2 Budgeted interest allocation by Entity.

Refer to Attachment 2 for the QPRC Investment Report Pack.

***Market Update***

The average 30 day BBSW rate for January 2019 was 2.01%.

The Reserve Bank (RBA) board decided to leave the cash rate unchanged at 1.50% at its February 2019 meeting.

Refer to Attachment 3 for the January 2019 economic commentary by Laminar Capital.

***TCorp Performance***

QPRC staff sought advice from TCorp regarding the recent returns of TCorp Growth Funds. TCorp advised:

*"In recent month's strong global growth, solid global manufacturing surveys and rising corporate earnings have all contributed to a positive longer term outlook for equity markets. However, following such strong gains it is likely markets may revert to more normalised returns of mid-single digits, over the long-term. As global financial conditions tighten (i.e. higher interest rates in the US), however, global growth may slow but it should remain at a robust level."*

**12.16 Investment Report - January 2019 (Ref: C1922957; Author: Taylor/Drayton)  
(Continued)**

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*Given that the recent price action may continue into the coming year it is well to put this week's market moves in context. Over the past 7 years international shares (unhedged) had returned over 13% per annum and Australian shares have returned over 10% per annum. As market participants over the past decades, we have witnessed these types of corrections before and given the global economic backdrop, we are continuing to invest across markets using our focus on a diversified basket of good quality assets, which will grow in value over time."*

The TCorpIM Long-Term Growth Fund rebounded strongly, with the January 2019 return being the Fund's highest to date monthly return for 2018/19. 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 also had a strong return, with the January 2019 performance being the Fund's highest to date monthly return for 2018/19. The Fund contains 58% defensive assets.

**Implications*****Policy***




I hereby certify that Queanbeyan-Palerang Regional Council investments listed in Table 5 of the attached Investment Report Pack (Attachment 2) have been made in accordance with section 625 of the Local Government Act 1993, clause 212 of the Local Government General Regulations 2005, and Queanbeyan-Palerang Regional Council's Investment Policy.

Shane Taylor  
Chief Financial Officer

***Financial***

Investment income for the 2018/19 Financial Year as at 31 January 2019 amounted to \$2,675,379. The investment returns are added to the associated restricted funds (i.e. development contributions) that form Council's investment portfolio.

**Attachments**

- Attachment 1  January 2019 - Graphs indicating Investment Performance (*Under Separate Cover*)
- Attachment 2  January 2019 - Investment Report Pack (*Under Separate Cover*)
- Attachment 3  January 2019 - Investment Commentary (*Under Separate Cover*)

**12.17 Draft QPRC Code of Conduct (Ref: C1923628; Author: Tegart/Ferguson)**

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**Summary**

All NSW local councils are required to adopt a new Code of Conduct and Procedures for the Administration of the Code of Conduct, based on a new Model Code and Procedures prepared by the NSW Office of Local Government. These two documents were prescribed on 14 December 2018. Councils must ensure that their new Code of Conduct and Procedures comply with the provisions of the Model Code and Procedures at a minimum. Councils must adopt their own Code of Conduct and Procedures by 14 June 2019.

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**Recommendation**

**That Council:**

- 1. Adopt the new QPRC Code of Conduct 2019 and Procedures for the Administration of the Code of Conduct 2019, as attached.**
  - 2. Note that the new draft QPRC Code of Conduct and Procedures are not required to be publicly exhibited.**
  - 3. Undertake training for councillors and staff on the new Code.**
- 

**Background**

The *Local Government (General) Regulation 2005* (the Regulation) was amended on 14 December 2018 by the insertion of, *inter alia*, a new Part 8, Conduct, which prescribes the 2018 Model Code of Conduct for Local Councils in NSW (Model Code), and Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW (Model Procedures).

This followed a review of the 2013 Model Code and Procedures by the Office of Local Government (OLG). A Consultation Draft of the proposed new Model Code and Procedures was released by the OLG in October 2017 with written submissions invited until December 2017. Council lodged a submission at that time.

A copy of the gazetted Model Code of Conduct and Model Procedures can be accessed at <https://www.olg.nsw.gov.au/strengthening-local-government/conduct-and-governance/model-code-of-conduct>

The OLG's Circular 18-44 states:

- Councils' existing adopted codes of conduct and procedures will remain in force until such time as councils adopt a new code of conduct and procedures based on the Model Code of Conduct and Procedures prescribed under the Regulation.
- If a council fails to adopt a new code of conduct and procedures based on the new Model Code of Conduct and Procedures within six months of their prescription, the provisions of the new Model Code of Conduct and Procedures will automatically override any provisions of a council's adopted code of conduct and procedures that are inconsistent with those contained in the Model Code of Conduct and Procedures through the operation of sections 440(4) and 440AA(4) of the *Local Government Act 1993* (unless the inconsistent provisions of a council's adopted code of conduct are more onerous than those contained in the Model Code of Conduct).

**12.17 Draft QPRC Code of Conduct (Ref: C1923628; Author: Tegart/Ferguson)  
(Continued)**

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- In adopting a new code of conduct and procedures, councils may include provisions that are supplementary to those contained in the Model Code of Conduct and Procedures. Councils may also impose more onerous requirements under their adopted codes of conduct than those prescribed under the Model Code of Conduct. However, councils must not dilute the standards prescribed under the Model Code of Conduct in their adopted codes of conduct.
- Some councils indicated in their feedback on the consultation draft of the Model Code of Conduct a preference for adopting separate codes of conduct for councillors, staff and delegates and committee members instead of a single code of conduct that applies to all council officials. To assist councils to do this, OLG has prepared bespoke versions of the Model Code of Conduct for councillors, staff and delegates and committee members for adoption, instead of a single code of conduct, should councils wish to do so.
- Code of conduct complaints must be assessed against the standards prescribed under the version of the council's code of conduct that was in force at the time the conduct the subject of the complaint is alleged to have occurred.
- Code of conduct complaints must be dealt with in accordance with the version of the council's procedures that were in force at the time the complaint was made.

While the Model Code prescribed on 14 December 2018 removed the provisions governing the use of social media that were in the previous version, OLG advises councils may include supplementary provisions in their Code which relate to the use of social media. The following new clause 8.21 has been included in the Draft QPRC Code of Conduct under the section "Internet access and use of social media" in its Code of Conduct:

- "8.21 You must not use social media to post or share comments, photos, videos, electronic recordings or other information that:
- a) is offensive, humiliating, threatening or intimidating to other council officials or those that deal with the council
  - b) contains content about the council that is misleading or deceptive
  - c) divulges confidential council information
  - d) breaches the privacy of other council officials or those that deal with council
  - e) contains allegations of suspected breaches of this code or information about the consideration of a matter under the Procedures, or
  - f) could be perceived to be an official comment on behalf of the council where you have not been authorised to make such comment."

The new Model Code includes strict new requirements including:

- Banning councillors from accepting gifts valued at more than \$50
- Mandatory reporting of all gifts regardless of their value in the council's gift register
- Councillors with a pecuniary interest cannot access council information about the matter
- Suspensions for pecuniary interest breaches will count towards the "three strikes and you're out" scheme introduced in 2015 where councillors face automatic disqualification when they are suspended three times for misconduct
- Councillors must declare new interests more regularly in official returns of interest lodged with their council
- Councillors must declare in official returns of interest if they are a property developer

**12.17 Draft QPRC Code of Conduct (Ref: C1923628; Author: Tegart/Ferguson)  
(Continued)**

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- New standards relating to discrimination and harassment, bullying, work health and safety, behaviour at meetings, access to information and maintenance of council records.

A draft QPRC Code of Conduct is at **Attachment 1**. Council may include additional provisions in its new Code of Conduct, provided that these additions are not inconsistent with, or dilute, those within the Model Code.

A draft Procedures for the Administration of the Code of Conduct is at **Attachment 2**.

A table outlining the changes between the current and new versions of the Model Code of Conduct is at **Attachment 3**.

A summary of Council's proposed amendments contained in its submission lodged in December 2017, together with comments on whether or not they were included in the new Model Code, is at **Attachment 4**.

Council is not required to review its Code of Conduct until after the OLG's next review of the Model Code and Model Procedures. If Council does not add any clauses to the draft Code of Conduct attached to this report, it should formally adopt the Code and Procedures.

#### Training for the Code of Conduct

The OLG has released the Councillor Induction and Professional Development Guidelines to assist in the preparation of a policy and program of mandatory and optional training and development to be offered to Councillors during their term of office. Training in the Code of Conduct and Procedures will be arranged for all Councillors immediately following adoption.

A further report on Councillors' training and professional development will be presented to Council.

#### **Implications**

##### ***Legal***

The QPRC Code of Conduct must incorporate provisions of the prescribed Model Code of Conduct in accordance with s.440 of the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*.

The Model Code Procedures are made under s.440AA of the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*. Council must adopt its own Procedures for the Administration of the Code of Conduct.

##### ***Policy***

Council is required to adopt its new Code of Conduct and Procedures by 14 June 2019 at the latest, following the new Model Code and Model Procedures being prescribed on 14 December 2018.

There is a phasing-in period for the adoption of these documents, which ends on the earlier of 14 June 2019 or the date on which a council adopts its Code and Procedures that incorporates provisions of the Model Code and Model Procedures.

**12.17 Draft QPRC Code of Conduct (Ref: C1923628; Author: Tegart/Ferguson)  
(Continued)**

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After 14 June 2019, a council's adopted Code of Conduct has no effect to the extent that it is inconsistent with the Model Code and Model Procedures, unless it is inconsistent due to requirements being more onerous than in the Model Code and Model Procedures.

***Engagement***





There is no requirement to publicly exhibit the draft QPRC Code of Conduct and Procedures prior to adoption.

**Conclusion**

Council is required to adopt a new Code of Conduct and Procedures for the Administration of the Code of Conduct by 14 June 2019 at the latest. The Code and Procedures must be based upon the Model Code of Conduct and Model Procedures for the Administration of the Code of Conduct for Local Councils in NSW, which were prescribed on 14 December 2018. Council may include additional clauses in its Code of Conduct, provided that such additions are not inconsistent with, or dilute, the Model Code and Model Procedures. There is no requirement to publicly exhibit the draft Code of Conduct and Procedures.

An in-house training program on the Code for councillors and staff, delivered by a member of Council's legal panel, has been arranged. The CRJO will soon coordinate an EOI to update the Code Reviewer Panel on behalf of member councils.

**Attachments**

- Attachment 1  Draft QPRC Code of Conduct 2019 (*Under Separate Cover*)
- Attachment 2  Draft Procedures for the Administration of the Code of Conduct (*Under Separate Cover*)
- Attachment 3  Comparison table between current and new versions of the Model Code of Conduct (*Under Separate Cover*)
- Attachment 4  Summary of Council's submission on the Consultation Draft Code of Conduct (*Under Separate Cover*)



**12.18 Councillor Induction and Professional Development Policy (Ref: C1924433;  
Author: Tegart/Ferguson)**

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**Summary**

Amendments to the *Local Government Act 1993* include a responsibility for councillors “to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a councillor.” This report presents a new policy based on the Model Councillor Induction and Professional Development Policy released by the Office of Local Government (OLG), and outlines a proposed program of induction and professional development for current and future QPRC Councillors.

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**Recommendation**

**That Council:**

- 1. Adopt the draft QPRC Councillor Induction and Professional Development Policy.**
  - 2. Endorse the development of individual professional development programs for current and future QPRC Councillors.**
- 

**Background**

Amendments to the *Local Government Act 1993* (the Act) by the *Local Government Amendment (Governance and Planning) Act 2016* include a responsibility for councillors to “make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a councillor.”

Regulations have been made for the induction and other professional development for mayors and councillors. The new requirements under the *Local Government (General) Regulation 2005* are as follows:

- The general manager is to ensure an induction program is delivered for newly elected and returning councillors and a specialised supplementary induction program for the mayor within six months of their election.
- The general manager is to ensure an ongoing professional development program is delivered for the mayor and each councillor over the term of the council for the purposes of assisting them to acquire and maintain the skills necessary to perform their role.
- The content of the ongoing professional development program to be delivered to the mayor and councillors is to be determined in consultation with the mayor and each councillor and is to have regard to the specific skills required by the mayor, each individual councillor and the governing body as a whole to perform their roles.
- Mayors and councillors must make all reasonable efforts to participate in the activities offered to them as part of an induction or ongoing professional development program.
- Councils are to publish the following information in their annual reports:
  - the name of the mayor and each individual councillor who completed council’s induction program (where an induction program has been delivered during the relevant year)
  - the name of the mayor and each councillor who participated in any ongoing professional development program during the year
  - the number of training and other activities provided to the mayor and councillors during the year as part of a professional development program, and

**12.18 Councillor Induction and Professional Development Policy (Ref: C1924433;  
Author: Tegart/Ferguson) (Continued)**

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- the total cost of induction and professional development activities and any other training provided to the mayor and councillors during the relevant year.
- The above requirements do not apply to joint organisations

Council's induction and professional development programs are to consist of three elements:

1. Pre-election candidate sessions  
To ensure prospective candidates are aware of what will be expected of them if elected (these are not mandatory but are encouraged).
2. Induction program  
To equip mayors and councillors with the information they need to perform their role effectively over the first few months, with a particular focus on building positive, collaborative relationships between councillors and with staff.
3. Professional Development program  
To be developed in consultation with all councillors and delivered over the term of the council to build the skills, knowledge and personal attributes necessary to be an effective mayor or councillor.

The inclusion of information in annual reports on the induction and ongoing professional development activities offered to the mayor and each councillor will be required from 2019 onwards.

#### Pre-election Candidate Sessions

Council engaged Local Government NSW (LGNSW) to conduct the first round of pre-election candidates' briefings in July 2017. This round focussed on the role and responsibilities of an elected councillor, the Code of Conduct, conflicts of interest, meeting procedure and rules of debate.

The second round of briefings in August 2017 were conducted by Council staff, and these covered matters such as an overview of the new QPRC Local Government Area, rating of properties, QPRC projects, plans and capacity, and the Resourcing Strategy.

#### Induction Program for Elected Councillors

Following the election, an intensive program of onboarding and induction was conducted. Activities included OLG's external workshops, a "Famil Day", weekly internal workshops on general and topical matters, tours of QPRC offices, facilities, construction sites and small communities throughout the merged Local Government Area, briefings, and one-on-one meetings with Councillors and staff when requested.

These will all be evaluated for effectiveness and levels of participation during development of individual Councillors' professional development programs.

#### Professional Development

Local Government NSW (LGNSW) offers a mentoring service for mayors and councillors, as well as a number of professional development training courses covering topics such as:

- Chairing and Effective Meeting Procedures
- Financial Issues in Local Government

**12.18 Councillor Induction and Professional Development Policy (Ref: C1924433;  
Author: Tegart/Ferguson) (Continued)**

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- Executive Certificate for Elected Members
- Good Governance
- Resilience in the Workplace
- The Art of Business Storytelling
- Social Media and Media Skills

LGNSW has developed the Local Government Capability Framework which sets out the essential knowledge, skills and other attributes needed to work effectively in local government. The Framework supports personal and professional development planning after a self-assessment against the Framework. A free and confidential online portal, called "PD in a Box" helps Councillors create their own professional development plan via the Capability Framework. Councillors were provided with a user name and password by LGNSW on 15 December 2018 to access this resource at [pdinabox.lgnsw.org.au/login](http://pdinabox.lgnsw.org.au/login).

Two key components of the Capability Framework cover:

- personal attributes i.e. managing self, resilience and adaptability, acting with integrity and demonstrating accountability; and
- relationships i.e. communication, community and customer focus, working collaboratively, influencing and negotiating.

To assist with the above, all Councillors were offered the opportunity early in 2018 to undertake a confidential personality assessment using the Myers-Briggs Type Indicator (MBTI) tool.

The Framework also covers the important topic of Civic Leadership, which comprises community representation, responsible government and quality decision-making.

To assist in the implementation of the new requirements, individual meetings will be arranged with each Councillor to develop a program of professional development that best meets each Councillor's particular requirements and the Council as a whole. That may include for example, an in-house governance course conducted by AICD.

Mandatory training in the new QPRC Code of Conduct, management of pecuniary and other conflicts of interests and the use of social media are being organised as a precursor to other optional training.

**Implications*****Legal***

In accordance with the *Local Government Act 1993* as amended by the *Local Government Amendment (Governance and Planning) Act 2015*.

***Policy***

The draft QPRC Councillor Induction and Professional Development Policy is based on the Model Councillor Induction and Professional Development Policy prepared by the Office of Local Government.

The draft policy is not required to be publicly exhibited prior to adoption.

**12.18 Councillor Induction and Professional Development Policy (Ref: C1924433;  
Author: Tegart/Ferguson) (Continued)**

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***Financial***

An amount of \$100,000 has been included in the QPRC Budget and Operational Plan 2019-20 for Councillors' training and professional development. Expenditure will be monitored and reported in the quarterly financial reviews, and then included in Annual Reports.

***Resources (including staff)***


Implementation of the policy and professional development programs will involve a significant commitment of personal time for elected representatives and professional staff time.

**Conclusion**

The prescribed role of councillors under the *Local Government Act 1993*, as amended by the *Local Government Amendment (Governance and Planning) Act 2016*, includes a responsibility for elected representatives to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a councillor.

It is recommended that Council adopt a new Councillor Induction and Professional Development Policy prior to the development of professional development programs which, after consultation with Councillors, will meet the needs of individual Councillors and the governing body as a whole. Information about the programs, together with each Councillor's level of participation, will be reported each year in the QPRC Annual Report.

**Attachments**

Attachment 1  Draft Councillor Induction and Professional Development Policy (*Under Separate Cover*)

**12.19 Australian Local Government Association's National General Assembly 2019  
(Ref: C1923884; Author: Tegart/Ferguson)**

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**Summary**

The Australian Local Government Association (ALGA) is calling for notices of motion for the National General Assembly 2019 to be held in Canberra on 16 – 19 June 2019.

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**Recommendation**

**That Council consider whether it wishes to prepare any notice(s) of motion to be considered at the Australian Local Government Association's National General Assembly 2019.**

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**Background**

The National General Assembly 2019 (NGA) will be celebrating its 25<sup>th</sup> anniversary in 2019. The NGA provides a platform for local government to address national issues and lobby the federal government on critical issues facing the sector.

The theme for the 2019 NGA is "*Future focused*" and acknowledges that the NGA will be held after a federal election. ALGA has prepared a discussion paper that explores data identifying critical areas local government needs to consider now and into the future. The discussion paper is available on the ALGA website at <https://alga.asn.au>

To be eligible for inclusion in the NGA Business Papers, motions must meet the following criteria:

- Be relevant to the work of local government nationally
- Be consistent with the themes of the NGA
- Complement or build on the policy objectives of your state and territory local government association
- Be from a council which is a financial member of its state or territory local government association
- Propose a clear action and outcome
- Not be advanced on behalf of external third parties which may seek to use the NGA to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

Motions need to be lodged online no later than 11.59pm on Friday, 29 March 2019.

**Conclusion**

The Australian Local Government Association is calling for notices of motion for its National General Assembly to be held in Canberra from 16 – 19 June 2019. Notices of motion must be submitted online by 29 March 2019. A report seeking councillor nominations to attend will be prepared once the agenda is known.

**Attachments**

Nil



**13.1 Review of Bungendore Structure Plan - Update (Ref: C1918730); Author: Thompson/Robb**

**Report**

At its meeting of 24 October 2018 Council considered a report on the review of the Bungendore Structure Plan. Staff had prepared a high growth scenario document which Council resolved to action as follows:

*That consultation on the draft revised Bungendore Structure Plan be undertaken with government agencies and utility organisations and that a further report be brought back to Council no later than January 2019 detailing the outcomes of submissions from these agencies.*

Following the Council meeting, a 'whole of government agency' meeting was organised for Tuesday 11 December 2018. Unfortunately, there was insufficient response to hold the meeting and those organisations that could attend did not have a lot of commonality in their functions so the meeting was cancelled. Instead strategic planning staff have contacted government and utility agencies to arrange individual meetings. Whilst the delay is not ideal, it is essential that government agencies and utility organisations have the opportunity to comment prior to the exhibition of the draft revised Structure Plan. Accordingly the status of this consultation at the 8 February 2019 is:

<b>Name of organisation</b>	<b>Comment</b>
Southern NSW Local Health District	Staff have met with the agency and a submission will be provided in mid-March 2019
NSW Department of Education	Meeting to be organised
Family and Community Services	Staff have met with the agency and a submission will be provided in mid-March 2019
Housing NSW	Meeting being organised
Roads and Maritime Services	Telephone conference call with the Roads and Maritime Services and Transport NSW. Both agencies will provide a submission will be provided in mid-March
Transport NSW	As above
NSW Ambulance	Staff have met with the agency and a submission will be provided in mid-March 2019
NSW Police	Meeting being organised
NSW Rural Fire Service	Meeting has been organised for February 2019
Fire and Rescue NSW	Meeting being organised
Office of Environment and Heritage	One meeting has been held and another has been organised for February 2019
NSW Department of Primary Industries	Meeting to be organised
Primary Care Network	Staff have met with the agency and a submission will be provided in mid-March 2019

Water NSW	Consultation being managed via the Integrated Water Cycle Management Strategy process
NSW Planning and Environment	Meeting to be organised following consultation with the other agencies
NSW Premier and Cabinet	Meeting has been organised for February 2019
NSW Cross Border Commissioner	Meeting to be organised following consultation with the other agencies
Essential Energy (electricity)	Meeting has been organised for February 2019
ACTEWAGL (gas)	Meeting to be organised
Department of Defence	Meeting has been organised for February 2019
Primary Health Network (government agency whose aim is to improve the co-ordination of patient care)	Meeting has been organised for February 2019
John Holland (management of rail network)	Meeting to be organised

A report will be prepared for the 10 April 2019 Planning and Strategy meeting to discuss the agency and utility organisation comments.

Other Council work including the analysis of the stormwater system in south Bungendore, a desktop analysis of potential bypass routes, consideration of the traffic hierarchy and the finalisation of the Bungendore heritage study are being included in the structure plan work.

It is noted the Palerang IWCMP report is included in this business paper, and has relevance to the Structure Plan.

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### **Recommendation**

**That the report be received for information.**

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### **Attachments**

Nil



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**13.2 Food for Fines (Ref: C1916288); Author: Richards/Bott**

**Report**

During December 2018 the Queanbeyan-Palerang Library Service ran a “Food for Fines” program, where community members were given the opportunity to donate an item of food to clear any outstanding fines. The program aimed to encourage disengaged users to return to the library, allowing the library to recover overdue items, and increase circulation figures. The overall goal was to generate positive outcomes for library users and the community.

In December, the library service had an increase of approximately 1000 patron visits, an increase of 700 returns and a reduction in the number of long overdue items by 20, compared to December 2017. We can conclude that the above scheme was successful in increasing our visitor numbers and encouraging users to return items, including long overdue items.

There was no loss of revenue from fines collected during December 2018 compared with December 2017. Many Library customers with fines donated food items and some were happy to pay the fine and also donate an item of food. Staff had very positive feedback from customers about the program.

In the month of December 2018, food collected from the three libraries weighed in at 80 kilograms. The food collection and distribution was done by the QPRC Food Project Officer who is based in the Community team. In conjunction with Oz Harvest, the food was distributed to local families and groups in need. This amount of food is equivalent to 320 meals for local families. Food formats varied and included packets, jars, tins, and bottles. All items were sealed, in date and usable, and included a high proportion of popular Christmas fare.

As the program produced successful outcomes for the QPRC community, the Library proposes to run ‘Food for Fines’ as an annual event.

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**Recommendation**

**That the report be received for information.**

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**Attachments**

Nil



**13.3 Christmas Shop & Win 2018 (Ref: C1916851); Author: Richards/Lamont**

**Report**

The following information report contains statistics and feedback from the 2018 Christmas Shop & Win promotion conducted across both Bungendore and Braidwood.

The feedback from 2017's participating businesses across both locations saw two major changes to the 2018 promotion,

- Shorter period of eight weeks as opposed to 2017's twelve weeks
- One ticket per transaction over a \$20 spend

The other additions to 2018 was the significant Facebook awareness campaign across both Braidwood/ Bungendore (conducted by Threesides Marketing) and the Ratepayers Initiative with the added prize draw of \$500. Both of these new promotions were to assist with creating awareness of both towns' businesses across the region, in particular to drive residents from the west of the LGA to visit, spend money and enter the draw.

The 2018 promotion kicked off across both locations on October 1 with the winners announced at the Community Christmas Parties, November 30 and December 1. All winners were locals and very appreciative.

**Business participation**

Braidwood	Bungendore
2017 – 37	2017 – 41
2018 – 35 (5 of which were new to 2018)	2018 – 36 (7 of which were new to 2018)

**Promotion Statistics**

Braidwood 2017	2018
\$10,000 prizemoney	\$10,500 prizemoney
80,000 tickets printed	60,000 tickets printed
59,900 entered	28,152 entered
Average spend across 500 entries = \$64.74	Average spend across 750 entries = \$66.94
12 businesses shared in the winnings	13 businesses shared in the winnings
Bungendore 2017	2018
\$10,000 prizemoney	\$10,500 prizemoney
120,000 tickets printed	80,000 tickets printed
100,900 entered	46,896 entered
Average spend across 500 entries = \$82.69	Average spend across 750 = \$69.88
19 businesses shared in the winnings	10 businesses shared in the winnings

**Ratepayers Prize**

28,000 tickets were distributed across the LGA with the November rates notices. The up-take from the community across the entire LGA, was disappointing.

- Bungendore: 5 tickets entered from postcode 2620, 128 entered from 2621
- Braidwood: 2 tickets entered from 2620, 118 entered from 2622

Total spend on the additional Ratepayers prize was \$1,707.88 for printing, and considerable staff time.

### **Facebook Campaign**

From the Facebook campaign conducted by Threesides marketing, the analysis shows that it had significant reach across the 8 weeks of the promotion. It is hoped the awareness created by the campaign will have future positive effects for the businesses and the towns of Braidwood and Bungendore.

Total spend on the Facebook campaign was \$3,000. The report/analytics of that campaign is attached.

A guide to the Threesides Marketing analytics:

- 'Impressions' is the number of times the ad/ads appeared on someone's Facebook screen;
- 'Engagements' is where the ad/ads were liked, commented on or shared;
- 'Link Clicks' is where it has gone through to the QPRC website with the promotion details and participating business lists in both locations.

The QPRC Facebook page was also used to promote Christmas Shop & Win across the 8 weeks. All participating businesses were made aware of this in late September and asked to support it via their own Facebook pages.

QPRC Shop & Win posts occurred on Sept 28 with a reach 2,389; Oct 15 with a reach of 2,152; Nov 8 with a reach of 2,088 and Nov 22 with a reach of 1,799. The QPRC Facebook page has 8,672 followers.

### **Summary**

The feedback from some businesses across both locations throughout the promotion was that the shorter period was much better and the 1 ticket per transaction was less confusing for the general public.

As the promotion was 4 weeks shorter and the second ticket for sales over \$100 did not occur in 2018, the entries across both towns were comparable to 2017.

An issue identified across both towns is the lack of business staff/owner leveraging the promotion. In many occurrences the business owner was failing to offer a ticket after an eligible sale, rather relying on the customer to ask for a ticket. Businesses also did not leverage any social media opportunities through their own channels.

With only .05% of the issued Ratepayers tickets activated across the LGA, it is pretty safe to say that the Ratepayers prize did not have the desired effect in driving visitation and spend from the Queanbeyan area. Feedback from part of the community and QPRC Customer Service staff in both towns was that it was confusing, some thought it was a flyer and in general they did not know what to do with the ticket, even though all the details were printed on the ticket.

There are several issues across both towns that can be improved which would have a positive impact on the business community in general as well as 2019's Christmas Shop & Win promotion.

- Business failure to take full advantage of the promotion through leveraging their own promotions on the back of Shop and Win or not collaborating with other businesses to gain deeper traction and awareness. The Shop and Win promotion should be seen as a 'tool' for businesses to build their own promotion/campaign pre Xmas.

- Businesses educating customers about the promotion through their customer service.

This information has been passed onto both financial partners, Bungendore Chamber of Commerce & Industry and Palerang Financial Services. Discussions will be held with both partners to ascertain how the QPRC Placemaking team can work with both partners and the business communities to improve awareness of the promotion and work more collaboratively in improving the promotion in 2019.

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### **Recommendation**

**That the report be received for information.**

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### **Attachments**

Attachment 1  2018 Shop & Win Facebook Advertising Report (*Under Separate Cover*)



14.1 Queanbeyan-Palerang Sports Council - Minutes of meeting held 4 February 2019 (Ref: C1918645; Author: Thompson/Penman)

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**Summary:**

The Queanbeyan-Palerang Sports Council has submitted the minutes of its meeting held 4 February 2019 for Council information


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**Recommendation**

**That Council:**

1. Note the minutes of Queanbeyan-Palerang Sports Council meeting held on 4 February 2019.
  2. Note recommendation QPRC SC 01/19 from the meeting held on 4 February 2019.  
QPRC SC 01/19 The Committee supports the revised terms of reference for the Queanbeyan-Palerang Sports Council.
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**Attachments**

- Attachment 1  Minutes of the QPRC Sports Council - 4 February 2019 (*Under Separate Cover*)
- Attachment 2  Draft TOR Sports Council Jan 2019 (*Under Separate Cover*)





14.2 Sister City Committee (Ref: C1923474; Author: Tegart/Ferguson)

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**Summary:**

The minutes of the meeting of the Sister City Committee held on 22 November 2018 are attached for Council's information. The next meeting, scheduled for 21 February 2019, has been deferred.

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**Recommendation**

**That Council:**

1. **Note the minutes of the meeting of the Sister City Committee held on 22 November 2018.**
2. **Consider adopting the following recommendations from the meeting:**

**SSC1/18 RECOMMENDATION** that the Sister City Committee endorse the letter from the Mayor, Cr Tim Overall, dated 8 November 2018, to the Mayor of Minami-Alps, proposing a visit to Queanbeyan in 2019.

**SSC2/18 RECOMMENDATION** that Council follow up with the Principals of Karabar High and Queanbeyan High seeking the nomination of representatives from both schools to join the Sister City Committee.

**SSC3/18 RECOMMENDATION** that the Committee explore, in conjunction with the local Macedonian community, the possibility of a friendship visit delegation to Ohrid during the European summer season 2020.

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**Attachments**

Attachment 1  Minutes of Sister City Committee meeting held 22 November 2018  
(Under Separate Cover)



14.3 Minutes of Captains Flat Locality Committee Meeting 13 November 2018 (Ref: C1923487; Author: Tegart/Ferguson)

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**Summary:**

The minutes of the inaugural meeting of the Captains Flat Locality Committee held on 13 November 2018 are attached for Council's information.

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**Recommendation**

**That Council:**

1. Note the minutes of the meeting of the Captains Flat Locality Committee held on 13 November 2018.
2. Adopt the following recommendation CFLC02/2018 from the meeting held on 13 November 2018:

**CFLC02/2018 RECOMMENDATION** That Point 3 (Meetings) of the Captains Flat Locality Committee's Terms of Reference be amended to read:  
"Meetings will be held in April and October each year, starting at 4.30pm, and the location of the meetings rotating between Hoskinstown Hall, Carwoola Hall and the Committee Meeting Room, Queanbeyan."

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**Attachments**

Attachment 1  Minutes of Captains Flat Locality Committee meeting held 13 November 2018 (*Under Separate Cover*)



14.4 Minutes of the Braidwood Locality Committee Meeting 8 October 2018 (Ref: C1923508; Author: Tegart/Ferguson)

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**Summary:**

The minutes of the second meeting of the Braidwood Locality Committee held on 8 October 2018 are attached for Council's information.

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**Recommendation**


**That Council:**

1. Note the minutes of the meeting of the Braidwood Locality Committee held on 8 October 2018.
2. Adopt recommendation BDLC04/2018 from the meeting held on 8 October 2018:

**BDLC04/2018 RECOMMENDATION** That Point 3 (Meetings) of the Braidwood Locality Committee's Terms of Reference be amended to read:  
"Meetings will be held in April and October each year..."

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**Attachments**

Attachment 1  Minutes of Braidwood Locality Committee meeting held 8 October 2018  
(Under Separate Cover)



14.5 Minutes of the Burra Locality Committee Meeting 19 November 2018 (Ref: C1923519; Author: Tegart/Ferguson)

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**Summary:**

The minutes of the second meeting of the Burra Locality Committee held on 19 November 2018 are attached for Council's information.

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**Recommendation**


**That Council:**

1. Note the minutes of the meeting of the Burra Locality Committee held on 19 November 2018.
2. Adopt recommendation BURLC05/2018 from the meeting held on 19 November 2018.

**BURLC05/2018 RECOMMENDATION** That Point 3 (Meetings) of the Burra Locality Committee's Terms of Reference be amended to read:  
"Meetings will be held in April and October each year..."

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**Attachments**

Attachment 1  Minutes of Burra Locality Committee meeting 19 November 2018 (*Under Separate Cover*)





14.6 Minutes of Local Traffic Committee - 12th February 2019 (Ref: C1925560;  
Author: Hansen/Cooke)

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**Summary:**

The Local Traffic Committee has submitted the minutes and recommendations of its meeting held on 12 February 2019 for Council's information and consideration.

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**Recommendation**

**That Council:**

1. Note the minutes of Local Traffic Committee Meeting held on 12 February 2019 be confirmed.
2. Adopt recommendations LTC 01/2019 to LTC 15/2019 from the meeting held on 12 February 2019.

**LTC 01/2019 Under the *Roads Act 1993*, approve the Traffic Control Plan for the Marina Prior Event on 23 February 2019 in Braidwood, pending the organiser amends arrangements for marshalling point, entry time and receives an ROL.**

**LTC 02/2019 Under the *Roads Act 1993*, approve the Traffic Control Plan for the 2019 NSW Women's Open Golf Tournament, Queanbeyan Golf Course, Queanbeyan from 7<sup>th</sup> to 10<sup>th</sup> of March 2019. Recommendation to include evaluation contingency plan for the safe movement of pedestrians and provide a debrief for evaluation of the control measures for the event.**

**LTC 03/2019 Under the *Roads Act 1993* approve the traffic control plans for the Queanbeyan Anzac Day from 5:00am to 6.15am for Dawn Service and 9:00am to 11:30am for main service Thursday 25 April 2019.**

**LTC 04/2019 Under the *Roads Act 1993* approve the traffic control plans for the Bungendore Anzac Day from 5:30am to 7:00am for Dawn Service and 10:00am to 12:30pm for main service Thursday 25 April 2019.**

**LTC 05/2019 Under the *Roads Act 1993* approve the traffic control plan for the Captains Flat Anzac Day event from 9:30am to 12:15pm Thursday 25 April 2019.**

**LTC 06/2019 Under the *Roads Act 1993* approve the traffic control plan for the 'What's Your Story' Mural Event at Blacksmiths Lane, Queanbeyan from 10am to 4pm Sunday 14 April 2019.**

**LTC 07/2019 Under the *Roads Act 1993* approve the traffic control plan for the Jerrabomberra Anzac Day event from 10.00pm Wednesday 24 April to 7.30am Friday 27 April 2019.**

**LTC 08/2019 Hold over a recommendation for the preferred design of potential changes to the parking arrangements near the Wood Work Gallery, Kings Hwy Bungendore until a joint site inspection is carried out.**

**LTC 09/2019 Under the *Road Transport Act 2013* approve the upgrade of the intersection of River Drive and Barracks Flat intersection as per the design.**

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**14.6 Minutes of Local Traffic Committee - 12th February 2019 (Ref: C1925560; Author: Hansen/Cooke) (Continued)**

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**LTC 10/2019** Have the Tarago Road and Mount Fairy Road Intersection design amended to detail the length of BB line proposed and defer decision until next meeting.

**LTC 11/2019** Under the *Road Transport Act 2013* approve the line marking and signage as per the design for Montgomery Ave, Googong.

**LTC 12/2019** Approve the location of the way finding signage as per the design, pending confirmation of compliance with Austroads Standards.


**LTC 13/2019** In accordance with the *Road Transport Act 2013* approve upgrades to mobility parking on Ellendon Street, Bungendore as per the design.

**LTC 14/2019** In accordance with the *Road Transport Act 2013* approve two additional 'No Parking' signs on Connolly Street, Googong.

**LTC 15/2019** Under the *Roads Act 1993* pending evidence of the required essential Event documents, approve the traffic control plan for the Braidwood Anzac Day Event(s) 5.30am to 7.30am for Dawn Service and 10am to 1pm for Main March, 25 April 2019.

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**Attachments**

Attachment 1  Local Traffic Committee - Minutes 12 February 2019 (*Under Separate Cover*)

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**16.1 Responses to Councillors' Questions (Ref: C1926146); 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.


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**Recommendation**

**That the report be received for information.**

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**Attachments**

- Attachment 1  Responses to Councillors' Questions (*Under Separate Cover*)  
Attachment 2 Responses to Councillors' Questions - with confidential information  
(*Under Separate Cover*) - **CONFIDENTIAL**

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

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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 Quarterly Legal Report - December 2018**

*Item 20.1 is confidential in accordance with s10(A) (g) of the Local Government Act 1993 because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**Item 20.2 Potential Property Acquisition - Braidwood**

*Item 20.2 is confidential in accordance with s10(A) (c) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**Item 20.3 Bungendore Properties**

*Item 20.3 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.*