



# **Ordinary Meeting of Council**

## **AGENDA**

**28 August 2019**

**Commencing at 5.30pm**

**Bungendore Council Chambers**



**On-site Inspections – Nil**

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<b>1</b>	<b>OPENING</b>	
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**Confidential - Not for Publication**

**16 REPORTS FOR CLOSED SESSION**

16.1 SCCF High Street Amenities Project

*Item 16.1 is confidential in accordance with s10(A) (d) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

16.2 Approach to Purchase Land

*Item 16.2 is confidential in accordance with s10(A) (c) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

16.3 Land Acquisition - Bungendore

*Item 16.3 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.*

**17 CONCLUSION OF THE MEETING**

**LIST OF ATTACHMENTS –**

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

**Open Attachments**

- Item 9.1 Braidwood Skate Park - Concept Designs for Public Exhibition  
*Attachment 1 Skate Park Concept Designs (Under Separate Cover)*  
*Attachment 2 Site Reviews (Under Separate Cover)*
- Item 9.2 Development Application 568-2018 - Clubhouse and Amenities Building - 25 High Street, Queanbeyan East  
*Attachment 1 DA 568.2018 - Section 4.15 Matters for Consideration - Amenities and Clubhouse - 25 High Street, Queanbeyan East (Under Separate Cover)*  
*Attachment 2 DA 568.2018 - Plans - Amenities and Clubhouse - 25 High Street, Queanbeyan East (Under Separate Cover)*  
*Attachment 3 DA 568.2018 - Draft Conditions of Consent - Amenities and Clubhouse - 25 High Street, Queanbeyan East (Under Separate Cover)*
- Item 9.3 Development Application DA.2019.1048 - Garage/Shed and Carport - 79 The Mountain Road, Bungendore  
*Attachment 1 DA.2019.1048 - Section 4.15 Matters for Consideration - Garage/Shed and Carport - 79 The Mountain Road, Bungendore (Under Separate Cover)*  
*Attachment 2 DA.2019.1048 - Plans - Garage/Shed and Carport - 79 The Mountain Road, Bungendore (Under Separate Cover)*  
*Attachment 3 DA.2019.1048 - Draft Conditions of Consent - Garage/Shed and Carport - 79 The Mountain Road, Bungendore (Under Separate Cover)*
- Item 9.6 Bungendore Roundabout - Designs and Consultation  
*Attachment 1 Bungendore Roundabout - Option 2 (Under Separate Cover)*  
*Attachment 2 Bungendore Roundabout - Option 3 (Under Separate Cover)*  
*Attachment 3 Bungendore Roundabout Community Consultation Report (Under Separate Cover)*
- Item 9.7 Delivery Program update - January-June 2019  
*Attachment 1 Delivery Program update - January-June 2019 (Under Separate Cover)*
- Item 9.8 QPRC Decision-Making Framework and Policy  
*Attachment 1 QPRC Decision Making Framework (Under Separate Cover)*  
*Attachment 2 Decision Making Framework Policy (Under Separate Cover)*
- Item 9.9 Policy - Fraud Control  
*Attachment 1 Draft Fraud Control Policy - following consultation - ID338834 (Under Separate Cover)*
- Item 9.10 Investment Report - July 2019  
*Attachment 1 July 2019 - Budgeted Interest Allocation by Entity (Under Separate Cover)*  
*Attachment 2 July 2019 - Investment Report Pack (Under Separate Cover)*  
*Attachment 3 July 2019 - Economic Commentary (Under Separate Cover)*

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- Item 9.11 Carry Forward/Revote of Expenditure to Financial Year 2019/20  
*Attachment 1 Carry Forward/Revote of Expenditure to Financial Year 2019-20 (Under Separate Cover)*
- Item 9.13 IPART Review of Local Government Rating System - Submission to Final Report  
*Attachment 1 IPART Rating System Submission (Under Separate Cover)*  
*Attachment 2 IPART Final Report - Review of Local Government Rating Systems (Under Separate Cover)*
- Item 9.14 Rates Harmonisation  
*Attachment 1 Rates Harmonisation Background - Summary (Under Separate Cover)*  
*Attachment 2 Capacity to Pay - Summary (Under Separate Cover)*
- Item 9.15 Queanbeyan CBD - Stage 5 Monaro Corridor  
*Attachment 1 Monaro Street Refurbishment - Concept per Masterplan (Under Separate Cover)*  
*Attachment 2 Monaro Street - high level estimate (Under Separate Cover)*
- Item 11.1 Queanbeyan-Palerang Sports Council - Minutes of meeting held 5 August 2019  
*Attachment 1 Minutes of the QPRC Sports Council - 5 August 2019 (Under Separate Cover)*
- Item 11.2 Local Traffic Committee 6 August 2019  
*Attachment 1 Local Traffic Committee Minutes 6 August 2019 (Under Separate Cover)*
- Item 11.3 Captains Flat Locality Committee Meeting Minutes  
*Attachment 1 Captains Flat Locality Committee meeting minutes 16 April 2019 (Under Separate Cover)*
- Item 11.4 Braidwood Locality Committee Meeting Minutes  
*Attachment 1 Braidwood Locality Committee minutes 15 April 2019 (Under Separate Cover)*
- Item 14.1 Responses to Councillors' Questions  
*Attachment 1 Responses to Councillors' Questions (Under Separate Cover)*

**Closed Attachments**

- Item 14.1 Responses to Councillors' Questions  
*Attachment 2 Responses to Councillors' Questions with confidential information (Under Separate Cover)*
- Item 16.1 SCCF High Street Amenities Project  
*Attachment 1 Ausco Sport Facilities - Example 1 (Under Separate Cover)*  
*Attachment 2 Ausco Sports Facilities - Example 2 (Under Separate Cover)*



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Bungendore Council Chambers on Wednesday, 24 July 2019 commencing at 5.30pm.

## ATTENDANCE

**Councillors:** Cr Overall (Chair), Crs Biscotti, Bray AM, Harrison, Hicks, Marshall, Noveska, Schweikert, 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 B Warne, A/Portfolio General Manager Organisational Capability.

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

### 1. OPENING

The meeting opened at 5.31pm.

### 2. ACKNOWLEDGEMENT OF COUNTRY

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

### 3. APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

236/19

#### **RESOLVED (Taylor/Schweikert)**

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

The resolution was carried unanimously.

### 4. CONFIRMATION OF MINUTES

#### 4.1 **Minutes of the Ordinary Meeting of Council held on 26 June 2019**

237/19

#### **RESOLVED (Schweikert/Hicks)**

That the Minutes of the Ordinary Meeting of Council held in the Bungendore Council Chambers on Wednesday 26 June 2019 be confirmed.

The resolution was carried unanimously.

**4.2 Minutes of the Planning and Strategy Committee of the Whole held on 10 July 2019**

238/19

**RESOLVED (Harrison/Hicks)**

That the Minutes of the Planning and Strategy Committee of the Whole held in the Queanbeyan Council Chambers on Wednesday 10 July 2019 be confirmed.

The resolution was carried unanimously.

**5. DISCLOSURES OF INTERESTS**

239/19

**RESOLVED (Schweikert/Taylor)**

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 less than significant non-pecuniary interest in Item 9.14 - Family Day Care - 2019/20 Fee, stating his sister is a family day care educator.

Cr Marshall declared a less than significant non-pecuniary interest in Item 12.1 - Captains Flat Road - Foxlow Alignment, stating he is a regular user of the road and believes he would benefit from the proposal and therefore have a conflict of interest.

**6. ADJOURNMENT FOR PUBLIC FORUM**

At this stage of the proceedings, the time being 5.34pm, Cr Overall advised that the meeting be adjourned to conduct the Public Forum.

240/19

**RESOLVED (Overall/Taylor)**

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

At the conclusion of the Public Forum, the meeting resumed at 5.46pm.

**7. MAYORAL MINUTE**

There was no Mayoral Minute.

**8. NOTICES OF MOTIONS OF RESCISSION**

There were no Notices of Motion of Rescission.



**9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION****9.1 Development Application DA.2019.009 - Caravan Park - 94 Reservoir Lane, Braidwood****MOVED (Harrison/Schweikert)**

That:

1. Development application DA.2019.009 for a Caravan Park on Lot 83 DP755911, 94 Reservoir Lane, Braidwood be granted conditional approval, with the additional following conditions:

- i. **Limited Consent**

The period to which the approved development may be carried out upon the subject site is limited until 30 June 2025. After that date the consent shall cease, the site shall be remediated in accordance with the requirements contained within this consent and the use of the land shall revert to the existing extensive agricultural use. Any other uses of the site will require a new development consent.

*Reason: To ensure that the use of the site is consistent with the scope of the proposed development and that the site is appropriately remediated following the completion of the use.*

- ii. **Financial Assurance – Site Remediation and Rehabilitation**

Prior to the issue of any Completion Certificate, a financial assurance in the form of a bank guarantee or monetary payment to the value of \$100,000 to cover the costs of future site remediation and rehabilitation works at the expiry of this consent is required to be paid/ submitted to Council.

The assurance may be released on satisfactory completion or all site remediation and rehabilitation works, following an acceptable inspection by a Council Officer.

*Reason: To cover Queanbeyan-Palerang Regional Council's costs of repair of any damage that is not properly rectified by the applicant upon completion of the development.*

2. Those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.
3. The Rural Fire Service and Water NSW be forwarded a copy of Council's Notice of Determination.

Cr Marshall foreshadowed a CONTRARY motion: ["That this Item be deferred to allow a site inspection by Councillors and brought back to an Extraordinary Planning and Strategy Committee meeting to be held in Braidwood."]

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

241/19

**RESOLVED (Harrison/Schweikert)**

That:

1. Development application DA.2019.009 for a Caravan Park on Lot 83 DP755911, 94 Reservoir Lane, Braidwood be granted conditional approval, with the additional following conditions:

- i. **Limited Consent**

The period to which the approved development may be carried out upon the subject site is limited until 30 June 2025. After that date the consent shall cease, the site shall be remediated in accordance with the requirements contained within this consent and the use of the land shall revert to the existing extensive agricultural use. Any other uses of the site will require a new development consent.

*Reason: To ensure that the use of the site is consistent with the scope of the proposed development and that the site is appropriately remediated following the completion of the use.*

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The assurance may be released on satisfactory completion or all site remediation and rehabilitation works, following an acceptable inspection by a Council Officer.

*Reason: To cover Queanbeyan-Palerang Regional Council's costs of repair of any damage that is not properly rectified by the applicant upon completion of the development.*

2. Those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.
3. The Rural Fire Service and Water NSW be forwarded a copy of Council's Notice of Determination.

For: Cr Biscotti, Bray, Harrison, Hicks, Noveska, Overall,  
Schweikert, Taylor and Winchester

Against: Cr Marshall

**9.2 Development Application 290-2018 - 101 Lot Residential Subdivision - 36 Googong Road, Googong****MOVED (Taylor/Biscotti)**

That the matter be deferred to enable further discussion between the parties at the 'without prejudice' conciliation meeting scheduled on 2 August 2019.

Cr Schweikert foreshadowed a CONTRARY motion: [“That:

1. Development application 290-2018 for Torrens title subdivision to create 101 residential lots, two public reserve lots, one residue lot and all associated subdivision works on Lot 844 DP 1204019, Lot 664 DP 1195842, Part Lot 4 DP 1217396 and Lot 965 DP 1207816, known as Googong Road, 36 Googong Road, and Maxwell Street, Googong be refused for the following reasons.

Reasons for Refusal:

- (a) Insufficient information has been submitted by the applicant for Council to determine if part of the subject land is contaminated, or if it is suitable for the proposed residential land use. This contravenes Clause 7 - Contamination and remediation to be considered in determining development application of State Environmental Policy No 55 – Remediation of Land.
- (b) The proposed development is inconsistent with the aims of the Queanbeyan Local Environmental Plan listed in Clause 1.2 – Aims of the plan, specifically aim (g) in that it does not represent or facilitate the orderly growth of Googong Township in a manner that promotes a high level of residential amenity.
- (c) The proposed development is inconsistent with the objectives of the R5 – Large Lot Residential zone listed in LEP Land Use Table, specifically, the objective of minimising conflict between land uses within the R5 zone and adjoining zones, in that it includes the creation of residential lots that are in close proximity to the Googong Water Recycling Plant. It has not been demonstrated that future residents won't be subject to unacceptable adverse amenity impacts from odour and noise.
- (d) The proposed development contravenes the Queanbeyan Local Environmental Plan 2012 by proposing to create one lot that is less than the required minimum prescribed in Clause 4.1 – Minimum subdivision lot size.
- (e) The NSW Department of Planning have not issued Certification that satisfactory arrangements have been made for the provision of designated State public infrastructure. This is required under Clause 6.1 – Arrangements for designated state and Territory public infrastructure of the Queanbeyan Local Environmental Plan 2012.
- (f) The Commonwealth Department of Infrastructure, Transport, Cities and Regional Development have not provided confirmation that it has no objection to the proposed development. This is required under Clause 7.6 – Airspace operations of the Queanbeyan Local Environmental Plan 2012.
- (g) The proposed development is non-compliant with the following development controls of the Queanbeyan Development Control Plan 2012:

- (i) 2.3.6 – Noise and Vibration; and
  - (ii) 2.4 – Contaminated Land Management.
- (h) The proposed development is non-compliant with the following development controls of the Googong Development Control Plan:
- (i) 4.3 – General Controls;
  - (ii) 4.4 – Lot Orientation and Lot Size and Layout;
  - (iii) 4.6 – Residential Interface with Googong Dam Foreshores;
  - (iv) 8.9 – Land Contamination Management; and
  - (v) 8.10 – Odour.
- (i) The proposed development is inconsistent with the objectives of the Googong Master Plan as listed in Part 3 of the Googong Development Control Plan in that the development does not establish high quality liveable neighbourhoods within a sustainable township because the applicant has not been able to demonstrate that the amenity of future residents within the 250m odour buffer will not be detrimentally affected.
- (j) The proposed development is inconsistent with the Structure Plans for Neighbourhood 1A and 1B contained in Appendix 3 and 5 of the Googong Development Control Plan as the applicant has not satisfactorily demonstrated that odour and noise from the WRP will not have a detrimental impact to the amenity of future residents within the current 250m odour buffer area.
- (k) Pursuant to Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979:
- (i) Context and Setting – It has not been satisfactorily demonstrated that it is appropriate to locate residential lots within the Water Recycling Plant's odour buffer without resulting in an unacceptable adverse amenity impacts on future residents.
  - (ii) Air and Microclimate – The levels of odour emissions from the Water Recycling Plant will have an unacceptable adverse impact on the amenity of future residents.
  - (iii) Noise and Vibration – It has not been satisfactorily demonstrated that noise generation from the Water Recycling Plant will not have an unacceptable adverse impact on the amenity of future residents, or that the potential for offensive noise has been adequately minimised or effectively mitigated.
- (l) Pursuant to Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979 the subject site is not considered to be suitable for the proposed residential development due to its proximity to the Water Recycling Plant and the associated adverse amenity impacts.

(m) Pursuant to Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, the proposed development is not in the public interest as it will create residential lots which will be exposed to adverse amenity impacts due to emissions of odour and noise from the Googong Water Recycling Plant.

2. The NSW Office of Environment and Heritage and the Rural Fire Service (as integrated approval bodies) be forwarded a copy of Council's Notice of Determination."]

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

242/19

**RESOLVED (Taylor/Biscotti)**

The matter be deferred to enable further discussion between the parties at the 'without prejudice' conciliation meeting scheduled on 2 August 2019.

For: Crs Biscotti, Harrison, Marshall, Noveska, Taylor and Winchester

Against: Crs Bray, Hicks, Overall and Schweikert

**9.3 Draft Queanbeyan Floodplain Risk Management Study and Plan**

243/19

**RESOLVED (Hicks/Harrison)**

That Council:

1. Exhibit the draft Queanbeyan Floodplain Risk Management Study and Plan for community comment for 28 days.
2. Receive a report considering the community feedback.

The resolution was carried unanimously.

**9.4 NSW Government Parking Fines Review**

**MOVED (Schweikert/Noveska)**

That Council:

1. "Opt in" to the NSW Government's Parking Fine Concession Scheme to reduce parking fine amounts from \$114 to \$82 from 1 December 2019.
2. Advise the NSW Treasurer and Minister for Industrial Relations of Council's decision by 1 October 2019.

Cr Harrison foreshadowed a contrary motion: ["That Council:

1. "Opt out" of the NSW Government's Parking Fine Concession Scheme to reduce parking fine amounts from 1 December 2019.
2. Advise the NSW Treasurer and Minister for Industrial Relations of Council's decision by 1 October 2019."]

The motion (of Crs Schweikert and Noveska) was PUT and LOST.

For: Crs Hicks, Noveska and Schweikert

Against: Crs Biscotti, Bray, Harrison, Marshall, Overall, Taylor and Winchester

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

244/19

**RESOLVED (Harrison/Taylor)**

That Council:

1. "Opt out" of the NSW Government's Parking Fine Concession Scheme to reduce parking fine amounts from 1 December 2019.
2. Advise the NSW Treasurer and Minister for Industrial Relations of Council's decision by 1 October 2019.

For: Cr Biscotti, Bray, Harrison, Marshall, Overall, Taylor and Winchester

Against: Crs Hicks, Noveska and Schweikert

**9.5 Queanbeyan CBD - Revised Scope of Works - Stage 3**

245/19

**RESOLVED (Hicks/Schweikert)**

That Council:

1. Receive and note the report.
2. Endorse the scope of works for the Morisset carpark precinct.
3. Undertake concurrent procurement options as outlined in the report.
4. Update the financial plan to reflect the changes to the QCBD stages of work, funding and timing.
5. Endorse borrowings of up to \$10m from FY21, with actual borrowings to be confirmed in the FY21 Operational Plan.
6. Progress amendments to the relevant s7.11 development contribution plan for carparking, for further report and exhibition.
7. Introduce options to lease carspaces.
8. Commission a place management plan and thematics for the CBD laneways and public domain.
9. Accept and thank the NSW Government for the offer of \$10m grant.

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

Against: Crs Harrison, Marshall and Taylor

**9.6 Project Management Office****MOVED (Schweikert/Taylor)**

That Council not participate in the lease share arrangement of Sydney CBD office space with Wagga Wagga City Council.

Cr Marshall foreshadowed a CONTRARY motion: ["That Council participate in the lease share arrangement of Sydney CBD office space with Wagga Wagga City Council."]

The motion (of Crs Schweikert and Taylor) was PUT and LOST.

For: Crs Harrison, Taylor and Schweikert

Against: Crs Biscotti, Bray, Hicks, Marshall, Noveska, Overall and Winchester

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

246/19

**RESOLVED (Marshall/Hicks)**

That Council participate in the lease share arrangement of Sydney CBD office space with Wagga Wagga City Council.

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

Against: Crs Harrison, Schweikert and Taylor

**9.7 Easement Creation - Lane off Pony Place, Carwoola**

247/19

**RESOLVED (Marshall/Harrison)**

That Council support the creation of an easement over a track within Lot 32 DP 871706 in favour of the Minister administering the *National Parks and Wildlife Act 1974*.

The resolution was carried unanimously.

**9.8 Proposed Closure - Brown St Queanbeyan**

248/19

**RESOLVED (Schweikert/Hicks)**

That Council commence procedures in accordance with Part 4 Division 3 of the *Roads Act 1993* to close Brown Street Queanbeyan and the Queanbeyan Golf Club be advised of this decision.

The resolution was carried unanimously.

- 249/19                    **9.9      Renewal of Licence Agreement - Anglican School Googong**  
**RESOLVED (Schweikert/Harrison)**
- That:
1. The report be received and noted.
  2. Council agree in principle to enter into a five-year Licence Agreement with the Anglican School Googong for use of the sports oval at Googong.
  3. The Licence Agreement proposal be advertised in accordance with S47 and 47A of the *Local Government Act 1993*.
  4. If no objection to the proposal is received, the Licence Agreement be executed.
  5. The Council approve the Mayor and the General Manager to execute the Licence Agreement on the Council's behalf.

The resolution was carried unanimously.

- 250/19                    **9.10    Appointment of Representatives to the Audit, Risk and Improvement Committee**  
**RESOLVED (Harrison/Bray)**
- That:
1. Council confirm the appointments of Andrew Cox, Max Shanahan and Carolyn Rosetta-Walsh as external members of the Council's Audit Risk and Improvement (ARIC) Committee.
  2. A draw by lot be held at the next Committee meeting to determine the length of tenure for external members so that there is an annual appointment process and a rotation of external members.

The resolution was carried unanimously.

- 251/19                    **9.11    Good Governance Framework and Draft Legislative Compliance Policy**  
**RESOLVED (Marshall/Harrison)**
- That Council:
1. Place the Draft Good Governance Framework and draft Legislative Compliance Policy on public exhibition for a period of 28 days to seek community comment on their provisions.
  2. Receive a report on the feedback received prior to the Framework and Policy's final adoption.

The resolution was carried unanimously.



252/19                    **9.12    Draft Public Interest Disclosures Act - Internal Reporting Policy**  
**RESOLVED (Schweikert/Noveska)**

That Council adopt the QPRC Public Interest Disclosures Act – Internal Reporting Policy.

The resolution was carried unanimously.

253/19                    **9.13    Investment Report - June 2019**  
**RESOLVED (Bray/Biscotti)**

That Council:

1. Note the 2018/19 investment income for June 2019 was \$1,021,971.
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 June 2019.

The resolution was carried unanimously.

Cr Winchester declared a non-pecuniary interest in this item and left the meeting room at 6.59pm.

254/19                    **9.14    Family Day Care - 2019/20 Fee**  
**RESOLVED (Schweikert/Hicks)**

That Council absorb the cost of the Harmony timesheet fee into the current FDC educator fees.

The resolution was carried unanimously.

Cr Winchester returned to the meeting room at 7.00pm.

## **10.    REPORTS TO COUNCIL - ITEMS FOR INFORMATION**

255/19                    **10.1    Mick Sherd Oval Condition Report**  
**RESOLVED (Schweikert/Biscotti)**

That Council:

1. Receive the report for information.
2. Receive another report on the timeline for remediation of Mick Sherd Oval.
3. Receive an update on the status of the new Bungendore Sports Hub.

The resolution was carried unanimously.

**10.2 Major Projects Status - Stronger Communities Fund**

256/19

**RESOLVED (Schweikert/Taylor)**

That Council note the report on the status of major infrastructure projects funded through the \$9m second round of the Stronger Communities Fund Program.

The resolution was carried unanimously.

**10.3 Canberra Region Joint Organisation**

257/19

**RESOLVED (Schweikert/Bray)**

That the report be received for information.

The resolution was carried unanimously.

**11. REPORTS OF COMMITTEES****11.1 Audit, Risk and Improvement Committee meeting 19 June 2019**

258/19

**RESOLVED (Harrison/Taylor)**

That Council note the minutes of the Audit, Risk and Improvement Committee meeting held on 19 June 2019.

The resolution was carried unanimously.

Cr Marshall declared a non-pecuniary interest in this item and left the meeting room at 7.06pm.

**12. NOTICES OF MOTIONS****12.1 Captains Flat Road - Foxlow Alignment****MOVED (Hicks/Schweikert)**

That:

1. Council commence design and boundary alignment planning for the construction of a road bypass in front of Foxlow homestead.
2. The plan be presented to Council this financial year.

**AMENDMENT (Overall/Harrison)**

That:

1. Council include design and boundary alignment work for the construction of road bypass in front of Foxlow homestead as an option in the Captains Flat Road scope of works to be presented to Council.
2. The scope of works include vehicle accident history for the proposed road bypass in front of Foxlow Homestead and other areas that have been prone to accidents along Captains Flat Road.
3. Council seek an update from the local member on the timing of receipt of the grant given the urgency of the work required.

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

For: Crs Biscotti, Bray, Harrison, Noveska, Overall, Taylor and Wincehster.

Against: Crs Hicks and Schweikert

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

259/19

**RESOLVED (Overall/Harrison)**

That:

1. Council include design and boundary alignment work for the construction of road bypass in front of Foxlow homestead as an option in the Captains Flat Road scope of works to be presented to Council.
2. The scope of works include vehicle accident history for the proposed road bypass in front of Foxlow Homestead and other areas that have been prone to accidents along Captains Flat Road.
3. Council seek an update from the local member on the timing of receipt of the grant given the urgency of the work required.

The resolution was carried unanimously.

Cr Marshall returned to the meeting room at 7.19pm.

**12.2 Bungendore Waste Transfer Station upgrade**

**MOVED (Schweikert/Hicks)**

That changes/upgrades be made to the Bungendore Waste Transfer Station to restrict/negate the escape of rubbish into neighbouring properties.

**AMENDMENT (Harrison/Marshall)**

That a report be presented on options for change or upgrade of the Bungendore Waste Transfer Station to restrict the escape of rubbish into neighbouring properties.

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

For: Crs Harrison, Marshall and Winchester

Against: Crs Biscotti, Bray, Hicks, Noveska, Overall, Taylor and Schweikert

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

260/19

**RESOLVED (Schweikert/Hicks)**

That changes/upgrades be made to the Bungendore Waste Transfer Station to restrict/negate the escape of rubbish into neighbouring properties.

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

Against: Crs Harrison and Marshall

**12.3 Governance Improvement****MOVED (Schweikert/Hicks)**

That:

1. Amendments be made to the QPRC Code of Meeting Practice to ensure business papers for any public meeting of Council that are over 1,500 pages (including all annexures, enclosures, reports, attachments and confidential items - unless previously presented) be published 24 hours earlier than the current practice.
2. Any further 1,500 pages i.e. 3,000, to the business paper will require another 24 hours' notice, i.e. 48 hours, and so on.
3. Notices of motions from Councillors are exempt and will still be accepted up to 12.00noon on the Wednesday before the meeting and issued as a Supplementary as per the normal time frames if the business paper is published early.

Cr Marshall foreshadowed a CONTRARY motion: ["That this item be deferred following a workshop to review the operation of the Code of Meeting Practice."]

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

261/19

**RESOLVED (Schweikert/Hicks)**

That:

1. Amendments be made to the QPRC Code of Meeting Practice to ensure business papers for any public meeting of Council that are over 1,500 pages (including all annexures, enclosures, reports, attachments and confidential items - unless previously presented) be published 24 hours earlier than the current practice.
2. Any further 1,500 pages i.e. 3,000, to the business paper will require another 24 hours' notice, i.e. 48 hours, and so on.
3. Notices of motions from Councillors are exempt and will still be accepted up to 12.00noon on the Wednesday before the meeting and issued as a Supplementary as per the normal time frames if the business paper is published early.

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

Against: Crs Marshall and Winchester

**PROCEDURAL MOTION**

262/19

**RESOLVED (Overall/Bray)**

That Council not adjourn for the scheduled supper break but continue with the meeting and complete the agenda.

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

Against: Cr Schweikert

**13. REPORTS TO COUNCIL - DELEGATES REPORTS****13.1 Delegates' Reports**

263/19

**RESOLVED (Harrison/Overall)**

That Council note the Delegates' Report.

The resolution was carried unanimously.

**14. QUESTIONS WITH NOTICE****14.1 Responses to Councillors' Questions**

264/19

**RESOLVED (Taylor/Marshall)**

That the report be received for information.

The resolution was carried unanimously.

**15. 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.

**16. REPORTS FOR CLOSED SESSION**

265/19

**RESOLVED (Overall/Harrison)**

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

**Item 16.1 Carparking Matters**

*Item 16.1 is confidential in accordance with s10(A) (c) (dii) 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 information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**Item 16.2 Quarterly Legal Update**

*Item 16.2 is confidential in accordance with s10(A) (g) of the Local Government Act 1993 because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

The resolution was carried unanimously.

The meeting then moved into Closed Session at 7.43pm to discuss the matters listed above.

### 16.1 Carparking Matters

266/19

#### **RESOLVED (Biscotti/Hicks)**

That Council:

1. Advise the NSW Police its request to extend the Licence Agreement to use the Morisset Street Carpark for a police compound is not supported.
2. Endorse the extension of the licence for occupation of up to 46 carspaces for NSW Police by a further 12 months without fee, dependent on the relocation of the compound to the Crawford carpark, accessed from Morisset Street.
3. Execute a Licence Agreement for the Crawford carparking compound.

The resolution was carried unanimously.

### 16.2 Quarterly Legal Update

267/19

#### **RESOLVED (Hicks/Harrison)**

That the report be received for information.

The resolution was carried unanimously.

268/19

#### **RESOLVED (Overall/Taylor)**

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 7.55pm.

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

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

## 17. CONCLUSION OF THE MEETING

The time being 7.56pm, 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 St, Queanbeyan on Wednesday, 14 August 2019 commencing at 5.30pm.

### ATTENDANCE

**Councillor:** Cr Overall (Chair), Crs Biscotti, Bray AM, Harrison, Hicks, Marshall, Noveska, Schweikert, 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 meeting opened at 5.30pm.

#### 2. ACKNOWLEDGEMENT OF COUNTRY

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

**3. APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS**

PLA073/19

**RESOLVED (Taylor/Noveska)**

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

The resolution was carried unanimously.

**Procedural Motion**

PLA074/19

**RESOLVED (Overall/Bray)**

That Council:

1. Notes the request from ABC News Canberra to record Council meetings.
2. Agrees to ABC News Canberra recording meetings of the Planning and Strategy Committee and Ordinary Meetings of Council for the purposes of accurate reporting, up until and including the August 2020 meeting of Council.

The resolution was carried unanimously.

**4. DISCLOSURES OF INTEREST**

PLA075/19

**RESOLVED (Taylor/Schweikert)**

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.

**5. ADJOURNMENT FOR PUBLIC FORUM**

PLA076/19

**RESOLVED (Overall/Taylor)**

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

At the conclusion of the Public Forum, the meeting resumed at 5.47pm.



**6. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION**

**6.1 Development Application 289-2018 - Proposed Boarding House  
- 288 Crawford Street Queanbeyan**

PLA077/19

**RESOLVED (Taylor/Harrison)**

That:

1. Development application DA 289-2018 for a Boarding House on Lot B DP 155580 No.288 Crawford Street, Queanbeyan be refused for the following reasons:
  - (a) The development application has not been able to demonstrate the development can operate in an orderly way as sought by clause 1.2(a), of Queanbeyan Local Environmental Plan 2012 in that there is unsatisfactory vehicle parking, manoeuvring and safe egress from the site.
  - (b) The proposed development is not considered to recognise and protect Queanbeyan's natural, cultural and built heritage as sought by clause 1.2(d), of Queanbeyan Local Environmental Plan 2012 in that the proposal does not recognise or protect the built heritage of the conservation area through the impact of car parking forward of the building line.
  - (c) The development application has not been able to demonstrate satisfactorily that the proposed development will meet the Objective of the R2 zone at Clause 2.3 of the Queanbeyan Local Environmental Plan which seeks to encourage development that considers the low density amenity of existing and future residents.
  - (d) The location of the proposed on-site vehicle parking facilities are considered unsatisfactory having regard to Clause 5.10 Heritage of Queanbeyan Local Environmental Plan 2012.
  - (e) The proposal is not considered to meet the relevant Objectives for Car Parking in Part 2 of the Queanbeyan Development Control Plan 2012 in that the proposed development has not demonstrated that sufficient car parking spaces can be provided on site for the increased demand.
  - (f) The design and layout of proposed on-site vehicle parking facilities are considered unsatisfactory having regard to the relevant provisions of Part 2 Car parking of the Queanbeyan Development Control Plan 2012.
  - (g) The design and layout of proposed on-site vehicle parking facilities are considered unsatisfactory having regard to the relevant provisions of Part 4 Heritage of the Queanbeyan Development Control Plan 2012.
  - (h) The proposed development is considered to have an unacceptable impact under the following matters for consideration of Section 4.15 of the *Environmental Planning and Assessment Act 1979*:

- i) Context & Setting
- ii) Access, Transport & Traffic
- iii) Public domain
- iv) Heritage
- v) Noise
- vi) Social impact in the locality
- vii) Site design and internal design
- viii) Cumulative impacts
- ix) Suitability of the site
- x) The public interest
- xi) Government and Community interests

2. Those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.

The resolution was carried unanimously.

**6.2 Application for Renewal of Caravan Park Approval - Capital Country Holiday Park - 47 Bidges Road, Sutton**

PLA078/19

**RESOLVED (Harrison/Bray)**

That:

1. The Section 68, F2 activity approval application for a caravan park at Lot 2 DP 246156, 47 Bidges Road, Sutton be granted conditional approval.
2. Subject to satisfying all the conditions of the abovementioned activity approval, the owners of the Capital Country Holiday Park be invited to submit a Planning Proposal to seek amendment to the appropriate Local Environmental Plan that will allow for the continued use of up to 50 existing long term sites for permanent residential accommodation.

The resolution was carried unanimously.

**6.3 Draft Planning Proposal - Comprehensive Local Environmental Plan 2020**

PLA079/19

**RESOLVED (Harrison/Taylor)**

That Council forward the draft planning proposal for the Comprehensive Local Environment Plan to the Department of Planning, Industry and Environment seeking an amended Gateway determination.

The resolution was carried unanimously.

**6.4 Proposed Housekeeping Amendments to Queanbeyan Local Environmental Plan 2012**

PLA080/19

**RESOLVED (Hicks/Harrison)**

That Council:

1. Note the report and attached draft planning proposal.
2. Seek a Gateway determination from the Department of Planning, Industry and Environment to proceed with the proposed amendments set out in the draft planning proposal.

The resolution was carried unanimously.

**6.5 Proposed Amendments to South Jerrabomberra Local Infrastructure Contributions Plan 2018**

PLA081/19

**RESOLVED (Harrison/Bray)**

That Council:

1. Note the proposed amendments to South Jerrabomberra Local Infrastructure Contributions Plan 2018 as outlined in this report.
2. Publicly exhibit the draft amended plan for a period of 28 days.

The resolution was carried unanimously.

**6.6 Pooling of Local Roads Contributions**

PLA082/19

**RESOLVED (Schweikert/Hicks)**

That Council agree to:

1. The preparation of a local infrastructure contribution plan for non-urban roads pursuant to Section 7.11 of the *Environmental Planning and Assessment Act 1979* and Clause 26(2) of the Environmental Planning and Assessment Regulations 2000.
2. Inclusion of the following for consideration in preparing the local infrastructure contribution plan for non-urban roads:
  - a. A contribution for development resulting in new dwellings or new lots.
  - b. The authorisation of the pooling of non-urban road contributions collected under previous plans.
  - c. A Works Schedule based on projects within catchments and which also has regard to the local road works identified in:
    - i. Queanbeyan City Section 94 Contribution Plan Non-Urban Roads 2012.
    - ii. Mulwaree Section 94 Development Contributions Plan 2003-2008.
    - iii. Tallaganda Section 94 Contributions Plan No.3 – Roadworks.
    - iv. Yarrowlunla Council Section 94 Contributions Plan (No.2) for Provision of Access Road.
    - v. Cooma–Monaro Section 94 Contributions Plan (Roads & Open Space)

- vi. Gunning Section 94 Provision of Public Amenities and Services.
  - d. Incorporation of a planning administration contribution.
  - e. A clause which repeals those Section 94 contribution plans listed above in Recommendation 2c. i-vi where these are found to be redundant.
3. Undertaking community consultation for a minimum period of 28 days on the local infrastructure contribution plan.
  4. Reporting back to Council at the end of the community consultation process.

The resolution was carried unanimously.

**6.7 Proposed New Street Name - Environa Drive (Jerrabomberra and Environa)**

PLA083/19

**RESOLVED (Taylor/Bray)**

That Council:

1. Adopt in principle the name 'Environa Drive' as the proposed name for the new road created by the construction of the new Northern Entry Road servicing The Poplars, North Tralee and South Tralee.
2. Change the name of a small section of Territory Parade to Environa Drive as shown in Attachment 1.
3. Advertise the new name and proposed road name change 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.

**6.8 Community Representative Vacancy on Environment and Sustainability Advisory Committee**

PLA084/19

**RESOLVED (Marshall/Harrison)**

That Council:

1. Seek Expressions of Interest for one new community representative on the Environment and Sustainability Advisory Committee for the period to September 2020.
2. Re-appoint all existing committee members after September 2020.

The resolution was carried unanimously.

**6.9 Outdoor Dining Policy**

PLA085/19

**RESOLVED (Biscotti/Schweikert)**

That Council:

1. Note the Outdoor Dining Policy established by the NSW SBC to encourage businesses to provide outdoor dining by removing barriers to entry, consequently increasing city vibrancy and growth.
2. Adopt the NSW Outdoor Dining Policy for the Local Government Area (LGA), noting the Policy supports the current position of QPRC not to charge fees for outside dining.
3. Rescind the previous QCC Outdoor Dining Policy.

The resolution was carried unanimously.

**6.10 Annual Community Grants Program**

**MOVED (Schweikert/Biscotti)**

That Council:

1. Approve a Category B donation of \$750 from Council's Annual Community Grants Program 2019/2020 to Wamboin Social Club for hire costs for weekly use of Wamboin Community Hall.
2. Approve a Category A donation of \$539 from Council's Annual Community Grants Program 2019/2020 to Bungendore War Memorial Committee for the hire of a PA system and advertising costs for the Bungendore ANZAC Day commemoration in 2020.
3. Provide additional funding of \$1,461 to the Bungendore War Memorial Committee from the Events budget.

During discussion Cr Harrison foreshadowed a CONTRARY motion: ["That the applicants be encouraged to make their submissions for the next round of funding."]

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

PLA086/19

**RESOLVED (Schweikert/Biscotti)**

That Council:

1. Approve a Category B donation of \$750 from Council's Annual Community Grants Program 2019/2020 to Wamboin Social Club for hire costs for weekly use of Wamboin Community Hall.
2. Approve a Category A donation of \$539 from Council's Annual Community Grants Program 2019/2020 to Bungendore War Memorial Committee for the hire of a PA system and advertising costs for the Bungendore ANZAC Day commemoration in 2020.
3. Provide additional funding of \$1,461 to the Bungendore War Memorial Committee from the Events budget.

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

Against: Cr Harrison

**6.11 Stronger Country Communities Fund Round 3**

**MOVED (Taylor/Biscotti)**

That Council:

1. Submit the following projects as priority for Round 3 of the Stronger Country Communities fund:
  - Upgrades to Braidwood Pool - \$1,000,000
  - Menslink Services to the Queanbeyan-Palerang region - \$100,000
  - Upgrades to Queanbeyan Pool - \$300,000
  - Flood lights for Steve Mauger and Halloran Ovals - \$425,000
2. Consider submitting applications for the following projects under the current NSW Infrastructure Grants Club grants Category 3 program which opened on 5 August and closes 26 August 2019:
  - Heating of Bungendore Pool - \$150,000
  - Noel Templeton Archery Range amenities - \$250,000
3. Put forward the following further projects should other funding be available:
  - Heating of Bungendore Pool - \$150,000
  - Noel Templeton Archery Range amenities - \$250,000
  - Other Items as listed in the business paper

During discussion, Cr Marshall foreshadowed a CONTRARY motion:  
["That Council put forward all the proposals as listed in the business paper, excluding the Menslink proposal."]

**AMENDMENT (Winchester)**

That Council:

1. Submit the following projects as priority for Round 3 of the Stronger Country Communities fund:
  - Upgrades to Wright Park - \$1,000,000

- Menslink Services to the Queanbeyan-Palerang region - \$100,000
  - Upgrades to Queanbeyan Pool - \$300,000
  - Flood lights for Steve Mauger and Halloran Ovals - \$425,000
2. Consider submitting applications for the following projects under the current NSW Infrastructure Grants Club grants Category 3 program which opened on 5 August and closes 26 August 2019:
- Heating of Bungendore Pool - \$150,000
  - Noel Templeton Archery Range amenities - \$250,000
3. Put forward the following further projects should other funding be available:
- Heating of Bungendore Pool - \$150,000
  - Noel Templeton Archery Range amenities - \$250,000
  - Other Items as listed in the business paper

The AMENDMENT (of Cr Winchester) LAPSED for want of a seconder.

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

PLA087/19

**RESOLVED (Taylor/Biscotti)**

That Council:

1. Submit the following projects as priority for Round 3 of the Stronger Country Communities fund:
  - Upgrades to Braidwood Pool - \$1,000,000
  - Menslink Services to the Queanbeyan-Palerang region - \$100,000
  - Upgrades to Queanbeyan Pool - \$300,000
  - Flood lights for Steve Mauger and Halloran Ovals - \$425,000
2. Consider submitting applications for the following projects under the current NSW Infrastructure Grants Club grants Category 3 program which opened on 5 August and closes 26 August 2019:
  - Heating of Bungendore Pool - \$150,000
  - Noel Templeton Archery Range amenities - \$250,000
3. Put forward the following further projects should other funding be available:
  - Heating of Bungendore Pool - \$150,000
  - Noel Templeton Archery Range amenities - \$250,000
  - Other Items as listed in the business paper

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

Against: Crs Marshall and Winchester

6.12 **Oktoberfest - Queanbeyan Showground 2019**

**MOVED (Hicks/Schweikert)**

That Council accede to the request of the Harmonie German Club to replace 'in-kind' support with a payment of up to \$20,000 to assist with the marketing campaign for Oktoberfest annually for five years.

During discussion, Cr Harrison foreshadowed a CONTRARY motion: ["That Council provide funding of up to \$20,000 per year for the remainder of the five-year period to assist with a joint marketing campaign between Council and the Harmonie German Club, including banners, to benefit the Oktoberfest event and Queanbeyan."]

The motion (of Crs Hicks and Schweikert) was PUT and LOST.

For: Crs Hicks and Schweikert

Against: Crs Biscotti, Bray, Harrison, Marshall, Noveska, Overall, Taylor and Winchester

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

PLA088/19

**RESOLVED (Harrison/Biscotti)**

That Council provide funding of up to \$20,000 per year for the remainder of the five-year period to assist with a joint marketing campaign between Council and the Harmonie German Club, including banners, to benefit the Oktoberfest event and Queanbeyan.

The resolution was carried unanimously.

**7. REPORTS TO COUNCIL - ITEMS FOR INFORMATION**

**7.1 QPRC Food Surveillance Activity Report 2018-19**

PLA089/19

**RESOLVED (Taylor/Noveska)**

That the report be received for information.

The resolution was carried unanimously.

**7.2 National Tree Day 2019**

PLA090/19

**RESOLVED (Schweikert/Taylor)**

That the report be received for information.

The resolution was carried unanimously.



**8. REPORTS OF COMMITTEES**

**8.1 Minutes of the QPRC Heritage Advisory Committee Meeting held on 18 July 2019**

PLA091/19

**RESOLVED (Hicks/Schweikert)**

That Council note the Minutes of the QPRC Heritage Advisory Committee Meeting held on 18 July 2019.

The resolution was carried unanimously.

**9. 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.

There were no presentations.

**10. REPORTS FOR CLOSED SESSION**

PLA092/19

**RESOLVED (Overall/Schweikert)**

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 Legal Costs Recovery**

*Item 10.1 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.*

The resolution was carried unanimously.

The meeting then moved into Closed Session at 7.12pm to discuss the matters listed above.

**10.1 Legal Costs Recovery**

PLA093/19

**RESOLVED (Schweikert/Harrison)**

That:

1. The report be received and noted.
2. Council progress the recovery of legal costs as outlined in the report.

The resolution was carried unanimously.

PLA094/19

**RESOLVED (Overall/Marshall)**

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 7.13pm.

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.

**11. CONCLUSION OF THE MEETING**

The time being 7.14pm, Cr Overall announced that the Agenda for the meeting had now been completed.

**CR TIM OVERALL  
MAYOR  
CHAIRPERSON**

**ITEM 5    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.**



9.1 Braidwood Skate Park - Concept Designs for Public Exhibition (Ref: ; Author: Thompson/Geyer)

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File Reference: ID356453

**Summary**

The 2018-2019 Operational Plan allocated \$50,000 to develop a design for a future skate park in Braidwood. CONVIC design consultants were engaged to run two consultation workshops, assess potential sites and develop concepts for Council's consideration. These concepts have now been finalised and it is recommended that they be placed on formal exhibition for community comment.

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**Recommendation**

**That Council place both designs on public exhibition for community comment for a period of 28 days, with a further report to come back to Council following consideration of any submissions received.**

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**Background**

The proposal to construct a skate park in Braidwood has been around in various forms for a number of years, stimulating a great deal of passion and emotion for and against within the community.

Council recently embarked on a process of community engagement looking at suitable sites, with three potential sites being exhibited. From the feedback received two sites, Bicentennial Park and the Recreation Grounds, showed potential, with the third site, Hassel Reserve, not being supported by the community. As such Hassel Reserve was removed from the sites for consideration.

CONVIC is one of Australia's leading skate park design and construction companies. They were appointed to two workshops in Braidwood. One for primary school children and another for youth, with both being well attended by young people and parents. All feedback received was taken back to the design team and wherever practical, worked into the final designs.

A design was prepared for both locations due to the difference in topography of each location. CONVIC also conducted an independent assessment of the two sites and provided Council with its assessment report and recommendations.

It is appropriate that both designs and locations be placed back on public exhibition, with a further report to be prepared for Council's consideration, along with all community submissions.

**Implications**

***Policy***

The consultation process is in keeping with Council's Stakeholder and Community Engagement Policy.

***Social / Cultural***

The provision of a broad range of cultural, sporting and other recreational opportunities adds to the health and wellbeing of the Braidwood community including the youth sector. While not everyone understands the culture around the skating community, it is an important aspect of youth and pop culture and provides a level of recreation that is now reaching Olympic status.

**9.1 Braidwood Skate Park - Concept Designs for Public Exhibition (Ref: ; Author: Thompson/Geyer) (Continued)**

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***Strategic***

Council's current Delivery Program has included the development of detailed designs of the skate park, to allow for future construction as funds become available.

***Engagement***

Extensive community engagement has been conducted directly on the sites and design components, as well as indirectly connected with the CBD enhancement project. Further exhibition of both designs and the site assessment reports are appropriate. A period of 28 days should provide sufficient time to receive feedback.

***Financial***

The current project is only funded to cover consultation and design, not construction. When a design is adopted and site confirmed, grant funding will need to be secured before any construction could commence.

**Conclusion**

The Braidwood Skate Park goes back many years and for various reasons divided the community in its views toward the project. It is important to seek final feedback on both designs and sites and make a firm decision on the long term future of the skate park project for community certainty.

**Attachments**

Attachment 1      Skate Park Concept Designs (*Under Separate Cover*)



Attachment 2      Site Reviews (*Under Separate Cover*)



9.2 Development Application 568-2018 - Clubhouse and Amenities Building - 25 High Street, Queanbeyan East (Ref: ; Author: Thompson/Perkins)

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File Reference: DA 568-2018

**Summary**

***Reason for Referral to Council***

This application has been referred to Council because legislative requirements state the application must be dealt with by Council (i.e. not under delegation).

This report should be read in conjunction with the closed session report in this Business Paper relating to the same property.

Proposal:	Recreation Area – Amenities and Club House
Applicant/Owner:	Ace Simonovski Design Studio Pty Ltd/ Queanbeyan-Palerang Regional Council
Subject Property:	Lot 2 DP 815887 and Lot 12 DP816046, No. 25 High Street Queanbeyan East
Zoning and Permissibility:	R3 Medium Density Residential Zone under Queanbeyan Local Environmental Plan 2012
Public Submissions:	Nil
Issues Discussed:	Planning Requirements Flooding
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. Approval be granted to a variation to Part 2.5.6(b)(ii) of Queanbeyan Development Control Plan 2012 to allow for alternate means of emergency egress to be provided from the first floor for the following reasons:**
    - (a) The proposed alternate solution serves the intent of the control by way of providing means of emergency egress from the first floor during a flood event.**
  - 2. Development application 568-2018 for a Recreation Area – Amenities and Club House on Lot 2 DP 815887 and Lot 12 DP 816046, 25 High Street, Queanbeyan East be granted conditional approval.**
-

**9.2 Development Application 568-2018 - Clubhouse and Amenities Building - 25 High Street, Queanbeyan East (Ref: ; Author: Thompson/Perkins) (Continued)**

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**Background*****Proposed Development***

The application seeks Council approval for the erection of a two (2) storey amenities and clubhouse building ancillary to an existing recreation area.

The specific elements of the proposal are:

- Construction of a two (2) storey amenities and clubhouse building comprised of the following:
  - Ground floor:
    - Home and away locker rooms with sanitary facilities and physio space;
    - Referee change room;
    - Patron sanitary facilities (male, female and accessible);
    - Laundry room;
    - Bin storage area; and
    - Lift well.
  - First floor:
    - Lobby;
    - Function room (see note);
    - Prep kitchen and servery;
    - Office;
    - Sanitary facilities (male, female and accessible);
    - Lift well; and
    - Balcony.
- Provision of 25 off-street car parking spaces including two (2) accessible spaces;
- Associated earthworks and landscaping.

The following hours of operation are proposed:

- Monday to Friday - 4:00pm to 9:00pm
- Saturday and Sunday - 8:00am to 9:00pm

Note: While the proposed development includes an area identified as a function room the subject application was lodged for the purposes of a clubhouse and no detail provided of any proposed function use. Further, function centres are prohibited upon the subject site under the *Queanbeyan Local Environmental Plan 2012*. As such, a condition of consent is recommended limiting the use of the structure to club related activities.

***Subject Property***

The subject site is legally described as Lot 2 DP 815887 and Lot 12 DP 816046 and is commonly known as 25 High Street, Queanbeyan East. The site is located on the western side of High Street and has an area of 1,335.5m<sup>2</sup>.

The subject site is currently vacant and is utilised as an informal parking area for the adjacent playing fields.

Existing development to the south and west of the site consists of playing fields, while development to the north and west of the site are residential land uses including a single dwelling immediately to the north and a multi-dwelling housing development to the west.



9.2 Development Application 568-2018 - Clubhouse and Amenities Building - 25 High Street, Queanbeyan East (Ref: ; Author: Thompson/Perkins) (Continued)



Figure 1: Locality Plan



Figure 2: Subject Site as Viewed from High Street

**9.2 Development Application 568-2018 - Clubhouse and Amenities Building - 25 High Street, Queanbeyan East (Ref: ; Author: Thompson/Perkins) (Continued)**

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***Planning Requirements***

Assessment of the application has been undertaken in accordance with Section 4.15(1) of the *Environmental Planning and Assessment Act (EPAA) 1979*, as amended. The matters that are of relevance under Section 4.15(1) are summarised in the attached *Section 4.15(1) Table – Matters for Consideration*.

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

1. *Queanbeyan Local Environmental Plan 2012 (LEP)*.
2. *Queanbeyan Development Control Plan 2012 (DCP)*

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

***(a) Compliance with LEP***

The subject site is zoned R3 Medium Density Residential zone under the *Queanbeyan Local Environmental Plan (QLEP) 2012*. Development for the purpose of amenities and a clubhouse are permissible with consent being ancillary to an existing recreational area. A Recreation area is defined under the QLEP 2012 as follows:

**recreation area** - means a place used for outdoor recreation that is normally open to the public, and includes:

- (a) a children's playground, or
- (b) an area used for community sporting activities, or
- (c) a public park, reserve or garden or the like,

and any ancillary buildings, but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor).

The proposed development was found to be consistent with the relevant provisions of the QLEP 2012 (see the attached *Section 4.15(1) Table – Matters for Consideration* for detailed assessment).

***(b) Compliance with DCP***

The proposed development seeks a variation to Section 2.5.6(b)(ii) Land within Flood Planning Area - Access of the *Queanbeyan Development Control Plan 2012* as the proposal seeks to avoid the need for the provision of a dedicated escape passage from the first floor through the provision of flood doors.

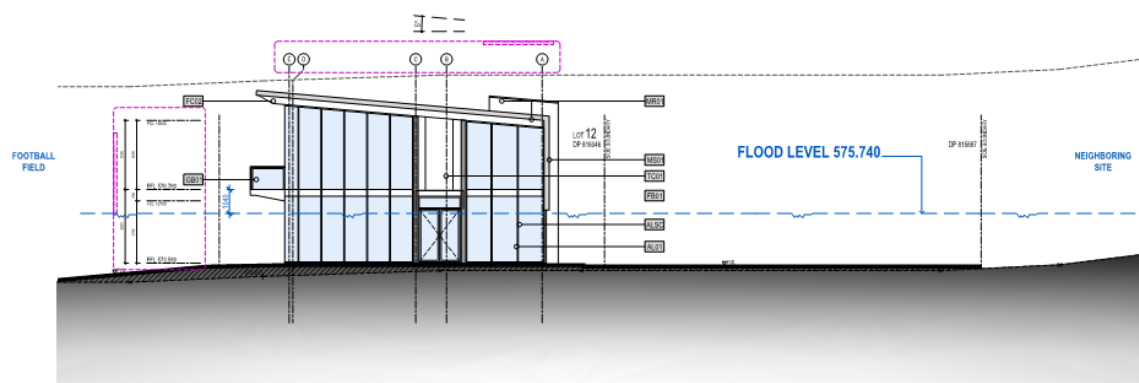
The proposed development seeks to utilise an alternate means of egress during a flood event being an external stair case located on the western aspect of the structure which includes a landing located above the flood level. The proposed variation was considered by Council's Development Engineer who advised that the proposed variation serves the intent of the control by way of providing means of egress from the first floor during a flood event. In recognition of the infrequent usage of the proposed structure, likelihood of use during a flood event and the provision of alternate egress measures the proposed variation is considered to be acceptable and is supported.

Despite the proposed variation, the development was found to be generally consistent with the relevant objectives of the QDCP 2012 (see the attached *Section 4.15(1) Table – Matters for Consideration* for detailed assessment).

**9.2 Development Application 568-2018 - Clubhouse and Amenities Building - 25 High Street, Queanbeyan East (Ref: ; Author: Thompson/Perkins) (Continued)****(c) Other Matters****Flooding**

The subject site is located entirely below the flood planning level (see Figure 3 below) with the entire ground level likely to be inundated through a maximum predicted flood event. In recognition of the flood risk present upon the site the subject application was accompanied by a Flood Statement giving consideration to the compatibility of the proposed structure with the flood risk present upon the site and potential impacts of the development upon surrounding development.

Despite the variation to Section 2.5.6(b)(ii) of the *Queanbeyan Development Control Plan 2012*, the proposed development was found to be compatible with the flood risk present upon the site and being unlikely to result in adverse impacts upon surrounding development.



**Figure 3: Eastern Elevation Showing Flood Level**

**Car Parking**

The proposed development seeks to provide (25) off-street car parking spaces including two (2) accessible spaces. The proposed development seeks to formalise what currently operates as an informal parking area utilised in conjunction with the adjacent playing fields. As the proposed development is complementary to the use of the playing fields it is not considered likely to generate significant additional demand for off-street parking and the formalisation of the parking arrangements is considered to be an overall improvement. Further, the proposed 25 spaces in conjunction with the existing carpark from Ford Street containing 17 spaces satisfy the off-street parking requirements under Section 2.2 of the QDCP 2012 for the provisions of 30 spaces for recreation areas - playing fields. As such, there is considered to be appropriate off-street parking for the purposes of the proposed development.

**Compatibility with Surrounding Uses**

The subject site is adjoined by residential development to the north and west. In recognition of this proximity, the development has been designed to maximise separation by siting the structure to the south-east of the site and by placing car parking and landscaped areas along the common boundary. The applicant proposes to limit the use of the structure to be in line with the existing use of the adjoining playing fields being Monday to Friday - 4:00pm to 9:00pm, and Saturday and Sunday - 8:00am to 9:00pm. Further, the subject application was accompanied by shadow diagrams demonstrating that the structure will retain a minimum of 6 hours solar access to all adjoining dwellings. As such, subject to the imposition of the recommended conditions of consent the proposed development is considered to be compatible with surrounding residential land uses.

**9.2 Development Application 568-2018 - Clubhouse and Amenities Building - 25 High Street, Queanbeyan East (Ref: ; Author: Thompson/Perkins) (Continued)**

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**Landscaping**

While the proposed landscaping measures including landscaped buffers along the sites western boundary, low level garden beds and street tree planting are generally acceptable, the landscape plan accompanying that application also includes hardstand paving within the High Street Road reserve adjoining the site. Such measures are contrary to Council's verge policy and as such are not supported. A condition of consent is recommended to remove this hard stand area and the plans marked accordingly.

**Staging**

As the proposed development is to be partially funded using grant funding there is potential that construction may occur in a staged manner being the construction of the ground floor change room facilities with a concrete slab roof as stage 1 and the first floor as stage 2. No objection is raised to such construction and a condition of consent is recommended requiring staging plans to be submitted prior the issue of any Construction Certificate.

**Internal Referrals****(a) Building Surveyor's Comments**

No objection subject to conditions of consent.

**(b) Development Engineer's Comments**

No objection subject to conditions of consent.

**(c) Environmental Health Comments**

No objection subject to conditions of consent.




**Engagement**

The proposal required notification under the *Queanbeyan Development Control Plan 2012*. No submissions were received.

**Conclusion**

DA 568-2018 for a Recreation Area – Amenities and Clubhouse on Lot 2 DP 815887 and Lot 12 DP 816046, No.25 High Street, Queanbeyan East has been assessed having regard to Section 4.15 of the *Environmental Planning and Assessment Act 1979*, and despite a supported variation to Section 2.5.6(b)(ii) of the *Queanbeyan Development Control Plan 2012* is considered to be satisfactory for approval, subject to the recommended conditions of consent.

**Attachments**

- |   |  |
|---|--|
| Attachment 1<br> | DA 568.2018 - Section 4.15 Matters for Consideration - Amenities and Clubhouse - 25 High Street, Queanbeyan East ( <i>Under Separate Cover</i> ) |
| Attachment 2<br> | DA 568.2018 - Plans - Amenities and Clubhouse - 25 High Street, Queanbeyan East ( <i>Under Separate Cover</i> )                                  |
| Attachment 3<br> | DA 568.2018 - Draft Conditions of Consent - Amenities and Clubhouse - 25 High Street, Queanbeyan East ( <i>Under Separate Cover</i> )            |



9.3 Development Application DA.2019.1048 - Garage/Shed and Carport - 79 The Mountain Road, Bungendore (Ref: ; Author: Thompson/Perkins)

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**File Reference:** DA.2019.1048

**Summary**

***Reason for Referral to Council***

This application has been referred to Council because the applicant is a designated staff member of Council. Council's policy provides that such applications shall be determined by Council.

The assessment of this application has been completed by an external independent planner.

Proposal:	Construction of Garage/Shed and Carport
Applicant/Owner:	G & S Harlor
Subject Property:	No.79 The Mountain Road, Bungendore being Lot 1 DP 1194403
Zoning a Permissibility:	E4 Environmental Living under Palerang Local Environmental Plan 2014
Public Submissions:	Public notification not required
Issues Discussed:	There are no significant planning or environmental issues
Disclosure of Political Donations and Gifts:	Applicant Declared no Donations or Gifts to any Councillor or Staff have been made.

**Recommendation**

**That development application DA.2019.1048 for the construction of a garage/shed and carport at Lot 1 DP 1194403 No.79 The Mountain Road, Bungendore be granted conditional approval.**

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**Background**

***Proposed Development***

The application seeks Council approval for the construction of a garage/shed and carport. The specific elements of the proposal are:

- The proposed building is located within the existing approved building envelope and complies with the prescribed building set-backs under the Palerang DCP
- The floor area will be 300m<sup>2</sup>
- The maximum height will be 8.5m
- The external cladding will match the existing dwelling
- The proposal will not be visible from a public road
- The proposed shed will be sited a minimum 10m from the existing dwelling house

**9.3 Development Application DA.2019.1048 - Garage/Shed and Carport - 79 The Mountain Road, Bungendore (Ref: ; Author: Thompson/Perkins) (Continued)*****Subject Property***

The site has an area of 7.73ha and is located at 79 The Mountain Road, Bungendore being Lot 1 DP 1194403.



**Figure 1 – Locality Plan**

***Planning Requirements***

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

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

1. State Environmental Planning Policies:
  - *State Environmental Planning Policy No. 55 - Remediation Of Land*
  - *State Environmental Planning Policy (Infrastructure) 2007*
  - *State Environmental Planning Policy (Vegetation in Non Rural Areas) 2017*.
2. *Palerang Local Environmental Plan 2014 (PLEP)*.
3. *Palerang Development Control Plan 2015 (PDCP)*

The development generally satisfies the relevant requirements and achieves the aims, objectives and development standards of these planning instruments. There are no significant planning or environmental issues relating to the proposal for the Council's consideration.

***Other Internal Comments:******(a) Building Surveyor's Comments***

*No objections subject to standard building conditions*

***(b) Development Engineer's Comments***

*No objection subject to standard engineering conditions*

**9.3 Development Application DA.2019.1048 - Garage/Shed and Carport - 79 The Mountain Road, Bungendore (Ref: ; Author: Thompson/Perkins) (Continued)**

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**Financial Implications**

There are no financial implications associated with this proposal.

**Engagement**

The proposal did not require notification under the Palerang DCP 2015.

**Compliance or Policy Implications**

There are no compliance or policy implications associated with this proposal.

**Conclusion**

The submitted proposal for development application DA.2019.1048 for the construction of a garage/shed and carport on Lot 1 DP 1194403 No.79 The Mountain Road, Bungendore is a Local Development and is supported by a Statement of Environmental Effects.




The proposal was not required to be notified to adjoining owner/occupiers and as such no submissions were received.

The proposal has been assessed under Section 4.15 *Environmental Planning & Assessment Act 1979* including the relevant provisions of *Palerang Local Environmental Plan 2014* and *Palerang Development Control Plan 2015*.

The development satisfies the relevant requirements and achieves the aims, objectives and development standards of these instruments.

The proposed development is considered suitable for the site, is compatible with the rural neighbourhood and can be conditioned to mitigate any potential impacts.

**Attachments**

- |   |  |
|---|--|
| Attachment 1<br> | DA.2019.1048 - Section 4.15 Matters for Consideration - Garage/Shed and Carport - 79 The Mountain Road, Bungendore ( <i>Under Separate Cover</i> ) |
| Attachment 2<br> | DA.2019.1048 - Plans - Garage/Shed and Carport - 79 The Mountain Road, Bungendore ( <i>Under Separate Cover</i> )                                  |
| Attachment 3<br> | DA.2019.1048 - Draft Conditions of Consent - Garage/Shed and Carport - 79 The Mountain Road, Bungendore ( <i>Under Separate Cover</i> )            |





9.4 Use of Agricultural Chemicals in Public Places (Ref: ; Author:  
Thompson/Geyer)

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File Reference: ID 358605

**Summary**

Council uses a variety of tools in its daily maintenance of parks, public places and roadsides. Within these are a selection of agricultural chemicals specifically registered for the task. All pesticides used by Council are registered through the Australian Pesticides and Veterinary Medicines Authority (APVMA) and used in accordance with the *Pesticides Act 1999*. In recent months a great deal of media attention has been placed on the use of Glyphosate, with suspected links to cancer, and there have been calls for the banning of other chemicals including Fipronil, due to mass bee deaths.

This report follows a Councillor workshop on this matter and recommends that a policy on the use of chemicals be prepared and exhibited for public comment.

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**Recommendation**

That:

1. Council prepare a draft policy on the use of agricultural chemicals in public places.
  2. A further report come back to Council with a view to placing the draft policy on public exhibition.
- 

**Background**

Queanbeyan-Palerang Regional Council uses a variety of agricultural chemicals in its maintenance of parks, public places, roadsides and through biosecurity projects. This includes, but is not limited to, weed spraying with glyphosate in parks and roadsides, selective herbicides for biosecurity weeds, scarab and mite control in sports fields and dusting of European wasps and termites.

All Council staff and contractors using agricultural chemicals in QPRC parks and open spaces are Chemcert qualified and use all required safety equipment to ensure their own safety. All chemicals are used in accordance with the purpose for which they are registered, the *Pesticides Act 1999* and Council's Pesticide Usage Notification Plan.

Notwithstanding Council's legal compliance and attention to safety, many members of the public have strong views on the use of agricultural chemicals and often concerns and media information are not based on scientific fact. This brings about unsubstantiated calls for bans on some chemicals without due consideration to the consequences.

For example, the current media interest in Glyphosate has resulted in some councils banning the chemical outright, yet the alternatives available are not legally allowed to be used near waterways. Glyphosate Biactive is the only registered herbicide for this situation and its ban would result in negative environmental impact due to weed infestations with no current viable control method. Council obligations under the *Biosecurity Act 2015* must also be met and requires decisive action as threats arise.

Staff are regularly investigating alternative chemicals and chemical free methods. In some instances results look promising, while others are less viable. Staff are about to launch a European wasp trapping method which has had some success across Victorian vineyards, using only food grade products and eliminating the need for baits toxic to bees. Organic acids

**9.4 Use of Agricultural Chemicals in Public Places (Ref: ; Author: Thompson/Geyer)  
(Continued)**

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and steam have been trialled for weed control and traditional horticultural practices and biological control can be utilised to cut pesticide usage.

It is proposed to develop a draft Council Policy on the use of Agricultural Chemicals in Public Places. The draft policy should encompass the various alternatives and provide direction on:

- Establishing a practice of trials and assessments of various options as they arise.
- Ongoing reduction of chemical use, focussing on chemical free alternative.
- Best practice in public open space management as it relates to agricultural chemical use.
- Maintenance of biosecurity obligations.
- Protection of the environment and human health.
- Specifying situations where agricultural chemicals may be required.

The draft policy would be prepared over the coming months and brought back to Council before a period of community engagement and public exhibition.

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

All agricultural chemicals in Australia are registered through APVMA. Council can only use a chemical for the purpose for which it is registered and in accordance with the *Pesticides Act 1999* and *Work Health and Safety Act 2011*.

***Policy***

Council does not have a specific policy, but meets the requirements of the specific legislation. It is timely for Council to consider a policy on the use of agricultural chemicals in public places.

***Environmental***

Chemicals can only be used in accordance with the purpose for which they are registered and environmental considerations are paramount. Environmental considerations should be covered within the draft policy

***Sustainability***

While many alternatives are being explored, the ongoing sustainability for Council and the community will determine whether the alternative will be something for Council to adopt. In some instances, finding an economically viable alternative to current practices will be challenging.

***Asset***

Agricultural chemicals are used to maintain many of Council's assets and this must also be considered during the development of a policy. Asset life and therefore financial costs may be significantly impacted if one method of maintenance is ceased without a viable alternative being secured.

***Engagement***

It is appropriate that all options be investigated and the community be consulted on future management of agricultural chemical use in parks and open spaces. Some maintenance

**9.4 Use of Agricultural Chemicals in Public Places (Ref: ; Author: Thompson/Geyer)  
(Continued)**

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options may be more labour intensive and require either additional funds or volunteer activities in parks. The community needs to be made aware of the impact any proposed change to service levels, generated by changed uses of agricultural chemicals, will have on Council's budget or on the condition and usability of parks and open spaces due to the changes.

***Financial***

A draft policy will be prepared by staff within existing budgets. Any changes to maintenance regimes or service levels generated by the adoption of a Policy on the use of Agricultural chemicals in parks and open spaces may impact future operational budgets and will need to be considered as part of the policy development.

**Conclusion**

Agricultural chemicals are currently an integral tool in Council's maintenance program. Any change to current practices will have the potential to impact park usability, biosecurity projects, road maintenance and operational budgets. However, it is important to continually review practices and chemicals used along with the latest science regarding safety to staff, the public and the environment. Council should adopt the safest, sustainable option and strive to minimise chemical use across its various functions. Media and community interest in this area will continue and Council should be proactive in its approach to alternatives, while still being fiscally responsible in the use of funds. Development of a policy on the use of agricultural chemicals in parks and public places will help the community understand Council's position on this matter.

**Attachments**

Nil



9.5 Provision of Information - Notification Process (Ref: ; Author:  
Tegart/Thompson)

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File Reference: 21.1.1

**Summary**

The introduction of Council's new TechnologyOne Property and Regulatory software now provides for have the plans and other documentation associated with development applications placed on notification, to be available online for viewing.

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**Recommendation**

**That where a development application is placed on notification, Council place relevant plans and documentation submitted with the application, including the Statement of Environmental Effects and third party reports, online during the notification period unless specifically designated as commercial in confidence.**

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**Background**

In early June 2019 Council went live with the new 'One Council' property and regulatory software system. The new system has provided some additional functionality not previously available with the former systems used by Council.

In particular the new system now allows development applications that are notified to adjoining owners and the community to be viewed online. While the former systems listed the applications on notification, any person interested in reviewing the application documentation was required to come into the relevant office of Council to view it. Notification documents such as plans and other documentation can now be viewed online.

Staff are seeking guidance on the documentation that should be made available for viewing. At present all documentation other than the floor plans of residential buildings is made available for viewing. This seems to be a legacy issue related to the introduction of the *Local Government Act* in 1993. At that time the Act provided that only the external configuration of a residential building was allowed to be made available to the public. It would appear that there were some concerns about whether making such information public would be a breach of privacy.

That provision was repealed about 10 years ago but the practice of removing residential floor plans from plans on notification and from the public section of NSW council reports has persisted. The issue for staff is that each time a floor plan has to be removed from a set of plans before placement on notification it takes time to edit the documentation. While this might seem a minor issue when you are dealing with over 300 notifications a year it is a time consuming step in the process.

In addition, the fact that many plans are freely available online on builders and real estate websites means that privacy issues around floor plans have become less important.

It is proposed to change the current practice of extracting floor plans from notification documentation and place all documentation received with a development application online. This includes the Statement of Environmental Effects and third party documents such as bush fire, effluent disposal, acoustic and contamination reports.

In making such a decision Council needs to be cognisant that once plans have been placed online, the information is in the public domain and Council has no opportunity to control how that information may be used in the future. However, staff feel that the benefits of the public

**9.5 Provision of Information - Notification Process (Ref: ; Author: Tegart/Thompson)  
(Continued)**

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being able to see all details of the development and improvements in process efficiency, outweigh the privacy impacts which may occur. A brief check of six other regional and metropolitan council sites shows a 50/50 split in those that do or do not exhibit residential floor plans.

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

All documents received as part of a development application are considered to be public documents. Council is not breaching copyright laws by publishing application documents online during the notification period, however those who view documentation need to be careful not to breach copyright law. The only documents which should not be placed on exhibition are those which are commercial in confidence.

***Policy***

There is no specific policy relating to the provision of residential floor plans during the notification period, but it has been Council's practice to exclude them from notification documentation.

***Engagement***

Some submitters ask to see floor plans so that they can gauge what the impacts of the development from particular rooms is likely to be on their premises e.g. overlooking from a kitchen is more intrusive than overlooking from a bedroom.

**Conclusion**

Providing floor plans as part of the documentation for development applications on notification has not traditionally been a significant issue as it could be closely controlled when residents come to a counter to review plans. However, with the advent of notification documentation now being online, the question of whether residential floor plans should be made available has arisen. Staff consider the need to extract floor plans (or any other documents) from documentation submitted is inefficient. There is also an argument that the more information available the better informed submissions are. Balanced against this is the privacy of the applicant.

On balance it is suggested that making floor plans available in notification documentation is the preferred option.

**Attachments**

Nil

9.6 Bungendore Roundabout - Designs and Consultation (Ref: ; Author:  
Hansen/Afrin)

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**File Reference:** 355951

**Summary**

Council has completed public consultation for the roundabout proposed at the intersection of Malbon Street and Molonglo Street Bungendore.

The public consultation has guided the update of the concept designs with two additional options (known as Option 2 and Option 3) being considered.

Option 2 provides the safest design for the ongoing maintenance of the roundabout as well as requiring no land acquisition to enable construction.

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**Recommendation**

**That Council:**

- 1. Receive and note the Public Consultation Report.**
  - 2. Adopt Concept Design Option 2 for construction.**
- 

**Background**

The project includes construction of a roundabout at the intersection of Molonglo Street and Malbon Street in Bungendore. This intersection is a key intersection and needs to accommodate heavy vehicles. The intersection is currently a T intersection with an unformed road on the western leg.

The main civil works of the proposed construction are planned to occur between April and October 2020 when reduced traffic normally occurs. Utility adjustments will be programmed to occur in early 2020 prior to construction.

Concept Design Option 1. This option included a garden within the centre of the roundabout. Safety issues were raised within the public consultation period in multiple submissions. These issues related to concerns that Work Health and Safety (WHS) requirements could not be achieved during periods of maintenance of the garden section.

Option 1 also requires land acquisition to the south eastern side of the roundabout and will result in the largest loss of parking to the surrounding area.

Option 1 is not recommended to Council due to unacceptable WHS risks for staff maintaining the garden section of the roundabout as well as the impact to parking and the acquisition of private property.

Concept Design Option 2. This option includes a mountable roundabout which allows for heavy vehicles to safely traverse over the roundabout eliminating the need for land acquisition and reduces the impacts on surrounding property. Removal of significant trees will not be required for this option however, in accordance with an arborists report, tree pruning and maintenance will need to be undertaken which will include removal of suckers in the area.

**9.6 Bungendore Roundabout - Designs and Consultation (Ref: ; Author: Hansen/Afrin) (Continued)**

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Option 2 is recommended to Council as it minimises the impact to parking at adjoining properties and removes the WHS risk to staff during maintenance.

Concept Design Option 3. This options includes a non-mountable roundabout which has a smaller radius than Option 1. The overall size of the roundabout is greater than Option 2 but less than Option 1 requiring less land acquisition than Option 1. Option 3 allows for a sculpture to be installed in the middle of the roundabout subject to the design of the sculpture meeting Council and Roads and Maritime Service (RMS) approval. To meet design requirements, the sculpture will need to be smaller than 600mm high and built of robust low maintenance material and constructed to ensure that sight lines are not blocked.

Option 3 is not recommended to Council as WHS risks to maintenance staff have not been addressed. Acquisition of land is still required for this option.

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

The Bungendore Roundabout will upgrade the current T intersection to a roundabout.

Impacts to vegetation by the proposed works was raised during community consultation. An arborist report was prepared to ensure the protection of significant trees and improve their health. The arborist report was considered in updating the design of the roundabout.

Impacts to the heritage of Bungendore were raised during community consultation. Council engaged NSW Public Works Advisory to prepare a Heritage Impact Assessment. This assessment was carried out in conformance with Clause 5.10 (5) of the Palerang Local Environmental Plan (2014) (LEP). This report found that the proposed works do not involve any activity incompatible with the objectives of heritage management as defined in the LEP. The proposed roundabout designs were found to have a negligible impact on the heritage properties in proximity to the work.

***Asset***

RMS will own the new roundabout. The roundabout will be constructed to meet RMS design requirements.

***Strategic***

The Bungendore Roundabout project has been assessed to be in accordance with the provisions of Clause 5.10 (5) of the Palerang Local Environmental Plan (2014).

***Engagement***

Council placed the concept design for the new roundabout on public exhibition for community comment in October 2018. During this time sixty one submissions were received via Councils "Your Voice" public consultation page and two submissions received directly via email. A community meeting was held during this public consultation and as a result of submissions, Council staff held one on one meetings with interested stakeholders to further gain the views and feedback of the community.

From community consultation, Council staff identified areas where the design could be improved. Further concept designs have been completed which address these improvements where possible. The community provided feedback which was loosely aligned to nine



### 9.6 Bungendore Roundabout - Designs and Consultation (Ref: ; Author: Hansen/Afrin) (Continued)

categories (each submission was examined in its own right) for analysis purposes. The categories enabled grouping of concerns which followed a theme through multiple submissions. The categories were:

- Functionality of the roundabout,
- Parking in front of local businesses being affected,
- Impact on businesses during construction,
- Construction cost,
- Existing street trees,
- Landscaping,
- Safety,
- Heritage,
- Positive support.

#### **Financial**

The NSW Government has provided approximately \$2.5m in grant funding for construction of the new roundabout.

Program Code	Expense Type	Funding source		Amount
	Capital	Roads and Maritime Services - Monaro Roads Package Funding	\$	2,550,134

#### **Resources (including staff)**




It is proposed that staff progress the designs to detailed design. Staff will then prepare tender documents for release to open tender.

#### **Conclusion**

Council staff have completed concept designs and public consultation for the Bungendore Roundabout project. Public consultation has highlighted the desire for functionality and safety of the roundabout as well as aesthetics and other impacts to be taken into account.

Following the consultation, additional options were prepared with option 2 being the preferred option.

#### **Attachments**

- Attachment 1  Bungendore Roundabout - Option 2 *(Under Separate Cover)*
- Attachment 2  Bungendore Roundabout - Option 3 *(Under Separate Cover)*
- Attachment 3  Bungendore Roundabout Community Consultation Report *(Under Separate Cover)*



9.7 Delivery Program update - January-June 2019 (Ref: ; Author: Tegart/Tozer)

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File Reference: 356428

**Summary**

The Delivery Program 2018-21 was adopted in June 2018 and Council is required to report on its progress at least every six months. A report will be presented to the February 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.

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**Recommendation**

**That Council note the Delivery Program update.**

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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.

Much of the data used in this report will also be shown in the Annual Report. The Annual Report is required to be presented to Council by 30 November 2019.

**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 update - January-June 2019 (*Under Separate Cover*)



**9.7 Delivery Program update - January-June 2019 (Ref: ; Author: Tegart/Tozer)  
(Continued)**

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9.8 QPRC Decision-Making Framework and Policy (Ref: ; Author: Tegart/Spyve)

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File Reference: 52.5.4

**Summary**

This report sets out the framework and policy on how Council makes its decisions as required by Section 8 of the *Local Government Act 1993*.

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**Recommendation**

**That Council adopt the QPRC Decision-Making Framework and Policy.**

---

**Background**

A Decision-Making Framework and Policy has been developed to ensure that QPRC meets the requirements of Section 8 of the *NSW Local Government Act 1993* when making its decisions. All decisions made by Council, whether by the body politic (Mayor and Councillors), staff and or committees must be legal, transparent, ethical, sustainable and underpinned by appropriate financial resources. The Decision-Making Framework and Policy provides guidance to ensure that decisions made by Councillors and staff align with the legislative principles contained in Section 8A(2) of the *NSW Local Government Act 1993* (the Act). These principles are:

- Councils should recognise diverse local community needs and interests
- Councils should consider social justice principles
- Councils should consider the long-term and cumulative effects of actions on future generations
- Councils should consider the principles of ecologically sustainable development
- Council decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

Council is essentially 'a creature of statute' which means that we must operate within the legislative framework set by the NSW Government. As noted above, the primary piece of legislation which sets out our constitutional authority is the *Local Government Act 1993*. Section 8 of the LG Act sets out the principles for Local Government based around three sub-parts:

- Section 8A which outlines the guiding principles for councils
- Section 8B which sets out the principles of sound financial management, and
- Section 8C which sets out the role of integrated planning and reporting.

Attachment 1 sets out a Framework showing how the three parts of Section 8 of the Act combine with the responsibilities and authority of the Body Politic (Mayor and Councillors) under Sections 220 and 223 alongside the role and responsibilities of the CEO/General Manager as defined by Section 335 of the Act to provide for the decisions relating to the delivery of services, programs and projects for the community.

The Policy guides the decision-making process to ensure it complies with legislation, manages risk, and addresses the agreed needs of the community. It also takes into account planned and unplanned decision-making so that issues raised unexpectedly or in an ad hoc manner,

**9.8 QPRC Decision-Making Framework and Policy (Ref: ; Author: Tegart/Spyve)  
(Continued)**

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such as notices of motion or through political agitation, can be fully addressed in a fair, transparent and equitable process.

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

This policy is setting out how Council makes its decisions within the context of the provisions of the Local Government Act 1993.

***Engagement***

As this policy is setting out council's internal business processes on how it reaches its decisions to meet the requirements of Section 8 of the Act, it does not need to be publicly exhibited prior to adoption.

***Integrated Plan***

The Decision-Making Framework and Policy aligns with the following Key Goals of the Queanbeyan-Palerang Community Strategic Plan 2018 – 2028:

- Goal 5.1      Our Council is highly professional in delivering services to the community
- Goal 5.3      Our council has in place systems to provide quality services to its customers
- Goal 5.5      Our Council has in place appropriate risk management frameworks
- Goal 5.7      We have a well informed and engaged community
- Goal 5.8      Our Council's activities work to achieve the Community's Vision and aspirations

**Conclusion**

Council, like all councils within NSW, operates within a legislative framework established by the NSW Government. The principal piece of legislation which sets out how councils can make decisions is the *Local Government Act 1993*. A policy and framework have been developed to show how QPRC takes into consideration the requirements of the LG Act. The policy sets out the range of tools and processes QPRC uses to assist with its decision-making process.

**Attachments**

Attachment 1      QPRC Decision Making Framework (*Under Separate Cover*)



Attachment 2      Decision Making Framework Policy (*Under Separate Cover*)



9.9 Policy - Fraud Control (Ref: ; Author: Neil/Bozzato)

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File Reference: 45.1.3-03

**Summary**

The proposed Fraud Control Policy has been developed to support section 3.1 'General Conduct' of Council's Code of Conduct by establishing a framework to deter, detect and respond to instances of fraudulent and corrupt conduct directed at Council's regulatory, service delivery or administrative activities.

The Policy was initially considered by Council at the 22 May 2019 meeting, at which it was determined that it be exhibited for community comment for 28 days.

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**Recommendation**

**That Council endorse and adopt the Fraud Control Policy.**

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**Background**

Section 3.1 'General Conduct' of Council's Code of Conduct detail behaviours expected of councillors, members of staff of council, administrators, council committee members, delegates of council and council advisers.

***General conduct***

3.1 *You must not conduct yourself in a manner that:*

- a) *is likely to bring the council or other council officials into disrepute*
- b) *is contrary to statutory requirements or the council's administrative requirements or policies*
- c) *is improper or unethical*
- d) *is an abuse of power*
- e) *causes, comprises or involves intimidation or verbal abuse*
- f) *involves the misuse of your position to obtain a private benefit*
- g) *constitutes harassment or bullying behaviour under this code, or is unlawfully discriminatory.*

3.2 *You must act lawfully and honestly, and exercise a reasonable degree of care and diligence in carrying out your functions under the LGA or any other Act. (section 439).*

The draft Fraud Control Policy, supported by an associated Fraud and Corruption Control Plan and a range of currently in-place policies, systems and practices relating to official conduct and fraud awareness are intended to address these requirements.

The policy is consistent with guidance detailed in the 'Fraud Control Improvement Kit' issued by the NSW Audit Office which supports application of the Code by setting out attributes of an effective fraud risk control framework.

Two comments were received during consultation that:

- addressed the merits of alternative delivery mechanisms for fraud control training

**9.9 Policy - Fraud Control (Ref: ; Author: Neil/Bozzato) (Continued)**

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- sought detailed information on certain financial management processes within Council.

These operational issues are best considered in the development of specific practices implemented to support the policy, while the latter would not typically be discussed with individuals outside Council.


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

Chapter 14 Part 1 Division 1 'Conduct generally' of the *Local Government Act 1993* requires Councils to adopt a Code of Conduct that incorporate requirements included in a model Code issues by the Office of Local Government.

***Integrated Plan***

This policy is a foundation document required for achievement of Council's key goal 5.1.5 'Our Council has in place appropriate risk management frameworks' as detailed in the Community Strategic Plan 2018-2028.

**Attachments**

Attachment 1  Draft Fraud Control Policy - following consultation - ID338834 (*Under Separate Cover*)



9.10 Investment Report - July 2019 (Ref: ; Author: Scarpin/Drayton)

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File reference: 43.3.1

**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 July 2019.

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**Recommendation**

**That Council:**

1. **Note the 2019/20 investment income for July 2019 was \$753,060.**
  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 July 2019.**
- 

**Background**

***Cash and Cash Equivalent Investments***

The principal amount invested as at 31 July 2019 was \$208,023,549.

Refer to Attachment 1 for the budgeted interest allocation by entity.

Refer to Attachment 2 for the QPRC Investment Report Pack.

***Market Update***

The average 30 day BBSW rate for July 2019 was 1.11%.

The Reserve Bank (RBA) board, following rate cuts in June and July chose to hold the cash rate at the record low rate of 1.00% at its August 2019 meeting.

The TCorpIM Long-Term Growth Fund followed the June 2019 rebound to again produce a solid positive return in July 2019. 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 performed well in July 2019 with another positive return. 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.

Lucas Scarpin  
Interim Chief Financial Officer

***Financial***

Investment income for the 2019/20 Financial Year as at 31 July 2019 amounted to \$753,060. The investment returns are added to the associated restricted funds (i.e. development contributions) that form Council's investment portfolio.

**Attachments**

- |   |  |
|---|--|
| Attachment 1<br>   | July 2019 - Budgeted Interest Allocation by Entity ( <i>Under Separate Cover</i> ) |
| Attachment 2<br>  | July 2019 - Investment Report Pack ( <i>Under Separate Cover</i> )                 |
| Attachment 3<br> | July 2019 - Economic Commentary ( <i>Under Separate Cover</i> )                    |

9.11 Carry Forward/Revote of Expenditure to Financial Year 2019/20 (Ref: ; Author: Scarpin/Blakey)

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File Reference: 43.1.1

**Summary**

This report seeks Council's approval to carry forward and revote amounts specifically identified as unspent in the 2018/19 financial year where works were not completed by 30 June 2019. The works are proposed to be completed in the 2019/20 Financial Year.

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**Recommendation**

**That Council Carry Forward and Revote the amount of \$21,107,902 for works and projects identified in Attachment 1 into the 2019/20 financial year.**

---

**Background**

Unspent expenditure votes at 30 June 2019 can be carried over pursuant to subclause 211 (3) of the *Local Government (General) Regulation 2005*:

All such approvals and votes lapse at the end of council's financial year. However, this subclause does not apply to approvals and votes relating to:

- (a) Work carried out or started, or contracted to be carried out, for the council, or
- (b) Any service provided, or contracted to be provided, for the council, or
- (c) Goods or materials provided, or contracted to be provided, for the council, or
- (d) Facilities provided or started, or contracted to be provided, for the council,

A review of financial balances as at 30 June 2019 has identified unspent budgets proposed to be either carried forward or revoted to 2019/20.

Attachment 1 to this report provides a summary of the proposed carry forward and revote works, with the carry forward works subject to consolidation of end of year adjustments and the annual audit process

A *revote* is defined as an approved project which has not commenced or been contracted to commence in the 2018-19 financial year, whereas a *carryover* is an approved project which has commenced or contracts have been signed to commence, but will not be completed by 30 June 2019.

**Implications**

***Financial***

The relatively large carry over is due in part to grants and loans brought to account at full value for FY19, yet the works were not complete in that financial year. Examples of the projects are:-

- Rusten House Arts Centre refurbishment
- Local Road renewal – Reseals and Rehabilitation
- Nerriga Road Construction and Seal
- Old Cooma Road Stage 2
- Queanbeyan Sewage Treatment Plant Upgrade

**9.11 Carry Forward/Revote of Expenditure to Financial Year 2019/20 (Ref: ; Author: Scarpin/Blakey) (Continued)**

Upgrade Bicentennial Hall

The table below shows that of the \$21.1m being brought into the 2019/2020 financial year, \$17.89m is funded by external sources.

<b>Program Code</b>	<b>Expense Type</b>	<b>Funding source</b>		<b>Amount</b>
Various	Various	Restricted Funds to remain within Reserves (Grants, Loans)	\$	17,889,283
Various	Various	Restriction of Rates and Revenue to Reserves	\$	<u>3,218,619</u>
		Total Restriction	\$	21,107,902

**Conclusion**

All projects were identified in the 2018/19 Operational Plan and within the Quarterly Budget Review Statements. Projects listed in the report are either currently in progress or yet to start. This resolution restricts funds currently held within the 2018/19 financial year and rolls over the budgets to the 19/20 Financial Year allowing projects to continue.

**Attachments**

Attachment 1  Carry Forward/Revote of Expenditure to Financial Year 2019-20 (*Under Separate Cover*)

9.12 Financial Statements - Delegation of Authority to Planning and Strategy  
Committee Meeting (Ref: ; Author: Tegart/Scarpin)

---

File Reference: 43-3-1-03

**Summary**

Due to the timing of the 2019 Financial Statements audit, staff are requesting that Authority be delegated to the Planning and Strategy Committee meeting to be held on September 11, 2019 for the referral of the 2019 Financial Statements to Audit.

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**Recommendation**

**That Council delegate authority for the referral of the 2019 Financial Statements to audit to the Planning and Strategy Committee meeting to be held on September 11, 2019.**

---

**Background**

Section 413 of the *Local Government (NSW) Act 1993* states that:

*A council must prepare financial reports for each year, and must refer them for audit as soon as practicable (having regard to the requirements of section 416 (1)) after the end of that year.*

Due to the timing of the 2019 Financial Statement audit which has been scheduled to commence on September 17, 2019, staff will not be in a position to present completed draft Financial Statements to the Ordinary Council Meeting of August 28, 2019, and refer to the ARIC sub-committee.

Council is requested to delegate authority to refer the Financial Statements to Audit to the Planning and Strategy Committee to be determined at the meeting held on September 11, 2019.

For context, the 2019 audit period is significantly earlier in the year than in prior years at the request of Council's auditor. The 2018 audit for comparison commenced on October 2, 2019 which allowed for presentation of the unaudited Financial Statements to the September Council meeting.

Council's Audited Financial Statements will be presented to an Ordinary meeting of Council later in the year.

**Attachments**

Nil



9.13 IPART Review of Local Government Rating System - Submission to Final Report (Ref: ; Author: Tegart/Scarpin)

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File Reference: 43.2.1

**Summary**

The NSW Office of Local Government has placed the Independent Pricing and Regulatory Tribunal's (IPART's) final report titled "Review of the Local Government Rating System" on public exhibition, seeking feedback on its recommendations.

NSW councils have been invited to respond to IPART's final recommendations by September 13, 2019.

This report seeks Council endorsement to submit the attached responses to IPART's final recommendations as detailed in the attached IPART report.

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**Recommendation**

**That Council submit the attached responses to IPART's final Review of the Local Government Rating System report to the Office of Local Government.**

---

**Background**

In December 2015, IPART was tasked by the NSW Government to review the Local Government rating system in NSW.

The purpose of the review was to develop recommendations to improve the equity and efficiency of the rating system.

The review considered:

- The valuation method used to calculate rates
- Rating Categories
- The way in which Councils total income increases as population increases
- The distribution of rates across different ratepayers
- The eligibility and design of exemptions and concessions

During 2016, IPART released an issues paper and conducted a number of public hearings into its brief.

In December 2016, the Minister for Local Government was presented with a draft report outlining IPART's findings.

In June 2019, IPART's final report was released by the Government for public comment.

The period for public submissions on the final report close on September 13, 2019.

IPART's final report details forty two (42) recommendations that it believes can provide for a more effective and efficient rating system for NSW.

**9.13 IPART Review of Local Government Rating System - Submission to Final Report  
(Ref: ; Author: Tegart/Scarpin) (Continued)**

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Of these, 14 recommendations were excluded from the Office of Local Government's request for consultation. The remaining 28 recommendations have been addressed in the attached report. The recommendations excluded for consultation have also been identified in the attached report.

The proposed responses are largely supportive of IPART's recommendations. Many of the recommendations go towards providing greater flexibility for councils to adapt their rating structures to suit their communities. This is something that all councils would benefit from.

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

Should the NSW Government resolve to implement any of the IPART recommendations, then the Community would be impacted by changing values to their rating liabilities. At this stage, the NSW Government has not provided any indication of its intent around the IPART recommendations, and any resolution to implement these recommendation would have to incorporate a significant transition period to allow the community to be advised.

***Economic***

There is potential, should certain recommendations be adopted, that NSW councils will be able to strategically consider investment of public money to generate economic return which in turn would provide an increased rating yield from high growth industries to in turn be used to fund community infrastructure.


**Conclusion**

IPART's final report into Local Government Rating Systems is a comprehensive report that provides a number of strong recommendations that could fundamentally improve how NSW councils structure the rating models specific to their communities particular needs and considerations.

The attached responses to the Office of Local Governments exhibition period will ensure that Council puts its views forward and continues to participate in this important improvement process.

**Attachments**

Attachment 1  IPART Rating System Submission (*Under Separate Cover*)

Attachment 2  IPART Final Report - Review of Local Government Rating Systems  
(*Under Separate Cover*)



9.14 Rates Harmonisation (Ref: ; Author: Tegart/Tegart)

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File Reference: 43.2.1

**Summary**

Outlining the approach to the rates harmonisation of the former councils' rating structures and modelling of potential rating structures for QPRC, once the rate path freeze on NSW merged councils ceases on 30 June 2020.

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**Recommendation**

**That Council:**

1. **Receive and note the report on rates harmonisation.**
  2. **Determine whether to 'opt out' of the rate path freeze, and continue the rating review to introduce a new rating structure from 1 July 2020, and advise OLG accordingly.**
  3. **Confirm the rating policy and modelling approach outlined in the report.**
  4. **Continue to participate in the merged councils rating group, advocating to Government to consider the opportunities listed in the report.**
- 

**Background**

Council has previously considered an information report on the rates review/harmonisation project and councillors presented with background papers at a workshop on 17 July 2019. The background papers prepared by consultants Morrison Low identified issues and options summarised in the attached Executive Summaries.

The objectives of the rates review includes:

- Develop an equitable rating structure that distributes the rates burden fairly across the new LGA
- Balance the extent of a sudden, unexpected impact for the majority of ratepayers
- Maintain rates yield forecast in LTFP
- Consider IPART review in design of rating structure
- Consider rate notice 'bottom line' (ie general, water, sewer, waste)
- Consider changes to water and sewer charging per IWCMPs

The rates review project comprises the following elements:

## Deliverables



'SPA' = service, program, activity framework

Further workshop and reports will follow over coming months. The purpose of this report is to outline the approach to the rating review, and to ascertain whether Council wishes to 'opt in' (extend the rate path freeze for a further year to 1 July 2021), or 'opt out' (introduce harmonised rates from 1 July 2020).

### Implications

#### **Legal**

The 2016 Amalgamations Proclamation prescribed that the first elected Council must review the rating structure in the first four years following merger. The *Local Government Amendment Act 2019* has extended this timeframe by an additional year. Merged councils may choose to retain the current path to introduce harmonised rates from 1 July 2020 by opting out; or remain on the amended path to commence from 1 July 2021 (optional).

Councils are required to opt out by 6 September.

The Act does not allow for a phase-in period, to graduate any changes or increases.

**9.14 Rates Harmonisation (Ref: ; Author: Tegart/Tegart) (Continued)**

New land valuations prepared by the NSW Valuer-General this year, come into effect from 1 July 2020.

The Government has yet to respond to the 2016 IPART review of rating systems in NSW. A separate report appears in this business appear on a proposed submission to that review.

NSW rating comprises the following rate categories based on dominant use, and bear no relationship to landuse zones under the LEP. Sub-categories based on uses or localities may be contemplated. Carefully composed communications will be required as it is likely the draft comprehensive LEP and new rating categories will be published for feedback around a similar period.

<b>Category</b>	<b>Subcategories may be determined:</b>
<b>Residential</b>	according to a centre of population
<b>Business</b>	according to a centre of activity
<b>Farmland</b>	according to intensity of land use, or economic factors affecting the land or irrigability of land
<b>Mining</b>	according to the kind of mining involved

***Policy***

Rates may consist of:

- An ad valorem or rate in the dollar (\$) component (calculated on unimproved land value provided by V-G), and
- A base amount (fixed amounts to smooth the distribution)

In setting its rating principles, Council needs to decide:

- The split between Farmland, Residential, Business and Mining categories
- Whether to have more or less subcategories:
  - Differentiate level of rates paid
  - Consider affordability or servicing level
- Higher or lower Base Charge (max 50%)
- Special rates for works / services that benefit rateable properties
- Rebates (incl pensioner) and Debt Recovery Policy Rate policy

### Current Policy

The current Financial Policy biases general rates and annual charges to infrastructure maintenance and renewal, and servicing of debt for that infrastructure. The key objectives of the Policy are:

- i. achieve financial sustainability,
- ii. manage the asset backlog to prevent an infrastructure crisis,
- iii. preserve essential public services in line with population growth
- iv. keep rates, fees and charges affordable
- v. borrow at acceptable levels in line with intergenerational equity and
- vi. meet financial benchmarks to be fit for future (FFF)

The key principles regarding assignment of rates and revenues to expenditures are:

- a) All property taxes (rates, annual charges, development contributions, and asset specific grants) cover the cost of maintenance, renewal, upgrade and debt costs of assets, and the share of corporate attributed costs. Base charge to cover community service obligations (CSO)
- b) All usage charges cover the costs of operating and administration costs for water, sewer, waste, and the share of corporate attributed costs
- c) Other fees and charges, specific grants and specific SRVs cover the cost of non-infrastructure services (eg planning, environment, community etc), and the share of corporate attributed costs
- d) Governance and corporate overhead costs are attributed across those asset and service areas, with balance of cost met by FAG and direct fees

### Policy Options

One of the policy options presented with the IPART report includes amending the *Local Government Act 1993* to allow non-metropolitan councils to choose between the Capital Improved Value and Unimproved Value (UV) methods as the basis for setting ad valorem rates at the rating category level. In a high growth regional community such as Queanbeyan, a CIV would distribute the rating yield more effectively to the users of Councils services. A CIV rating structure would place a higher yield demand on a block of units for example, than a UV structure – reflecting the increased density of population using Council services.

It is proposed the current policy continue, noting the ad valorem rate is based on valuations, and is essentially the differentiator to contribute to infrastructure; while a base charge could be set to distinguish the nett cost of levels of service, by locality.

Options to introduce ‘disincentives’ such as rating vacant retail premises; or ‘incentives’ by discounting water charges to attract economic private investment, will be explored.

**9.14 Rates Harmonisation (Ref: ; Author: Tegart/Tegart) (Continued)**

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Proposed Structure:

## General

- Ad valorem (nett cost infrastructure MRR and debt servicing; LV is differentiator)
- Base charge (nett cost non-infrastructure services/CSO; equal charge per category/locality)
- Pension ( option: increase rebate by average residential rate increase, above rate peg)

## Utilities

- Charges derived from IWCMP, Waste, Stormwater strategies and associated pricing plan

## Combined

- Smooth impact by 'bottom line' (combined impact of General, Water, Sewer, Waste, Stormwater)
- Consider phasing (if permissible – see submission to IPART report)

## Alternative to SRV

- Dividends extracted from Queanbeyan Water and Sewer Funds
  - requires adoption of Integrated Water Cycle Management Plan (IWCMP)

## New Charges

- Introduction (Bungendore, Braidwood) or extension (Queanbeyan) of stormwater levy for maintenance or capital works (incl debt servicing)
  - requires adoption of respective stormwater masterplans

***Environmental***

A future Council may contemplate an SRV not included in the current LTFP, to increase investment in environmental services, including biodiversity or biosecurity (weeds).

***Engagement***

Once Council considers its policy and model options, it is proposed to establish a reference panel of community and business members from across the LGA to work with the options and present preferred scenarios to Council.

Those preferred options and rating impact samples will form part of the community engagement associated with the Operational Plan 2020/21. Any intent by Council to convert to a CIV base for rating should be forecast in that engagement.

***Financial***

The review of rating structures does not change the annual notional rate yield established in the Operational Plan. That yield is only influenced by the rate peg set by IPART, or any subsequent SRV approved by IPART.

**9.14 Rates Harmonisation (Ref: ; Author: Tegart/Tegart) (Continued)**

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Following the Government response to the IPART 2016 Report, the option to introduce (capital improved) CIV rather than (unimproved) LV rating may alter the rate yield due to growth, and mitigate any future need for SRV.

The key difference between the UV and CIV methods is that:

- UV only considers the underlying land value of a property, whereas
- CIV considers the underlying land value plus capital improvements

The Financial Plan (LTFP) does not propose an SRV, but rather relies on dividends derived from the operations of the Queanbeyan Water and Sewer Funds, for general expenditure or debt servicing in the Queanbeyan area. Adoption of the IWCMP is required.

It is proposed the following categories and models be prepared for the next workshops, noting models will be prepared on current valuations, not the revaluations.

### 1. Categorisation

#### 1.1. Four categories

- 1.1.1. (residential, business, farmland, mining)

#### 1.2. Sub categories

- 1.2.1. per locality
- 1.2.2. per use
- 1.2.3. per precinct (eg QBN CBD, industrial)

### 2. Modelling

#### 2.1. By Category:

- 2.1.1. same rate in \$, different base
- 2.1.2. same base, different rate in \$

#### 2.2. By Sub-Category

- 2.2.1. above by locality

### 3. Water and Sewer Charges (identified in IWCMP)

#### 3.1. By Supply

- 3.1.1. Queanbeyan, Googong, Bungendore, Braidwood, Captains Flat

#### 3.2. By Use

- 3.2.1. Residential, industrial and assoc discharge factors (if applicable)

### 4. Pension Rebate

#### 4.1. Forecast growth in pensioners accessing rebates

- 4.2. Increase pension rebate by % or average residential \$ value of SRV increase

**9.14 Rates Harmonisation (Ref: ; Author: Tegart/Tegart) (Continued)**

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Morrison Low will also prepare a report on service costs, based on FY2019 to inform the nett and relative costs of services delivered across the LGA and potentially guide base charges by category or locality. That information will also inform the services reviews currently underway.

***Resources (including staff)***

Significant Finance and Digital Branch staff time is required to develop the policy and model options, as well as administer the new valuations. Communications and customer staff will then be involved in community engagement (associated with next Operational Plan) and customer enquiries.

**Conclusion**

The Rating Review and Harmonisation presents an opportunity to align the former councils' rating structures and build on a policy platform as outlined in the report. Modelling is now available as a single TechnologyOne Property and Rating system has been implemented, going live from mid-June 2019.

The next steps are:

- Rates benefit and service pricing assessment and report
- Ratepayer impact modelling
- Rate structure options review

The review also presents risks, as summarised below.

**Issues/Risks:**

- LEP zonings and Rate categories exhibited around same time (reignite confusion)
- Re-valuation impact 2020
- Revised water, sewer, waste strategies exhibited around same time
- IPART review (government response)
- Politicising rate structure/success of merger at next council elections

Similarly, by working with other merged councils and the Office of Local Government, a number of opportunities emerge to move forward as a sector in relation to rating – a large part of which does rely on the Government response to the 2016 IPART report.

**Opportunity:**

- Reset rating foundations as policy platform to support population growth and associated infrastructure and services, minimising reliance on government funding
- Remove need to demonstrate service reviews to IPART if SRV is for infrastructure
- Government increase pension subsidy as a one off SRV-surrogate
- Introduce CIV (capture value uplift from significant developments and redevelopments)
- Smooth or phasing impact by the bottom line (G,W,S,W,SW), suggesting 10% max movement/year
- Introduce abatement for natural disaster/drought (use catch up on notional yield, rather than postponement on individual rates)
- Utilise catch up provisions on yield for greenfield/brownfield large scale development
- Establish independent reference panel to recommend rate structure (cost of OLG)

Timeframe:

Should Council choose to Opt-Out (ie introduce new rating structures from July 2020), the following key dates apply:

## Next Steps and Key Dates – 1/07/20



If Council were to choose to retain the rate path freeze till 1 July 2021 (Opt In), the proposed timing of the rates harmonisation would be revised per below, and introduce additional layers of modelling and engagement:

### 2019/20

- Continue Asset management plans (AMP) and asset standards
- Continue Service reviews, costs and standards
- Update finance policy metrics with nett costs v base charge etc
- Exhibit Comprehensive LEP
- Adopt IWCMP (QBN)
- Re-Valuations and communications
- Rate modelling by LV (category, sub category, locality, capacity/benefit test) in house
- Confirm finance policy (rate in \$, base charge, pension rebate; dividend etc)
- Councillor Election

### 2020/21

- Revise Financial Plan (LTFP)
- Release draft rating structure (based on LV)
- Rate harmonisation communications
- Independent panel consideration and recommendations
- Phased implementation: 10% pa < 4 years (ie council term)



2021/22

- CIV data capture and modelling (pending Government response to IPART report)
- Release revised draft rating structure
- Independent panel consideration and recommendations
- Introduce new structure 1 July 2022

**Attachments**

Attachment 1 Rates Harmonisation Background - Summary (*Under Separate Cover*)



Attachment 2 Capacity to Pay - Summary (*Under Separate Cover*)





9.15 Queanbeyan CBD - Stage 5 Monaro Corridor (Ref: ; Author: Tegart/Tegart)

---

File Reference: 11.1.8

**Summary**

Proposing alternative project to utilise NSW Government offer of infrastructure stimulus funding for Queanbeyan CBD, from the Morisset carpark construction (Stage 3 QCBD Transformation) as resolved at the August meeting, to refurbish part Monaro Street (Stage 5 QCBD Transformation) between Crawford and Lowe Streets.

This follows a subsequent request from NSW Police to defer construction of the Morisset carpark until the new Queanbeyan Police station is complete and the temporary station vacated. Should Council determine to reassign the grant and debt funding to the Monaro project, it may then assess whether to reconsider the request of NSW Police to extend the temporary occupation of ~45csp in the Morisset carpark for a further 12 months, with or without lease fee.

---

**Recommendation**

**That Council:**

1. **Note the report and endorse the revised scope of works for the Monaro Street Corridor and Poets Laneway.**
  2. **Accept and reassign the \$10m grant from the NSW Government to the Stage 5 Monaro Street Corridor (Crawford/Lowe section).**
  3. **Raise debt of \$5.7m, and update the long term financial plan accordingly.**
  4. **Liaise with NSW Transport (RMS) regarding design, traffic management and further funding to enable the next section of the Monaro Street Corridor to progress.**
  5. **Continue to progress the EOI for the Morisset carpark.**
  6. **Reconsider request from NSW Police to extend the licence to occupy Morisset carpark.**
- 

**Background**

In mid-2018, Council endorsed six stages of works forming the carparking, public domain, buildings, laneways and corridors works of the Transformation Strategy. Council has recently exhibited the draft QCBD Spatial Masterplan defining the public and private investments contemplated in the Lowe, Rutledge, Morisset and Crawford carpark precincts, together with the Monaro Street corridor and Queanbeyan River corridor.

As reported to the August meeting, Council received an offer from the NSW Government to advance a grant of \$10m as an infrastructure stimulus this financial year, and has sought a revised scope of works from that submitted with the GLE grant application for the CBD.

At the meeting, Council resolved in part to:

- Accept the grant
- Endorse the scope of works for the Morisset carpark precinct.
- Undertake concurrent procurement options as outlined in the report.
- Endorse borrowings of up to \$10m from FY21, with actual borrowings to be confirmed in the FY21 Operational Plan

**9.15 Queanbeyan CBD - Stage 5 Monaro Corridor (Ref: ; Author: Tegart/Tegart)  
(Continued)**

---

The NSW Police subsequently requested Council to defer construction of the Morisset carpark until the new Queanbeyan Police station is complete and the temporary station vacated.

In discussions with the NSW Office of Premier and Cabinet, an alternative option may be accepted. The proposed Monaro Street Corridor refurbishment would have similar economic and social benefits, but initially estimated at \$27.5m, the \$10m grant would require a larger investment from Council as proposed with the Morisset (\$20m) project.

It is suggested the scope be limited to works between the Crawford and Lowe Street section, estimated at \$15.5m. A copy of the Block Plan contained in the draft Masterplan is attached, together with an estimate for councillors' information. It is also suggested the refurbishment of Poets Laneway, to connect Morisset carpark to Monaro Street as proposed in the August report, continue to be included (est \$217k).

One of the procurement methods adopted at the August meeting included calling an expression of interest for the sale or development lease to construct a multilevel carpark with private residential or commercial spaces (as contemplated by Masterplan), with ~400csp public carspaces provided to Council by strata. It is proposed to continue that exercise, for further report to Council.

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

While noting legislation is changing to require tenders for capital or contract expenditure greater than \$250k, Council's procurement policy will seek tenders and expressions, including from endorsed panels.

***Asset***

There had been initial discussions with RMS in conjunction with the CBD Masterplan and proposed Monaro Street refurbishment. No funds have been identified by RMS to contribute to the Monaro Street Corridor (Kings Highway lanes) works at this time, however it is suggested Council advocate to RMS and Office of Premier and Cabinet that a whole of government approach be taken to this project to secure additional funding to complete Monaro Street to the Queens Bridge, in a staged program of works.

The proposed scope of works includes:

- Design and approvals
- Removal of Central Garden Beds
- Reconstruct Northern Side of Monaro Street
- Reconstruct Southern Side of Monaro Street
- Replacement of Central Garden Beds and Turn Bays
- Final wearing course and Line Marking

Commencing once the EDE is open and much CBD traffic can be diverted, vehicular, parking and business disruption is expected with traffic signalling and detours likely.

The second stage of the refurbishment (Bridge to Crawford) can be considered further with the potential redevelopments of the Leagues Club and Riverside Plaza frontages.

### 9.15 Queanbeyan CBD - Stage 5 Monaro Corridor (Ref: ; Author: Tegart/Tegart) (Continued)

#### **Engagement**

Once plans are prepared, the business and broader community will be invited to provide feedback. More direct engagement with property and business owners during detail design and works is expected.

Further discussion will be held with the Leagues Club and Riverside Plaza following adoption of the Masterplan, so their development aspirations are known and ideally coordinated with any works along the Bridge to Crawford section, should these works follow this stage.

#### **Financial**

The 2018 GLE application proposed a mix of debt, grant, land sales, contribution and private capital funding as published in the business case. Discussions with NSW Transport (RMS) would continue to procure shared funding for the Monaro Corridor works in Stage 5.

The Cost Estimates schedule of \$15.479m plus Poets Lane refurbishment of \$217k (previous report) includes project management, design, and contingency costs. A contribution of \$5.7m is required of Council, raised by debt. Development contributions or planning agreements to enable refurbishment of footpaths, planting and seating may be undertaken in relation to the future Bridge-Crawford section.

Bringing Stage 5 forward, and with construction scheduled across two FYs, the grant would be expended initially and debt raised in FY21. Debt servicing of \$401k/yr (\$5.7m@3.5%/20years) commences in FY22. However, the Monaro corridor works were proposed to be funded entirely by grant from 2023. The Morisset carpark debt was proposed from FY22 at \$975k/yr, so is an improvement to the LTFP in nett terms should the carpark now be delayed. It is proposed to continue with the EOI for development of the carpark site as outlined in the Masterplan (following Police vacating the carpark), to enable a multilevel smart carpark of ~400csp for Council and payment to the developer for that strata.

A capital expenditure review would not be required, as the works are for transport and public infrastructure


Program Code	Expense Type	Funding source	Amount
	Capital	Grant	\$ 10,000
	Capital	Debt	\$ 5,700


#### **Conclusion**

There has been no formal discussion with RMS, other than the engagement in drafting the masterplan and the associated comments on Monaro Street. That means the more complex work toward the bridge will need to be supported by the RMS, as the owner of the Kings Highway.

The Stage 5 project is a longer spread of work as its more complex, involves more moving parts and can't commence until the EDE opens. It will however have high visibility, and with higher disruption, but enables landlords and business to leverage off the better vehicle and pedestrian movement and improved (noise/vibration) amenity in Monaro Street.

#### **Attachments**

Attachment 1  Monaro Street Refurbishment - Concept per Masterplan (*Under Separate Cover*)

Attachment 2  Monaro Street - high level estimate (*Under Separate Cover*)



10.1 Waste Strategy Update (Ref: ; Author: Hansen/Belcher)

---

**File Reference:** 34.2.3 – Waste Planning

**Report**

Councillors discussed the operation of the Bungendore Resource Recovery Facility at Council meeting of 24 July 2019 (Resolution 260/19). As part of the Waste Strategy currently under development, upgrades and improvements to the facility have been considered and funding included in the financial model to undertake the works. Limitation of wind-blown litter has been a particular focus in these considerations.

At this stage, no specific option has been determined and work will continue to determine suitable containment options.

Site staff will continue to monitor the situation and take action as necessary to manage litter escaping from the site, including litter-picking on adjoining land.

The Waste Strategy process has been delayed due to the following factors:

- Limitations on staff resources – the team managing the project is under significant time demands with all relevant team members working on a number of corporate system upgrades and major projects.
- Complexity of the financial model – combining the two former financial models into one and the variety of service types offered across the LGA is a significant undertaking. This has resulted in some minor portions of rework to better reflect the current situation and future options.
- Reconsideration on the CRJO waste strategy.

It is anticipated that the Waste Strategy will be completed by the end of 2019.

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**Recommendation**

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

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**Attachments**

Nil





10.2 Queanbeyan-Palerang Merger - 3 Years in Review (Ref: ; Author:  
Tegart/Tegart)

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**File Reference:** 52.5

**Report**

As previously reported to Council, the three-year merger protection period concluded in May 2019. As a record of the establishment of the new Council, a report of the merger will be prepared as an addendum to the Annual Report.

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**Recommendation**

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

---

**Attachments**

Nil



10.3 Canberra Region Joint Organisation - Review of Operations (Ref: ; Author: Tegart/Ferguson)

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**File Reference:** 52.8.1-11

**Report**

The Chair of the Canberra Region Joint Organisation (CRJO), Cr Rowena Abbey, has informed member Councils of a review of its operations. Ms Gabrielle Cusack has been appointed Acting Executive Officer until the Board recruits a new EO.

At its meeting on 5 August 2019, the Board requested reports to inform the review following its first 12 months of operations, including:

- A potential restructure of the organisation, defining the respective roles and skills sets of those roles to accommodate the financial capacity of the organisation.
- Mapping the establishment, operational and project expenses against respective sources of income for FY18/19.
- The operational and strategic priorities and sources of funding for FY19/20, drawn from the adopted strategic priorities.
- An audit of the governance and operational arrangements in accordance with the CRJO Establishment Plan.

The Board also finalised the budget and membership fees, having considered recommendations to increase the fees by rate peg, minimising meeting costs and generating management revenues from projects and grants administered by the CRJO.

An independent party will be appointed to prepare the FY18/19 financial statements for audit.

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**Recommendation**

**That Council note the Canberra Region Joint Organisation's Review of Operations.**

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**Attachments**

Nil



11.1 Queanbeyan-Palerang Sports Council - Minutes of meeting held 5 August 2019 (Ref: ; Author: Thompson/Penman)

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File reference: 349920

**Summary**

The Queanbeyan-Palerang Sports Council has submitted the minutes of its meeting held 5 August 2019 for Council information.


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**Recommendation**

**That Council note the minutes of Queanbeyan-Palerang Sports Council held on 5 August 2019.**

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**Attachments**

Attachment 1  Minutes of the QPRC Sports Council - 5 August 2019 (*Under Separate Cover*)



File Reference: 31.4.4

### **Summary**

The Minutes of the Local Traffic Committee Meeting held on 6 August 2019 are attached, with the following recommendations.

---

### **Recommendation**

**That Council:**

- 1. Note the minutes of Local Traffic Committee Meeting held via correspondence for Christmas in July Event approval be confirmed (LTC 17/19).**
- 2. Adopt recommendations LTC 17/19 to LTC 33/19 from the meeting held on 6<sup>th</sup> August 2019.**

**LTC 18/19 Event not supported due to conflict of runners on road with road traffic.**

**LTC 19/19 Approve the temporary traffic control measures for the Inward Bound Event, pending confirmation of acceptance of the conditions and the signing of the Traffic Management Plan.**

**LTC 20/19 Under the *Roads Act 1993* approve the temporary traffic controls for the Country Rocks Under the Stars event at Braidwood Showground from 17<sup>th</sup> October to 21 October 2019.**

**LTC 21/19 Under the *Roads Act 1993* approve the traffic control plans Bungendore Car Truck and Bike Show for Saturday 5<sup>th</sup> October 2019, subject to renewal of the Public Liability Insurance for the event.**

**LTC 22/19 Under the *Roads Act 1993* approve the traffic control plans for the Queanbeyan Oktoberfest Event to be held Friday 25<sup>th</sup> October to Sunday 27<sup>th</sup> October.**

**LTC 23/19 Under the *Roads Transportation Act 2013* approve the replacement of an existing 'Give-Way' sign with a 'Stop' sign and amend the road line marking at the intersection of Lobelia Close and Woodhill Link Jerrabomberra as per the design.**

**LTC 24/19 Under the *Roads Transportation Act 2013* approve the upgrades to the bus zone as per the concept design, pending confirmation of compliance with guide with regard to the end of Bus Zone sign and the kerb ramp at Gorman Drive, Googong.**

**LTC 25/19 Under the *Roads Transportation Act 2013* approve the upgrades to the mobility parking located on Majara Street in the Bungendore Public School zone as per the concept design.**

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**11.2 Local Traffic Committee 6 August 2019 (Ref: ; Author: Hansen/Stewart)  
(Continued)**

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LTC 26/19 Recommend a revised report to come back through the LTC once the number of mobility parking spaces is checked to ensure compliance with current standards at Majara Street, Bungendore.

LTC 27/19 Under the *Roads Transportation Act 2013* install the timed 2 hour timed parking restrictions as per the concept design in Park Lane Braidwood.

LTC 28/19 Under the *Roads Transportation Act 2013* install the double barrier line as per the concept design at Bailey Crescent, Googong.

LTC 29/19 Under the *Roads Transportation Act 2013* install the line marking and yellow kerb line marking on Caragh Avenue, Apraisia Avenue and related intersections in Googong as per the concept design.

LTC 30/19 Under the *Roads Transportation Act 2013* install the additional Stop signs and hold line for the intersection of Ross Roads and Surveyor Street Queanbeyan, as per the concept design.

LTC 31/19 Under the *Roads Transportation Act 2013* install the safety treatments for Hoskintown Road including installation of barrier line, road edge line and new curve advisory signage as per the concept design.

LTC 32/19 Under the *Roads Transportation Act 2013* install the safety treatments for Uriarra Road, at intersection of Ross Road, Blackall Avenue and Stornaway Road Queanbeyan as per the concept designs.

LTC 33/19 Under the *Roads Transportation Act 2013* install the safety treatments for the intersection of Briars Sharrow and Captains Flat roads as per the concept designs.

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**Attachments**

Attachment 1      Local Traffic Committee Minutes 6 August 2019 (*Under Separate Cover*)





11.3 Captains Flat Locality Committee Meeting Minutes (Ref: ; Author:  
Tegart/Ferguson)

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**File Reference:** 52.3.3

**Summary**

The minutes of the meeting of the Captains Flat Locality Committee held on 16 April 2019 are attached for Council's information.


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**Recommendation**

**That Council note the minutes of Captains Flat Locality Committee meeting held on 16 April 2019.**

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**Attachments**

Attachment 1  Captains Flat Locality Committee meeting minutes 16 April 2019 (*Under Separate Cover*)



11.4 Braidwood Locality Committee Meeting Minutes (Ref: ; Author:  
Tegart/Ferguson)

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File Reference: 52.3.3-01

**Summary:**

The minutes of the meeting of the Braidwood Locality Committee held on 15 April 2019 are attached for Council's information.

---

**Recommendation**


**That Council:**

1. Note the minutes of Braidwood Locality Committee meeting held on 15 April 2019.
2. Consider the following Recommendation BDLC02/2019 from the meeting held on 15 April 2019:

**BDLC02/2019** That the report from the Nerriga Progress and Sporting Association be referred to the Urban Landscapes team for consideration and, through the Urban Landscapes team, to the next meeting of the Sports Council.

---

**Attachments**

Attachment 1  Braidwood Locality Committee minutes 15 April 2019 (*Under Separate Cover*)



12.1 Disabled Parking at Queanbeyan Park Tennis Club (Ref: ; Author:  
Schweikert/Schweikert)

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File Reference: ORD023-5

**Notice**

Councillor Mark Schweikert will move the following motion:

---

**Motion**

**That Council investigate the installation of disabled parking space at or close to the entrance of the Queanbeyan Park Tennis Club, and report back to Council with findings and/or recommendations.**

---

**Background**

Under Council's Stronger Communities Fund Round 1, QPRC donated approximately \$36,000 to the Queanbeyan Park Tennis Club to install new facilities to cater for disabled people wishing to take up the sport of tennis. On 3 August the Mover assisted the Deputy Premier of NSW with the opening of these new disabled facilities.

The club has done a magnificent job of installing ramps and a disabled toilet facility however, is missing a key ingredient to further capitalise on the Round 1 funding, disabled car parking.

12.1 Disabled Parking at Queanbeyan Park Tennis Club (Ref: ; Author: Schweikert/Schweikert) (Continued)

Fig's 1 and 2 below show the space available for at least one disabled parking spot closest to the main gate and club house.

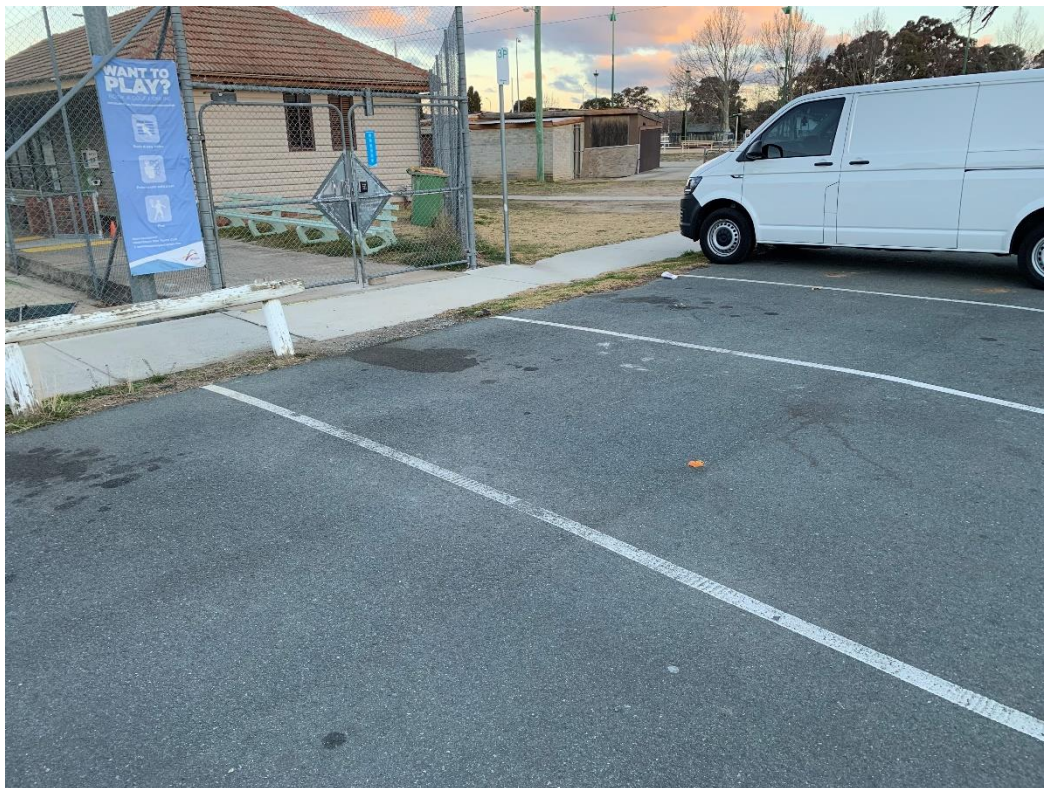


Figure 1

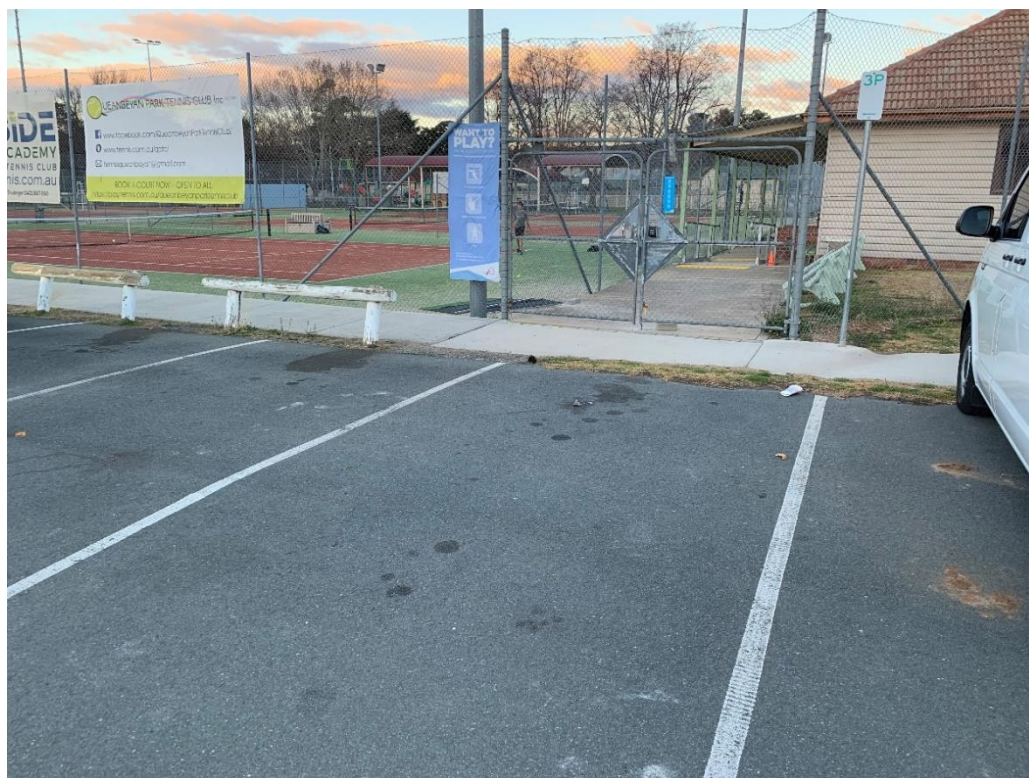


Figure 2

**12.1 Disabled Parking at Queanbeyan Park Tennis Club (Ref: ; Author:  
Schweikert/Schweikert) (Continued)**

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If passed this matter will be referred to the Traffic Committee for technical advice and a recommendation (either way) back to Council through the next Traffic Committee minutes.

The Club has no authority to install disabled parking, only Council through RMS has the authority and capacity.

**Financial**

Line marking and signage expenditure.

**Social**

Provides a more inclusive community.

**Attachments**

Nil





12.2 Weeds Advisory Committee (Ref: ; Author: Marshall/Marshall)

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File Reference: ORD023-5

**Notice**

Councillor Peter Marshall will move the following motion:

---

**Motion**

**That Council receive a report at its September 2019 Ordinary meeting, on the viability and utility of establishing a Weeds Advisory Committee.**

---

**Background**

QPRC encompasses a large rural and rural residential area, with multiple categories of public and private landholders. Council itself is a significant landholder.

Councillors are often asked about Council's actions to control weeds, both on its own land and on private and other public land. Comments are made about an apparent lack of coordination, for example Council requiring a private landholder to eradicate or control weeds on their land, while weeds on nearby public and even Council land remain apparently uncontrolled. There is some lack of understanding among the community about Council's powers, but also a failure in communication between Council and the community, if that lack of understanding persists.

There is also a lack of oversight of Council's actions in relation to weeds. There is no regular reporting to Council meetings, committees or workshops. Creation of a Weeds Advisory Committee, comprising a range of different stakeholders, could create lines of communication between Council and other public and private landholders, as well as a reporting mechanism to Council and the community through the minutes of the committee.

The motion suggests a report to the September 2019 Council meeting, as that is when membership for S355 Committees is usually reviewed.

To QPRC's south, Snowy-Monaro Regional Council has a Biosecurity (Weeds) Advisory Committee. Its minutes are available at this link:

<https://www.snowymonaro.nsw.gov.au/1475/Biosecurity-Advisory-Committee>

**Attachments**

Nil



13.1 Delegates' Reports (Ref: ; Author: Ferguson/Ison)

File reference: 52.3.1

**Summary**

Delegates Reports are submitted by Councillors to report on key points of meetings, events and functions which they have attended during the past month, either as a Council delegate or as a nominee of the Mayor.

**Recommendation**

**That Council note the Delegates' Reports.**

<b>Cr Tim Overall</b>		
<b>No.</b>	<b>Meeting/Function/Event Attended</b>	<b>Summary of Key Points</b>
1	2 August 2019 - Country Mayors Association Meeting.	<ul style="list-style-type: none"> <li>• The Hon Mark Coulton, Minister for Regional Services, Decentralisation and Local Government:                             <ul style="list-style-type: none"> <li>– Round 5 Blackspot Funding extended to September 2019. Round 6 to follow 2020.</li> <li>– In regard to Decentralisation, the key issue for NSW is the skills shortage and consideration is being given as to how to bring in skills from overseas.</li> <li>– Very aware of the call to bring Financial Assistance Grants (FAGS) to 1% GDP. Foremost is the need for reform of the formula. Acknowledged the National General Assembly of Local Government's support to amend FAGS to remove the per capita requirement. Noted the per capita requirement advantages metro councils and is not equitable. The Department is looking at costing options.</li> <li>– Constitutional Recognition of Local Government. Noted that the Deputy Prime Minister has put it on the agenda. Needs to be presented in a way that ensures success.</li> </ul> </li> <li>• The Hon Shelley Hancock, Minister for Local Government - an Apology.</li> <li>• The Hon Adam Marshall, Minister for Agriculture and Western NSW                             <ul style="list-style-type: none"> <li>- The new Legislation re land clearing. The Government has waved the 164 current</li> </ul> </li> </ul>

## 13.1 Delegates' Reports (Ref: ; Author: Ferguson/Ison) (Continued)

		<p>prosecutions under the old Act and are to be reassessed under the new Act which is more flexible.</p> <ul style="list-style-type: none"> <li>- Farm trespass laws are now being put in place.</li> <li>• Presentations: <ul style="list-style-type: none"> <li>- Geoff McKechnie APM, Assistant Commissioner, Commander Western Region, NSW Police Force</li> <li>- Richard Colbram, CEO NSW Rural Doctors Network</li> </ul> </li> <li>• General Business. <ul style="list-style-type: none"> <li>- The Association to write to the Premier supporting the removal of Cost Benefit Ratios from funding programs. In many cases the hurdle cannot be achieved despite the project being critical. Councils to submit examples to the Secretariat.</li> </ul> </li> </ul>
2	5 August 2019 - CRJO Board Meeting.	<ul style="list-style-type: none"> <li>• Ms Gabrielle Cusack appointed Acting Executive Officer</li> <li>• General Managers Group (GMG) to submit reports including: Potential restructure of the organisation, Operational and strategic priorities and sources of funding, Governance, policies and delegations, Recruitment of Executive Officer.</li> <li>• Adoption of 2019/20 Budget and Revenue Policy</li> </ul>
3	August 2019 - Community Safety Precinct Committee.	<ul style="list-style-type: none"> <li>• Refer Delegates Report - Cllr Mark Schweikert</li> </ul>
4	22 August 2019 - Regional Cities NSW Meeting.	<ul style="list-style-type: none"> <li>• The Hon Melinda Pavey, Minister for Water, Property and Housing re: Murray Darling River System.</li> <li>• RCNSW Policy and Advocacy Approach</li> <li>• The Hon Paul Toole, Minister for Regional Transport and Roads</li> <li>• The Hon Robert Stokes, Minister for Planning and Public Spaces</li> </ul>

## 13.1 Delegates' Reports (Ref: ; Author: Ferguson/Ison) (Continued)

<b>Cr Mark Schweikert</b>		
<b>No.</b>	<b>Meeting/Function/Event Attended</b>	<b>Summary of Key Points</b>
1	1 August 2019 – on behalf of Mayor: Launch of the Pink Tailed Legless Worm Lizard conservation project at Googong	<ul style="list-style-type: none"> <li>• NSW and Googong Township joint project to protect the Pink Tailed Legless Worm Lizard. \$1m.</li> <li>• Spoke at the launch given Council's eventual ownership of the conservation areas/habitat of the animal in question.</li> </ul>
2	3 August 2019 – on behalf of Mayor: Queanbeyan Tennis Park Disabled facilities opening	<ul style="list-style-type: none"> <li>• QPRC provided \$38,000 under NSW Govt's Stronger Communities Fund (project chosen by Local Representation Committee during administration)</li> <li>• Deputy Premier and Monaro MP The Hon John Barilaro was also present.</li> </ul>
3	3 August 2019 – on behalf of Mayor: Opened 'A Brush With Bungendore' art exhibit at Bungendore Fine Arts Gallery	<ul style="list-style-type: none"> <li>• Local painters have produced works depicting the landscape, streetscape and peopescap of Bungendore.</li> <li>• Well worth a look.</li> </ul>
4	6 August 2019 - Local Traffic Committee (Bungendore)	<ul style="list-style-type: none"> <li>• Very big Agenda.</li> <li>• Meeting involved a site visit in Bungendore.</li> <li>• Reports to come to Council for recommendation and ratification.</li> <li>• Events Team also attended to present on a number of upcoming events and take direction on Traffic Committee issues for other events.</li> <li>• One event traffic plan requires more work and consideration by Council.</li> </ul>
5	7 August 2019 - NSW Police Community Safety Precinct Committee – CPSC (Queanbeyan)	<ul style="list-style-type: none"> <li>• Attended by Mayor and Deputy Mayor <ul style="list-style-type: none"> <li>• QBN: Assaults up but not serious, B&amp;E up slightly of non-dwellings, fraud down, malicious damage up.</li> <li>• BGD: All crime down or steady.</li> <li>• BWD: B&amp;E down.</li> <li>• CF: NSTR.</li> </ul> </li> <li>• Police staffing numbers increasing.</li> <li>• Discussed new car parking arrangements, Braidwood Miners Caravan Park, graffiti and bus interchange anti-social behaviour.</li> </ul>
6	12 August 2019 - Bungendore Locality Committee	<ul style="list-style-type: none"> <li>• Reps from Town Centre and Environment Committee, School of Arts Committee and Bungendore War Memorial Committee.</li> <li>• Chamber of Commerce rep also attended.</li> <li>• Apologies from Mick Sherd canteen committee.</li> <li>• School Hall Committee failed to send a rep.</li> </ul>

**13.1 Delegates' Reports (Ref: ; Author: Ferguson/Ison) (Continued)**

		<ul style="list-style-type: none"><li>• Main action arising, set up a task group in Bungendore to develop an arts precinct and sculpture walk policy for Council.</li><li>• War Memorial Committee reported new Mick Sherd watering system working fine.</li></ul>
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**Attachments**

Nil

14.1 Responses to Councillors' Questions (Ref: ; Author: Ferguson/Ison)

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File reference: 52.3.2

**Report**

This report provides responses to Councillors' written Questions on Notice as per the Code of Meeting Practice 2019. Some questions that were not closed prior to the new Code have been retained in the 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**

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





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**15 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 16.1 SCCF High Street Amenities Project**

*Item 16.1 is confidential in accordance with s10(A) (di) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**Item 16.2 Approach to Purchase Land**

*Item 16.2 is confidential in accordance with s10(A) (c) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**Item 16.3 Land Acquisition - Bungendore**

*Item 16.3 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.*