



Ordinary Meeting of Council

AGENDA

18 December 2019

Commencing at 5.30pm

Bungendore Council Chambers

On-site Inspections - Nil

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1 OPENING

2 ACKNOWLEDGEMENT OF COUNTRY

3 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

4 CONFIRMATION OF MINUTES

4.1 Minutes of the Ordinary Meeting of Council held on 27 November 2019

5 DISCLOSURES OF INTERESTS

6 ADJOURNMENT FOR PUBLIC FORUM

7 MAYORAL MINUTE

8 NOTICES OF MOTIONS OF RESCISSION

9 REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.1	Bungendore Structure Plan 2018-2048	3
9.2	DA.2019.096 - Commercial Development Including Subdivision - 35 Ellendon Street, Bungendore	15
9.3	DA 114-2019 - Demolition of Existing Woolshed and Shearer's Cottage and Erection of a New Community Centre with Sales Office and Pavilion - 360A Lanyon Drive, Tralee	23
9.4	Amendments to Googong Urban Development Local Planning Agreement	37
9.5	Draft QPRC Climate Change Action Plan	41
9.6	Adoption of Open Burning Policy	47
9.7	Braidwood Grazing Industry Weed Management Plan	51
9.8	Tender Recommendation for South Jerrabomberra Northern Entry Road (Contract 2019-54)	55
9.9	Tomsitt Drive Gas Relocation Works	61
9.10	Braidwood Floodplain Risk Management Study and Plan	65
9.11	Majors Creek Rural Fire Station Design and Construction Tender 2020-01	69
9.12	Queanbeyan Civic and Cultural Precinct - Community Feedback	71
9.13	Council's policy position on Sister City relationships	77
9.14	Updating and Harmonisation of Council Policies - Third Tranche	79
9.15	New Risk Management and Internal Audit framework	83
9.16	Drought Relief	89
9.17	Local Government Remuneration Tribunal submission	101

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

BUSINESS PAPER AGENDA – 18 December 2019 Page ii

9.18 Investment Report - November 2019.....	105
10 REPORTS TO COUNCIL - ITEMS FOR INFORMATION	
10.1 Braidwood Water.....	107
10.2 Asset Management Plans.....	111
10.3 Queanbeyan-Palerang Sports Council Strategic Planning Workshop.....	113
10.4 Resolution Action Sheet.....	115
11 REPORTS OF COMMITTEES	
11.1 Queanbeyan-Palerang Sports Council - Minutes of Meeting held 11 November 2019.....	117
11.2 Minutes of the Braidwood and Curtilage Heritage Advisory Committee held 14 November 2019.....	119
11.3 Consultative Committee on Aboriginal Issues.....	121
11.4 Youth Committee.....	123
11.5 Access Committee.....	125
11.6 Braidwood Locality Committee Meeting Minutes 31 October 2019.....	127
11.7 Bungendore Town Centre and Environs Committee Meetings Minutes.....	129
11.8 Wamboin Locality Committee Meeting 22 November 2019.....	131
11.9 Local Traffic Committee - 4 December 2019.....	133
12 NOTICES OF MOTIONS	
12.1 Constitutional Referendum.....	135
12.2 Car Parking and Traffic Safety.....	139
13 REPORTS TO COUNCIL - DELEGATES REPORTS	
13.1 Delegates' Reports.....	141
14 QUESTIONS WITH NOTICE	
14.1 Responses to Councillors' Questions.....	145
15 NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION	146

Confidential - Not for Publication

16 REPORTS FOR CLOSED SESSION

16.1 Sale of Council Property

Item 16.1 is confidential in accordance with s10(A) (c) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

16.2 CBD Redevelopment

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 Proposed Land Acquisition

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 Bungendore Structure Plan 2018-2048
- Attachment 1 Draft Bungendore Structure Plan Discussion Paper 2018-2048 (Under Separate Cover)*
 - Attachment 2 Submission Summary - Email Submissions (Under Separate Cover)*
 - Attachment 3 Submission Summary - Postal Submissions (Under Separate Cover)*
 - Attachment 4 Submission Summary - Comments from Public Meeting (Under Separate Cover)*
 - Attachment 5 Submission Summary - Your Voice (Under Separate Cover)*
 - Attachment 6 Submission Summary - Internal, Additional Government Agency and Late Submissions (Under Separate Cover)*
 - Attachment 7 Bungendore Structure Plan 2048 (Under Separate Cover)*
 - Attachment 8 Map - Recommended Structure Plan Map (Under Separate Cover)*
 - Attachment 9 Map - Alternate Option 1 (Under Separate Cover)*
 - Attachment 10 Map - Alternate Option 2 (Under Separate Cover)*
 - Attachment 11 Map - Alternate Option 3 (Under Separate Cover)*
- Item 9.2 DA.2019.096 - Commercial Development Including Subdivision - 35 Ellendon Street, Bungendore
- Attachment 1 DA.2019.096 - 4.15 Assessment Report - Commercial Premises and Subdivision - 35 Ellendon Street, Bungendore (Under Separate Cover)*
 - Attachment 2 DA.2019.096 - Architectural Plans (Under Separate Cover)*
 - Attachment 3 DA.2019.096 - Draft Conditions of Consent (Under Separate Cover)*
- Item 9.3 DA 114-2019 - Demolition of Existing Woolshed and Shearer's Cottage and Erection of a New Community Centre with Sales Office and Pavilion - 360A Lanyon Drive, Tralee
- Attachment 1 DA 114-2019 - Section 4.15 Assessment - Matters for Consideration - 360A Lanyon Drive, Tralee (Under Separate Cover)*
 - Attachment 2 DA 114-2019 - Plans - 360A Lanyon Drive, Tralee (Under Separate Cover)*
 - Attachment 3 DA 114-2019 - Statement of Environmental Effects Incorporating Heritage Report at Appendix B - 360A Lanyon Drive, Tralee (Under Separate Cover)*

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

BUSINESS PAPER AGENDA – 18 December 2019 Page iv

- Attachment 4* DA 114-2019 - Submission - 360A Lanyon Drive, Tralee
(Under Separate Cover)
- Attachment 5* DA 114-2019 - Draft Condiitons of Consent - 360A Lanyon
Drive, Tralee (Under Separate Cover)
- Item 9.4 Amendments to Googong Urban Development Local Planning Agreement
 - Attachment 1* Proposed Deed of Variation - Googong LPA - October 2019
(Under Separate Cover)
 - Attachment 2* Proposed Amendments to Googong Local Planning
Agreement - October 2019 (Under Separate Cover)
 - Attachment 3* Proposed Amendments to Schedule 1 - Googong LPA -
October 2019 (Under Separate Cover)
 - Attachment 4* Current Googong LPA and Annexures (Under Separate
Cover)
- Item 9.5 Draft QPRC Climate Change Action Plan
 - Attachment 1* QPRC Draft Council Operations Climate Change Action Plan
(Under Separate Cover)
 - Attachment 2* QPRC Draft Community Climate Change Action Plan
(Under Separate Cover)
- Item 9.6 Adoption of Open Burning Policy
 - Attachment 1* Draft Open Burning Policy - Amended (Under Separate
Cover)
 - Attachment 2* Submissions Received During Exhibition Period (Under
Separate Cover)
 - Attachment 3* Submission from Wamboin Community Association (Under
Separate Cover)
- Item 9.7 Braidwood Grazing Industry Weed Management Plan
 - Attachment 1* Braidwood Grazing Industry Weed Management Plan - Draft
- November 2019 (Under Separate Cover)
- Item 9.10 Braidwood Floodplain Risk Management Study and Plan
 - Attachment 1* Braidwood Floodplain Risk Management Study and Plan:
Volume 1: Report (Under Separate Cover)
 - Attachment 2* Braidwood Floodplain Risk Management Study and Plan:
Volume 2: Figures (Under Separate Cover)
- Item 9.12 Queanbeyan Civic and Cultural Precinct - Community Feedback
 - Attachment 1* Queanbeyan Civic and Cultural Precinct - summary of
submissions (Under Separate Cover)
- Item 9.14 Updating and Harmonisation of Council Policies - Third Tranche
 - Attachment 1* QPRC Records Management Framework (Draft) Dec 2019
(Under Separate Cover)
 - Attachment 2* QPRC Probity Framework (Draft) Dec 2019 (Under
Separate Cover)
 - Attachment 3* QPRC Records Policy (Draft) Dec 2019 (Under Separate
Cover)
 - Attachment 4* QPRC Unsolicited Proposals Policy (Draft) Dec 2019 (Under
Separate Cover)
 - Attachment 5* QPRC Public Art Policy (Draft) Nov 2019 (Under Separate
Cover)
 - Attachment 6* QPRC Water Conservation and Restrictions Policy (Under
Separate Cover)

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

BUSINESS PAPER AGENDA – 18 December 2019 Page v

- Attachment 7* *QPRC Sewer Connections - Limit of Council Responsibility Policy - revised Dec 2019 (Under Separate Cover)*
- Item 9.15 New Risk Management and Internal Audit framework
 - Attachment 1* *Snapshot Guide (Under Separate Cover)*
- Item 9.16 Drought Relief
 - Attachment 1* *Combined Drought Indicator (Under Separate Cover)*
 - Attachment 2* *Current farming conditions (Under Separate Cover)*
 - Attachment 3* *Spatial distribution of poverty rates for NSW and Sydney region (Under Separate Cover)*
 - Attachment 4* *Extract from QPRC's 2019-20 Revenue Policy (Under Separate Cover)*
 - Attachment 5* *Capacity to Pay (Under Separate Cover)*
 - Attachment 6* *Harvestable Rights (Under Separate Cover)*
 - Attachment 7* *Rural Assistance Eligibility Criteria (Under Separate Cover)*
- Item 9.17 Local Government Remuneration Tribunal submission
 - Attachment 1* *Draft submission to the Local Government Remuneration Tribunal (Under Separate Cover)*
- Item 9.18 Investment Report - November 2019
 - Attachment 1* *November 2019 - Investment Report Pack (Under Separate Cover)*
- Item 10.4 Resolution Action Sheet
 - Attachment 1* *Resolution Action Sheet (Under Separate Cover)*
- Item 11.1 Queanbeyan-Palerang Sports Council - Minutes of Meeting held 11 November 2019
 - Attachment 1* *Minutes of the Queanbeyan-Palerang Sports Council Meeting held on 11 November 2019 (Under Separate Cover)*
- Item 11.2 Minutes of the Braidwood and Curtilage Heritage Advisory Committee held 14 November 2019
 - Attachment 1* *Minutes of the Braidwood and Curtilage Heritage Advisory Committee held 14 November 2019 (Under Separate Cover)*
- Item 11.3 Consultative Committee on Aboriginal Issues
 - Attachment 1* *RAP (Under Separate Cover)*
 - Attachment 2* *Minutes (Under Separate Cover)*
- Item 11.4 Youth Committee
 - Attachment 1* *Youth Committee (Under Separate Cover)*
- Item 11.5 Access Committee
 - Attachment 1* *Access Committee EOI (Under Separate Cover)*
 - Attachment 2* *Access Committee Minutes (Under Separate Cover)*
 - Attachment 3* *Access Committee TOR (Under Separate Cover)*
- Item 11.6 Braidwood Locality Committee Meeting Minutes 31 October 2019
 - Attachment 1* *Braidwood Locality Committee Meeting minutes 31 October 2019 (Under Separate Cover)*
- Item 11.7 Bungendore Town Centre and Environs Committee Meetings Minutes
 - Attachment 1* *BTCEC Meeting minutes 7 March 2019 (Under Separate Cover)*
 - Attachment 2* *BTCEC Meeting minutes 1 May 2019 (Under Separate Cover)*
 - Attachment 3* *BTCEC Meeting minutes 24 July 2019 (Under Separate Cover)*

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

BUSINESS PAPER AGENDA – 18 December 2019 Page vi

- Cover)
- Attachment 4 *BTCEC Meeting minutes 13 November 2019 (Under Separate Cover)*
- Item 11.8 Wamboin Locality Committee Meeting 22 November 2019
- Attachment 1 *Wamboin Locality Committee meeting minutes 22 November 2019 (Under Separate Cover)*
- Attachment 2 *Wamboin Hall s.355 Committee AGM minutes 13 August 2019 (Under Separate Cover)*
- Attachment 3 *Wamboin Hall s.355 Committee Financial Report 13 August 2019 (Under Separate Cover)*
- Attachment 4 *Canning Close s.355 Committee AGM minutes 29 August 2019 (Under Separate Cover)*
- Attachment 5 *Les Reardon Reserve s.355 Committee AGM minutes 3 September 2019 (Under Separate Cover)*
- Attachment 6 *Les Reardon Reserve s.355 Committee Financial Report 3 September 2019 (Under Separate Cover)*
- Attachment 7 *Les Reardon Reserve s.355 Committee Chair's Report 3 September 2019 (Under Separate Cover)*
- Attachment 8 *Greenways s.355 Committee AGM minutes 10 September 2019 (Under Separate Cover)*
- Attachment 9 *Greenways s.355 Committee Major Works 10 September 2019 (Under Separate Cover)*
- Item 11.9 Local Traffic Committee - 4 December 2019
- Attachment 1 *Local Traffic Committee - Minutes of Meeting 4 December 2019 (Under Separate Cover)*
- Item 12.1 Constitutional Referendum
- Attachment 1 *Possible QPRC Ward Configurations (Under Separate Cover)*
- Attachment 2 *Referendum Questions (Under Separate Cover)*
- Item 14.1 Responses to Councillors' Questions
- Attachment 1 *Responses to Councillors Questions (Under Separate Cover)*

Closed Attachments

- Item 9.1 Bungendore Structure Plan 2018-2048
- Attachment 12 *For Councillors Information Only - Unredacted Submissions (Under Separate Cover)*
- Item 9.8 Tender Recommendation for South Jerrabomberra Northern Entry Road (Contract 2019-54)
- Attachment 1 *Northern Entry Road Tender Assessment Report (Under Separate Cover)*
- Attachment 2 *Northern Entry Road Tender - Scope & Timing Change Impacts (Under Separate Cover)*
- Attachment 3 *NER - Order of Tenderers (Under Separate Cover)*
- Attachment 4 *Letter of Agreement (Under Separate Cover)*
- Item 9.10 Braidwood Floodplain Risk Management Study and Plan
- Attachment 3 *Braidwood FRMS&P Community Consultation Report (Under Separate Cover)*

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

BUSINESS PAPER AGENDA – 18 December 2019 Page vii

- Item 9.11 Majors Creek Rural Fire Station Design and Construction Tender 2020-01
*Attachment 1 Majors Creek RFS Station - Tender Evaluation Report
(Under Separate Cover)*
- Item 14.1 Responses to Councillors' Questions
*Attachment 2 Responses to Councillors Questions with confidential
information (Under Separate Cover)*
- Item 16.2 CBD Redevelopment
Attachment 1 DQPL - Initial CBD Sites Proposal (Under Separate Cover)
Attachment 2 QCCP Lot Subdivison (Under Separate Cover)
Attachment 3 DQPL - Site Plan 051219 (Under Separate Cover)
Attachment 4 DQPL - Ground Floor Plan 051219 (Under Separate Cover)
Attachment 5 DQPL - First Floor Plan 051219 (Under Separate Cover)
Attachment 6 DQPL - Second Floor Plan 051219 (Under Separate Cover)



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Bungendore Council Chambers on Wednesday, 27 November 2019 commencing at 5.30pm.

ATTENDANCE

Councillors: Cr Overall (Chair), Crs Biscotti, Bray AM, Brown, 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 D Fulton, A/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

There were no apologies.

4. CONFIRMATION OF MINUTES

4.1 Minutes of the Ordinary Meeting of Council held on 23 October 2019

378/19

RESOLVED (Taylor/Schweikert)

That the Minutes of the Ordinary Meeting of Council held in the Bungendore Council Chambers on Wednesday 23 October 2019 be confirmed.

The resolution was carried unanimously.

4.2 Minutes of the Planning and Strategy Committee of the Whole held on 13 November 2019

379/19

RESOLVED (Bray/Taylor)

That the Minutes of the Planning and Strategy Committee of the Whole held in the Queanbeyan Council Chambers on Wednesday 13 November 2019 be confirmed.

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

380/19

RESOLVED (Taylor/Bray)

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

For: Crs Biscotti, Bray, Brown, Harrison, Hicks, Marshall, Noveska, Overall, Taylor and Winchester
Against: Cr Schweikert

6. ADJOURNMENT FOR PUBLIC FORUM

At this stage of the proceedings, the time being 5.32pm., Cr Overall advised that the meeting should now adjourn for the Public Forum.

381/19

RESOLVED (Overall/Schweikert)

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

ADJOURNMENT:

The meeting adjourned for the Public Forum at 5.32pm and resumed at 6.32pm.

7. MAYORAL MINUTE

There was no Mayoral Minute.

8. NOTICES OF MOTIONS OF RESCISSION

There were no notices of motion of rescission.

382/19

Procedural Motion

RESOLVED (Biscotti/Taylor)

That items 9.15, 9.23 and 11.1 be brought forward for consideration following Item 9.2.

The resolution was carried unanimously.

9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.1 Community Consultation Results on Skate Park Concept and Location - Braidwood

383/19

RESOLVED (Schweikert/Hicks)

That Council:

1. Confirm the Braidwood Recreation Ground as the preferred site for a skate park facility.
2. Endorse the concept design for the Braidwood Recreation Ground Concept with minor modifications to address water flow.
3. Consider funding to construct a skate park at the Braidwood Recreation Ground, in the next Delivery Plan of Council, subject to securing grant funding.

The resolution was carried unanimously.

9.2 DA Modification 66-2018.A - Two Lot Subdivision - 419 Captains Flat Road, Carwoola

384/19

RESOLVED (Taylor/Harrison)

That:

1. Approval be granted to a variation to Clause 7.9 – Essential Services within the Queanbeyan Local Environmental Plan 2012 to service the proposed subdivision with off-grid solar power installation for the following reasons:
 - (a) The services will be supplied at subdivision stage ensuring the lot will have suitable electricity supply;
 - (b) The development is for one lot only that has been pre-sold to a family member, assuring Council the service will be installed;
 - (c) The energy supply uses natural sources that are not damaging to the environment in terms of energy supply which should be encouraged for a small development such as this one;
 - (d) The panels are being supplied by the subdivider at their expense.
2. Modification application 66-2018.A for a two lot subdivision and erection of ground mounted solar panels on Lot 4 DP 777829, No. 419 Captains Flat Road, Carwoola be granted conditional approval subject to the amended conditions of consent listed below:

Modified Conditions of Consent

Condition 18

Prior to the Issue of Subdivision Certificate (Torrens), a Notice of Arrangement (NOA) shall be requested from Essential Energy which

states that satisfactory supply arrangements have been made for the provision of electricity to the proposed development.

Alternatively, an off-grid ground mounted solar system complying with the approved specifications provided by Gasniers Electrical Pty Ltd, Ref No: Booth 2 may be installed to provide power to any future dwelling. Prior to the issue of Subdivision Certificate (Torrens) a statement from a suitably qualified solar supplier must be obtained which states that the solar electricity supply has generally been installed to satisfactorily allow for the provision of electricity to sustain the lot and any proposed dwelling house.

Condition 20

Prior to the issue of any Subdivision Certificate written evidence from the relevant service authority or a suitably accredited person that satisfactory arrangements have been made for the supply of reticulated electricity, telephone services and fibre-ready facilities if available to each lot must be submitted to Council. If servicing for telephone and fibre ready facilities is not available, evidence from the relevant body is required to be submitted to Council.

Condition 23

An easement for provision of electricity supply must be created across proposed Lot 2 in favour of proposed Lot 1. The easement must be created to Essential Energy's requirements and where the creation of this easement affects adjoining properties, written permission must be obtained from affected land owners for the creation of this easement.

New Condition 23A

A section 88B legal instrument burdening proposed Lot 1 is to be created prior to issue of a subdivision certificate. It is to specify that the on-going maintenance and replacement of any panels, batteries, inverters and any parts that form part of the operation of the solar electricity supply system for the life of the dwelling must be maintained in good order and condition. Prior to any sale, evidence as to the age of the system and its maintenance status is to be provided to any potential purchasers.

The resolution was carried unanimously.

9.15 Closure of part of Brown St Queanbeyan

385/19

RESOLVED (Hicks/Marshall)

That:

1. Council having completed the procedures required in accordance with Part 4 Division 3 of the *Roads Act 1993*, agree to close part of Brown Street Queanbeyan as outlined in the report.
2. The closure be advertised in the NSW Government Gazette.
3. A survey plan of the proposed road closure be prepared for lodgement with Land Registry Services.
4. The Queanbeyan Golf Club and parties that have lodged submissions be advised of this decision and the appeal rights.
5. The closed road be classified as community land – sportsgrounds in accordance with S 36F of the *Local Government Act 1993*.
6. The Council support in principle the renewal of a five year licence agreement for the Queanbeyan Golf Club including the area of closed road and undertake the procedures required in accordance with s 47A of the *Local Government Act 1993* and if no objections to the proposal are received the agreement be executed.
7. The Licence Agreement require the Lessee to provide a public walking track from Dodsworth St across the Golf Course as indicated in the report, as well as emergency egress and relevant easements through the course.

The resolution was carried unanimously.

9.23 Presentation of 2018-19 Audited Financial Statements

386/19

RESOLVED (Bray/Biscotti)

That Council adopt the Annual Financial Statements 2018-19 and accept the Auditor's Reports, as submitted by the Audit Office of NSW.

The resolution was carried unanimously.

11. REPORTS OF COMMITTEES

11.1 Local Traffic Committee - 16th October 2019

387/19

RESOLVED (Schweikert/Marshall)

That Council:

1. Note the minutes of Local Traffic Committee held on 16 October 2019.
2. Adopt recommendations LTC 34/19 to LTC 47/19 from the meeting held on 16th October 2019.

LTC 34/19 Approve the TCP for the QPRC Bungendore Christmas Party on Saturday 7th December 2019, pending modification to the TCP and correction of dates in Road Closure Notifications.

LTC 35/19 Under the *Roads Act 1993* approve the TCP for the QPRC Braidwood Community Christmas Party on Friday 13 December 2019, pending receipt of approved ROL.

LTC 36/19 Under the *Roads Act 1993* approve the TCP's for the QPRC Queanbeyan Community Christmas Party for Saturday 14 December 2019, subject to receipt of approved ROL.

LTC 38/19 Under the *Roads Transportation Act 2013* approve the installation of the 'Left Turn Only' sign as per the design on Collett Street, Queanbeyan.

LTC 39/19 Under the *Roads Transportation Act 2013* approve the installation of the No Parking signs as per the design in Patterson Parade, Queanbeyan.

LTC 40/19 Under the *Roads Transportation Act 2013* install a 20m barrier line in Capital Terrace as per the design.

LTC 41/19 Under the *Roads Transportation Act 2013* install the double barrier line as per the design at Christopher Crescent, Karabar.

LTC 42/19 Under the *Roads Transportation Act 2013* approve the installation of proposed signs and mobility parking as per the design and defer the proposed upgrade of the children's crossing to a future meeting pending further checks with CBD Masterplan.

LTC 43/19 Under the *Roads Transportation Act 2013* approve the design for the Children's Crossing in Rosa Street, Googong.

LTC 44/19 Defer design approval pending recommended amendments for the Capital Windfarm - Tarago Road safety upgrades.

LTC 45/19 Under the *Roads Transportation Act 2013* approve the upgrades to mobility parking on Majara Street, Bungendore as per the design.

LTC 46/19 Under the *Roads Transportation Act 2013* install the timed parking restrictions, disabled parking and stopping signs as per the design at 257 Crawford Street, Queanbeyan.

LTC 47/19 Under the *Roads Transportation Act 2013* install the mobility parking as per the design at Campbell Street, Queanbeyan.

The resolution was carried unanimously.

9.3 Request for Use of Section 94 Funds - RFS Improvement

388/19

RESOLVED (Marshall/Harrison)

That Council:

1. Authorise a total of \$23,240 (including GST) from developer contributions collected under Tallaganda Shire Council Section 94 Contributions Plan No. 4 - Bushfire Control and Suppression for payment of the hardstand area at the Nerriga rural fire station and submission of the building information certificate.
2. Request the RFS to liaise with staff to identify any future project over the next 10 years that the RFS are likely to request assistance for from developer contribution funds.
3. Request that the RFS submit a building information certificate for the hardstand area and associated paving.

The resolution was carried unanimously.

9.4 Appointment of Technical Representative to Southern Regional Planning Panel

389/19

RESOLVED (Taylor/Harrison)

That:

1. Consultant Planner, Ms Chelsea Newman be nominated as the second Council appointed member and planning expert on the Southern Region Planning Panel.
2. The Minister for Planning be notified accordingly.
3. The remuneration level be set as follows:
A flat minimum of \$600 per meeting plus \$120 per hour of meeting time up to a maximum total of \$1440 per meeting (inclusive of the base \$600 payment). This is inclusive of all incidental costs including travel and accommodation. The \$120 per hour would be paid in relation to any briefing meetings or site visits held as well as the main JRPP meeting. All fees are exclusive of GST.

The resolution was carried unanimously.

9.5 Outcome of Noise Monitoring from Security Awareness Training at Goolabri Country Resort

390/19

RESOLVED (Schweikert/Biscotti)

That:

1. Council issue a Prevention Notice under the *Protection of the Environment Operations Act 1997* on the owners of Goolabrai Country Resort, 202 Goolabrai Drive, Sutton, and the security training company using simulated blank gunfire at that address, restricting that activity as follows:
 - a) No more than four events¹ involving simulated gunfire to be carried out each calendar month and on weekdays only.
 - b) Blank firing limited to the hours of 10.30am – 3.30pm only with a greater emphasis on single shot.
 - c) All neighbours within 500m of the conference centre are to be advised of the time and date that training will take place, preferably as soon as dates are set, but no later than two days before the training takes place.
 - d) Blank rounds used should be at 'half load'².
2. The complainant be advised of Council's determination.

¹ An event is a single day.

² Powder/propellant in each cartridge loaded at half the usual weight, with weapons used for training modified to cycle the lower pressure ammunition.

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

Against: Crs Harrison

9.6 Tender Recommendation for Refurbishment of Braidwood Pool

391/19

RESOLVED (Hicks/Taylor)

That:

1. Council award the tender for the refurbishment works at the Braidwood Memorial Pool to Endeavour Pools Pty Ltd.
2. Provide an additional \$113,600 from infrastructure reserves to complete the specified work.

The resolution was carried unanimously.

9.7 Tender Recommendation - Refurbishment of Rusten House

392/19

RESOLVED (Marshall/Taylor)

That Council:

1. Not accept any tender for the refurbishment of Rusten House.
2. Construction manage the final stage of the restoration using current staff resources and selected sub-contractors from established trades and services panels.

The resolution was carried unanimously.

9.8 Award Contract RFT 2019-52 - Supply and Installation of Road Safety Barrier Systems

393/19

RESOLVED (Schweikert/Harrison)

That:

1. Council award contract 52-2019 for the Supply and Installation of Road Safety Barrier Systems to Western Safety Barriers Group Pty Ltd for the estimated contract price of \$420,721.95 including GST. The exact contract value will depend on quantity and unit price quoted in the Part K Pricing Schedule.
2. The term of agreement be for a period of three (3) years commencing in November 2019, with an option to extend the contract for two (2) additional periods of 12 months each.

The resolution was carried unanimously.

9.9 Award Panel Contract RFT 2019-51 - Supply and Delivery of Bridge Componentry

394/19

RESOLVED (Harrison/Schweikert)

That:

1. Council appoint Waeger Constructions Pty Ltd and InQuik Pty Ltd to the Panel Contract 2019-51 for the Supply and Delivery of Bridge Componentry.
2. The term of contract be for a period of three years, commencing December 2019, with an option to extend the contract for two additional years subject to performance.

The resolution was carried unanimously.

9.10 Award Panel Contract 2019-53 - Wet & Dry Plant Hire Tender

395/19

RESOLVED (Hicks/Schweikert)

That Council:

1. Award Wet & Dry Plant Hire Panel Contracts to the suppliers within their nominated categories as listed in the attached Recommendation Report at section 5.2.
2. Undertake the establishment of these panel contracts for a contract term of three (3) years commencing November 2019 with two (2) x one (1) year options to extend subject to contractor performance.

The resolution was carried unanimously.

Cr Bray left the chambers at 7.10pm.

9.11 Bungendore Carpark - Community Consultation

MOVED (Schweikert/Biscotti)

That Council:

1. Note the public consultation report.
2. Approve the amended concept design for the Bungendore Carpark.
3. Receive a further report following the tendering of the construction of the carpark.

Cr Marshall foreshadowed a CONTRARY motion: ["That Council not proceed with the Bungendore carpark until the business case and analysis is provided."]

396/19

RESOLVED (Schweikert/Biscotti)

That Council:

1. Note the public consultation report.
2. Approve the amended concept design for the Bungendore Carpark.
3. Receive a further report following the tendering of the construction of the carpark.

For: Crs Biscotti, Brown, Harrison, Hicks, Noveska, Overall, Schweikert, Taylor and Winchester
Against: Cr Marshall

9.12 Proposed Changes to Queanbeyan Waste Minimisation Centre Opening Hours

397/19

RESOLVED (Schweikert/Biscotti)

That Council amend the public opening hours of the Queanbeyan Waste Minimisation Centre to 9.15am to 4.15pm Monday to Friday, and 7.15am to 4.15pm Saturday and Sunday.

The resolution was carried unanimously.

Cr Bray returned to the chambers at 7.14pm.

9.13 QPRC Directional Signage Policy

398/19

RESOLVED (Harrison/Schweikert)

That Council, after considering the submissions received during the public exhibition period, formally adopt the QPRC Directional Signage Policy 2019, as amended.

The resolution was carried unanimously.

9.14 Community Engagement and Participation Plan

399/19

RESOLVED (Marshall/Biscotti)

That Council:

1. Note and receive the Community Consultation Report.
2. Adopt the Community Engagement and Participation Plan and place it on the NSW Planning Portal.
3. Note that the public notification clauses of the Queanbeyan Development Control Plan 2012, Googong Development Control Plan and Palerang Development Control Plan 2014 will need to be reviewed and repealed as a separate exercise as those clauses are now outlined in the Community Engagement and Participation Plan.

The resolution was carried unanimously.

9.15 Closure of part of Brown St Queanbeyan

This item was dealt with in earlier business.

9.16 Summer Activation Events 2019/2020

400/19

RESOLVED (Biscotti/Noveska)

That Council approve:

1. Waiving the general entry fees for QPRC Braidwood, Bungendore and Queanbeyan Pools on Thursday, 19 December 2019, Saturday 7 December 2019 and Saturday 1 February 2020 respectively for Summer Activation events.
2. Distributing the gold coin donations from each venue to the Braidwood Swimming Club, the Bungendore Swimming Club and the Queanbeyan Leagues Swimming Club.

The resolution was carried unanimously.

9.17 Alcohol Free Zones - 2019 Community Christmas Parties

401/19

RESOLVED (Brown/Taylor)

That Council approve the suspension of the Alcohol-Free Zones for the following locations:

1. Bungendore – Majara Street from Gibraltar Street to Turallo Terrace between 4.00pm and 10.00pm on 7 December 2019.
2. Braidwood – Wilson Street between Wallace Street and Park Lane between 4.00pm and 10.00pm on 13 December 2019.
3. Queanbeyan – Crawford Street from Monaro Street to Morisset Street between 4.00pm and 10.00pm on 14 December 2019.

The resolution was carried unanimously.

9.18 Queanbeyan CBD Spatial Master Plan

402/19

RESOLVED (Biscotti/Taylor)

That Council:

1. Note and receive the Community Engagement Report.
2. Endorse the Queanbeyan CBD Spatial Master Plan with the recommended changes:
 - amend any inaccurate property boundary alignment and labels in Block Plans
 - Add a new Stage 7 – Morisset St River Boulevard to the Stages of Implementation
3. Endorse QPRC seeking updated costs on the remaining stages 3-6 of the CBD Spatial Master Plan.
4. Receive further reports on key actions including Exemplar Catalyst Project program, Main Street Retail Zone, Design Review Panel and developing other incentives that support growth and activation within the CBD by encouraging appropriate and quality development that provides employment and economic growth.
5. Update or prepare the relevant development contributions plans to recover appropriate costs from the CBD stages of construction.

The resolution was carried unanimously.

9.19 Renew our Libraries - Phase 2

403/19

RESOLVED (Schweikert/Hicks)

That Council:

1. Endorse the *Renew Our Libraries Phase Two* initiative.
2. Make representation to the local State Member, The Hon John Barilaro MP, in relation to the need for a sustainable state funding model for the ongoing provision of public library services.
3. Write to The Hon Don Harwin MLC, Minister for the Arts and The Hon Walt Secord MLC, Shadow Minister for the Arts, calling for bi-partisan support for Consumer Price Index (CPI) indexation of state funding for NSW public libraries, as well as legislation of all elements of the 2019-20 to 2022-23 NSW state funding model.
4. Support LGNSW and NSW PLA taking a leading role in lobbying for sustainable state government funding for libraries.

The resolution was carried unanimously.

9.20 Annual Report 2018-19

404/19

RESOLVED (Bray/Noveska)

That Council:

1. Endorse the Annual Report 2018-19 as amended.
2. Approve posting a copy of the Annual Report on Council's website.
3. Provide a copy of the Annual Report to the Minister for Local Government.

The resolution was carried unanimously.

ADJOURNMENT: The meeting adjourned at 7.33pm and resumed at 7.55pm.

9.21 Merger Report - 2016-19

405/19

RESOLVED (Schweikert/Taylor)

That Council note the Merger Report 2016-19.

The resolution was carried unanimously.

9.22 Local Government Remuneration Tribunal

MOVED (Harrison/Marshall)

That Council prepare a draft submission to the Local Government Remuneration Tribunal for consideration by Council at its meeting on 18 December 2019, addressing the four matters identified for its review of the categories of councils and the fees payable to mayors and councillors.

AMENDMENT (Hicks/Brown)

That Council:

1. Support the inclusion of Queanbeyan-Palerang Council in a proposed new category "Regional Centre" within Non-Metropolitan Councils.
2. Prepare a draft submission to the Local Government Remuneration Tribunal for consideration by Council at its meeting on 18 December 2019, addressing the four matters identified for its review of the categories of councils and the fees payable to mayors and councillors.

The AMENDMENT (of Crs Hicks and Brown) was PUT and CARRIED, and became the motion.

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

Against: Crs Harrison and Marshall

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

406/19

RESOLVED (Hicks/Brown)

That Council:

1. Support the inclusion of Queanbeyan-Palerang Council in a proposed new category "Regional Centre" within Non-Metropolitan Councils.
2. Prepare a draft submission to the Local Government Remuneration Tribunal for consideration by Council at its meeting on 18 December 2019, addressing the four matters identified for its review of the categories of councils and the fees payable to mayors and councillors.

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

Against: Cr Harrison

9.23 Presentation of 2018-19 Audited Financial Statements

This item was dealt with in earlier business.

9.24 Quarterly Budget Review Statement for the Quarter Ending 30th September 2019

407/19

RESOLVED (Bray/Taylor)

That Council:

1. Adopt the September 2019 Quarterly Budget Review Statement and variations as outlined in this report.
2. Note the predicted consolidated surplus of \$3.583m.

The resolution was carried unanimously.

9.25 Investment Report - October 2019

408/19

RESOLVED (Bray/Taylor)

That Council:

1. Note the 2019/20 investment income for October 2019 was \$407,939.
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. Receive the Investment Report for the month of October 2019.

The resolution was carried unanimously.

9.26 Rates Harmonisation Community Engagement Plan

MOVED (Schweikert/Biscotti)

That Council:

1. Adopt the draft rates harmonisation community engagement plan, as outlined in the report.
2. Receive additional, detailed modelling of rates structure options 2 and 4, incorporating new land values, at a future Council workshop
3. Appoint representatives to the Community Reference Panel in accordance with separate report provided at the meeting.
4. Adopt the draft Terms of Reference for the Rates Harmonisation Reference Panel.
5. Consult with the Community Reference Panel on Council's preferred rate structure options.
6. Seek feedback from the Community Reference Panel on the taxation principles, the proposed subcategories, and proposed base and ad valorem rate structure.

AMENDMENT (Marshall/Harrison)

That Council:

1. Adopt the draft rates harmonisation community engagement plan, as outlined in the report.
2. Receive additional, detailed modelling of rates structure options 2 and 4, incorporating new land values, at a future Council workshop
3. Appoint representatives to the Community Reference Panel and two Councillors in accordance with separate report provided at the meeting.
4. Adopt the draft Terms of Reference for the Rates Harmonisation Reference Panel.
5. Consult with the Community Reference Panel on Council's preferred rate structure options.
6. Seek feedback from the Community Reference Panel on the taxation principles, the proposed subcategories, and proposed base and ad valorem rate structure.

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

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

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

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

409/19

RESOLVED (Schweikert/Biscotti)

That Council:

1. Adopt the draft rates harmonisation community engagement plan, as outlined in the report.
2. Receive additional, detailed modelling of rates structure options 2 and 4, incorporating new land values, at a future Council workshop
3. Appoint representatives to the Community Reference Panel in accordance with separate report provided at the meeting.
4. Adopt the draft Terms of Reference for the Rates Harmonisation Reference Panel.
5. Consult with the Community Reference Panel on Council's preferred rate structure options.
6. Seek feedback from the Community Reference Panel on the taxation principles, the proposed subcategories, and proposed base and ad valorem rate structure.

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

Against: Cr Harrison

10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

There were no Items for Information.

11. REPORTS OF COMMITTEES

11.1 Local Traffic Committee - 16th October 2019

This item was dealt with in earlier business.

11.2 Minutes of the Environment and Sustainability Advisory Committee meeting held 4 September 2019

410/19

RESOLVED (Marshall/Noveska)

That Council note the minutes of Environment and Sustainability Advisory Committee held on 4 September 2019.

The resolution was carried unanimously.

11.3 Audit, Risk and Improvement Annual Report 2018/19

411/19

RESOLVED (Harrison/Biscotti)

That Council note the 2018/19 Annual Report of the Audit, Risk and Improvement Committee.

The resolution was carried unanimously.

11.4 Minutes of Audit, Risk and Improvement Committee Meeting of 18 September 2019

412/19

RESOLVED (Harrison/Winchester)

That the report be received for information.

The resolution was carried unanimously.

11.5 Wamboin Hall Management s.355 Committee

413/19

RESOLVED (Harrison/Winchester)

That Council note the minutes of the Wamboin Hall Management s.355 Committee's meeting held on 10 October 2019.

The resolution was carried unanimously.

12. NOTICES OF MOTIONS

12.1 Constitutional Referendum

MOVED (Overall/Biscotti)

That:

1. Council agree to undertake a constitutional referendum at the September 2020 Local Government elections to seek voters' views on having a directly elected mayor.
2. Council seek the advice from the Electoral Commission for the appropriate wording for the referendum.
3. The CEO notify the NSW Electoral Commission of Council's intention to have a referendum within 21 days of Council resolving such, and arrange and distribute appropriate information to voters.

During discussion Cr Taylor raised a point of order stating that some of Cr Noveska's comments are out of line.

Cr Brown foreshadowed a CONTRARY motion: ["That:

1. Council agree to add a further question to the constitutional referendum seeking views on the introduction of wards in QPRC.
2. The CEO bring a report to Council on the introduction of wards."]

Procedural motion

MOVED (Winchester/Brown)

That this item be deferred to a Councillor workshop and the motion be considered at an Extraordinary meeting on 29 January 2020 meeting.

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

For: Crs Brown, Harrison, Marshall, Noveska and Winchester
Against: Cr Biscotti, Bray, Hicks, Overall, Taylor and Schweikert

During discussion Cr Marshall raised a point of order stating the Mayor was misrepresenting what he said.

The Mayor requested that Cr Brown give notice at the next meeting of the contrary motion that he foreshadowed.

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

414/19

RESOLVED (Overall/Biscotti)

That:

1. Council agree to undertake a constitutional referendum at the September 2020 Local Government elections to seek voters' views on having a directly elected mayor.
2. Council seek the advice from the Electoral Commission for the appropriate wording for the referendum.
3. The CEO notify the NSW Electoral Commission of Council's intention to have a referendum within 21 days of Council resolving such, and arrange and distribute appropriate information to voters.

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

Against: Cr Brown, Harrison, Marshall, Noveska and Winchester

13. REPORTS TO COUNCIL - DELEGATES REPORTS

13.1 Delegates' Reports

415/19

RESOLVED (Taylor/Harrison)

That Council note the Delegates' Reports.

The resolution was carried unanimously.

14. QUESTIONS WITH NOTICE

14.1 Responses to Councillors' Questions

416/19

RESOLVED (Hicks/Biscotti)

That the report be received for information.

The resolution was carried unanimously.

Procedural motion

417/19

RESOLVED (Overall/Hicks)

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

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.

There were no presentations.

Cr Bray left the chambers at 9.30pm and returned 9.33pm.

16. REPORTS FOR CLOSED SESSION

MOVED (Overall/Taylor)

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

Item 16.1 Southern Phone Company Ltd

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.

Item 16.2 Payment Arrangement Agreement - Property ID 160842

Item 16.2 is confidential in accordance with s10(A) (a) of the Local Government Act 1993 because it contains personnel matters concerning particular individuals (other than councillors) and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

AMENDMENT (Marshall/Schweikert)

That Item 16.1 be dealt with in open session and pursuant to Section 10A of the *Local Government Act, 1993*, Item 16.2 be dealt with in Closed Session for the reason specified below:

Item 16.2 Payment Arrangement Agreement - Property ID 160842

Item 16.2 is confidential in accordance with s10(A) (a) of the Local Government Act 1993 because it contains personnel matters concerning particular individuals (other than councillors) and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

The AMENDMENT (of Crs Marshall and Schweikert) was PUT and CARRIED unanimously, and became the motion.

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

418/19

RESOLVED (Marshall/Schweikert)

That Item 16.1 be dealt with in open session and pursuant to Section 10A of the *Local Government Act, 1993*, Item 16.2 be dealt with in Closed Session for the reason specified below:

Item 16.2 Payment Arrangement Agreement - Property ID 160842

Item 16.2 is confidential in accordance with s10(A) (a) of the Local Government Act 1993 because it contains personnel matters concerning particular individuals (other than councillors) and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

The resolution was carried unanimously.

16.1 Southern Phone Company Ltd

MOVED (Schweikert/Overall)

That:

1. Council agree to the sale of its Southern Phone shares to AGL Energy in line with the attached share sale agreement.
2. Council delegate authority to the Chief Executive Officer to execute any relevant documentation.
3. Funds from the sale be ring-fenced pending a Councillor workshop.

During discussion Cr Harrison raised a point of order stating the mover of the motion should speak to the motion. The Mayor upheld the point of order.

419/19

RESOLVED (Schweikert/Overall)

That:

1. Council agree to the sale of its Southern Phone shares to AGL Energy in line with the attached share sale agreement.
2. Council delegate authority to the Chief Executive Officer to execute any relevant documentation.
3. Funds from the sale be ring-fenced pending a Councillor workshop.

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

Against: Crs Harrison and Marshall

The meeting then moved into Closed Session at 9.43pm to discuss Item 16.2.

16.2 Payment Arrangement Agreement - Property ID 160842

420/19

RESOLVED (Hicks/Marshall)

That Council accept the proposed arrangement for Property ID 160842, being repayments of \$1,000 per month on arrears, cease accrual of future interest and writes off interest of \$8,885.97 once all outstanding amounts have been paid; and on the condition that rates falling due within the repayment period are paid as they become due.

The resolution was carried unanimously.

421/19

RESOLVED (Overall/Taylor)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 9.45pm.

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 decision of Council made in Closed Session.

17. CONCLUSION OF THE MEETING

The time being 9.46pm, 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

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 Bungendore Structure Plan 2018-2048 (Ref: ; Author: Thompson/Jansen)

File Reference: PJT0060

Summary

The purpose of the report is to provide an outline of the submissions received as a result of the exhibition of the draft Bungendore Structure Plan 2018-2048 and to recommend adoption of the finalised Bungendore Structure Plan 2048.

Recommendation

That:

1. **The exhibited version of the draft Bungendore Structure plan be renamed and adopted as Draft Bungendore Structure Plan Discussion Paper 2018-2048.**
 2. **Council adopt the final Bungendore Structure Plan 2048 including the recommendations regarding the identification of future urban growth areas as provided in Attachment 7.**
 3. **Council forward the Bungendore Structure Plan 2048 to the NSW Department of Planning Industry and Environment for endorsement.**
-

Background

Progress on the draft Bungendore Structure Plan 2018-2048 was reported to Council at its meeting of 26 June 2019. At that meeting Council resolved as follows (Minute No. 200/19):

That Council:

1. *Endorse the draft Bungendore Structure Plan 2018-2048 for the purpose of public exhibition.*
2. *Make it clear during the public exhibition period that the medium and high growth scenarios will depend on the NSW Government's decision on Council's application for an increased water allocation.*
3. *Endorse the recommendations with regard to the rezoning requests as set out in the draft document.*
4. *Extend the exhibition period to match the submission period of 42 days.*
5. *Remove any reference to specific sites for the proposed high school from the document.*

Resolution No. 5 above was included at the request of the NSW Department of Education.

The draft Bungendore Structure Plan 2018-2048 (the draft Plan) was exhibited from 9 July to 21 August 2019. A public information forum was held on 13 August 2019. The draft Plan was reviewed taking into account the submissions received on the plan. These are detailed in the Engagement section of this report and at Attachments 2 to 6.

The main changes that have occurred in response to community feedback relate to the purpose of the exhibited draft Plan, the confirmation of its Vision and Key Development Principles, the identification of a growth rate to plan for over the next 30 years, the identification of land required to accommodate that growth rate, together with recommendations for implementation and monitoring the effectiveness of the plan.

The exhibited draft Plan provided detailed information on Bungendore and a range of growth options, potentially suitable land for growth and land currently under consideration for rezoning. However, it did not put forward a recommended position for growth. This range of

9.1 Bungendore Structure Plan 2018-2048 (Ref: ; Author: Thompson/Jansen) (Continued)

information and options presented better as a discussion paper rather than a Structure Plan. This was also highlighted in a number of submissions. The context and background information is important and this document has now been retitled as the "Draft Bungendore Structure Plan 2018-2048 Discussion Paper". For the information of Councillors a copy of this document forms Attachment 1.

A separate document titled Bungendore Structure Plan 2048 (the Plan) has been drafted using key information from the draft Plan while responding to issues raised in the submissions, to reiterate the land-use Vision and Key Development Principles for Bungendore, to provide a policy direction for growth in Bungendore together with recommended implementation and monitoring actions. The Plan forms Attachment 7.

The land use vision for Bungendore was articulated in the 2010 Bungendore Land Use Strategy and Structure Plan (the 2010 Plan) as well as the draft plan and is still relevant. It has also been guiding development through the current *Palerang Local Environmental Plan 2014* and the *Palerang Development Control Plan 2014*. The vision states:

Bungendore is set amongst productive rural landscapes where its rural entry roads are retained and lead into a village/townscape setting with a country/heritage feel that appeals to residents and visitors, together with a strong sense of rural living, and space that extends the Common and other green spaces to allow pedestrian and other non-motorised connections throughout the town where caring for the natural environment and living sustainably is valued. This contributes to Bungendore being a friendly, safe and well serviced community where the village scale and shopping experience is protected while improving the local employment and vitality of the town.

Generally the issues raised in submissions made during the exhibition period are consistent with maintaining this Vision.

The Vision is then expressed further through the Key Development Principles. These principles are to ensure the gradual transition and to minimise the impact from growth and reflect the desired future character of Bungendore. They reflect both the Vision and comments received in submissions as well as practical planning considerations.

The Key Development Principles are:

1. Rural industry and Landscape
 - a. Agricultural land surrounding Bungendore contributes to the identity and sense of place, future development needs to ensure this is not lost.
 - b. Rural industries and agricultural landscapes should be protected.
 - c. Development should provide for certainty and security of agricultural enterprises.
2. Character
 - a. Rural entry roads are retained (i.e. not dominated by housing).
 - b. Development is to allow heritage items to remain as dominant features in Bungendore because they are a key part of the town's country/heritage identity.
 - c. The visual corridors and open vistas of Bungendore should be protected.
 - d. Development is to allow the town to retain its surrounds of productive rural landscapes and its strong sense of rural living and space.
 - e. Development is to be low in scale and provide the distinct divide between the town and the surrounding rural landscape.
 - f. The historic grid street pattern is retained and where practical a grid pattern is used in new development.

**9.1 Bungendore Structure Plan 2018-2048 (Ref: ; Author: Thompson/Jansen)
(Continued)**

- g. Outside the commercial area, development is generally to be of a low density with buildings well separated.
- h. New buildings shall relate to the existing town character by having sympathetic forms and external materials.
- i. Maintain the landscaped setting of Bungendore which includes mature trees and shrubs, grassed verges and gardens, all of which combine exotic and native species, and where street trees are predominantly deciduous species.
- j. The Common and other green spaces are preserved, improved and extended to allow for walking, cycling, dog walking, horse riding etc. connections through the town to recreation spaces.

3. Growth

- a. Bungendore is to grow within the capacity of the town's water allocation which has recently been increased by the NSW government.
- b. New residential development is not be located in flood planning areas.
- c. Development is to occur in an ecologically sustainable development manner.
- d. Areas of High Environmental Value native vegetation should be avoided for rural residential, residential, commercial and industrial development.
- e. New greenfields development should be contiguous with the existing urban area.
- f. Development should proceed in an orderly fashion with future development taking place sequentially where it is close to existing infrastructure.
- g. Rural residential, residential, commercial and industrial development should not be located in the areas which contain extractive industries or have the potential for extractive industry.
- h. Provide opportunities for affordable and adaptable housing, appropriate policies should encourage the development of multi dwelling housing in the R1 zone in locations close to transport corridors and within close proximity to centres.
- i. Medium density dwellings are located within one kilometre of the centre of Bungendore.

4. Infrastructure:

- a. Future development should maximise the efficient use of existing infrastructure and services and minimise the need for additional infrastructure where possible.
- b. In determining future infrastructure, the cost of installation and long term maintenance, functionality and ease of operation is to be considered in addition to its fit with the desired future characteristics.
- c. Critical infrastructure is not be located in flood planning areas.
- d. A 400 metre buffer is to be retained around the water and sewerage treatment plants and is to exclude residential development.
- e. A 250m buffer is to be retained around the resource recovery Facility to protect its current and future operation.
- f. Pedestrian and cycling opportunities for all ages should be provided with links across all areas of the town.
- g. Pedestrian links throughout the central business district are encouraged.
- h. Development is to allow for public transport networks.

**9.1 Bungendore Structure Plan 2018-2048 (Ref: ; Author: Thompson/Jansen)
(Continued)**

- i. Road access from the Kings Highway to individual precincts shall be limited to ensure the continued effectiveness and safety of the road.

5. Economy

- a. Implement strategies appropriate to a growing town from the Smart Cities Plan (Australian Government), three pillars - Smart Investment, Smart Policy and Smart Technology.
- b. Recognise that the rural and heritage environment, ease of moving around and the internet provide the opportunity for innovative commercial and industrial businesses.
- c. The commercial area is to provide local employment, vitality and a range of services but no large shopping centre.
- d. There should be opportunity for creative industries.
- e. Protection of existing industrial precincts within Bungendore shall occur until additional viable industrial land can be investigated and rezoned.

The premise of the draft Plan and the 2010 Plan was to plan for growth in a way that retained the essential elements of Bungendore and achieve the Plan's Vision. Where no growth is proposed there would not be a need for a structure plan. However, consideration of housing and population growth since 1991 has shown a continued trend for growth over nearly a 30 year period. Neither document explores a scenario of no growth. Council has also previously resolved to support growth in Bungendore by allowing the progression of Planning Proposals to rezone land for residential purposes. The Plan is important to guide the rate and sequencing of growth to ensure a gradual transition to accommodate growth in a manner which achieves its Key Development Principles and so it's Vision.

The 2010 Plan did not include employment land and since its adoption there has been progressive rezoning of industrial land for residential uses. This has not resulted in a lack of options for future industrial and employment lands. The draft Plan identified four possible options to the south of Bungendore for employment uses. However, currently there is not enough information to determine the amount and type of land required. As such it is recommended that this be further investigated and that the existing industrial zoned land be maintained until further land is identified and in the pipeline for employment uses.

The 2010 Plan included four areas for residential greenfield growth which now have either planning proposals to rezone the land, or have been revealed to have constraints related to flooding, biodiversity values and / or topography. The area to the north (North Elmslea) has been progressing through the planning proposal/rezoning process since 2015. The area to the west of Kings Highway/King Street is not included due to flood affectation. The area to the east of Mecca Lane has been rezoned where it is above the flood planning area. The fourth area located south of Modbury Street is affected by biodiversity and slope constraints although a small section (identified as "13" on Map 2 in the Plan, could be considered for future infill residential purposes and subject to it not compromising future bypass routes.

Having regard to the Key Development Principles and the Vision for Bungendore together with matters raised in the submissions, three main areas for future residential growth are recommended in the Plan. These areas are shown in Map 4 of the Plan (Attachment 8).

The Plan reiterates the North Elmslea area that was identified in the 2010 Plan. This land is recommended to accommodate growth in the short term given the land is immediately adjacent to the existing urban area and services.

The second area located on the western side of Tarago Road is recommended to accommodate growth in the medium term, noting, amongst the issues to be further investigated, that the land to be considered is not to be within the flood planning area, it must

**9.1 Bungendore Structure Plan 2018-2048 (Ref: ; Author: Thompson/Jansen)
(Continued)**

address any biodiversity attributes and not allow for residential uses within the buffer to the Resource Recovery Facility. This area is recommended for the medium term to balance the growth on the northern side of Bungendore on either side of Tarago Road to aid the gradual transition of the rural area of the north into residential areas.

The third area is the area north of North Elmslea and is recommended to accommodate growth in the long term. This area will be adjacent to short term area and amongst other issues will also need to address biodiversity attributes and be clear of the buffer for the Resource Recovery Facility. The areas to the north are recommended as they will allow the retention of the rural entries to Bungendore. The buffer to the Resource Recovery Facility provides space for the housing to be set back on the Tarago Road approach as well.

There is a fourth area (Bungendore East) that is identified and it is acknowledged that Council has resolved to prepare and submit a planning proposal to the Department of Planning Industry and Environment for rezoning to allow residential uses. This area is recommended to be investigated further post 2048. The impact on the rural entry along the Kings Highway from the east will be significant. The land is isolated from town, is affected by flooding and requires additional access(es) to be provided from the Kings Highway. This is not in keeping with the Key Development Principles of the Plan and as such is recommended to be reviewed.

All the growth options will have an impact on the town and the proposed sequencing from short, medium and long term is proposed to allow this change to be more gradual.

It is acknowledged that there are other options that can be considered which have been provided for Council's information in Attachments 9, 10 and 11. These alternate options have not been recommended in the Plan and the assessment of the alternate options presented is summarised in the table below. Council may consider the alternate sequencing options:

9.1 Bungendore Structure Plan 2018-2048 (Ref: ; Author: Thompson/Jansen)
(Continued)

Option No.	Description	Assessment
<i>Recommended</i>	<p><i>Based on current residential growth and sequence for approximately 940 lots.</i></p> <ul style="list-style-type: none"> • <i>Short term: North Elmslea</i> • <i>Medium Term: West of Tarago Rd Lot 1 DP 794724 and Lot 1 DP986065 175-207 Tarago Road</i> • <i>Long Term: North of North Elmslea</i> • <i>Post 2048: East Bungendore</i> <p><i>Attachment 8</i></p>	<ul style="list-style-type: none"> - <i>Allows for recommended current growth rate to be achieved over the life of the plan</i> - <i>Diversity in ownership achieved for all growth areas</i> - <i>Minimises impacts on cost and effectiveness infrastructure provision, servicing and operation by sequencing development fronts to achieve suitable throughput for infrastructure as it comes online. This is important especially for new sewerage networks</i> - <i>Land is not located within the flood planning area or the Probably Maximum Flood (PMF) area</i> - <i>Land is immediately adjacent to existing urban area with ready connection to existing infrastructure</i> - <i>Potentially limited impact on Rural Entry roads. Allows for one intersection onto Tarago Road and no additional entry required to Kings Highway in the life of the plan</i> - <i>Rural vista somewhat impacted by additional housing on northern boundary of the town and amongst some elevated land.</i> - <i>Land is contiguous with the existing urban area and not isolated in flood events</i> - <i>Will implement Council's previous resolution to allow Planning Proposals for North Elmslea to proceed and implement the growth area identified in the 2010 Structure Plan</i> - <i>Will require Council to review the timing for the progression of the Bungendore East Planning Proposal and resolutions to proceed.</i>

9.1 Bungendore Structure Plan 2018-2048 (Ref: ; Author: Thompson/Jansen)
(Continued)

Alternate 1	<p>Based on current growth rate to sequence release of residential land for approximately 940 lots.</p> <ul style="list-style-type: none"> • Short term: North Elmslea • Short/medium: Bungendore East • Long Term: West Tarago Rd: Lot 1 DP 794724 and Lot 1 DP986065 175-207 Tarago Road • Post 2048: North of North Elmslea <p>Attachment 9</p>	<ul style="list-style-type: none"> - Allows for recommended current growth rate to be achieved over the life of the plan - Diversity in ownership for all growth areas - Future growth options will be controlled by two main developers - Will impact on Rural Entry road to Bungendore with the extension of housing along the Kings Highway rural entry road. Additional access(es) from Kings Highway will be required and could impact on the safety and effectiveness of the highway - Rural vista impacted by additional housing on eastern entry to the town and significantly add to the cumulative impact of housing in Elmslea visible from the Kings Highway approach. - Will result in loss of agricultural land - Agricultural setting of the town is maintained - Land is not contiguous with the existing urban area - Will implement Council's previous resolutions to allow planning Proposals for North Elmslea and Bungendore East to proceed.
Alternate 2	<p>Based on current growth rate to sequence release of residential land for approximately 940 lots.</p> <ul style="list-style-type: none"> • Short term: North Elmslea • Short/medium: Bungendore East • Long Term: North of North Elmslea • Post 2048: West of Tarago Rd Lot 1 DP 794724 and Lot 1 DP986065 175-207 Tarago Road <p>Attachment 10</p>	<ul style="list-style-type: none"> - Allows for recommended current growth rate to be achieved over the life of the plan - Sequencing allows for the continued extension of services in north eastern section bounded by the Railway - Future growth options will be controlled by two main developers - Will impact on Rural Entry road to Bungendore with the extension of housing along the Kings Highway rural entry road. Additional access(es) from Kings Highway will be required and could impact on the safety and effectiveness of the highway - Rural vista impacted by additional housing on eastern entry to the town and significantly add to the cumulative impact of housing in Elmslea visible from the Kings Highway approach - Will result in land at Bungendore East that is not contiguous with the existing urban area and isolated in flood events - Will implement Council's previous resolutions to allow planning Proposals for North Elmslea and Bungendore East to proceed.

9.1 Bungendore Structure Plan 2018-2048 (Ref: ; Author: Thompson/Jansen) (Continued)

Alternate 3	<p>Based on Medium-High growth rate with sequenced release of residential land for approximately 1200 lots.</p> <ul style="list-style-type: none"> • Short term: North Elmslea and Bungendore East • Medium Term: West of Tarago Rd Lot 1 DP 794724 and Lot 1 DP986065 175-207 Tarago Road • Long Term: North of North Elmslea <p>Attachment 11</p>	<ul style="list-style-type: none"> - Likely to result in more rapid transition of growth areas - Higher rates of growth catered for compared to current and historical rates - Multiple development fronts are likely to occur. - Impacts on costs and effectiveness infrastructure provision, servicing and operation where multiple development fronts occur, until population provides suitable throughput for infrastructure. This is especially an issue for new sewerage networks. - Will impact on Rural Entry road to Bungendore by the extension of housing along the Kings Highway rural entry road. - Additional access(es) from Kings Highway will be required and could impact on safety and effectiveness of the highway - Rural vista impacted by additional housing on eastern entry to the town and significantly add to the cumulative impact of housing in Elmslea visible from the Kings Highway approach. - Will result in land at Bungendore East that is not contiguous with the existing urban area and isolated in flood events - Will implement Council's previous resolutions to allow planning Proposals for North Elmslea and Bungendore East to proceed.
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Implications

Legal

Although there is no statutory requirement to review the 2010 Bungendore Land Use Strategy and Structure Plan, it is generally good practice to review policy documents every 5 to 10 years. Part of the process will also involve seeking the NSW Department of Planning, Industry and Environment (DPIE) endorsement of the Plan. Notwithstanding the above, the Department has also provided previous advice that it awaits the outcome of the Plan before progressing any further Gateway determinations for planning proposals in Bungendore.

Policy

The Plan will provide a framework for the growth of Bungendore ensuring that future urban expansion is consistent with the development principles and is integrated with infrastructure planning.

Environmental

The review of the 2010 Plan has taken into consideration environmental issues such as biodiversity, flooding, bushfire hazards, heritage as well as water supply.

**9.1 Bungendore Structure Plan 2018-2048 (Ref: ; Author: Thompson/Jansen)
(Continued)**

Sustainability

One of the purposes of updating the 2010 Plan is to ensure that a framework exists for the growth of Bungendore into the future taking into account constraints and sustainability principles.

Asset

The actions/recommendations of the Plan will require the maintenance of existing Council assets and the provision and acquisition of new ones. The Plan provides guidance on the orderly and sequential development of the town so that infrastructure assets can be provided cost effectively and efficiently.

Social / Cultural

The Plan identifies future urban growth based on potential growth scenarios in the context of data from the latest Census and ID Profile. Future urban expansion is based on a number of development principles and will be integrated with the provision of infrastructure including social infrastructure.

Economic

Although the draft Plan identified potential future employment areas, further investigations will be required to identify suitable land and the amount needed.

Strategic

It is good planning practice to regularly review land use plans, and it is now well over eight years since the 2010 Plan was finalised. The Plan will feed into the local strategic planning statement which all NSW councils are now required to prepare as well as into the comprehensive local environmental plan, both of which are underway.

Engagement

Extensive consultation was undertaken on the draft Bungendore Structure Plan 2018-2048 with Government agencies and these comments have resulted in amendments to the draft document prior to the public exhibition. The details of the Government agency submissions were included in the report of 26 June 2019 as well as in Attachment 2.

The draft Plan was exhibited from 9 July to 21 August 2019. The public consultation process included advertisement notices in the local paper, exhibition on Council's Your Voice section of Council's website, a hard copy display in the Bungendore Council Office. In addition a market style public information forum was held in the foyer of the Bungendore Council Office on 13 August 2019.

Over 70 submissions were received during the exhibition period. Submissions were received via direct mail or email, via Council's your voice portal as well as verbal submissions during the information session. Submission tables are attached to this report (Attachment 3 to 7).

**9.1 Bungendore Structure Plan 2018-2048 (Ref: ; Author: Thompson/Jansen)
(Continued)**

The submissions can be grouped into the following themes:

1. Housing diversity
2. Water supply
3. Growth scenarios
4. Climate change
5. Flooding
6. Future lot size
7. Agricultural land
8. Emergency services
9. Infrastructure
10. Tourism potential
11. Heritage
12. Natural environment
13. Rezoning
14. Character
15. Structure of the document
16. High school
17. Community facilities
18. Transport services
19. Transport.

A Council workshop was held on 16 October 2019 to provide an update on the community consultation process. A further Council workshop was held on 4 December 2019 with growth options responding to community engagement being explored.

The key issues raised during the consultation process were:

1. Rezoning of land
2. Concerns about recent growth
3. Need to retain the village character
4. Certainty about water supply
5. Structure of the document.

The intention of the Plan is to provide a framework to guide future urban growth. Urban expansion should be balanced and meet the Key Development Principles and so its Vision as well as be integrated with the efficient and cost effective provision of infrastructure to service the future urban areas. The Key Development Principles ensure that urban development does not compromise the existing character of Bungendore. An additional water license has been granted to ensure new urban areas can be serviced.

The draft Plan sets out a number of different growth scenarios and discussed the issues associated with these. A number of submissions have stated that the exhibited document reads more like an issues paper and a structure plan should provide a clear direction for the future. These comments have been taken on board and have resulted in the renaming of the draft Plan to the Draft Bungendore Structure Plan Discussion Paper 2018-2048 as well as the preparation of a further document called the Bungendore Structure Plan 2048.

9.1 Bungendore Structure Plan 2018-2048 (Ref: ; Author: Thompson/Jansen) (Continued)

Resources (including staff)

The preparation of the Draft Bungendore Structure Plan Discussion Paper 2018-2048 and the Bungendore Structure Plan 2048 has involved three members of the land use planning team with support from the GIS team within the branch. Other team members also contributed to the public information forum facilitated by a consultant and Council workshops. The land use planning staff was assisted during the consultation process by the Communications team as well as relevant staff from urban landscapes, utilities, natural and built character and business and innovation teams.












Integrated Plan

The Plan will feed into other documents like the Local Strategic Planning Statement and Council's Operational Plans.

Conclusion

The Bungendore Structure Plan 2048 is an important strategic document and provides a framework for the future development of Bungendore. Extensive community consultation has been undertaken on the draft Plan. Following community consultation the issues raised have been considered and have resulted in the exhibited document being rebadged as "Draft Bungendore Structure Plan Discussion Paper" and the preparation of the Bungendore Structure Plan 2048 which is recommended for adoption.

Attachments

- | | |
|--|--|
| Attachment 1
 | Draft Bungendore Structure Plan Discussion Paper 2018-2048 (<i>Under Separate Cover</i>) |
| Attachment 2
 | Submission Summary - Email Submissions (<i>Under Separate Cover</i>) |
| Attachment 3
 | Submission Summary - Postal Submissions (<i>Under Separate Cover</i>) |
| Attachment 4
 | Submission Summary - Comments from Public Meeting (<i>Under Separate Cover</i>) |
| Attachment 5
 | Submission Summary - Your Voice (<i>Under Separate Cover</i>) |
| Attachment 6
 | Submission Summary - Internal, Additional Government Agency and Late Submissions (<i>Under Separate Cover</i>) |
| Attachment 7
 | Bungendore Structure Plan 2048 (<i>Under Separate Cover</i>) |
| Attachment 8
 | Map - Recommended Structure Plan Map (<i>Under Separate Cover</i>) |
| Attachment 9
 | Map - Alternate Option 1 (<i>Under Separate Cover</i>) |
| Attachment 10
 | Map - Alternate Option 2 (<i>Under Separate Cover</i>) |
| Attachment 11
 | Map - Alternate Option 3 (<i>Under Separate Cover</i>) |
| Attachment 12 | For Councillors Information Only - Unredacted Submissions (<i>Under Separate Cover</i>) - CONFIDENTIAL |

9.2 DA.2019.096 - Commercial Development Including Subdivision - 35 Ellendon Street, Bungendore (Ref: ; Author: Thompson/Perkins)

File Reference: DA.2019.096

Summary

Reason for Referral to Council

This application has been referred to Council as the proposal has an impact on adjoining Council land proposed for the Bungendore Central Carpark.

Proposal:	Commercial Development including Subdivision
Applicant/Owner:	PHL Surveyors/ David S McLaren
Subject Property:	Lot 2 DP 1051859, Lots 1 & 2 DP 199281, No. 35 Ellendon Street and 22 Malbon Street, Bungendore
Zoning and Permissibility:	B2 Local Centre zone and SP2 Infrastructure zone under Palerang Local Environmental Plan 2014
Public Submissions:	Nil
Issues Discussed:	Planning Requirements Car Parking Streetscape Future use
Disclosure of Political Donations and Gifts:	Applicant Declared no Donations or Gifts to any Councillor or Staff have been made

Recommendation

That:

- 1. Development application DA.2019.096 for a Commercial Development and Subdivision on Lot 2 DP 1051859, Lots 1 & 2 DP 199281, No. 35 Ellendon Street and 22 Malbon Street, Bungendore be granted conditional approval.**
 - 2. The NSW Transport (Roads and Maritime Service) be forwarded a copy of Council's Notice of Determination.**
-

9.2 DA.2019.096 - Commercial Development Including Subdivision - 35 Ellendon Street, Bungendore (Ref: ; Author: Thompson/Perkins) (Continued)**Background**

Prior to the lodgement of the subject application, the applicant wrote to Council seeking to obtain a right of carriageway over Lot 5 DP1204393 (the proposed Council carpark) to provide access to the proposed parking area for the new development. Council resolved as follows:

PLA050/17

1. That Council support the creation of a right of carriageway (ROC) over Lot 5 DP 1204393 to permit rear access to the proposed carpark on Lot 2 DP 1051859, 35 Ellendon Street, Bungendore subject to the costs of creating the ROC being borne by the owner of Lot 2. The final location of the ROC to be determined in discussions between Council and the applicant.
2. That Council, as owner of Lot 5 DP 1204393, countersign the development application for 35 Ellendon Street to allow the proposed creation of a right of carriageway over Council's land to be considered as part of the development application.
3. That Council agree in principle to acquiring that portion of Lot 2 DP 1051859 zoned SP2 car parking through dedication by the owner of that land subject to further discussions with the owner of Lot 2 on possible partial offsets against section 94 car parking contributions and costs associated with the construction of the car park and subdivision and dedication of the land.

The applicant also attended Council's Development Coordination and Review Panel on 28 November 2018.

Bungendore Central Carpark

The subject application seeks to interconnect with the proposed Bungendore Central Car Park on Lot 5 DP 1204393. At its meeting of 27 November 2019 Council considered an amended design (see Figure 1 below) for the Bungendore Central Car Park including integration with the proposed carpark at 35 Ellendon Street. Council resolved to approve the amended concept design subject to receiving a further report following the tendering of the construction of the carpark.



Figure 1: Amended Bungendore Central Car Park Design (subject site shown in red).

9.2 DA.2019.096 - Commercial Development Including Subdivision - 35 Ellendon Street, Bungendore (Ref: ; Author: Thompson/Perkins) (Continued)

Proposed Development

The application seeks Council approval for staged development comprised of a boundary adjustment and the construction of commercial building

The specific elements of the proposal are as follows:

Stage 1

- Removal of 12 site trees and three street trees;
- Demolition of the existing carport attached to the western elevation of existing café structure gallery;
- Relocation of the existing Council sewer main located upon 35 Ellendon Street approximately 6m west of its current alignment;
- Alteration of the existing vehicular access arrangements at 22 Malbon Street requiring entry from Ellendon Street and exit onto Malbon Street;
- Boundary adjustment between 22 Malbon Street and 35 Ellendon Street;
- Establishment of a Right of Way over the access arrangements at 22 Malbon Street benefitting 35 Ellendon Street to allow for shared waste collection facilities; and
- Registration of an easement for parking over the existing car parking arrangements along the common boundary of the two properties to provide for continued legal access to these spaces for use by patrons of the Woodworks gallery and café until the construction of the proposed carpark

Stage 2

- Demolition of the existing single storey dwelling and associated structures upon 35 Ellendon Street;
- Decommissioning of the existing vehicular access point to 35 Ellendon Street;
- Construction of a single storey commercial premises upon 35 Ellendon Street comprised of the following:
 - A central atrium area;
 - Commercial Tenancy 1 (235m²);
 - Commercial Tenancy 2 (448m²);
 - Commercial Tenancy 3 (44m²);
 - Two (2) accessible bathrooms;
 - Cleaners store;
 - Waste room;
 - Plant room;
 - Front and rear awnings.
- Construction of a carpark comprising 13 spaces including one (1) loading bay and one (1) accessible space to be integrated with the Bungendore Central Carpark; and
- Removal of the seven (7) existing car parking spaces servicing 22 Malbon Street.

9.2 DA.2019.096 - Commercial Development Including Subdivision - 35 Ellendon Street, Bungendore (Ref: ; Author: Thompson/Perkins) (Continued)



Figure 2: Artists impression of the proposed commercial premises as viewed from Ellendon Street

Subject Property

The subject site is legally described as Lot 2 DP 1051859, and Lots 1 and 2 DP 199281 and is commonly known as 35 Ellendon Street and 22 Malbon Street Bungendore. The site is located on the north western corner of the intersection of Ellendon Street and Malbon Street and has an area of 3,019m².

Existing development on 35 Ellendon Street site comprises a single storey masonry dwelling house, while 22 Malbon Street contains a single storey gallery building and a converted cottage structure currently utilised as a café. Vehicular access is provided to the site via two existing crossovers on Ellendon Street and one crossover on Malbon Street.

Existing development within the locality consists of predominantly commercial development including a number of structures of a similar bulk and scale to that proposed. A two (2) storey shop top housing development is currently under construction to the north of the site at the corner of Ellendon Street and Gibraltar Street (19-21 Gibraltar Street). Land to the west of the subject site is designated for the proposed central Bungendore public carpark.

9.2 DA.2019.096 - Commercial Development Including Subdivision - 35 Ellendon Street, Bungendore (Ref: ; Author: Thompson/Perkins) (Continued)

Figure 3: Locality plan

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. State Environmental Planning Policy No. 55 – Remediation of Land
2. State Environmental Planning Policy (Infrastructure) 2007
3. Palerang Local Environmental Plan 2014 (LEP).
4. Palerang Development Control Plan 2015 (DCP)

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

9.2 DA.2019.096 - Commercial Development Including Subdivision - 35 Ellendon Street, Bungendore (Ref: ; Author: Thompson/Perkins) (Continued)

(a) Compliance with LEP

The subject site is zoned part B2 Local Centre zone and part SP2 Infrastructure under the Palerang Local Environmental Plan 2014. The proposed development is permissible in the zone and is consistent with the relevant development standards.

(b) Compliance with DCP

The proposed development seeks a variation to Section B7.1 – Parking of the DCP as the proposal results in a shortfall of 13 off-street parking spaces being a combination of insufficient parking for the proposed Commercial development at 35 Malbon Street and the removal of existing parking spaces at 22 Malbon Street to accommodate for the proposed waste collection arrangements. In recognition of the subject site's proximity to the Bungendore Central Car Park no objection is raised to the proposed short fall subject to offsetting by means of developer contributions (see discussion below).

(c) Other MattersCar parking

While the proposed development seeks to provide a 13 space carpark including 1 accessible space and 1 loading bay that is to be integrating into the proposed Bungendore Central carpark, the development results in a shortfall of 13 off-street car parking spaces. Council's Local Infrastructure Contributions Plan No.11 for the Provision of Public Off-street Car parking at Bungendore provides that development that results in a shortfall in off-street parking such may make a contribution (monetary or works in kind) to offset the shortfall. As such, a condition of consent is recommended levying developer contributions for the proposed shortfall. It should be noted that part of this contribution may include the transfer of the land for the proposed off-street carpark to Council as works-in-kind.

Right of Carriageway

The proposed development seeks to obtain access over Council owned land to the west of the subject site that is currently earmarked for the Bungendore Central Carpark. A right of carriageway will be required over the Council owned land to provide legal access to the site. This matter was considered by Council at its meeting of 10 May 2017 at which it was resolved "*That Council support the creation of a right of carriageway (ROC) over Lot 5 DP 1204393 to permit rear access to the proposed carpark on Lot 2 DP 1051859, 35 Ellendon Street, Bungendore subject to the costs of creating the ROC being borne by the owner of Lot 2. The final location of the ROC to be determined in discussions between Council and the applicant.*" A condition of consent is recommended requiring the registration of such a condition prior to the issue of a construction certificate.

9.2 DA.2019.096 - Commercial Development Including Subdivision - 35 Ellendon Street, Bungendore (Ref: ; Author: Thompson/Perkins) (Continued)

Verge treatment

Plans accompanying the subject application include the provision of art installation spaces within the Ellendon Street road reserve adjoining the site however, no further detail has been provided of these structures. As such, a condition of consent is recommended requiring further consent be obtained prior to the installation of any such structures within the road reserve to allow for appropriate consideration of potential impacts.

The subject application also seeks consent for the removal of three (3) street trees (two flowering plum trees (*Prunus spp*) and an apple tree (*Malus spp*). While no objection is raised to the removal of the apple tree subject to replacement, the two flowering plum trees are consistent with existing street trees upon the adjacent site (22 Malbon Street) and as such contribute to the streetscape. The flowering plum trees are outside of the development footprint and subject to the implementation of protection measures are capable of being retained throughout the construction process. As such, conditions of consent are recommended requiring the retention of the trees and the replacement of the existing apple tree with a flowering plum consistent with the existing street tree.

Future Uses

While the subject application seeks consent for the purposes of commercial premises containing 3 tenancies, limited details have been provided in relation to the proposed use. As such, a condition of consent is recommended requiring that further development consent be obtained for the use of each tenancy.

Streetscape

The proposed development seeks to construct a single storey commercial structure with an oversized gable structure and street awning. The proposed built form is of a bulk, scale and building style that is generally consistent with existing commercial developments within the locality (noting that the parapet walls shown on the north and south elevation of the artist's impression have been removed from the final design).

Other Comments(a) Health & Building Comments

Council's Building Officer offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

(b) Development Engineer's Comments

Council's Development Engineer offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

(c) Program Coordinator Utilities Technical Comments

Council's Program Coordinator Utilities Technical has reviewed the proposal in recognition of the flood risk present upon the site and has raised no objection to the proposal subject to the imposition of a condition of consent requiring a minimum floor level for the building of 690.75mAHD, and sensitive equipment should be placed above 691.25mAHD.

9.2 DA.2019.096 - Commercial Development Including Subdivision - 35 Ellendon Street, Bungendore (Ref: ; Author: Thompson/Perkins) (Continued)

(d) Project Engineer Comments

Council's Project Engineer has reviewed the proposal in recognition of its relationship to the proposed central carpark and noted that the proposal is consistent with the car park design as reviewed by Council at its meeting of 27 November 2019.

(e) Roads and Maritime Service Comments

The proposed development as a result of the altered access configuration for 22 Malbon Street will result in an increase in traffic movements upon the Kings Highway (a classified road). As such, the subject development was referred to the NSW RMS for comment under Clause 101 State Environmental Planning Policy (Infrastructure) 2007 for development fronting a classified road. Correspondence was received from the RMS on 27 June 2019 raising no objection to the proposed development.

Engagement

The proposal required notification under Part E of the PDCP 2015 from 12 June 2019 to 26 June 2019, with no submissions received.

Conclusion

DA.2019.096 is for a Commercial Development and Subdivision at Lot 2 DP 1051859, Lots 1 & 2 DP 199281, No. 35 Ellendon Street and 22 Malbon Street Bungendore.

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 requirements and achieves the objectives of these instruments.

Attachments

- | | |
|--------------|---|
| Attachment 1 | DA.2019.096 - 4.15 Assessment Report - Commercial Premises and Subdivision - 35 Ellendon Street, Bungendore (<i>Under Separate Cover</i>) |
| Attachment 2 | DA.2019.096 - Architectural Plans (<i>Under Separate Cover</i>) |
| Attachment 3 | DA.2019.096 - Draft Conditions of Consent (<i>Under Separate Cover</i>) |

9.3 DA 114-2019 - Demolition of Existing Woolshed and Shearer's Cottage and Erection of a New Community Centre with Sales Office and Pavilion - 360A Lanyon Drive, Tralee (Ref: ; Author: Thompson/McManus)

Summary

Reason for Referral to Council

This application has been referred to Council because the development contains proposed structures that will become future Council assets and the proposal includes the demolition of buildings with heritage value.

Proposal:	Demolish Woolshed and Cook House, Construct Community Centre with Sales Office and Pavilion.
Applicant/Owner:	Canberra Estates Consortium 69 Pty Limited/ The Village Building Co. Limited.
Subject Property:	Lot 1 DP 1007339, Lot 2 DP 1007339, Lot 3 DP 1007339, Lot 4 DP 130629 and Lot 4 DP 1007339 No. 360A Lanyon Drive, Tralee.
Zoning and Permissibility:	Due to subject sites having various zones across the lots, the following detail provides the zoning for the areas where the development is proposed to be undertaken: RE2 - Private Recreation under the Queanbeyan LEP (South Jerrabomberra) 2012.
Public Submissions:	Planning requirements and heritage value.
Issues Discussed:	One.
Disclosure of Political Donations and Gifts:	Applicant Declared no Donations or Gifts to any Councillor or Staff have been made.

Recommendation

That:

- 1. Development application 114-2019 for demolition of the Woolshed and Cook House, construction of a Community Centre with Sales Office, Pavilion and Associated Car Parking and Toilets on Lot 1 DP 1007339, Lot 2 DP 1007339, Lot 3 DP 1007339, Lot 4 DP 130629 and Lot 4 DP 1007339 No. 360A Lanyon Drive, Tralee be granted conditional approval.**
 - 2. Those persons who lodged a submission on the application be advised in writing of the determination of the application.**
-

9.3 DA 114-2019 - Demolition of Existing Woolshed and Shearer's Cottage and Erection of a New Community Centre with Sales Office and Pavilion - 360A Lanyon Drive, Tralee (Ref: ; Author: Thompson/McManus) (Continued)

Background

Previous Applications

The following relevant applications have been received in relation to this property. They are listed from most recent to oldest.

DA 395-2017A - Modification of the subdivision was approved to enable the delivery of the development in stages.

DA 395-2017 - Development application 395-2017 approved the subdivision of 318 residential lots, 10 superlots and 6 residue lots.

DA 276-2015 – Stage 1 - Refused by the Joint Regional Planning Panels (JRPP).

DA 466-2015 – Stage 2 - Refused by the Joint Regional Planning Panels (JRPP).

DA 156-2015 - Development application 156-2015 approved the demolition of the South Tralee homestead.

DA 263-2013 - Development application 263-2013 approved the concept development of the South Tralee Urban Release Area; this consent was later surrendered in 2018.

DA 157-2010 - Development application 157-2010 approved the demolition of derelict buildings and fixtures associated with the former Fraser Park Raceway, shed ruins located on the southern banks of Jerrabomberra Creek, a modern weatherboard cottage with aluminium windows and part of the woolshed made up of the flat roofed steel framed lean-to/workshed attached to the south western side of the main woolshed structure.

The demolition of the Old Shearer's Quarters (Cook House) and Woolshed were excluded from this approval based on their heritage significance.

Proposed Development

The application seeks Council approval for the demolition of the Woolshed and Cook House (also referred to in documents as Old Shearer's Quarters) and the construction of a Community Centre, with a Sales Office and a Pavilion.

The specific elements of the proposal are as follows:

- Demolition of Woolshed (shearing shed) which includes dismantling and salvaging of elements to be incorporated in the proposed Community Centre,
- Demolition of Cook House (also referred to as the Old Shearer's Quarters) which includes dismantling of the chimney elements and fireplaces to be then reconstructed into fireplaces in the proposed pavilion.
- Construction of a Community Centre which will consist of:
 - Multi use rooms including a multipurpose room with event space and kitchen/bar area,
 - Community stage,
 - Community gallery/breezeway,
 - Public Toilets,
 - Sales office/closing office and staff kitchen,
 - Outdoor deck,

9.3 DA 114-2019 - Demolition of Existing Woolshed and Shearer's Cottage and Erection of a New Community Centre with Sales Office and Pavilion - 360A Lanyon Drive, Tralee (Ref: ; Author: Thompson/McManus) (Continued)

The area surrounding the community centre will also include:

- Raised Berms and Tree Plantings,
 - Raised/Paved Terrace and Fixed Public Seating,
 - Interpretative/Historical Board,
 - Public plaza,
 - Kitchen garden and orchard,
 - Children's playground,
 - Event external 'Spill' Zone,
 - Temporary car parking.
- Construction of a Pavilion consisting of:
 - Barbecue facilities and seating,
 - Repurposed fireplaces using elements from the disassembled Cook House fireplaces,

The areas surrounding the pavilion will also include:

- Toilets,
- Associated car parking.
- Cottage rose garden,
- Landscaping buffer to road,
- Footpath,
- Interpretive signage and landscaping marking the location of the original Cook House.



Figure 1 – View 1 of Proposed Community Centre (Source: SEE prepared by Elton Consulting)

9.3 DA 114-2019 - Demolition of Existing Woolshed and Shearer's Cottage and Erection of a New Community Centre with Sales Office and Pavilion - 360A Lanyon Drive, Tralee (Ref: ; Author: Thompson/McManus) (Continued)

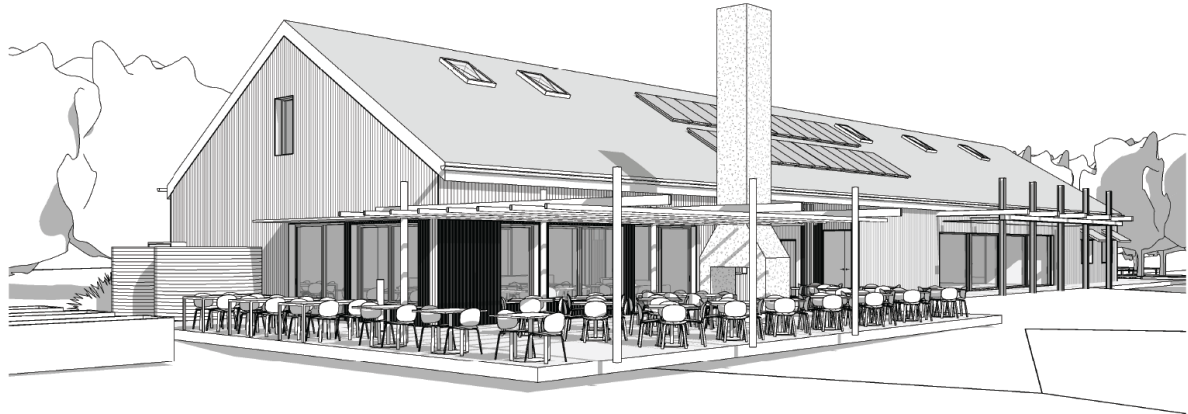


Figure 2 – View 2 of Proposed Community Centre (Source: SEE prepared by Elton Consulting)

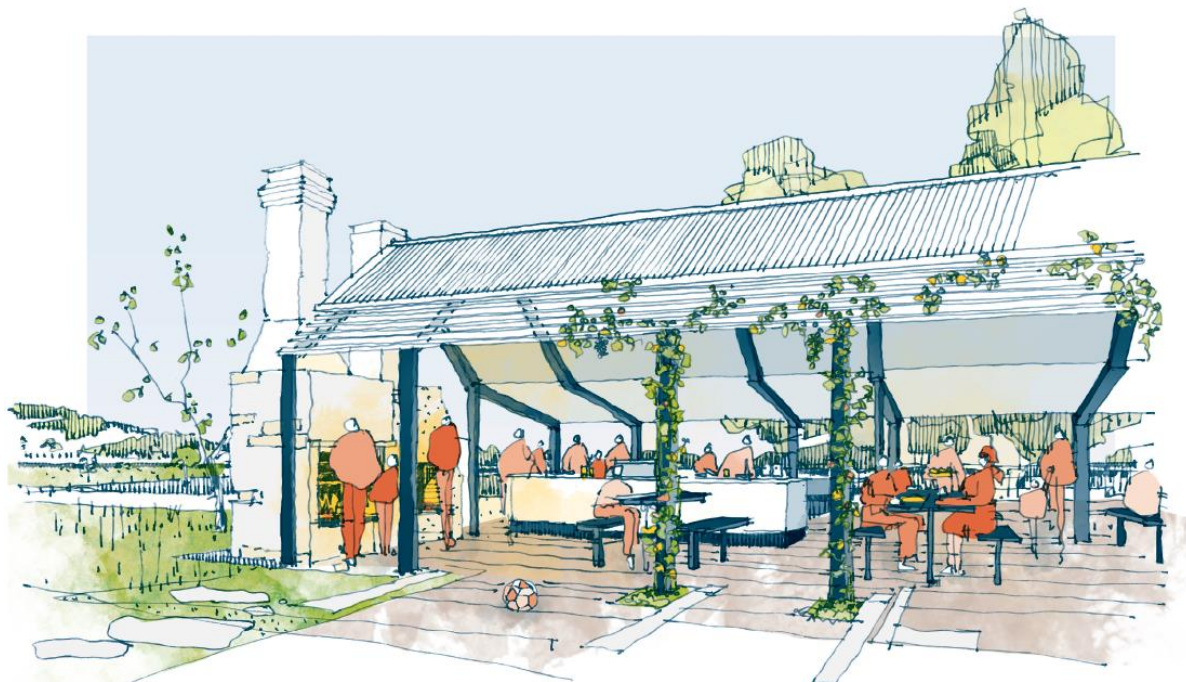


Figure 3 – Concept Sketch of Proposed Pavilion (Source: SEE prepared by Elton Consulting)

9.3 DA 114-2019 - Demolition of Existing Woolshed and Shearer's Cottage and Erection of a New Community Centre with Sales Office and Pavilion - 360A Lanyon Drive, Tralee (Ref: ; Author: Thompson/McManus) (Continued)

Subject Property

The subject site is legally described as Lot 4 DP 130629, Lot 1 DP 1007339, Lot 2 DP 1007339, Lot 3 DP 1007339 and Lot 4 DP 1007339 and is commonly known as 360A Lanyon Drive, Tralee. The site is located on the southern side of Lanyon Road, has a combined area of 53.146ha (See Figure 4 below) and makes up part of the new South Jerrabomberra Urban Release area. Access to the sites is currently available from an unsealed track from Hume in the ACT and access to the proposed structures will be provided as part of the works associated with the approved subdivision.

Existing development on the site comprises of the Woolshed and Cook House and ongoing infrastructure works associated with the approved subdivision.



Figure 4 – Locality plan (Nearmap)

9.3 DA 114-2019 - Demolition of Existing Woolshed and Shearer's Cottage and Erection of a New Community Centre with Sales Office and Pavilion - 360A Lanyon Drive, Tralee (Ref: ; Author: Thompson/McManus) (Continued)

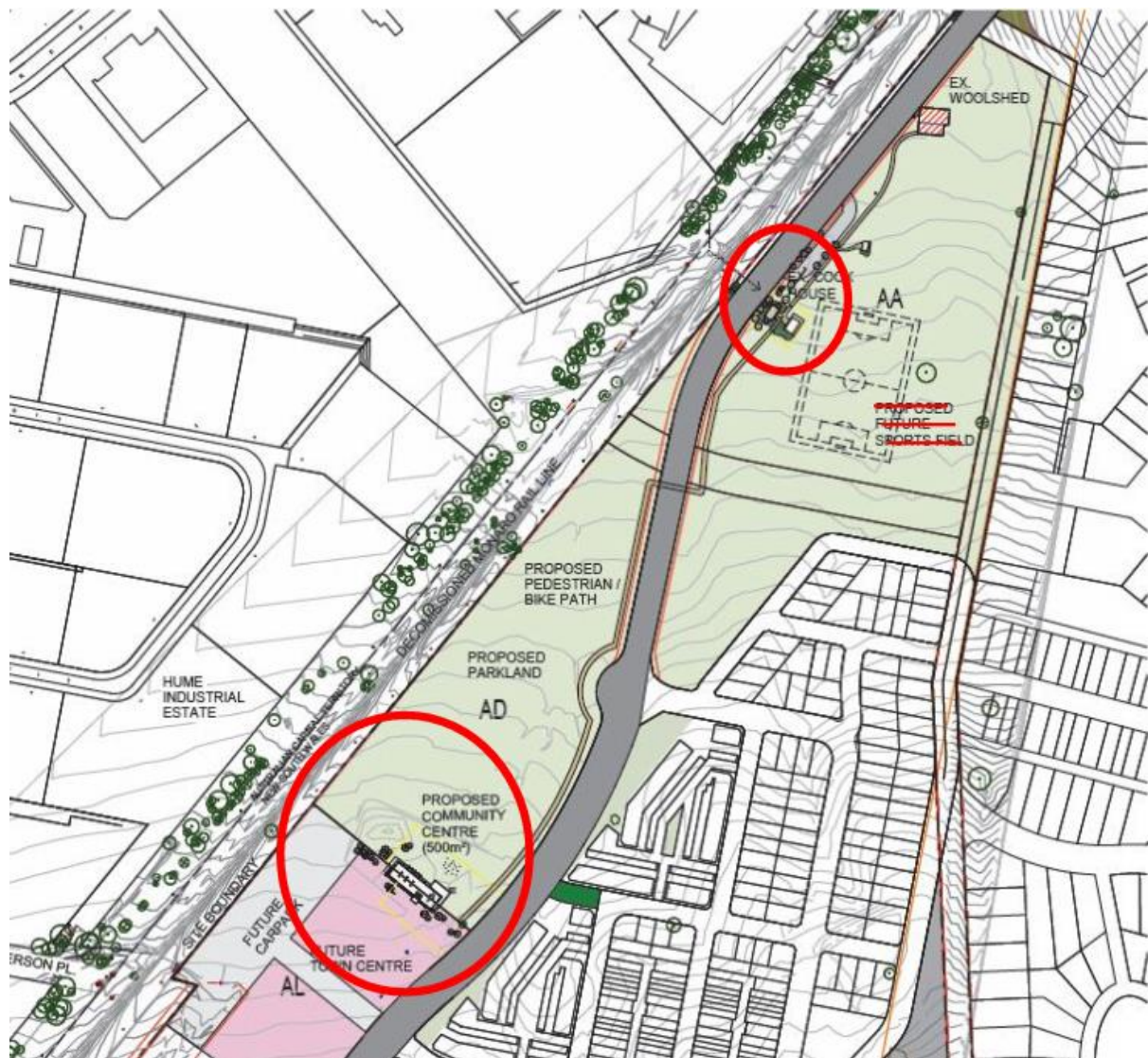


Figure 5 – Site Plan in Context of New Residential Subdivision (Source: SEE prepared by Elton Consulting)

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*.

9.3 DA 114-2019 - Demolition of Existing Woolshed and Shearer's Cottage and Erection of a New Community Centre with Sales Office and Pavilion - 360A Lanyon Drive, Tralee (Ref: ; Author: Thompson/McManus) (Continued)

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

1. State Environmental Planning Policy No. 55 – Remediation of Land,
2. State Environmental Planning Policy (Infrastructure) 2007,
3. Queanbeyan Local Environmental Plan (South Jerrabomberra) 2012 (QLEPSJ),
4. South Jerrabomberra Development Control Plan 2015 Part 8,
5. Queanbeyan Development Control Plan 2012.

The development generally satisfies the requirements and achieves the objectives of these planning instruments. Refer to attached Section 4.15 Table – Matters for Consideration for detailed assessment. The primary issues for Council's consideration relates to the heritage value of the properties to be demolished.

(a) Compliance with LEP

The site for the proposed Community Centre is to be located within land that is zoned RE2 - Private Recreation under the QLEPSJ. Development for the purposes of *community facility* is permissible with consent within the zone. The proposed development is considered to be generally consistent with the objectives of the zone and satisfies the relevant development standards (Refer Attachment 1 for detailed assessment).

The site for the proposed Pavilion is located within land that is zoned RE2 - Private Recreation the QLEPSJ. Development for the purposes of *recreation area* is permissible with consent within the zone. The proposed development is considered to be generally consistent with the objectives of the zone and satisfies the relevant development standards.**(b) Compliance with DCP**

While the South Jerrabomberra Development Control Plan 2015 and Queanbeyan Development Control Plan 2012 apply to the subject application the Development Control Plans contain no specific controls for development for the purposes of a Community Centre or Pavilion. Nonetheless, the proposed development is consistent with the general provisions of the South Jerrabomberra Development Control Plan 2015 and Queanbeyan Development Control Plan 2012 (Refer Attachment 1 for detailed assessment).

(c) Other Matters*Heritage*

The proposal seeks to demolish the existing Woolshed (shearing shed) and Cook House (also referred to in documents as Old Shearer's Quarters) and whilst the structures are not listed as heritage items under the current *Queanbeyan Local Environmental Plan (South Jerrabomberra) 2012* (QLEPSJ) or the *Queanbeyan Local Environmental Plan (2012)* the structures do still contain some heritage value.

Both structures were previously considered for demolition under a development application in 2010. The demolition was not supported. The proposed demolition application was lodged in the absence of knowing the nature and extent of the future residential development and the recommendation was to retain the structures and consider their inclusion in a future Local Environmental Plan (LEP). Council has since adopted an LEP for the subject sites and the structures have not been included in the Heritage items in the LEP.

9.3 DA 114-2019 - Demolition of Existing Woolshed and Shearer's Cottage and Erection of a New Community Centre with Sales Office and Pavilion - 360A Lanyon Drive, Tralee (Ref: ; Author: Thompson/McManus) (Continued)

Whilst the current proposal looks again to demolish the structures the development now looks to incorporate elements of the Woolshed and Cook House into the proposed Community Centre and Pavilion structures (see figures 6 and 8).

The Woolshed demolition looks to dismantle and salvage elements for reuse at the Community Centre specifically the King Post Trusses, shearing equipment and timber, saw trimmed logs, timber battens and timber flooring. Repurposed materials from the Cook House include the studs and more significantly the recycling of the bricks from the original bread oven and open fireplace to rebuild chimneys in the new pavilion which will match the original chimneys from the Cook House.

The design of the Community Centre looks to replicate the Woolshed (see figure 7) and the Pavilion roof profile will reference the Cook House profile (see figure 8).

The Heritage Impact Statement undertaken by Navin Officer dated April 2019 (Attachment 3 – Appendix B) provided detail that the Woolshed is:

“an unusual example because of it being a 6-stand shed. Most other known woolsheds in the area were either 3-4 stand sheds or considerably larger. Its construction methodology is typical for its period, estimated to have been built between 1921-1924, using recycled timbers and corrugated iron. It appears to have undergone little change overall, however its fabric demonstrates changing technologies used in wool production over more than a seventy-year period of use.

The setting for the woolshed has, however, been affected by the demolition of all but one of the associated buildings that were within the woolshed vicinity and visual amenity. It no longer has a physical connection to the landscape, with all the accompanying yards and pens removed, the loss of the sheep dip area, and the homestead it supported as well. It has also been visually impacted by the loss of the built environment within which it was situated. It now stands in isolation and without context.”

Conditions of consent are to be imposed to ensure:

- that an Independent Heritage Assessor is on site during the demolition of the buildings to verify which elements of the structures are able to be retained for reuse in the new buildings;
- that the buildings are to be photographed (complete exterior and interior) for historical purposes; and
- that the interpretative signage/historical boards contain both photos and written information about the demolished buildings and reference the significance of the reused building elements.

The structures are currently in a dilapidated state and fenced off to prevent further damage and to limit access due to safety concerns. The structures and have been left in a derelict state for some time significantly reducing any potential reuse of the structures.

Council's Heritage Advisor provided comments that the proposal is a good and appropriate heritage response for both items and in its current form is supported.

Further comments advised that *“The strategy for both buildings successfully analyses the historic form and fabric of the buildings and reuses them in a manner that is sympathetic to the original while at the same time creating structures that suit the needs of the new community and meet structural and other requirements. This is a good and appropriate heritage response for both items. The proposal in its current form is supported and I have no further heritage comment.”*

9.3 DA 114-2019 - Demolition of Existing Woolshed and Shearer's Cottage and Erection of a New Community Centre with Sales Office and Pavilion - 360A Lanyon Drive, Tralee (Ref: ; Author: Thompson/McManus) (Continued)

The proposal was reviewed by the Council's Heritage Advisory Committee (HAC) at a meeting on the 19 September 2019 and the minutes indicate the following notes were made and resolution adopted:

Mike Thompson provided an outline of the DA to demolish the Woolshed and Cook's house located in the new Tralee or South Jerrabomberra Township. The proposal was generally supported, noting that the elements that the Committee had requested in past meetings had been included.

The Committee expressed concern as to how a determination would be made as to what elements would be retained during demolition and in particular who would make the decision about whether a building element was structurally sound or of significant heritage interest to be retained for future use in the new building. It was considered that the developer should not be left to make this determination in isolation and that an independent assessor should be on site to guide which elements were suitable for retention.

A discussion around incorporating a photo and written history of the two buildings in the newly constructed structures lead to a recommendation to this effect.

QPRC HAC 09/19

- 1. That any determination for approval include a condition of consent that an independent heritage assessor (agreed to by Council before the commencement of demolition work) be used before and on site during the demolition of the buildings to verify which elements of the structures are able to be retained for reuse in the new buildings, This is to ensure that the developer does not dispose of materials because they make an arbitrary decision about the elements structural integrity, damage or heritage significance.*
- 2. That any determination for approval include a condition that photos and written information about the demolished buildings, with specific reference to the significance of the building elements reused, be permanently displayed in the new buildings where the elements are reused. The nature and content of such a display is to be provided to the Committee for comment prior to installation of the display.*

Given the above Council's Heritage Advisory Committee and Heritage Advisor have no objections to the proposal subject to the imposition of the recommended conditions of consent.

9.3 DA 114-2019 - Demolition of Existing Woolshed and Shearer's Cottage and Erection of a New Community Centre with Sales Office and Pavilion - 360A Lanyon Drive, Tralee (Ref: ; Author: Thompson/McManus) (Continued)

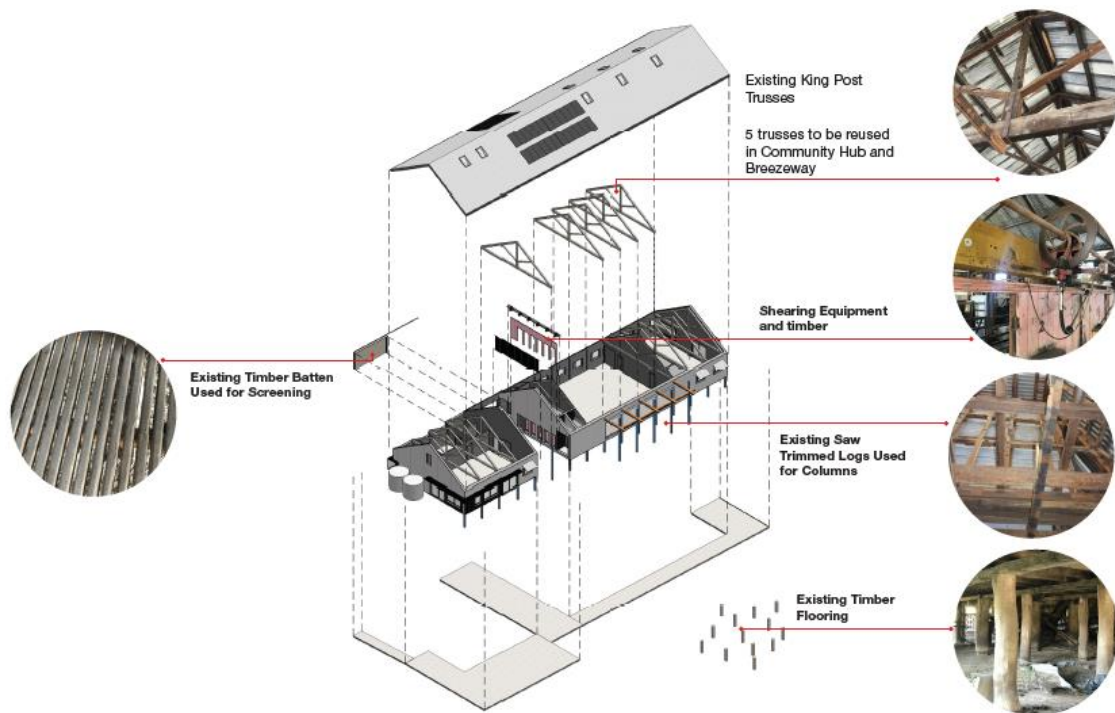


Figure 6 - Intended Re-Use of Existing Materials from Woolshed (Source: SEE prepared by Elton Consulting)

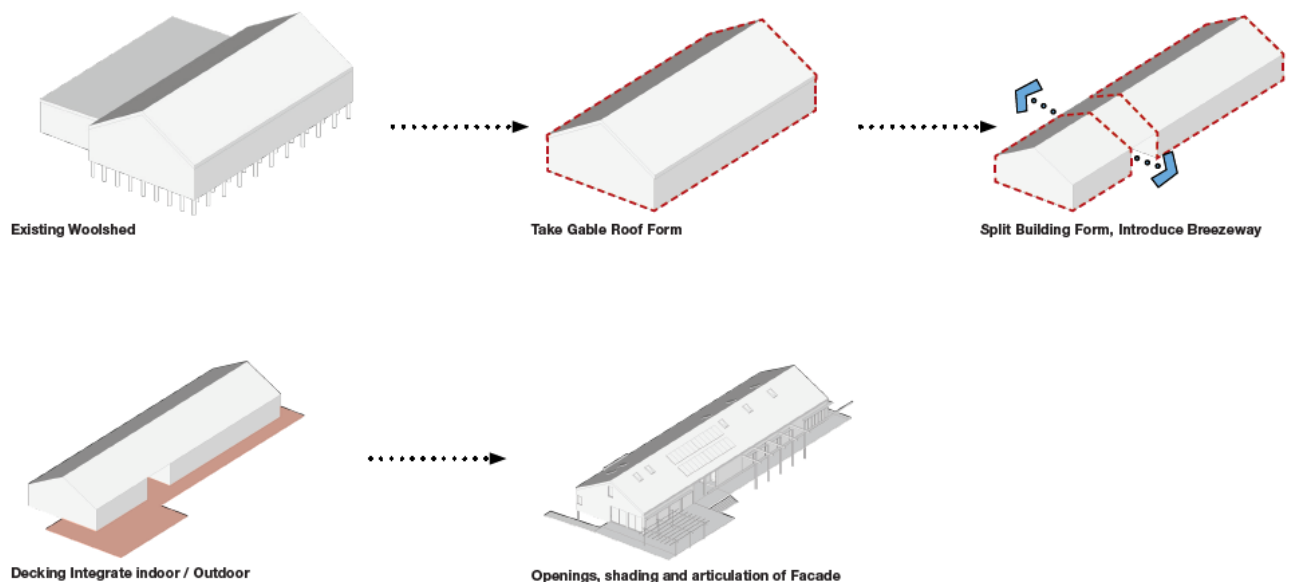


Figure 7 - Community Centre Concept Diagrams (Source: SEE prepared by Elton Consulting)

9.3 DA 114-2019 - Demolition of Existing Woolshed and Shearer's Cottage and Erection of a New Community Centre with Sales Office and Pavilion - 360A Lanyon Drive, Tralee (Ref: ; Author: Thompson/McManus) (Continued)

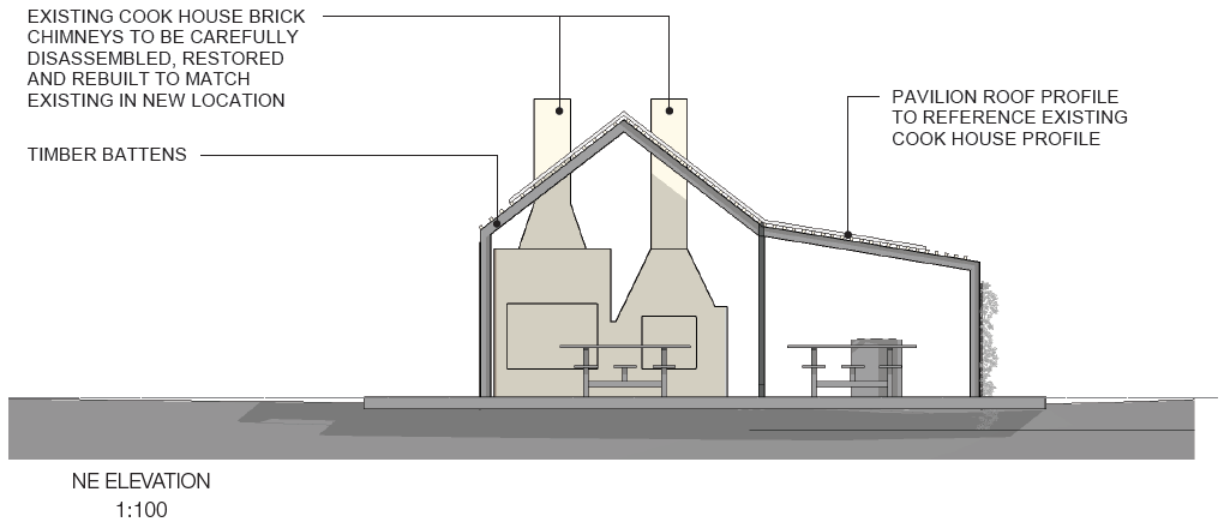


Figure 8 - Pavilion NE elevation (Source: SEE prepared by Elton Consulting)



Existing Cook's Cottage Exterior



Existing Cook's Cottage Exterior)



Existing Cook's Cottage Interior



6. Existing Cook's Cottage Exterior

Figure 9 - Existing Cook House photos (Source: SEE prepared by Elton Consulting)

9.3 DA 114-2019 - Demolition of Existing Woolshed and Shearer's Cottage and Erection of a New Community Centre with Sales Office and Pavilion - 360A Lanyon Drive, Tralee (Ref: ; Author: Thompson/McManus) (Continued)



Figure 10 - Site photos of existing Woolshed

Other Comments(a) Building Surveyor's Comments

Council's Building Surveyor raised no objection to the proposed development subject to imposition of the recommended conditions of consent.

A detailed assessment of compliance with the Building Code of Australia (BCA) has not been undertaken as the proposal was not accompanied by a Construction Certificate application. However, the proposal appears likely to comply with the BCA and relevant standards and the applicant has provided a structural engineering report supporting the reuse of some of the existing materials from both the Woolshed and Cook House.

(b) Development Engineer's Comments

Council's Development Engineer raised no objection to the proposed development subject to imposition of the recommended conditions of consent.

(c) Environmental Health Comments

Council's Environmental Health Officer raised no objection to the proposed development subject to imposition of the recommended conditions of consent.

(d) Urban Landscapes Comments

Council's Service Manager of Urban Landscapes raised no objection to the proposed development subject to the proposed future sports field noted on the plans (adjacent to the

9.3 DA 114-2019 - Demolition of Existing Woolshed and Shearer's Cottage and Erection of a New Community Centre with Sales Office and Pavilion - 360A Lanyon Drive, Tralee (Ref: ; Author: Thompson/McManus) (Continued)

pavilion) not being part of the application as negotiations are presently being undertaken to relocate all fields at the Regional Sports Complex.

Engagement

The proposal required notification under Queanbeyan DCP 2012. One (1) submission was received. The relevant issues raised are as follows:

Issue: Heritage value of the structures

Concern was raised over the heritage value of the Woolshed and Cooks House and that Council had not provided any documentation publically relating to the existing heritage values or the adaptive reuse of the structures.

Comment - Discussions were carried out with the submitter who advised Council that they were not able to access the documents through the link at the time of notification. An email was then sent directly to the submitter with a link to all available documents and no further comments were received.

The heritage value of the structures has been assessed in the report and Councils Heritage Advisor and Heritage Committee both raised no objections to the proposed development (subject to conditions) which looks at repurposing specific elements of both structures.

The consent will contain a condition that photos and written information about the demolished buildings with specific reference to the significance of the building elements that are being reused is to be permanently displayed in the new buildings.

Conclusion





The submitted proposal for demolition of the Woolshed and Cook House, construction of sales office, community centre and pavilion on Lot 1 DP 1007339, Lot 2 DP 1007339, Lot 3 DP 1007339, Lot 4 DP 130629 and Lot 4 DP 1007339 No. 360A Lanyon Drive, Tralee is supported by a Statement of Environmental Effects.

The proposal was notified to adjoining owner/occupiers and one submission was received.

The proposal has been assessed under Section 4.15 of the *Environmental Planning & Assessment Act 1979* including the relevant provisions of *Queanbeyan Local Environmental Plan (South Jerrabomberra) 2012* and *South Jerrabomberra Development Control Plan* and *Queanbeyan Development Control Plan 2012*.

The development satisfies the requirements and achieves the objectives of these instruments.

Attachments

- | | |
|--|--|
| Attachment 1 | DA 114-2019 - Section 4.15 Assessment - Matters for Consideration - 360A Lanyon Drive, Tralee (<i>Under Separate Cover</i>) |
|  Attachment 2 | DA 114-2019 - Plans - 360A Lanyon Drive, Tralee (<i>Under Separate Cover</i>) |
|  Attachment 3 | DA 114-2019 - Statement of Environmental Effects Incorporating Heritage Report at Appendix B - 360A Lanyon Drive, Tralee (<i>Under Separate Cover</i>) |
|  Attachment 4 | DA 114-2019 - Submission - 360A Lanyon Drive, Tralee (<i>Under Separate Cover</i>) |
|  Attachment 5 | DA 114-2019 - Draft Condiitons of Consent - 360A Lanyon Drive, Tralee (<i>Under Separate Cover</i>) |

9.4 Amendments to Googong Urban Development Local Planning Agreement
(Ref: ; Author: Thompson/Patel)

File Reference: 21.4.3-02

Summary

This matter was last considered by Council at its meeting of 23 October 2019 where in part Council resolved to commence the statutory steps to vary the Agreement, including community engagement for 28 days (Minute No. 343/19).

This report provides an overview of the results of community engagement and seeks Council's endorsement of the exhibited version and authorisation to execute the various documents. There are no changes proposed to the exhibited Plan as a result of feedback receive form the community.

Recommendation

That Council:

- 1. Agree to vary the Googong Urban Development Local Planning Agreement as identified in Attachments 2 and 3 to this report.**
- 2. Authorise the Mayor and Chief Executive Officer to execute the Variation to the Googong Urban Development Local Planning Agreement Deed of Variation.**
- 3. Authorise the Mayor and Chief Executive Officer to execute the Googong Urban Development Local Planning Agreement with the proposed changes as outlined in 1 above.**

Background

This matter was last considered by Council at its meeting of 23 October 2019 (Minute No. 343/19) where it resolved:

That Council:

- 1. Agree in principle to vary the Googong Urban Development Local Planning Agreement with the proposed changes including those identified in Attachment 1 to this report.*
- 2. Commence the statutory steps to vary that Agreement, including community engagement for 28 days.*

The Googong Urban Development Local Planning Agreement (GLPA) was negotiated between 2008 and 2011 and executed by both parties after community engagement in January 2012. It has been in operation for seven years and a number of changes have occurred, such as the gazettal of *Queanbeyan Local Environmental Plan 2012* in November 2012 which impacts on it.

Since this time it has become apparent to both Council and to Googong Township Pty Ltd (GTPL) that a number of changes and updates are necessary to maintain the GLPA's currency.

The key drivers of the changes are:

- To make various administrative changes to the GPLA.
- To update the definitions of types of development in the GLPA;

9.4 Amendments to Googong Urban Development Local Planning Agreement (Ref: ; Author: Thompson/Patel) (Continued)

- To acknowledge grant funding for the Old Cooma Road Stage 2 and Lanyon Drive intersections.
- To insert new items, delete redundant items and to amend other items in regard to the Agreement's Development Contributions.
- To update the works schedule for Off-site Local Roads and to alter some of the Off-site Local Roads Development Contributions including specifying the part to be paid quarterly over a period of 10 years towards Council's repayment of the principal and interest of a loan towards the construction of the Ellerton Drive Extension.
- To provide for the dedication of land to and the carrying out of works by the Rugby Club at Googong Common and works at Hill 800, and to make consequential changes to the GLPA.
- To provide that indexation of the Off-site Local Roads is to be calculated in accordance with the Producer Price Index (*Output of the Construction industries - Road and bridge construction*) rather than by the Consumer Price Index (All Groups Index) for Sydney.

The relevant document has been exhibited for public consultation as per Clause 25D of the *Environmental Planning and Assessment Regulations 2000*.

Proposed Amendments

As a result, it is proposed to make the following amendments to the GLPA. The list below includes those changes previously endorsed by Council.

1. Definitional alterations to various clauses/wording in the Works Schedule, to maintain the currency of the GLPA to reflect such things as the gazettal of *Queanbeyan Local Environmental Plan 2012*.
2. Insertion in the works schedule of the GLPA of completed works relating to the Water Recycling Infrastructure and new items such as smart poles, sensors and Wi Fi capability.
3. A new clause reflecting the July 2016 Memorandum of Understanding between Council, Googong Township Pty Ltd and the Queanbeyan Whites Rugby Union Football Club Incorporated regarding the operation of a community facility at Googong.
4. Other amendments applying to offsite roads include:
 - a) Update of the works schedule in the GLPA for Off-site roads as well as their contribution values.
 - b) Recognition of the Old Cooma Road Grant.
 - c) Cap the total offsite roads contributions at \$61,653,882.
 - d) Alteration to some Development Contributions including specifying that part of the monetary contributions for Off-site Local Roads will be paid quarterly over a period of 10 years towards Council's repayment of the principal and interest of a loan towards the Ellerton Drive extension.
5. Offsite Local Roads contributions are to be calculated in accordance with the Producer Price Index (*Output of the Construction industries - Road and bridge construction*).
6. Other administrative amendments recommended and agreed to by the parties' solicitors.

All amendments are recommended to be supported.

A copy of the proposed Deed of Agreement (Attachment 1), the amended GLPA (Attachment 2) and the amended Schedules (Attachment 3) are provided in the Attachments along with original executed agreement (Attachment 4).

9.4 Amendments to Googong Urban Development Local Planning Agreement (Ref: ; Author: Thompson/Patel) (Continued)

Implications***Legal***

The proposed changes have been reviewed by legal representatives from both Council and the developer and both advised that the amended GLPA was suitable for public exhibition.

In addition, the proposal has been exhibited for community comment for the minimum period of 28 days as required by the *Environmental Planning and Assessment Regulation 2000*.

Policy

The GLPA ties the release of necessary supporting physical and community and open space infrastructure to various stages of the development of Council's largest urban release area. As such its currency should be maintained.

Asset

The GLPA progressively provides for the construction of physical, community and open space infrastructure as development occurs. Following maintenance periods, these transfer to Council's ownership, care and control.

Social / Cultural

The GLPA makes provision for significant community and open space infrastructure.

Strategic

This Agreement provides for the progressive provision of the necessary infrastructure to support the relatively new community of Googong which is one of the major urban release areas as provided for by the *Queanbeyan Residential and Economic Strategy 2031*.

Engagement

The proposed amended GLPA was placed on QPRC's Your Voice website between 27 October 2019 and 25 November 2019 and extended for one more week and made available for download and submissions. Submissions were received from two (2) separate residents via QPRC's consultation management site "*Your Voice*". One submission was from a resident of Googong, the other from a resident living to the south of Googong.

Questions and queries raised during the exhibition period are reproduced in full below.

Submission 1: Why have we not been given a slip lane as promised on Old Cooma Road for traffic heading north? Why should we put up with the reduced speed limit along Old Cooma Road between Burra Road and Googong Road? This is not acceptable. Extending our commute time and devaluing our properties is not in the ongoing interest of QPRC or it's rate payers.

Comment - The question from the resident relates to matters outside of the GLPA and are not related to any of the proposed amendments to it. The issue of a slip lane is a matter being separately investigated by Council.

Submission 2: The money that is being used from our Development Contributions should not be going to pay for the Ellerton Drive extension. That money was for Googong development. I do not understand why this is even being considered.

Comment – As Googong develops, more and more traffic on off-site roads such as Ellerton Drive will be generated by residents living in Googong. As such it is entirely appropriate that that the GLPA include a contribution towards the construction of the EDE and other off-site roads. This was recognised in the original LPA and has transferred to amendments in the

9.4 Amendments to Googong Urban Development Local Planning Agreement (Ref: ; Author: Thompson/Patel) (Continued)

amended LPA where changes have been made to reflect the actual rather than estimated cost of constructing the EDE.

Given the above no changes have been made to the exhibited GLPA as a result of the submissions raised.

Financial

Amendments to the GLPA necessitate incurring costs for legal advice and community engagement. These are covered by the appropriate budget in the Land Use Branch and over the last two financial years amount to nearly \$6,400.

There are also be some changes to the contribution values and mix for off-site roads and community and open space infrastructure to reflect actual costs incurred and updated cost estimates for work still to be completed.

Integrated Plan

The GLPA assists in achieving Community Strategic Plan Key Goal 3.5 - We ensure the future planning for the region is well coordinated and provides for its sustainable management.

Conclusion





The proposed changes or variations to the Googong Urban Development Local Planning Agreement (GLPA) have been developed over the last few years following improved awareness of actual capital costs, and after careful consideration by both parties of the Agreement.

The proposed amendments to the GLPA ensure the provision of public infrastructure for the benefit of the community and address the demands of the Development. The Draft Deed of Variation also ensures the currency of the GLPA is maintained.

The amended plan has been exhibited for community comment. Two submissions were made but neither raised issues which warrant changes to the exhibited document.

Accordingly it is recommended that these be agreed to and pursued with final execution signing by both the developer and Council.

Attachments

- | | |
|---|--|
| Attachment 1
 | Proposed Deed of Variation - Googong LPA - October 2019 (<i>Under Separate Cover</i>) |
| Attachment 2
 | Proposed Amendments to Googong Local Planning Agreement - October 2019 (<i>Under Separate Cover</i>) |
| Attachment 3
 | Proposed Amendments to Schedule 1 - Googong LPA - October 2019 (<i>Under Separate Cover</i>) |
| Attachment 4
 | Current Googong LPA and Annexures (<i>Under Separate Cover</i>) |

9.5 Draft QPRC Climate Change Action Plan (Ref: ; Author: Thompson/Pensini)

File Reference: 25.2.1

Summary

Consideration of climate change is a significant issue committed to by Council through its Delivery Program and actioned through the development and implementation of several plans and policies.

In early 2018 Council resolved to review and develop a new climate change action plan for both Council operations and the community. This is now the first Climate Change Action Plan (CCAP) for Queanbeyan-Palerang Regional Council (QPRC) and builds on previous action plans and the implementation of energy efficiency and renewable energy initiatives by the former Councils.

For simplicity and ease of reading, the QPRC Climate Change Action Plan has been separated into two different documents:

- The *Council Operations* Climate Change Action Plan; and
- The *Community* Climate Change Action Plan.

Both Plans cover the period from 2020 to 2030.

Recommendation

That:

1. **Council place the Draft Council Operations Climate Change Action Plan and the Draft Community Climate Change Action Plan on public exhibition for an extended period until 14 February 2020.**
2. **Following the exhibition period a report be prepared for Council consideration detailing the submissions and suggested outcomes of the exhibition period.**
3. **Council seek the business case proposal from its energy provider and receive further reports on the feasibility of investment in LED street lighting and renewable energy projects to support its primary buildings and utilities infrastructure.**

Background

QPRC continues to recognise that climate change is a significant issue facing the region and is committed to reducing its carbon footprint and supporting the community in addressing or adapting to climate change. In response to outdated climate change action plans and the need to take further steps, Council at its meeting of 28 March 2018, resolved to refer the former Queanbeyan City Council and Palerang Climate Change Plans to the QPRC Environment Sustainability and Advisory Committee for merging and updating, then presentation to Council for potential adoption (100/18).

In order to develop a new climate change action plan for Council and the community, a three phase development approach was undertaken. Firstly, an in-depth review was commenced by staff of the previous Queanbeyan City Council (QCC) Climate Change Action Plan and the policies of the former Palerang Council. Secondly, expert consultants were engaged to provide advice and help develop the plans. Thirdly, extensive community and internal staff consultation was held to engage both the community and staff and provide input, suggestions

**9.5 Draft QPRC Climate Change Action Plan (Ref: ; Author: Thompson/Pensini)
(Continued)**

and concerns into the plan. A workshop was also held with Councillors surrounding the findings of community consultation and the process undertaken in developing the plan.

Following consideration of the draft Climate Change Action Plans on 25 September 2019, Council resolved to defer consideration of the Plans pending a second workshop to review some specific actions. Following that workshop some minor changes to the text and action lists in both plans were made, particularly around setting targets and aligning with other organisations.

The new Climate Change Action Plans recognise the roles that Council and the community have in ensuring that QPRC contributes to local, regional and national efforts to mitigate and adapt to climate change through actions to reduce greenhouse gas emissions. The Climate Change Action Plan therefore comprises two separate documents, the:

- QPRC Council Operations Climate Change Action Plan
- QPRC Community Climate Change Action Plan

Both draft Action Plans cover the period from 2020 to 2030. The plans set out mitigation and adaptation actions for Council operations and for the community. Council will be expected to develop annual public reports on its progress implementing the plans. In addition, Council will conduct an evaluation of the plans at the end of its term, to inform updated Climate Change Action Plans.

The Council Operations Climate Change Action Plan highlights opportunities for Council to make significant reductions in its emissions through a cost-effective program of action within its own day to day operations.

The Community Climate Change Action Plan recognises the important role the community has in addressing climate change and highlights measures the community can take and which Council can support to both mitigate and adapt to climate change impacts in the local region.

Implications***Legal***

Section 8A of the *Local Government Act* 1993 requires Council to have consideration of the principles of ecologically sustainable development when making its decisions. Implementation of this plan would assist Council in complying with the Act.

Policy

Policies that will inform or require development with regards to the Climate Change Action Plan, include:

- QPRC Operations Sustainability Policy
- QPRC Sustainable Design Policy for Council Buildings
- QPRC Street Verge Maintenance Policy
- QCC Vehicle Policy
- QCC Revolving Energy Reserve Policy
- QCC Plant and Vehicle Replacement Policy
- QCC Road Maintenance Policy

**9.5 Draft QPRC Climate Change Action Plan (Ref: ; Author: Thompson/Pensini)
(Continued)**

Environmental

The implementation of this plan will have a number of positive environmental impacts throughout the QPRC local government area. These include:

- Reduced air pollution and improved air and water quality.
- Improved protection, enhancement, and development of natural areas.
- Improved land-use planning and development patterns, including land and soil remediation.
- Smaller ecological footprint.
- Maintained or improved biodiversity of native and endemic flora and fauna.

Sustainability

The implementation of this plan will have a number of positive sustainability impacts for both Council operations and the community. These include:

- Improved energy efficiency of buildings.
- Improved efficiency in the use of energy, fuel and water and reduced utility bills.
- Improved sustainability of vital infrastructure and assets.
- Increased usage of renewable/clean energy and reduced greenhouse gas emissions.
- Reduced waste to landfill and improved local waste circular economies.

Social / Cultural

Literature suggests the poorest and most marginalised groups within the global society including women, children, and people with disabilities, indigenous peoples and ethnic minorities are the most vulnerable to the impacts of climate change. Climate change, in particular severe weather events (e.g. heat waves and storms), will also have detrimental impacts on the health and wellbeing of all people, particularly those in vulnerable regions, the elderly and the very young.

Economic

The evidence shows that ignoring climate change will eventually damage economic growth in Australia. The annual average risk costs of extreme weather and climate change to properties is projected to rise to \$91 billion per year in 2050 and \$117 billion per year in 2100. Our collective actions over the coming few decades could create risks of major disruption to economic and social activity later in this century and it will be difficult or impossible to reverse these changes. Tackling climate change is a pro-growth strategy for the longer term, and it can be done in a way that does not cap aspirations for growth. Even introducing smart parking in accord with the Carparking Strategy minimises the emissions effect of vehicles circling the CBD looking for carspaces. The benefits of strong, early action considerably outweigh the costs. At the same time, given that climate change is happening, measures to help people adapt to it are essential. The less mitigation done now, the greater the difficulty of continuing to adapt in future.

Strategic

The Climate Change Action Plans aim to identify and evaluate a range of feasible measures that can be developed and implemented, both within Operational Plans that are aligned with the current Delivery Program to June 2021, and considered in the planning and development of the next four-year Delivery Program.

9.5 Draft QPRC Climate Change Action Plan (Ref: ; Author: Thompson/Pensini) (Continued)

Engagement

Community consultation for the Climate Change Action Plan began in early 2019 with a “Your Voice” survey and two workshops in Queanbeyan and Braidwood that resulted in participants identifying climate change concerns, suggesting abatement targets and providing a list of potential actions that could be undertaken by Council and the community.

Notable findings from community consultation included:

- 87% of respondents say climate change is a very important issue (108/124 participants).
- 65% of respondents say Council is not doing enough to address climate change (80/124 participants).
- 68% of respondents say Council should target a 100% reduction in greenhouse gases for its operations (101/146 participants).



Financial

At this stage the Plans are in the draft phase and the recommendation is only that they be placed on exhibition for public comment. As such there are no financial implications of placing the documents on public exhibition.

Depending on what elements of the Plans Council might eventually endorse, the Plan could impact on Council’s Delivery Program in a number of ways:

- The plan identifies a range of solar photovoltaic power generation opportunities at Council-owned facilities. It is estimated that these will cost \$1 million and will return more than \$140,000 annually in net cost savings to Council for 25 years.
- Street lighting systems can be progressively upgraded to LED - potentially with smart technology, with savings in energy costs and maintenance. Initial cost estimates of \$2.4 million will save an estimated \$440,000 each year. It is understood Council and the CRJO are considering business cases to migrate to LED street lighting with Essential Energy.
- Council’s pre-existing Sustainable Design Policy for Council Buildings will see energy efficiency and sustainable design built into major building and infrastructure projects,

**9.5 Draft QPRC Climate Change Action Plan (Ref: ; Author: Thompson/Pensini)
(Continued)**

including the new head office on Crawford Street, the Queanbeyan Sewerage Treatment Plant, and the expansion of the Googong Water Recycling Plant.

- Council is encouraged to consider policy measures that will lead to lower carbon emissions, including LED lighting for new and refurbished sporting fields and public lighting, fleet policy changes that will see Council's vehicles transition to low and zero emissions over time, and the adoption of updated guidelines for local councils on sustainable procurement.
- Council is encouraged to consider purchasing some or all of the electricity for its operations from renewable energy sources, where this is shown to be no more expensive nor to involve any additional risk compared with Council's current electricity purchasing arrangements, as other councils and large organisations have done.
- Council is encouraged to support the community in the facilitation of the Community Climate Change Action Plan, this will ultimately incur additional budget costs.

Resources (including staff)



Council's Sustainability Officer will be designated to facilitate and implement Council's Climate Change Action Plan. Furthermore each individual action has been designated a responsible service area.

Conclusion

The QPRC Climate Change Action Plan will assist Council and the community in efforts to mitigate and adapt to climate change and will result in positive actions and cost savings to Council being implemented. Furthermore the plan will contribute to Council meeting its obligations, duties and community expectations in regards to environmental action.

Queanbeyan-Palerang Regional Council is far from being alone in developing a climate change action plan and renewable energy targets. At the beginning of 2019 a number of councils and towns in NSW plus the ACT have set ambitious goals for renewable energy and/or carbon emissions. Additionally, a recent survey of local councils by '100% Renewables' found the majority of local councils have energy and/or sustainability plans in place for their operations.

Attachments

- | | |
|--|--|
| Attachment 1 | QPRC Draft Council Operations Climate Change Action Plan (<i>Under Separate Cover</i>) |
|  Attachment 2 | QPRC Draft Community Climate Change Action Plan (<i>Under Separate Cover</i>) |
|  | |

9.6 Adoption of Open Burning Policy (Ref: ; Author: Thompson/Abbott)

File Reference: 24.3.12

Summary

At its meeting of 23 October 2019, Council resolved to place the Draft Open Burning Policy on public exhibition. There were fifteen submissions made during the exhibition period. A summary of comments has been provided as a separate attachment.

The NSW Government is reviewing the *Protection of the Environment Operations (Clean Air) Regulation 2010* ('the Regulation'). This Regulation sets out the provisions for open burning restrictions. The intention of the Regulation is to manage the air pollution issues associated with backyard burning, with a view to protecting local and regional air quality, local amenity and public health.

This is a last opportunity to amend the current requirements before amendment of the Regulation which currently lists the former Queanbeyan and former Palerang Council requirements. These councils no longer exist in their independent form, and as such QPRC are now required to nominate a new listing in Schedule 8 of the regulation to ensure the controls on burning in the open are consistent with improved air quality outcomes desired for the local government area.

Recommendation

That Council:

- 1. Seek a listing under Part 2 and Part 3 of Schedule 8 of the proposed new *Protection of the Environment Operations (Clean Air) Regulation*.**
 - 2. Provide written confirmation to the NSW Department of Planning, Industry and Environment of Council's decision regarding its listing in Schedule 8 of the proposed *Protection of the Environment Operations (Clean Air) Regulation* by 20 December 2019.**
 - 3. Adopt the Draft Open Burning Policy as provided in Attachment 2.**
-

Background

The primary intent of the policy is to respond to the NSW EPA who are reviewing the *Protection of the Environment Operations (Clean Air) Regulation 2010* (the regulation). These controls are designed to prevent or minimise the burning of wastes and vegetation in the open so as to prevent air pollution. The Regulation notes that burning of material in the open has possible effects on human health and the environment. As such it is important that Council consider this matter from the point of view that the burning of waste and vegetation is not desirable and should only be carried out where there are no other alternatives and where possible harm to humans and the environment can be avoided.

It is important to note from the outset that nothing in the regulation prevents burning being carried out for the purpose of emergency bush fire hazard reduction work. The provisions in the Regulation specifically relate to controls for burning wastes and vegetation in the open.

9.6 Adoption of Open Burning Policy (Ref: ; Author: Thompson/Abbott) (Continued)

These controls work by relating each council area to one or more of the following Parts of the regulation as follows:

- If Council were only listed in Part 1 (as is the case with the former QCC area) then open burning of any material would be prohibited and the EPA would be the only authority which could vary that.
- If Council were only listed in Part 2, then there would be no offence for the burning of other waste apart from vegetation.
- If Council were only listed in Part 3 (as is the case for the former Palerang area) there would be no offence for burning off vegetation.

For the purpose of exhibition it was considered that placement of the Council in both Parts 2 and 3 would provide the optimum result for air quality in the LGA. This would mean that unless approval was received from the EPA open burning of domestic waste would be prohibited (except where no garbage service was provided) and, that while the burning of vegetation would also be prohibited, Council would be the authority which could issue an approval or exemption if desired.

Coupled with this was the preparation of a Policy to provide further information on the controls on open burning across the LGA should Council be placed in Parts 2 and 3 of the Regulation. In particular the Policy details under what circumstances an exemption from approval under Part 2 would be acceptable.

The exhibition period has now closed and fifteen submissions were received.

Implications***Legal***

Offences for persons under Schedule 8 for Part 2 and 3 of the Protection of the Environment (Clean Air) Regulation 2010 include:

1. A person must not burn vegetation in a local government area specified in Part 2 of Schedule 8 except in accordance with an approval.
2. A person must not burn anything (other than vegetation) in a local government area specified in Part 3 of Schedule 8 except in accordance with an approval.

It is not an offence to burn vegetation for the purpose of emergency bush fire hazard reduction work.

It is not an offence to cook or barbeque in the open, or to light, maintain or use a fire for recreational purposes such as camping, picnicking, scouting or other similar outdoor activities, so long as only dry seasoned wood, liquid petroleum gas (LPG), natural gas or proprietary barbecue fuel (including a small quantity of fire starter) is used.

Similarly it is not an offence to burn vegetation, in the course of carrying on agricultural operations or to burn anything for the purposes of the giving of instruction in methods of firefighting by authorised persons under the Rural Fires Act 1997.

It is not an offence under subclause (3) to burn domestic waste on residential premises in a local government area specified in Part 3 of Schedule 8, being premises on which the waste was generated, domestic waste management services (of any kind) are not available to those premises.

The process of investigating a complaint involves the Council officer visiting the property, justifying noncompliance with the Policy such as a nuisance or danger is resulting and requesting that the fire be extinguished in the first instance.

9.6 Adoption of Open Burning Policy (Ref: ; Author: Thompson/Abbott) (Continued)

Should enforcement be necessary, Council has the option of issuing a Prevention Notice under the POEO Act 1997 or issuing a penalty infringement notice (PIN). These are generally a \$500 fine.

Feedback from Exhibition Period

Fifteen submissions have been received. A table of issues raised with staff responses is provided in Attachments 2 and 3.

Many of the changes raised concerns about the need for approval for burning off vegetative waste and that no approval should be required, especially in rural areas. Smoke from all fires can pose a serious human health and environmental risk if they are in reasonable proximity to humans, regardless of whether they are in rural or urban areas.

For this reason approval for burning vegetation within 75m of a dwelling simply for the purpose of disposing of the material will require approval and will require a good reason to support it. Burning more than 75m from a neighbour's dwelling will be exempt provided certain precautions are met.

Existing exemptions for fire hazard reduction works and recreational fires continue and have not changed.

Many of the suggestions have been taken on board and changes to the Policy made as indicated in Attachment 2.



Conclusion

Adopting the Open Burning Policy allows officers a consistent approach to addressing complaints in regard to smoke and nuisance from open burning across the whole local government area and allows Council to respond to NSW EPA on the review on our position within Schedule 8 of the Regulation.

It is recommended that Council nominate for inclusion in Part 2 and Part 3 of Schedule 8 in the revised Regulation. In conjunction with the adoption of Council's Policy this will prevent open burning of waste and, subject to conditions, exempt the burning of vegetation more than 75m from a neighbour's dwelling. Burning vegetation within 75m of a neighbour's dwelling will require approval from Council. This is the preferred option given the human health and environmental impacts of allowing open burning.

Alternatively, Council could opt to place the city, towns and villages in Part 1 of Schedule 8 which would prohibit open burning of all waste and vegetative material as is the present case in Queanbeyan, and leave the remainder of the LGA in Part 3 which prohibits the burning of waste only (the present case in the former Palerang area) and does not place restrictions on burning vegetation.

Attachments

- | | |
|--|---|
| Attachment 1 | Draft Open Burning Policy - Amended (<i>Under Separate Cover</i>) |
|  Attachment 2 | Submissions Received During Exhibition Period (<i>Under Separate Cover</i>) |
|  Attachment 3 | Submission from Wamboin Community Association (<i>Under Separate Cover</i>) |

9.7 **Braidwood Grazing Industry Weed Management Plan (Ref: ; Author: Thompson/Holloway)**

File Reference: 24.3.2

Summary

One of the outcomes of Council's *Beefing up Braidwood* project is to develop a local weed management plan to guide weed management control priorities for the protection of the grazing industry around Braidwood.

A draft plan has been developed that defines the asset being protected, evaluates the risks posed by priority weeds and outlines appropriate management actions. The draft plan incorporates input from local weed management professionals and landholders and is ready for public exhibition to obtain feedback from the local community and other weed management professionals.

It is noted Council is advocating to the Commonwealth and NSW Governments to release funds to drought declared LGAs through the Financial Assistance Grants to co-invest in weed control.

Recommendation

That:

- 1. The draft *Braidwood Grazing Industry Weed Management Plan* be placed on public exhibition for a period of 28 days**
 - 2. Following the exhibition period, a report be presented to Council detailing outcomes of the exhibition period, and consider resourcing in the next Delivery Program.**
-

Background

Under the *Biosecurity Act 2015*, Council is the local control authority for the QPRC local area. Functions of the local control authority include:

- (a) *The prevention, elimination, minimisation and management of the biosecurity risk posed or likely to be posed by weeds, and*
- (b) *to develop, implement, co-ordinate and review weed control programs,*

All parties has a '*biosecurity duty*' to ensure that the biosecurity risk posed by weed material is prevented, or if that is not possible then eliminated, or if that is not possible then minimised. While the concept of a risk-based approach to weed management is logical, it has proven challenging to implement in relation to infestations of widespread weeds whose impact is sometimes difficult to evaluate.

The standard NSW Weed Risk Management system is used to determine appropriate management outcomes for each weed species within defined areas. Often for serious though widespread weeds, where eradication or containment are not feasible, the appropriate management outcome is to protect priority assets. These assets may be economic, environmental or social. The beef grazing industry surrounding Braidwood has been identified as a potential priority economic asset being negatively impacted by weeds.

As part of Council's support for drought-affected farmers a grant was successfully obtained from the Australian Government through the *Communities Combating Pests and Weed*

9.7 Braidwood Grazing Industry Weed Management Plan (Ref: ; Author: Thompson/Holloway) (Continued)

Impacts During Drought Program - Biosecurity Management of Pests and Weeds. The *Beefing up Braidwood* project is expected to provide a significant boost to the local economy in 2019-20 and deliver longer term benefits to the local grazing industry. The project has three main activities:

1. Develop a local weed management plan to identify the weeds most impacting on the local agricultural asset and appropriate actions to manage those impacts;
2. Assist local farmers to develop property weed management plans, guided by the local plan; and
3. Assist local farmers with the initial (2019-20) control of priority weeds identified in agreed property plans.

The draft local weed management plan to protect the local grazing industry is Council's first attempt to create an economic asset protection plan for weed management. If the development and implementation of the plan is successful then similar plans may follow for other economic assets.

Implications***Legal***

No legal implications from publicly exhibiting this plan have been identified. Public feedback on the draft plan may identify improvements so the local community better understand the plan, ultimately helping landholders meet their biosecurity duty under the *Biosecurity Act 2015*. Specifically, the plan aims to encourage a more consistent approach to identifying priority weeds impacting on the local agricultural industry asset and appropriate actions to manage those weeds. Public consultation on the draft plan will also help Council fulfil its functions as local control authority under that Act.

Environmental

Incorporation of relevant public feedback on the draft plan should improve its acceptance and ownership by the local community, ultimately leading to broader adoption of its management actions and better management of weed impacts on the local environment.

Sustainability

Incorporation of relevant public feedback on the draft plan should improve its acceptance and ownership by the local community, ultimately leading to broader adoption of its management actions and improved sustainability of the local grazing industry and community its supports.

Social / Cultural

Incorporation of relevant public feedback on the draft plan should improve its acceptance and ownership by the local community, ultimately leading to a shared understanding of how to most effectively manage weeds to protect the local grazing industry.

Economic

The Braidwood grazing industry priority asset area is estimated to be worth around \$10 million per year. Significant ongoing investment is made in weed control and weeds continue to reduce productivity. Incorporation of relevant public feedback on the draft plan should improve its acceptance and ownership by the local community, ultimately leading to a more consistent adoption of its management actions and improved economic outcomes for the local grazing industry.

9.7 Braidwood Grazing Industry Weed Management Plan (Ref: ; Author: Thompson/Holloway) (Continued)

Strategic

This is Council's first attempt to create a weed management plan to protect a local economic asset. Similar plans have not been found from other councils operating under the *Biosecurity Act 2015*. Seeking and incorporating public input on the draft plan should improve its acceptance and adoption by the local community, potentially encouraging the development of additional plans to protect other assets from the impacts of weeds. This would also improve Council's ability to deliver on its functions as local control authority and help guide other councils seeking similar outcomes.

Engagement

Initial engagement has been via a community workshop and indirect discussions with more than 20 landholders in the project area. Placing the draft plan on public consultation for 28 days, promoted through local media, will enable greater engagement with the local community.

Financial

Financial implications for Council from placing the draft plan on public exhibition are limited to staff time in promoting the exhibition, then reviewing and incorporating feedback. The Biosecurity Project Officer assigned to undertake most of this work is wholly employed by grant funds.

If the plan is adopted it is hoped that Council resources will be available to inspect these properties more frequently to help ensure that the economic asset is being reasonably protected from the negative impacts of weeds. Ideally, all properties should have a routine inspection once every four years with priority assets inspected a second time (every two years). The additional cost of inspecting properties within this economic asset protection area in terms of additional time would average around \$10,000 per year, potentially decreasing over time as subsequent inspections should be more efficient due to improving compliance.

The longer term economic implications on the local industry if the plan is adopted with community input are difficult to determine. However, it is estimated that if priority weeds are more systematically managed across the area in accordance with a plan broadly accepted by the community, supported by more regular contact with council officers, the economic benefits to farmers from reduced weed control costs and improved productivity would not unreasonably reach one percent of the industry contribution to the local economy, i.e. \$100,000 per year. That is an order of magnitude greater than the estimated cost to Council to maintain an increased extension service to landholders in the asset protection area.

Resources (including staff)

Existing staff will manage the public consultation process, specifically the Biosecurity Project Officer employed wholly by grant funds for this project.

Conclusion

The draft Braidwood grazing industry weed management plan is an innovative approach to improve the management of weeds for the protection of an important economic asset. Enabling public consultation on the draft plan should improve the likelihood that the final plan, if adopted by Council, will better represent community aspirations for weed management within the local area.

Attachments

Attachment 1  Braidwood Grazing Industry Weed Management Plan - Draft - November 2019 (Under Separate Cover)

9.8 Tender Recommendation for South Jerrabomberra Northern Entry Road
(Contract 2019-54) (Ref: ; Author: Hansen/Tooth)

File Reference: 104107-9-06

Summary

Tenders were called for construction of the South Jerrabomberra Northern Entry Road (NER). The tenders were assessed and scored. The award of tender has been delayed affecting the tendered programs and completion of the Tomsitt Drive gas main works. Council is requested to determine to award of the Tender.

Recommendation

That:

1. Council commence negotiations with the highest scoring Tenderer on the evidence presented in the attached Tender Evaluation Report and in accordance with Clause 178 (4) of the *Local Government (General) Regulation 2005*, noting negotiations are to achieve the same construction timeframe but with a program shift and removal of the Tomsitt Drive gas main from the works.
 2. If value for money cannot be demonstrated with the highest scoring Tenderer, then Council commence negotiations with the second highest scoring Tenderer.
 3. A further report be provided to Council detailing the outcome of these negotiations and advice on the timing of the awarding of the tender to meet grant funding deed requirements.
-

Background

Following announcements by the Deputy Premier and Member for Monaro John Barilaro in November 2018 committing \$23M for the construction of the Northern Entry Road, Council has progressed the design. The proposed road will provide access to the proposed Regional Sports Centre, a proposed new High School and proposed South Jerrabomberra Innovation Precinct.

Tenders for the construction of the road were called in August and were assessed by staff following an 8 week tender period.

The Tenders were not able to be awarded due to a delay in receipt of the grant funding deed for the NSW Government funding component. The delay in tender award will not allow the Tenders to achieve the milestone completion dates set out in the Contract.

In particular, the Tomsitt Drive gas relocation works will not be able to be achieved by the winter block-out period occurring on 31 March 2019. The Tomsitt Drive gas relocation works were a provisional item and can be removed from the tender scope. These works must be

**9.8 Tender Recommendation for South Jerrabomberra Northern Entry Road
(Contract 2019-54) (Ref: ; Author: Hansen/Tooth) (Continued)**

undertaken by the network operator (Zinfra), who Council can engage directly to allow the works to happen prior to the winter block-out period

Council has renegotiated the Milestone dates with the project stakeholders resulting in a program shift from the time the Tender is awarded.

An assessment of the impact of the proposed scope and timing change was undertaken to establish if the outcome of the highest scored tenderer was likely to change (Attachment 2). This assessment identified the boundaries within which the highest ranked tenderer would remain the same, following scope and time adjustments to their Tender.

The name of the Northern Entry Road has now been gazetted as Environa Drive, however the naming of the project will remain Northern Entry Road.

Implications***Legal***

Council called and assessed open tenders in accordance with the provisions of the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*.

Policy

The tender has been conducted in accordance with Council's Procurement Policy and that of the NSW Government.

Environmental

The tendered works have had environmental assessment as part of a development application.

Asset

The proposed works will result in the creation of new assets in the South Jerrabomberra area owned by Council.

Social / Cultural

The Northern Entry Road is a significant piece of infrastructure required to service the:

- Regional Sports Centre (RSC).
- New High School
- QPRC Innovation Hub

The project includes pedestrian connectivity between Jerrabomberra, the new high school and the RSC.

9.8 Tender Recommendation for South Jerrabomberra Northern Entry Road (Contract 2019-54) (Ref: ; Author: Hansen/Tooth) (Continued)

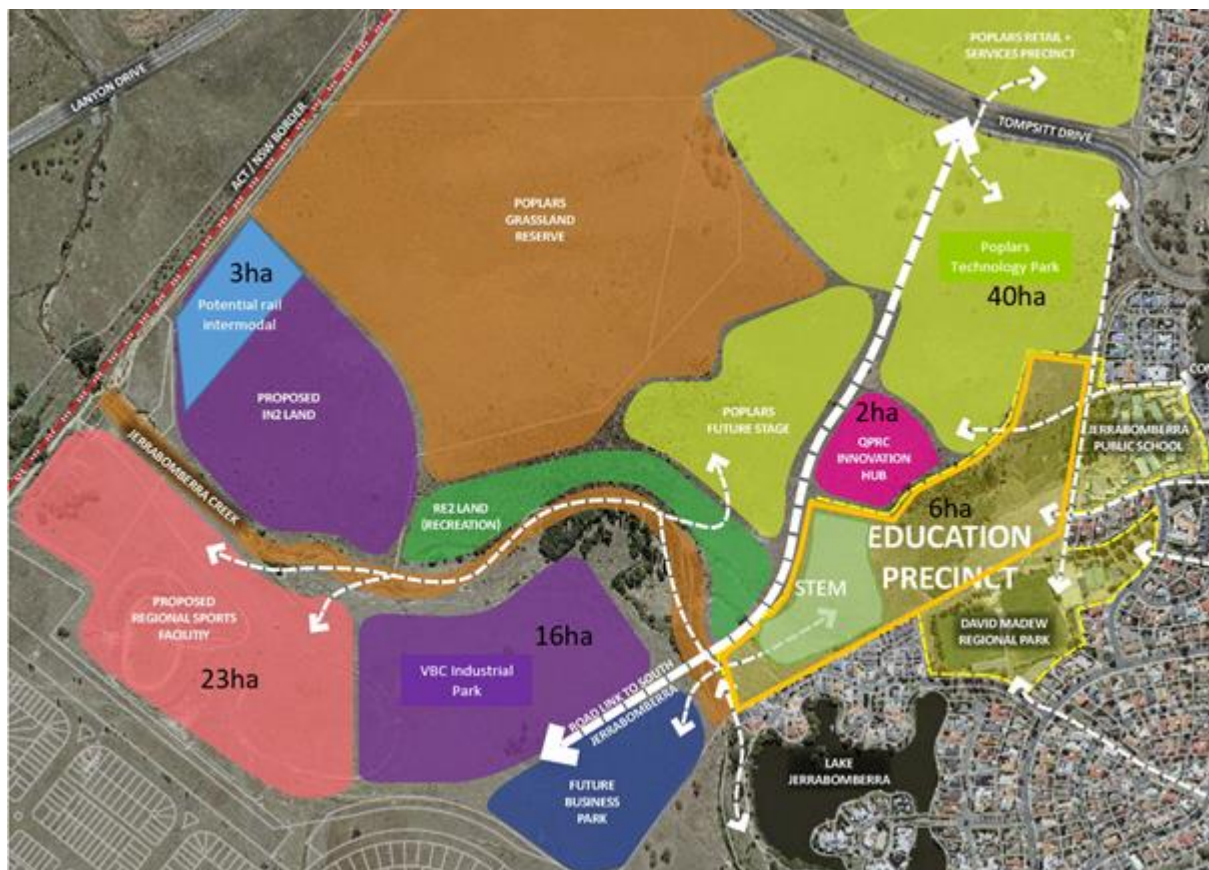
Economic

The project provides the enabling road and utilities infrastructure envisioned in the Growing Local Economies grant application for \$23m lodged by Council, and supported by up to \$8m in water and sewer infrastructure works in accord with Council resolution on 27 June 2018.

The application proposed that infrastructure would be the catalyst to open up the business and industrial zoned lands in South Jerra focused on defence, space, energy and technology enterprise, and capable of connection to related government agency business. It also connects to infrastructure provided by VBC to the South Jerra (Tralee) residential development.

The infrastructure provides connection to the sports, school and innovation hub sites. In return for that infrastructure investment, Poplars and Village Building Company gift those sites in addition to the road, pathways and intermodal site to Council and the NSW Government.

A planning agreement has been drafted between the parties to formalise the relationship between the infrastructure works and gifting of sites, and will be presented to the next Council meeting. The LPA will be based on the letter of agreement executed earlier this year (councillor copy attached).



The project will establish access to employment and educational lands. Specifically the emerging innovation precinct will provide much needed employment B7 zoned lands within the QPRC area.

9.8 Tender Recommendation for South Jerrabomberra Northern Entry Road (Contract 2019-54) (Ref: ; Author: Hansen/Tooth) (Continued)

Strategic

The proposed project supports Councils' Strategic Pillars:

Pillar 1 - connections to sport & recreation facilities

Pillar 2 – expanding the region's economic assets through employments lands

Pillar 3 – providing employment closer to Queanbeyan

Pillar 4 - establishing connection to education & sports facilities through quality infrastructure

Financial

The works are to be funded by a NSW Grant, with water and sewer components funded by QPRC Water and Sewer Fund.

Program Code	Expense Type	Funding source	Amount
		NSW Government Grant	\$ 23,000,000
		QPRC Water and Sewer Reserve	\$ 8,000,000

Resources (including staff)

Staff have worked for many months with Poplars and VBC to coordinate design and construction elements. The Contracts and Projects branch will oversee delivery of the project. A specialist Project Manager (consultant) will be engaged to provide support and to manage day-to-day project activities

Integrated Plan

This project is included in both Council's Operational and Delivery Plans. This project meets the Community Strategic Plan objectives and is a key part of every Strategic Pillars of Council and our Community.

Conclusion

The delay to the Tender award will not allow enough time for the Tomsitt Drive gas relocation to be undertaken before the winter block-out period. The Tomsitt Drive gas relocation works will need to be undertaken by Council under a separate engagement directly with the gas network operator (Zinfra). The Zinfra engagement is a subject of a separate Council report.

Council should negotiate a program shift with the highest ranked Tenderer so that a value for money assessment can be demonstrated prior to entering into a contract for the works.

The highest ranked Tenderer is the preferred tenderer to negotiate to carry out the works as described in the Tender Evaluation Report (Attachment 1).

An assessment of the scoring was undertaken to set boundaries for establishing value for money during the negotiations (Attachment 2).

**9.8 Tender Recommendation for South Jerrabomberra Northern Entry Road
(Contract 2019-54) (Ref: ; Author: Hansen/Tooth) (Continued)**

Should value for money not be demonstrated following negotiations with the highest ranked Tenderer, then negotiations on the same basis should be held with the second highest ranked Tenderer. The Order of tenderers can be found in attached document summarising the scoring with the evaluation report named NER-Order of Tenderers (attachment 3).

Attachments

- Attachment 1 Northern Entry Road Tender Assessment Report (*Under Separate Cover*) - **CONFIDENTIAL**
- Attachment 2 Northern Entry Road Tender - Scope & Timing Change Impacts (*Under Separate Cover*) - **CONFIDENTIAL**
- Attachment 3 NER - Order of Tenderers (*Under Separate Cover*) - **CONFIDENTIAL**
- Attachment 4 Letter of Agreement (*Under Separate Cover*) - **CONFIDENTIAL**

9.9 Tomsitt Drive Gas Relocation Works (Ref: ; Author: Hansen/Tooth)

File Reference: PJ 104107

Summary

Following delay of award of the Tender for South Jerrabomberra Northern Entry Road (Contract 2019-54), Council should now engage Zinfra directly to undertake the Tomsitt Drive gas relocation works to ensure continuity of gas supply prior to the winter block-out period commencing after 31 March 2020.

Recommendation

That Council engage Zinfra to undertake the Tomsitt Drive gas relocation works allocating a budget of \$504,203 +GST.

Background

Following announcements by the Deputy Premier and Member for Monaro John Barilaro in November 2018 committing \$23M for the construction of the Northern Entry Road, Council has progressed the design. The proposed road will provide access to the proposed Regional Sports Centre, a proposed new High School and proposed South Jerrabomberra Innovation Precinct.

Tenders for the construction of the road were called in August and were assessed by staff following an 8 week tender period.

The Tenders were not able to be awarded due to a delay in receipt of the grant funding deed for the NSW Government funding component. The delay in tender award will not allow the successful Tenderer to achieve the milestone completion dates as set out in the Tender.

In particular, the Tomsitt Drive gas relocation works will not be able to be achieved by the winter block-out period occurring on 31 March 2019. The Tomsitt Drive gas relocation works were a provisional item and can be removed from the tender scope. These works must be undertaken by the network operator (Zinfra), who Council can engage directly to allow the works to happen prior to the winter block out period.

Negotiations were undertaken with both Poplars and Village Building Company to commit to funding the works in the event that the grant funding was not received. Both Poplars and Village Building Company have provided Council with unconditional undertakings covering the complete value of the proposed relocation works.

Implications

Legal

The call for the quotation was made in accordance with the provisions of s55 of the *Local Government Act* and in consideration of the *Local Government (General) Regulation 2005*.

Tenders were not called as Zinfra has a contract with the asset owner (EvoEnergy) to operate and maintain the gas network.

9.9 Tompsitt Drive Gas Relocation Works (Ref: ; Author: Hansen/Tooth) (Continued)

Policy

The procurement has been conducted in accordance with *Local Government Act 1993* and Council's procurement policy, noting that installation of the actual gas main in the EvoEnergy network must be done by EvoEnergy.

Environmental

The whole of the relocation works will be managed by Zinfra as the principle contractor and Construction Environmental Management Plans and responsibility will be theirs.

Asset

The assets proposed to be created as a result of this engagement belong to EvoEnergy.

Social / Cultural

The Northern Entry Road is a crucial piece of infrastructure required to service the:

- Regional Sports Centre (RSC).
- New High School
- QPRC Innovation Hub

The project includes pedestrian connectivity between Jerrabomberra, the new high school and the RSC.

Economic

The project will establish access to employment and educational lands. Specifically the emerging innovation precinct will provide much needed employment B7 zoned lands within the QPRC area.

Strategic

The proposed project supports Councils' Strategic Pillars:

Pillar 1 - connections to sport & recreation facilities

Pillar 2 – expanding the region's economic assets through employment lands

Pillar 3 – providing employment closer to Queanbeyan

Pillar 4 - Establishing connection to education & sports facilities through quality infrastructure

Financial

There will be a zero net impact on Council financially as the contractor will not bill Council until completion of the works and Council will utilise funding from either the NSW Government Grant or the unconditional undertakings provided by Poplars and Village Building Company to pay for the works.

9.9 Tomsitt Drive Gas Relocation Works (Ref: ; Author: Hansen/Tooth) (Continued)

Program Code	Expense Type	Funding source	Amount
		NSW Government Grant	\$ 23,000,000
		Unconditional undertaking to be provided by Poplars and Village Building Company	\$ 504,203 +GST

Resources (including staff)

Staff from the Contracts and Projects branch will oversee delivery of the project.

Integrated Plan

This project is included in both Council's Operational and Delivery Plans. This project meets the Community Strategic Plan objectives and is a key part of every Strategic Pillars of Council and our Community.

Conclusion

To achieve construction of the Tomsitt Drive gas relocation works prior to the winter block-out period and to prevent further delays to the South Jerrabomberra Northern Entry Road, it is recommended that Zinfra be engaged to undertake the proposed works.

Attachments

Nil

9.10 Braidwood Floodplain Risk Management Study and Plan (Ref: ; Author: Hansen/Tooth)

File Reference:

Summary

Following public consultation, the Draft Floodplain Risk Management Study and Plan (FRMS&P) for Braidwood has been finalised. The final FRMS&P has been reviewed by the Braidwood Floodplain Risk Management Committee on 27 August 2019 and recommended the report be considered by Council for adoption. At its September meeting, Council resolved to workshop the Draft Plan.

That workshop was carried out on 20 November 2019 and the Draft Plan is now submitted for adoption.

Recommendation

That:

- 1. Council adopt the Braidwood Floodplain Risk Management Study and Plan.**
 - 2. Consideration be given to introducing a Braidwood Stormwater Levy to establish funds to implement future stormwater improvement programs, in conjunction with the Rates Harmonisation Review.**
-

Background

Council engaged Lyall and Associates who are experts in flood modelling and assessment to complete the Braidwood FRMS&P. The document reviewed the results of the Braidwood Creeks Flood Study (completed in 2005) which defined flooding patterns and flood levels in Braidwood under present day conditions. The FRMS&P assessed options aimed at reducing the impact of flooding on existing development and establishes a framework to manage flood liable land in accordance with current best practice floodplain management principles. The recommended program of works will over time reduce the social, environmental and economic impacts of flooding at Braidwood. The final FRMS&P recommends the following management measures:

- Update the Palerang LEP 2014
- Incorporate recommended controls into an update of the Palerang DCP
- Ensure that Flood Data is available to the SES to improve flood management planning
- Implement flood awareness and education program for residents bordering creeks
- Commission a major overland flow investigation (stormwater system masterplan)
- Develop and implement a Vegetation Management Plan for Recreation Ground Creek

9.10 Braidwood Floodplain Risk Management Study and Plan (Ref: ; Author: Hansen/Tooth) (Continued)

Implications***Policy***

Council will need to consider changes the Braidwood Development Control Plan (DCP) to accommodate the recommendations of the final Braidwood FRMS&P.

Environmental

Implementation of the mitigation measures mentioned in the Study and Plan may have localised environmental impacts that would be addressed during the design and approvals process for each control measure.

Economic

The Study and Plan identified:

- 5 residential properties, 1 commercial tenancy and 1 public building may experience flooding in a 1% Annual Exceedance Probability (AEP) flood event (1 in 100year storm),
- 113 residential properties and 87 commercial properties may experience flooding in a Probable Maximum Flood (PMF) event,
- Total flood damage of \$0.49 Million at the 1% AEP flood event.
- Total flood damage would increase to \$9.52 Million for the PMF event.

Implementation of the control measures mentioned in the FRMS&P would reduce the impact of flooding on both residential and commercial properties.

Financial

The Study and Plan was jointly funded under State Government's Flood Management Program on 2:1 subsidy basis with one-third funded by Council.

The Major Overland Flow Investigation detailed in the implementation plan will also be eligible for funding under Flood Management Program. However the works program that would come from that study would most likely not be eligible for funding. Council would need to allocate funds for those works.

Council does not currently have a Stormwater Levy within Braidwood as it does in Queanbeyan. Consideration should be given to charging the Levy (up to \$25pa per residential property) to establish funds to implement future stormwater improvement programs.

Resources (including staff)

Council staff provided project management including, preparation and administration of the grant funding, coordination of the Floodplain Risk Management Committee and community consultation. Council engaged specialist consultant Lyall and Associates to prepare the FRMS&P.

9.10 Braidwood Floodplain Risk Management Study and Plan (Ref: ; Author: Hansen/Tooth) (Continued)

Conclusion

Following the completion of the exhibition period, the Braidwood FRMS&P has been finalised and endorsed by the Braidwood Flood Risk Management committee on 27 August 2019, and is now presented for adoption.

Attachments

- | | |
|--------------|--|
| Attachment 1 | Braidwood Floodplain Risk Management Study and Plan: Volume 1: Report (<i>Under Separate Cover</i>) |
| Attachment 2 | Braidwood Floodplain Risk Management Study and Plan: Volume 2: Figures (<i>Under Separate Cover</i>) |
| Attachment 3 | Braidwood FRMS&P Community Consultation Report (<i>Under Separate Cover</i>) - CONFIDENTIAL |

9.11 Majors Creek Rural Fire Station Design and Construction Tender 2020-01
(Ref: ; Author: Hansen/Hogg)

File Reference: 100986

Summary

Tenders were called via Tenderlink for the design and construction of Majors Creek Rural Fire Station. Four submissions were received by the closing date. The evaluation panel have completed the tender review process which has included assessing both financial and non-financial components of each tender and have recommended that a contract be awarded.

This project consists of the engineering design and construction of a 2 truck bay Rural Fire Service Station for Majors Creek. It will also include a hose drying rack, storage facilities, kitchen, bathroom facilities and an office meeting the requirements of the NSW Rural Fire Service now and into the future.

The initial design specified that the existing station was to be demolished. Strong community feedback indicates that it would be better utilised by another community group. This is similar to the outcome of the former Captains Flat Rural Fire Brigade Station.

Recommendation

That Council:

- 1. Award tender 2020-01 for the design and construction of the Majors Creek Rural Fire Station to Tenderer 1 <name to be inserted> for the amount of <price to be inserted>.**
- 2. Endorse modification of the Development Consent to retain the existing Majors Creek RFS shed for other community use.**

Background

The existing Majors Creek Rural Fire Brigade station is located to the north of the proposed station included in tender 2020-01. It is currently at its end of life and fails to meet the requirements of the Majors Creek Brigade or the NSW Rural Fire Service. It currently cannot fit what is known as a Category 1 tanker required for suppression of structure fires and car fires.

The NSW Rural Fire Service proposed that the new station be constructed to the south of the existing station. This new station will include adequate room for Rural Fire Service tankers and also include room for storage, kitchen and other amenities.

Council have received development approval for demolition of the existing station and construction of the new station. The community have since requested that the existing shed be retained and used for other community purposes. Council staff now propose to amend the Development Consent to retain the existing structure and seek a Development consent modification to that affect.

9.11 Majors Creek Rural Fire Station Design and Construction Tender 2020-01 (Ref: ;
Author: Hansen/Hogg) (Continued)

Implications

Legal

The land is subject to a deed of agreement between QPRC and Majors Creek Recreation Reserve Trust. This agreement allows for the building of the new RFS Station.

Section 55 of the *Local Government Act 1993* requires that a Council invite tenders before entering into contracts for projects over \$250,000.

Sustainability

The project will be delivered in accordance with Council's Sustainable Design Policy for Council Buildings.

Asset

The new building will be constructed on Lot 1 Sec 4 DP 758636 which is Council owned land. Council will retain ownership of the building. Ongoing maintenance of the building will be the responsibility of the NSW Rural Fire Service.

Social / Cultural

Financial

Program Code	Expense Type	Funding source	Amount
		NSW Rural Fire Service	\$ 700,000 ex GST

Resources (including staff)

Council will allocate resources from the Contracts and Projects branch with minor supervision or works by other branches of Council as required. An allocation to cover staff time has been made in the budget.

Conclusion

Council sought tenders from suitably qualified and experienced builders for the design and construction of the Majors Creek Rural Fire Brigade station. The new facilities are essential in ensuring that the NSW Rural Fire Service can perform its core public safety functions within the area. Four tenders were received which have been assessed by Council staff and a recommendation to award the contract has been made as outlined in the tender evaluation report.

Attachments

- Attachment 1 Majors Creek RFS Station - Tender Evaluation Report (*Under Separate Cover*) - **CONFIDENTIAL**

9.12 Queanbeyan Civic and Cultural Precinct - Community Feedback (Ref: ;
Author: Tegart/Tozer)

File Reference: 100625

Summary

Following the public exhibition of the Queanbeyan Civic and Cultural Precinct (QCCP) concept design and detailed business case, a summary of community and staff feedback is presented to Council for consideration. Staff have responded to the feedback provided and have suggested recommendations where required. Many of the suggestions put forward during the consultation period will be considered during the detailed design phase of the project.

Recommendation

That Council:

- 1. Note the feedback received during the public exhibition of the Queanbeyan Civic and Cultural Precinct concept design and business case.**
 - 2. Proceed with the development application, with a number of matters raised during the exhibition period to be further considered during the detailed design process.**
-

Background

At its meeting on 23 October, Council resolved to

- 1. Note the report on the Queanbeyan Civic and Cultural Precinct, including the QPRC head office.*
- 2. Endorse the concept, uses, business case, and the plan of subdivision for the Queanbeyan Civic and Cultural Precinct and head office building shown as Option 5.*
- 3. Place the design and business case on public exhibition, and report back to Council with feedback.*
- 4. Lodge a Development Application for the Queanbeyan Civic and Cultural Precinct.*
- 5. Submit a capital expenditure report for NSW Office of Local Government and NSW Treasury Corp, to enable the raising of debt as outlined in the report.*

While Council endorsed option 5 as its preferred option at the October meeting, all options were presented to the community for consideration, together with pros and cons. The options included:

- OPTION 1: Do absolute minimum to existing inadequate facilities
- OPTION 2: Refurbish existing inadequate facilities
- OPTION 3: Build all identified functionality for new building
- OPTION 4: Reduced version of Option 3
- OPTION 5: Reduced version of Option 3 with a library included

9.12 Queanbeyan Civic and Cultural Precinct - Community Feedback (Ref: ; Author: Tegart/Tozer) (Continued)

Summary Comparison of Options		Option 1	Option 2	Option 3	Option 4	Option 5
List of Pros						
Increase public perception of the CBD leading to increased foot traffic, spending and investment.			●	●	●	
Creation of a clear civic and public space within the CBD.			●	●	●	
Increased workforce in the CBD increasing the retail spend.			●	●	●	
Increased community spaces within the CBD allowing community groups to thrive			●	●	●	
Unlocks land for further development within the CBD			●	●	●	
Increased cultural offering within the CBD			●	●	●	
Increased hire of performing arts spaces and other venues increasing revenue			●	●	●	
Increased staff productivity due to improved work environment and centralised staff			●	●	●	
Centralised location for all QPRC services			●	●	●	
Provides growth space for the QPRC workforce						●
A new accessible public library						●
No capital expenditure required from QPRC		●				
High nett present value				●	●	●
List of Cons						
Continued negative perception of the CBD further supressing investment		●	●			
Increased maintenance costs on end of life assets including the requirement in the short term for major reactive maintenance works		●	●			
Inherent uncertainty of the level of required maintenance needed on the assets to ensure safe operation		●	●			
Increased liability risk resultant from non-Disability Discrimination Act compliant facilities		●	●			
Diminished cultural offering and diversity of the local government area		●	●			
Foot traffic within the CBD remains unchanged resulting in continued escaped expenditure from the CBD		●	●			
No consideration of future growth of the QPRC		●	●			
Not providing accommodation expected in a modern workplace increasing staff absenteeism, decreasing staff morale and making it harder to attract and retain staff		●	●			
The workforce is still split geographically decreasing productivity		●	●			
Large capital expenditure required from QPRC			●	●	●	●

9.12 Queanbeyan Civic and Cultural Precinct - Community Feedback (Ref: ; Author: Tegart/Tozer) (Continued)

After conducting a detailed analysis and financial assessment of each option, Option 5 is Council's preferred option as it demonstrates value for money to QPRC and the community.

Option 5 is a reduced version of Option 3 which included all identified functionality. Option 5 differs from Option 3 in the following ways:

- inclusion of a new library in lieu of retaining the existing library
- reduction of the building by half a floor
- full deletion of the business centre area
- reduction of the community and breakout space area by approximately 15%
- increase of the commercial lettable area to external operators / tenants
- increase of the QPRC administration and office space by approximately 5% to allow for future expansion of the workforce
- reduced Council support area due to the retention of the existing Council Chambers.

Implications***Engagement***

Council placed the QCCP concept design and detailed business case on public exhibition between 28 October and 29 November. During this period, the following activities were undertaken to promote the project:

- Documentation on Council's Your Voice engagement hub
- Documentation available at Council's Customer Service Centres and Libraries
- Media release
- Coverage by regional TV and radio stations
- Included in Council's fortnightly advertisement in Queanbeyan Age/Chronicle, Braidwood Times and Bungendore Weekly
- Mentions in the Mayor's Column in local newspapers
- Coverage in QPRC News which is delivered to 30,000 households
- Various social media posts
- Distribution via various e-newsletter lists, including economic development list and general Council e-newsletter subscribers
- Information stall in Riverside Plaza on 7-8 November (approx. 100 interactions)
- Community information session on 20 November
- Discussion at Council's Community Meetings on 19 November (Braidwood), 26 November (Queanbeyan) and 3 December (Bungendore – after comments had closed).
- Staff information sessions and staff-focused content

9.12 Queanbeyan Civic and Cultural Precinct - Community Feedback (Ref: ; Author: Tegart/Tozer) (Continued)

Council received 37 submissions, nine of these were from internal stakeholders. The general feedback received during the community information sessions and at the information stall in the Riverside Plaza were positive when matters such as parking, financing etc were explained.

A number of matters raised during the consultation period will be further considered during the detailed design. These include, but are not limited to:

- Use of solar panels
- Electronic charging points for vehicles
- Provision of pedestrian access from basement car park to area closer to The Q
- Inclusion of additional disabled car parks near public domain area
- Feasibility and impact of rainwater harvesting infrastructure
- Relocation of the Farrer Memorial in Farrer PI
- Inclusion of Aboriginal artwork in public domain and building
- Further consideration of external treatments
- Development of an engaging and active public domain area
- Traffic movements around the QCCP

The community will have further ability to provide input on the design and planning elements as the project progresses through the development application phase. The DA will ultimately be assessed by the Joint Regional Planning Panel.

Financial

The cost of Option 5 is expected to be around \$74m and will be funded via a combination of loans, property sales, development contributions and grants.

The financing strategy incorporates a combination of different funding sources under each option. The initial funding required for the initial construction cost of Options 2, 3, 4 and 5 would be predominantly obtained from additional borrowings, supplemented by the maximum grant funding available under each option. Additional funding is available from the proceeds of sales of space within the new precinct (to the NSW Government) and the proceeds from sales of key QPRC CBD owned properties “unlocked” once the Queanbeyan-based QPRC staff are relocated to the new precinct, including related local planning agreement and development application proceeds from key developments.

The chart and table below from the business case illustrated the capital funding and servicing of debt:

9.12 Queanbeyan Civic and Cultural Precinct - Community Feedback (Ref: ; Author: Tegart/Tozer) (Continued)

Chart 10 Final Funding Sources by Option



Core assumptions - capital and funding

Assumption	Option 1	Option 2	Option 3	Option 4	Option 5
Initial Capital Cost	\$1.4m	\$26m	\$75.4m	\$66.9m	\$72.5m
Initial Capital Cost – escalation (% p.a.)	3.675%	3.675%	3.675%	3.675%	3.675%
Construction Start Date	Jul-20	Jul-20	Jul-20	Jul-20	Jul-20
Construction Completion Date	Dec-21	Dec-26	Dec-21	Dec-21	Dec-21
Maximum Initial Borrowing	-	\$26m	\$73.5m	\$65.5m	\$70.6m
Borrowing term	-	20 yrs	20 yrs	20 yrs	20 yrs
Fixed Interest Rate over Life (% p.a.)	-	2.5%	2.5%	2.5%	2.5%
Debt Service	-	P&I	P&I	P&I	P&I
Grant Funding (all received upfront)	-	-	\$1.9m	\$1.4m	\$1.9m
Property sale, LPA and DA proceeds (received at construction completion)	-	-	\$15.3m	\$15.3m	\$20.5m

Core assumptions - operating


Assumption	Option 1	Option 2	Option 3	Option 4	Option 5
Merger savings – FTE (p.a. recurring)	\$1.3m	\$1.3m	\$1.3m	\$1.3m	\$1.3m
Merger savings – Procurement (p.a. recurring)	\$0.5m	\$0.5m	\$0.5m	\$0.5m	\$0.5m
Merger savings – Service review (p.a. recurring)	\$0.25m	\$0.25m	\$0.25m	\$0.25m	\$0.25m
Merger savings – escalation (% p.a.)	3%	3%	3%	3%	3%
Rental Income – Lettable Areas	-	-	\$0.7m	\$0.4m	\$0.3m
Occupancy Rate – Lettable Areas	-	-	80%	80%	80%
Rental Income – escalation (% p.a.)	-	-	3%	3%	3%
Building Savings / (Additional Costs) vs Current	(\$0.2m)	(\$0.5m)	\$0.3m	\$0.3m	\$0.3m
Building Savings / (Additional Costs) – escalation (% p.a.)	10%	5%	3%	3%	3%
Attribution (% of Debt Service)	-	25%	25%	25%	25%

9.12 Queanbeyan Civic and Cultural Precinct - Community Feedback (Ref: ; Author: Tegart/Tozer) (Continued)

Conclusion

The community feedback shown in the attachment should be considered by Council as the project progresses to detailed design.

Attachments

Attachment 1  Queanbeyan Civic and Cultural Precinct - summary of submissions
(Under Separate Cover)

9.13 Council's policy position on Sister City relationships (Ref: ; Author:
Tegart/Spyve)

File Reference: 1.6.1

Summary

Council should set its policy position in respect of Sister City relationships and the two relationships inherited from Queanbeyan City Council.

Recommendation

That Council:

1. Agree to one of the following actions:

Continue with the Sister City and friendship relationships developed by the former Queanbeyan City Council in respect of the councils of Minami Alps in Japan and Ochrid in Macedonia.

or

Formally advise the councils of Minami Alps in Japan and Ochrid in Macedonia of the cessation of the relationships established by Queanbeyan City Council.

2. Depending on the action decided in 1 above, determine the steps to be taken as set out the report.

Background

The former Queanbeyan City Council had sister city/friendship relationships with Minami Alps in Japan and Ochrid in Macedonia. The former Palerang Council had no sister city relationship, having resolved that way when a proposal was put forward for consideration. When the merger occurred in May 2016 all activities pertaining to the former QCC relationships were placed on hold. There has been very limited contact with these two local governments and there have been no official activities by either council representatives or community members for over three and a half years, apart from the inaugural meeting of the QPRC Sister City Committee. This is a legacy issue which now requires a policy position to be determined by Council.

Sister Cities are recognised as a defined Program within Council's Culture Service Statement. This service is currently being reviewed so it is important that Council forms a policy position on these relationships so as to determine whether the Program should continue or not.

If Council decides that it would like to continue with these relationships then it needs to follow a series of steps consisting of:

1. Developing a policy position supporting the continuation of the sister city or friendship relationships
2. Officially writing to the two cities advising them of Council's policy position and asking them whether they would like to continue a relationship with QPRC
3. If they reply supporting such, then developing new agreements with the two councils (Minami Alps, Ochrid) and getting these formally signed by the respective Mayors.
4. Developing a Sister City Policy which would set out the parameters for the new relationships covering such matters as cost obligations for formal visits, community visits, official dinners, tours, transport and hosting arrangements etc.

9.13 Council's policy position on Sister City relationships (Ref: ; Author: Tegart/Spyve) (Continued)

5. Developing a program for liaison with the respective councils (ie. Calendar of official visits, community participation programs etc) with a defined budget and consequently designated staffing resources to be set out in the 2020-21 Operational Plan.

If Council decides to cease the relationships then the following steps would need to be implemented:

1. Developing a policy position supporting the cessation of the respective relationships.
2. The respective councils would need to be formally written to advising of the cessation of their respective relationship.
3. The Sister City Committee would no longer be relevant and would need to be abolished.
4. The Sister Cities Association (SCA) would need to be advised of the cessation of the relationships so that their Directory could be updated.
5. Council would need to inform the SCA of the cessation of its membership and would no longer be paying membership fees to the Association.

Implications***Legal***

There is no legal requirement for councils to have sister city relationships.

Policy

A Sister City Policy will need to be developed by Council if it decides to have sister city relationships.

Engagement

Council needs to develop a policy position on whether it wants to have sister city or friendship relationships, in order to deal with a legacy issue it has inherited from the former Queanbeyan City Council.

Financial

There would be financial consequences arising from whichever position Council takes. If Council says 'yes' to the relationships, Program 1.6 would need to have a budget provision. Any budget would form part of the 2020-21 Operational Plan and the new Delivery Program to be developed post the September 2020 elections. No figures can be provided at this point in time as any final figure would be dependent upon the parameters to be established by the Sister City Policy and consequent liaison program. This budget would also need to account for staff resourcing to manage the two relationships.

If Council says 'no' to the relationships there could be savings arising from the abolition of the Sister Cities Committee and membership fees paid to the Sister City Association.

Conclusion

Council inherited two sister city relationships from the former Queanbeyan City Council, and none from the former Palerang Council. These relationships have been on hold since May 2016 when the merger occurred with minimal formal contact occurring for more than three and a half years. Council now needs to decide whether it wishes to continue these relationships or cease them.

Attachments

Nil

9.14 **Updating and Harmonisation of Council Policies - Third Tranche (Ref: ;
Author: Tegart/Spyve)**

File Reference: 52.5.4

Summary

The proclamation of Queanbeyan-Palerang Regional Council on 12 May 2016 triggered a process to implement a review and integration of the policies which the two former councils had in place. The third tranche of policies is set out in this report for Council's consideration. This consists of a Records Framework and Policy, Unsolicited Proposal Policy, Probity Framework, Public Art Policy and Water Conservation and Water Restrictions Policy. This report recommends that due to the policies public interest content, that they be placed on public exhibition over the December 2019/January 2020 period to allow adequate time for community feedback on their provisions so that a final report can be brought back to the February 2020 Council meeting. A minor amendment to an existing policy is also being sought to clarify property owner responsibilities in respect of sewer connections.

Recommendation

That Council:

1. **Endorse the following frameworks and policies for public exhibition over the December/January period to seek public comment prior to report back to the February 2020 meeting:**
 - **Draft Records Management Framework**
 - **Draft Probity Framework**
 - **Draft Records Policy**
 - **Draft Unsolicited Proposals Policy**
 - **Draft Public Art Policy**
 - **Draft Water Conservation and Water Restrictions Policy**
 2. **Agree to amend the Sewer Connections – Limit of Council Responsibility Policy to clarify property-owner responsibilities in respect of sewer connections.**
-

Background

Both Queanbeyan City Council and Palerang Council had in place a range of policies prior to the proclamation of Queanbeyan-Palerang Regional Council on 12 May 2016. An Interim Policy was adopted by Council October 2016 to cater for the management of the former councils' policies until full harmonisation is achieved.

Council commenced a project to harmonise the policies of the two former councils since its creation in May 2016. The first tranche of policies went to the December 2018 meeting. Since then a second tranche was brought forward for adoption in February 2019. This report continues this harmonisation process by setting out the third tranche for Council's consideration.

All these policies have been placed in Council's new Policy Template to ensure consistency of presentation and are attached to this report. This tranche also includes two Frameworks consisting of:

- A Records Management Framework, and
- A Probity Framework

9.14 Updating and Harmonisation of Council Policies - Third Tranche (Ref: ; Author: Tegart/Spyve) (Continued)

The Records Management Framework sets out the structure and components of QPRC's record management system (**Attachment 1**) which consists of:

- An Information Management Strategic Plan
- A Records Policy, and
- A Records Procedure

The Probity Framework (**Attachment 2**) ensures that probity principles and processes are followed to ensure that fair, open and ethical behavior is followed in respect of any development activities/projects Council may become involved in.

The draft policies consist of:

- **Records Policy**
Ensures that Council Officials (Councillors, Staff, and Delegates) meet their record keeping obligations as required by NSW legislation (**Attachment 3**)
- **Unsolicited Proposals Policy**
Provides guidance on dealing with approaches by the private sector and individuals with proposals for Council to consider in respect of land purchases, business development, participation in joint ventures and other proposals. (**Attachment 4**)
- **Public Art Policy**
Guides the development of public art in the Queanbeyan-Palerang area in respect of its acquisition, commissioning, placement, management, maintenance and de-accessioning. (**Attachment 5**)
- **Water Conservation and Water Restrictions Policy**
Consolidates the water conservation and water restriction policies of the former QCC and PC. This policy sets out the measures to be applied within the Queanbeyan (including Googong), Bungendore, Braidwood and Captains Flat urban water supply schemes. (**Attachment 6**)

The draft policies in this latest tranche do have a strong public interest element and as such should be placed on public exhibition to seek feedback from community members. Rather than being on exhibition for only the statutory period of 28 days, it is proposed the policies be left on exhibition for the December/January/early February period and reported back to Council at the February 2020 meeting.

This report is also seeking a minor amendment to its *Sewer Connections – Limit of Council Responsibility Policy* which was originally adopted by Council in December 2018. Two minor amendments are proposed (**highlighted in yellow – Attachment 7**) to clarify the responsibilities of property-owners in respect of the boundary riser.

The proposed amendment clarifies property-owners responsibility to adequately maintain their boundary riser in much the same way Council requires owners to ensure their water meter is not obstructed so as to provide for easy access.

Implications

Legal

Council is required to undertake a policy harmonisation process as part of its transition process to bed in the newly merged Council and to ensure that all its policies are relevant and up to date.

9.14 Updating and Harmonisation of Council Policies - Third Tranche (Ref: ; Author: Tegart/Spyve) (Continued)

Engagement

The draft Frameworks and Policies are to be placed on public exhibition over the December 2019 and January 2020 period to allow sufficient time for the community to provide feedback on their content.

Financial

There are no financial consequences arising from the review of these policies.

Integrated Plan

The policy harmonisation project 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

As part of the merger process, Council is required to look at reviewing and harmonising the policies of the two former councils as per Actions 1.1.4.33 and 1.1.4.34 of Council's Transition Plan 2016-2019. The Department of Premier & Cabinet envisaged that this harmonisation process could take several years to achieve. This report is bringing forward the third tranche for consideration. It is envisaged that there will be several more tranches of policies coming forward for Council consideration as we move towards completing the policy harmonisation process.

A minor amendment to the Sewer Connections – Limit of Council Responsibility Policy is also being sought to clarify property-owners' responsibilities in respect of the maintenance of the boundary riser.

Attachments

Attachment 1 	QPRC Records Management Framework (Draft) Dec 2019 (<i>Under Separate Cover</i>)
Attachment 2 	QPRC Probity Framework (Draft) Dec 2019 (<i>Under Separate Cover</i>)
Attachment 3 	QPRC Records Policy (Draft) Dec 2019 (<i>Under Separate Cover</i>)
Attachment 4 	QPRC Unsolicited Proposals Policy (Draft) Dec 2019 (<i>Under Separate Cover</i>)
Attachment 5 	QPRC Public Art Policy (Draft) Nov 2019 (<i>Under Separate Cover</i>)
Attachment 6 	QPRC Water Conservation and Restrictions Policy (<i>Under Separate Cover</i>)

9.14 Updating and Harmonisation of Council Policies - Third Tranche (Ref: ; Author: Tegart/Spyve) (Continued)

Attachment 7



QPRC Sewer Connections - Limit of Council Responsibility Policy - revised Dec 2019 (*Under Separate Cover*)

9.15 New Risk Management and Internal Audit framework (Ref: ; Author:
Tegart/Warne)

File Reference: PJT0040

Summary

The Office of Local Government has released a discussion paper entitled “New Risk Management and Internal Audit framework for Local Councils in NSW” and is seeking comment by year end.

The Audit Risk and Improvement Committee have considered the paper at its November meeting and endorsed the suggestions that are outlined in the report.

Council should formalise a submission as suggested.

Recommendation

That Council make a submission on the “New Risk Management and Internal Audit framework for Local Councils in NSW” as outlined in the report.

Background

The Office of Local Government has issued a discussion document entitled “New Risk Management and Internal Audit framework for Local Councils in NSW” and is seeking comments by the end of December 2019.

A detailed summary is available on the OLG website;
<https://www.olg.nsw.gov.au/sites/default/files/A%20new%20risk%20management%20and%20internal%20audit%20framework%20for%20local%20councils%20in%20NSW%20-%20discussion%20paper.pdf> and a snapshot document has been prepared and is attached to the report.

The Discussion was considered by the Audit Risk and Improvement Committee at its meeting on 25 November 2019 after members were invited to make comment. The following was adopted.

- a) *noted that Andrew Cox would provide IIA-Australia’s comments on the OLG discussion paper to Bill Warne; and*
- b) *endorse the preparation of a response to the OLG discussion paper, to be submitted for Council’s approval, based on the comments received on the discussion paper.*

The following is a summary of the regulatory framework and core requirements of the discussion paper together with a suggested QPRC comment. In addition, we have included the comments from the IIA – Australia which are shown in *italic*; to form the basis of a submission by Council:

9.15 New Risk Management and Internal Audit framework (Ref: ; Author: Tegart/Warne) (Continued)

Proposal in Discussion Paper	QPRC Legal and Risk Comment
Proposed Regulatory Framework	
S.428A	Agree with the intent of the section and establishment of Audit, Risk and Improvement Committee (ARIC) and its functions
Regulations	Regulations to support the operation of ARICs should be a priority for State Government, with emphasis on Risk Management framework.
Model Internal Audit Charter	The Model Internal Audit Charter and terms of reference are welcomed.
Core Requirement 1 – Audit, Risk and Improvement Committee (ARIC)	
ARIC to comprise 3 -5 independent members; pre-qualified via NSW Scheme	Considered more detail is needed prior to providing support. <i>IIA – Australia consider flexibility is needed.</i>
No provision for Council nominee to AR&I Committee, except as an observer	Not agreed, there are benefits in having a Council nominee particularly with reporting to Council. This requirement should be flexible. Further AR&I members not being employed by a Council is restrictive and works against Council's utilising broader Local Government expertise. <i>These views are supported by IIA – Australia.</i>
Term 3 – 5 years with maximum member's term 8 years and chair 5 years	Agreed
ARIC to meet at least quarterly with extra meetings as needed	Agreed
Members to comply with code of conduct and pre-qualification requirements	Agreed
Annual AR&I Assurance Report	Agreed <i>Not supported by IIA – Australia as see AR&I Chairs role to reviews certification claims and raise any issues if needed.</i>
Chief Audit Executive to be appointed	Supported in principle but need more detail on workings
Disputes to be resolved by ARIC	Agreed
Membership structure	Not agreed - flexibility needed in appointment of Council nominees
Important that ARIC is not part of the <i>three lines of defence</i> and Council develop an organisational framework and strategies for risk management to ensure independence and objectivity.	
Core Requirement 2 - Establish a risk management framework consistent with the current Australian risk management standards	
Risk management framework (RMF) to be established	Agreed
RMF to be sufficiently resourced	Agreed - it is vital to achieve targets and goals and meet statutory requirements.
RMF to include Policy, Risk Management plan and process	Agreed
Integration with all Council processes	Agreed

9.15 New Risk Management and Internal Audit framework (Ref: ; Author: Tegart/Warne) (Continued)

Proposal in Discussion Paper	QPRC Legal and Risk Comment
Accountability and regular reviews	Agreed
ARIC and Internal Audit function independence	Agreed
Annual reporting requirement of RM performance	Agreed
Greater emphasis could be provided as to how the ARIC could be linked to IP&R and the strategic audit plan should also align with IP&R.	
Core Requirement 3 – Establish an internal audit function mandated by an Internal Audit Charter	
Each Council to have an internal audit function	Agreed, and QPRC has progressed the suggestion
Chief Audit Executive (CAE) role, part of structure and adequately resourced to undertake internal audit function	Agreed but clarification of CAE role, staffing arrangements needed.
Internal Audit Charter to be developed	Agreed
Core Requirement 4 – Appoint internal audit personnel and establish reporting lines	
CAE to report to ARIC and administratively to GM to ensure independence and objectivity	Needs clarification of reporting requirements and fit with Council organisational structure
Core Requirement 5 – Develop an agreed internal audit work program	
CAE to develop 4 year strategic audit plan	Agreed
Annual Plan to guide audit program	Agreed this is our current practice.
Annual performance assessment of ARIC	Agreed
Core Requirement 6 – How to perform and report internal audits	
Internal Audits accord with current IPPF standards	Agreed, as is the current QPRC practice
Policies and procedures developed to guide operations of IA function and performance of IAs.	Agreed
Core Requirement 7 – Undertake ongoing monitoring and reporting	
Quarterly update on audit programme	Agreed, this is QPRC current practice
Quarterly updates and reports to Council	Agreed, this is QPRC current practice <i>The IIA–Australia questions the extent of ARIC reporting. There is an implied expectation that the ARIC will cover all areas of its responsibility at each meeting. Experience shows this is nearly impossible task, and it would be appropriate that ARIC establish a workplan that sets out how it will meet its responsibilities over the period.</i>
ARIC Chair to raise any concerns with Council	Agreed, this is QPRC current practice
Core Requirement 8 – Establish a quality assurance and improvement program	
CAE to establish quality assurance and improvement program (see Diagram 2 below)	Agreed, there are standards that can be achieved
Annual reporting of attestation and compliance by AR&I Committee and Audit function	Agreed, seen as good practice
Core Requirement 9 – Councils can establish shared internal audit arrangements	
Sharing of internal audit function with other Councils	Agreed, not on QPRC radar at the moment but ideal for smaller councils <i>IIIA–Australia observations; structures need to be put in place to ensure there are no conflicts of interest;</i>

9.15 New Risk Management and Internal Audit framework (Ref: ; Author: Tegart/Warne) (Continued)

Proposal in Discussion Paper	QPRC Legal and Risk Comment
	<i>AR&I need to ensure that the internal audit reports to council's meetings, so that each council's internal audit report is reviewed by the ARIC on its merits.</i>

The most significant changes for the Audit, Risk and Improvement Committee (ARIC) would be:

- an expansion/clarification of the role of the ARIC;
- restrictions on the membership of the ARIC;
- changes to remuneration; and
- requirements for the ARIC to be assessed by an external party at least once each council term as part of the council's quality assurance and improvement program

QPRC already meets many of the proposed features of the framework; agrees with most of the recommended elements of the framework and is well positioned to implement the framework on the OLG-proposed timeframe.

However there are some points of disagreement with proposed framework features, e.g. restrictions on membership of ARICs, and further clarification is needed on some matters, such as the role of the Chief Audit Executive;

The discussion paper misunderstands some audit and risk management principles, such as the role of the ARIC and the three roles of defence model and this needs to be clarified.

It is suggested that these comments be submitted to the OLG.

Implications

Policy

Councils existing policies, frameworks and procedures will need to be reviewed to ensure compliance with the new requirements.

Strategic

Risk management is an integral part of our strategic framework and expectations will need to be revisited to ensure compliance with new requirements.

Resources (including staff)

Adequate resourcing will need to be built into future budgets and plans to ensure compliance with the proposed framework.

The following is a table of the proposed implementation and where QPRC sits against the proposed timeframe. QPRC is well advanced in achieving the Government's program and should be able to adapt to the new requirements quite seamlessly.

9.15 New Risk Management and Internal Audit framework (Ref: ; Author: Tegart/Warne) (Continued)

Date	Activity	Current Council position	Comment
By March 2021	<ul style="list-style-type: none"> Audit, Risk and Improvement Committee established and appointed 	✓	Committee in place; some adjustments on membership may be needed. New Charter to be adopted
By December 2022	<ul style="list-style-type: none"> Risk management framework developed, including appointment of a Risk Management Coordinator Internal audit function established, including employment of a Chief Audit Executive and personnel 	✓ ✓	RMF will be updated as required; RMC appointed Internal Audit function in place; await advice as to adequacy of current arrangements. Also LG Procurement panel for Internal Audit.
By 2024	<ul style="list-style-type: none"> Risk management framework fully implemented throughout council and operating in compliance with regulatory requirements Internal audit function fully implemented by the council and operating in compliance with regulatory requirements 	✗ ✓	QPRC progressing well to this target should be in place by due date. May need to adjust to any new requirements but on target.
By 2026	<ul style="list-style-type: none"> Audit, Risk and Improvement Committee's role expanded to include compliance, fraud control, financial management, governance, integrated planning and reporting, service reviews, performance measurement data and performance improvement in compliance with section 428A of the Local Government Act 	✗	Will need to take on board guidance that is produced by expected that the AR&I Committee would be fully across all issues by this time. Resourcing will be the key issue to be addressed as part of overall Council responsibilities.

Conclusion

The discussion paper is the amalgam of work that has been done across local government with risk management and development of internal audit capability. It will provide some structure and guidance to Council's in carrying out this increasingly important functions and should be welcomed.

The Council has a level of maturity regarding Risk Management and Internal Audit as shown in the above table and is well positioned to embrace these new responsibilities and obligations.

It is recommended that a submission be lodged as outlined in the report.

Attachments

Attachment 1 Snapshot Guide (*Under Separate Cover*)



File Reference: 52.3.1

Summary

At its meeting on 23 October 2019, Council resolved to receive a report at the December 2019 meeting providing information and proposing a number of actions relating to drought relief. This report examines the drought, and the assistance being provided to drought-affected farmers by the Federal and NSW State Governments and local councils. The report considers Council's current policy for hardship relief, and proposes some options that Council may wish to implement to assist drought-affected farmers in its Local Government Area.

Recommendation

That:

1. The report be noted.
 2. The following assistance be considered for drought-affected farmers and related business in the Local Government Area:
 - a. Cash donation to CWA to distribute amongst farming families.
 - b. Conduct a social event for farming community in 2020.
 - c. Provide complimentary tickets to shows at The Q Theatre and/or entrance to swimming pools for the remainder of 2019/20.
 - d. Other than user and truck wash charges, waive the Braidwood Saleyards fees for 2019/20 and, if the drought continues for 2020/21, and adjust the budget accordingly (-\$130,000).
 - e. Extend the Farm Focus Business Development Program into 2020/21.
 - f. Subsidise private works on farm properties related to fire and dams reinstatement, which may include assistance through BlazeAid for fencing.
 - g. Publicise existing financial assistance related to rates and weed control.
 - h. Temporary measures to redistribute portion of rates from farmland across the other categories in 2020/21.
 3. Council amend the eligibility criteria for the receipt of financial assistance by farmers as being any parcel of land that is categorised as Farmland in the QPRC Local Government Area, and which is liable for the payment of South East Local Land Services rates.
 4. QPRC Financial Hardship and Assistance Policy be reviewed to enable the extension of automatic hardship relief for farmland rate assessments for 2020/21.
 5. Council continue advocacy to the Commonwealth Government to increase the FAG annual allocation (ie by the paused FAG indexation 2014-17) and minimise the population bias in the Act, to enable drought declared LGAs to:
-

9.16 Drought Relief (Ref: ; Author: Tegart/Ferguson) (Continued)

- a) **directly rebate rates to farmland category properties and business directly reliant on farmland activity**
 - b) **establish reserves to leverage the Federal Government \$15m Weeds Fund and join state and regional agencies to invest in additional weed control measures on identified private farmland properties in those LGAs**
6. **Council consider staff resources in next Delivery Program to assist in the control of an expected proliferation in biosecurity weeds in QPRC**
 7. **Council consider assignment of part of the proceeds of sale of the share of Southern Phone to fund these initiatives**
 8. **Council lobby the Government for a structured relaxation of the eligibility criteria for farm subsidies**
 9. **Council lobby the State Government for a reduction in red tape that impacts on the property owners' ability to harvest water for farm dams**
-

Background

Council resolved at its meeting on 23 October 2019:

1. That Council produce a report at the December Ordinary meeting:
 - a. On all current drought relief measures Council is applying to help farmers in our LGA.
 - b. Mapping drought severity by area/town/parish etc in the LGA.
 - c. Proposing a suite of further recommendations/measures that can aid our farmers, including (but not limited to) the lifting of restrictions/red-green tape, funding in-house aid programs, assisting existing organisations and programs, rate relief etc.
2. That Council join with CRJO advocating to the Federal Government to temporarily increase the FAG annual allocation to enable drought declared LGAs to:
 - a. Directly rebate rates to farmland category properties and business directly reliant on farmland activity.
 - b. Establish reserves to leverage the Federal Government \$15m Weeds Fund and joint state and regional agencies to invest in additional weed control measures on identified private farmland properties in those LGAs.
3. That Council join with CRJO advocating to the NSW Government to temporarily modify the Grants Commission methodology by minimising the population bias and assigning those funds to:
 - a. Directly rebate rates to farmland category properties and business directly reliant on farmland activity in drought declared LGAs.
 - b. Establish reserves to join state and regional agencies to invest in additional weed control measures on identified private farmland properties in those LGAs.

As Council is already implementing the actions set out within Parts 2 and 3 of the resolution above, this report focuses on Part 1.

9.16 Drought Relief (Ref: ; Author: Tegart/Ferguson) (Continued)

Current Conditions

The Combined Drought Indicator (Attachment 1), can be accessed at <https://edis.dpi.nsw.gov.au/>

The Indicator shows that the entire QPRC LGA is either in drought or drought-affected. Council will monitor drought severity as an indicator for the application of Federal and State grants.

Discussions with farmers, local stock and station agents, Local Land Services and the Braidwood CWA confirm the view that this is in reality an ongoing 20-year drought. It began in 2000/2001 and has inexorably continued to the present time, despite two brief periods of rain in 2010 and 2015/16. Farmers have not received their average annual rainfall for the past 20 years and there are creeks in the eastern part of QPRC that have dried up for the first time since the 1890s. The winter of 2018 hit farmers hard and there is considerable anxiety in the local farming community about their prospects if decent rains do not fall before winter 2020.

Attachment 2 summarises current farming conditions.

Generational farmers in this district have gone through the 1980-1983 and other droughts, so some may either have given up farming altogether, or are battling on stoically in a kind of numb acceptance. However, the daily, and often lonely, grind of hand-feeding, filling troughs, dealing with feral pests and wildlife coming out of national parks and breaking boundary fences to feed on already-bare paddocks, and ultimately selling or shooting their stock (i.e. their future income), is soul-destroying for farmers. It is a situation that can only be fully understood when it is personally experienced.

The following is a brief summary of drought relief provided by the Federal and State Governments.

Federal Government Assistance

The Federal Government, through the Department of Agriculture, has a range of programs to assist drought-stricken farmers and full details of these are available online at <https://www.agriculture.gov.au/ag-farm-food/drought>.

Earlier this year, the Prime Minister announced a \$15m fund to support a national weed strategy, then in November 2019, he announced a \$1 billion drought package, details of which can be found in press releases at <https://www.msn.com/en-au/news/australia/scott-morrison-details-dollar1b-drought-package/ar-AAJXXny?ocid=spartandhp> and also at <https://www.nff.org.au/read/6641/government-delivers-more-drought-support-for.html>

The Commonwealth and state Agriculture Ministers and Drought Minister have recently met to discuss the drought, water resources and impact of climate change, with joint initiatives and funding announcements expected soon.

State Government Assistance

The NSW Department of Primary Industries has set up Drouthub (www.drouthub.nsw.gov.au) for information on all the services and support available during drought conditions. Details about the NSW Drought Transport Fund, the Transport Subsidy and On-farm Emergency Water Infrastructure Rebate can be found on the Drouthub website.

The NSW Rural Assistance Authority (RAA) (phone 1800 678 593 and www.raa.nsw.gov.au)

9.16 Drought Relief (Ref: ; Author: Tegart/Ferguson) (Continued)

provides assistance to rural producers and small business in regional NSW through programs that encourage self-reliance and adaptation to change.

The NSW Rural Financial Counselling Service (phone 1800 940 404 and www.raa.nsw.gov.au/rfc) is a free and confidential service which provides information and assistance on financial position, budgets and submitting applications.

The South East Local Land Services (SELLS) staff can assist producers with livestock and pasture advice, animal health issues, pest animal problems, Travel Stock Routes, and applying for roadside grazing permits. SELLS has waived their rates for 2018 and 2019.

The NSW Parliament's Legislative Assembly Committee on Investment, Industry and Regional Development recently conducted an inquiry into support for drought affected communities in NSW. Submissions closed on 29 November 2019. Details of the inquiry and a copy of all the submissions received are available at <https://www.parliament.nsw.gov.au/committees/inquiries/Pages/inquiry-details.aspx?pk=2554>

Local Government Assistance

The LGNSW has information on drought-related topics on their website at <https://www.lgnsw.org.au/news/publication/access-latest-drought-related-information>

Through local government networks, a number of councils have shared their comments and ideas on programs they have instigated to help drought-affected farmers. While many of these are in areas where farmers are currently significantly worse off than in QPRC, the ideas are well worth considering. Below are some examples:

- Providing cash to community organisations such as CWA to distribute amongst farmers
- Arranging events or concerts
- Arranging forums to provide support and information
- Supporting local gift cards such as 'we live here' <http://upperhunter.nsw.gov.au/our-shire/we-live-here.aspx>
- Supporting schemes around such as buy a bale, rural aid, fodder, bottled water, drought angels, fence replacement

Potential Support from QPRC

There are three dimensions to the support that Council may be able to provide:

1. Immediate – social and mental health wellbeing
2. Intermediate – financial and operational assistance
3. Longer term – water harvesting, weed control and lobbying

1. Immediate

Farmers, generally speaking, are often reticent in directly seeking help from counselling services or other mental health programs. They are perhaps more likely to participate in seminars or workshops that offer advice on sourcing funding programs or submitting grant applications. One option could be to organise a seminar with a social worker present, who could talk casually and informally to participants during and after the workshops.

9.16 Drought Relief (Ref: ; Author: Tegart/Ferguson) (Continued)

Anecdotal feedback suggests that, in the first instance, the local farming community would appreciate a simple acknowledgement of their plight from Council and other sectors in the community.

The recent successful social event jointly sponsored and organised by Landmark Braidwood and the Braidwood Servicemen's Club to acknowledge the farming community's situation is an example of how this may be achieved.

While the Braidwood Community Christmas Street Party was held recently, Council's Events Team could hold a similar social get-together for farmers early in the New Year. A singer or comedian could be engaged to provide entertainment at the event, and small gift packs of useful personal or practical items could be handed out during the event.

Council could perhaps offer complimentary tickets to the local swimming pools or to shows at The Q Theatre. The ability to go to the theatre and enjoy a night out, or take their children for a swim, free of any financial burden, could be a very simple and tangible way to assist.

Discussions have been held with the Braidwood CWA about practical ways to help the farming community and have indicated support for partnering with Council to, for example, conduct a raffle for a farming family to win a weekend away at a holiday destination. They are willing to assist in any way possible with other initiatives, such as a social get-together, to help farmers.

2. Intermediate

The NSW Council of Social Service launched its "Mapping of Economic Disadvantage in NSW Report" on 23 October 2019 <https://maps.ncoss.org.au/>. As presented recently by Council to the NSW Grants Commission, the poverty rate data for the Queanbeyan region (see Attachment 3) shows it is within the 4.1-5% range, however this does not reflect QPRC's financial and economic east-west divide. The western side near the ACT is far more affluent than the eastern side around Braidwood. Farming families particularly in the eastern side often suffer from the "asset-rich, cash-poor" scenario and the ongoing drought, together with recent bush fires, can only exacerbate this situation.

The following are some options for Council's consideration.

2.1 Waive Braidwood Saleyards Fees

Council charges on average from \$12 to \$20 per head for stock sold through the Braidwood Saleyards. Council is budgeting for a total Saleyards fee income this year of \$141,480 as set out below:

User charges	4,230
Truckwash fees	7,250
Scale fees	55,000
Yard fees	50,000
Saleyard capital improvement levy	25,000
TOTAL	141,480

The fees collected are being used to cover saleyard operating expenses of \$38,000, capital works at the saleyards of \$40,000 and funding back into the Saleyard Reserve for future capital renewal of \$55,000.

If saleyard fees are not collected, Council may be able to put off some of these capital works. However, this would most likely need to be funded in future years, and the additional funding would have to be raised in some other way, perhaps by reducing budget allocations across other service areas. Obviously, if saleyard fee reductions are considered, it would only assist farmers with trading stock.

9.16 Drought Relief (Ref: ; Author: Tegart/Ferguson) (Continued)

If Council waives the Saleyards fees, it will need a commitment from the stock and station agents that the saving will be passed onto the vendors.

2.2 On-farm operational assistance

For many years, annual voluntary arrangements have been made between universities and some local farmers to provide veterinary students with up to two weeks of practical work experience during the calving season. The students live with the family and accompany the farmer in their work each day. No payment is made to the farmer for hosting a student.

QPRC could extend this initiative by sponsoring or providing financial incentives for students from veterinary and other courses, e.g. forestry or agricultural economics, during university breaks, to help farmers with their day-to-day chores. Another pair of young hands, and someone new to talk to, could be a good solution to help some farmers.

2.3 Alternate sources of farm income e.g. agri-tourism and eco-tourism

QPRC is currently running a Farm Focused Business Development Program in partnership with the NSW Office of Small Business Commissioner (OSBC) and agri-tourism specialist, Regionality. Following the initial Agri-tourism Field Day held in July this year, 12 local producers were selected to participate in the program. The program takes the farmers through a series of workshops designed to help them develop their ideas and knowledge to establish new value-added tourism-related businesses. The aim is to improve the bottom line and create new business opportunities from their farm or their produce. The program will run through into the first quarter of 2020.

At this stage, there are no plans to run another program, and there will need to be an evaluation undertaken about the effectiveness of the current one. However, Council may be prepared to investigate a continuation of this program as an option to assist farmers.

2.4 Assistance with farm fencing and dam cleaning

A new mobile steel-post straightening machine to allow reuse of old star pickets has been invented by a Wollongong rural contractor to help farmers with fencing costs and to reduce waste. Details of this are at <https://poststraightener.com.au/>

Council could assist farmers by:

- (a) contracting the company on a daily basis if farmers brought their posts to a central point e.g. the Braidwood saleyards, or to go to individual properties by appointment, or
- (b) hiring the machine on a trailer and operating it ourselves, or
- (c) buying a machine on a trailer (subject to demand).

With many farm dams drying up in the drought, and also as a result of helicopters sourcing water to fight the current bushfires, Council may consider providing some financial or works support for farmers to clean their dams. Any such assistance with subsidised private works are required to be disclosed in the Annual Report.

In addition, some drought-affected properties have also been impacted by the Black range bushfire. Groups such as BlazeAid may activate to arrange fencing for some landowners. Typically, the assistance a group such as that may require from a council includes:

- fee-free camp accommodation in a showground or caravan park
- freight of materials
- contributions (say \$5k) towards those (fencing) materials

9.16 Drought Relief (Ref: ; Author: Tegart/Ferguson) (Continued)

2.5 Grant applications

Assistance in preparing grant applications is being offered around NSW through public libraries. QPRC could, with additional funding, run this initiative through its libraries, employing three or four current part-time or casual library officers who have good IT and customer service skills. The staff could arrange set times and days when farmers could book appointments for help with completing online government forms necessary to obtain grant funding.

A structured relaxation of the eligibility criteria for the current farm subsidies provided by government for all those fully or partially reliant on primary production would be one form of assistance. Further, a speedier processing of applications and a quickening in the delivery time of the assistance are imperative. It is not acceptable for farmers to wait six months after approval for financial assistance or rebates to be given to them.

2.6 Biosecurity Weeds Relief

Council's current relief measures in place regarding biosecurity weeds are:

1. Where Council's biosecurity weeds officers have recorded high priority weed infestations and the property owner is required to take action to comply with a Biosecurity Undertaking or a Biosecurity Direction, assistance of \$500 to \$5,000 repayable over a two-year period may be provided.
2. Assistance with the development of property weed management plans and agreed priority weed control on farmland within the *Beefing up Braidwood* project area (see also separate Council paper relating to public consultation on the local weed plan developed under this project). This project is funded by a \$500,000 grant from the Australian Government through the *Communities Combating Pests and Weed Impacts During Drought Program - Biosecurity Management of Pests and Weeds*.

Council has also lobbied the Federal Government through the NSW Grants Commission to increase the FAG annual allocation and minimise the population bias in the Act, to enable drought-declared local government areas to establish reserves to leverage the Federal Government's \$15m Weeds Fund and join state and regional agencies to invest in additional weed control measures on identified private farmland.

Council should be mindful that the current water shortages on farms hinders the ability of property owners to undertake weed control.

It is anticipated that, once the drought breaks, there will be a proliferation of weeds. Of particular concern is the biosecurity threat posed by high risk new weeds imported into the region with fodder from around the country. Additional educational resources will be needed to raise awareness of this issue and empower landholders to monitor these new weeds. Additional inspection resources targeting priority agricultural assets would also assist in the early detection of new weeds that could have a significant ongoing impact on the economic viability of local agricultural industries if they become established.

2.7 Rate assistance

Perhaps the most significant way to help drought-affected farmers is rate relief.

An extract from Council's 2019-20 Revenue Policy is at Attachment 4. This shows that the Farmland rating sub-category for the western side of QPRC (48 parcels) produces 0.50% of Council's revenue, while the same sub-category for the eastern side (972 parcels) produces 6.24%.

9.16 Drought Relief (Ref: ; Author: Tegart/Ferguson) (Continued)

Council resolved at its meeting on 22 August 2018 as follows:

That Council:

1. *Offer financial hardship relief to eligible farmland rate category property owners or occupiers (where applicable) by:*
 - a. *Lodgement of formal application on the prescribed form, without financial and other details, and without assessment against the Centrelink assets test.*
 - b. *Allowing payment of 2018/19 rates and charges over two years from date of application.*
 - c. *Waiving interest charge accruing on those rates, and authorising the CEO to write off those charges.*
2. *Offer financial hardship relief to eligible farmland rate category property owners or occupiers (where applicable) where Council's biosecurity weeds officers have recorded high priority weed infestations and the property owner will be required to take action to comply with a Biosecurity Undertaking or a Biosecurity Direction. Guidelines are to be developed and reported to Council to identify how that assistance, with a monetary value of between \$500 and \$5,000 repayable over a two year period, shall be provided. Assistance shall be sought by:*
 - a. *Lodgement of formal application on the prescribed form.*
 - b. *Allowing payment of those charges to be repaid over two years from date of application.*
3. *Provide access to town water from the Bungendore, Captains Flat and Braidwood water supplies for eligible farmland category properties, limited to 1000 litres per occasion.*

In the 16 months since that resolution was passed, the continuing drought has meant that Braidwood's water supply situation is now dire. With reference to the separate report on Braidwood water in this agenda, Council cannot transfer enough water each day from the Shoalhaven River to match consumption by half. The first target is to get daily consumption to less than the transfer so the offstream storage can replenish. The imposition of higher Level restrictions is expected.

Although widely advertised at the time, only five applications for financial assistance were received, with all being granted. One of the properties has since been sold with all outstanding rates being paid at the date of transfer. The other four have since made repayments for all outstanding amounts, and are up to date. While the policy did provide those five ratepayers with the time they needed to pay rates, the policy overall has not been successful in providing financial relief to farmland ratepayers. Council could choose to update the resolution to allow the 2019/20 and 2020/21 rates and annual charges to be deferred in the same way.

Council's Hardship Assistance Policy recognises there are cases of genuine financial hardship requiring respect and compassion in special circumstances. The policy establishes guidelines for assessment of hardship applications applying the principles of fairness, integrity, appropriate confidentiality, and compliance with relevant statutory requirements. It applies to all applications for alternative payment arrangements, or writing off of rates, fees, annual charges and interest accrued on such debts.

Any property owner who cannot pay their rates or charges due to hardship can apply to Council for assistance at any time. Ratepayers are encouraged to seek assistance from Council as soon as practical and Council is required to consider each case on its merits. It is normal practice to offer hardship arrangements for six or 12 months, with the two-year arrangements being allowed to drought-affected farmers, and further applications can be considered at the expiry of the arrangement. However, Council

9.16 Drought Relief (Ref: ; Author: Tegart/Ferguson) (Continued)

staff try to avoid extended payment arrangements that would result in an annual increase in the ratepayer's liability that may eventually become too onerous to repay.

Any increase in Council's debt ratio would require a note in its financial statement that the drought relief assistance was the cause of the high ratio.

Section 564 of the *Local Government Act 1993* (the Act) states:

Agreement as to periodical payment of rates and charges as follows:

- (1) A council may accept payment of rates and charges due and payable by a person in accordance with an agreement made with the person.
- (2) The council may write off or reduce interest accrued on rates or charges if the person complies with the agreement.

Section 567 of the Act states:

Writing off of accrued interest

The council may write off accrued interest on rates or charges payable by a person if, in its opinion:

- (a) the person was unable to pay the rates or charges when they became due and payable for reasons beyond the person's control, or
- (b) the person is unable to pay the accrued interest for reasons beyond the person's control, or
- (c) payment of the accrued interest would cause the person hardship.

An extract from the paper by Morrison Low to Council's Rates Harmonisation workshop on 30 October 2019 is at Attachment 5.

The average farmland rates in QPRC are \$2,476 across 1,022 assessments. The average farmland rates in the former Palerang area are \$2,400, on an average land value of \$651,000, and the average farmland rates in the former Queanbeyan area are \$3,700 on an average land value of \$2.7million.

The *Local Government Act* does not allow farmland to be sub-categorised by geographic area, with Council being required to set a uniform rate through rate harmonisation across the local government area from 1 July 2020.

Other than by geography, the Act provides options for sub-categorisation of farmland based on the intensity of land use, the irrigability of the land or economic factors affecting the land. However, those options relate to the particular use of individual properties rather than locality; they won't solve the problem of a substantial increase or decrease on individual farmland assessments in 2020-21.

Average farmland rate assessments in the Palerang rating structure are \$3.62 per \$1,000 land value, compared with Queanbeyan at \$1.20. The difference is the result of historic policy decisions by Queanbeyan City Council to discount farmland rates (increasing the business rating category), and more significantly, the extent of the disparity in the value of land between the two Council areas. The disparity will impact farmland assessments in any new, harmonised rating structure.

2.8 Farmland Rates Reduction

9.16 Drought Relief (Ref: ; Author: Tegart/Ferguson) (Continued)

Council is able to reduce the proportion of rate income raised by farmland ratepayers, which is currently around 6.76% of the total by redistribution of the rate yield across the other rate categories (residential, business, mining). This could be considered separately as part of the Rate Harmonisation and Revenue Policy that is being reviewed currently.

This approach may be considered as a temporary measure, disclosed in the Revenue Policy, with a plan to migrate back to the structure adopted following the harmonisation review. Any such recommendation would impose additional rates on non-farm ratepayers.

3. Longer Term

Red tape affects many areas of our economy. One example of red tape that is a burden on farmers is the Harvestable Rights for Farm Dams.

Rural landholders in NSW can build dams on minor streams and capture only 10% of the average regional rainfall run-off on land in the Central and Eastern Divisions. Land in the Western Division can capture up to 100%.

Full details can be obtained from <https://www.waternsw.com.au/customer-service/water-licensing/basic-water-rights/harvestable-rights-dams>

The capture limit of 10% of the average regional rainfall run-off for farmers in our region is considered unnecessarily restrictive particularly when the current water shortages on farms are taken into account. Many farmers are already having to cart water for their stock to keep them alive. It is generally accepted that a lactating cow requires up to 70 litres of water every day in hot weather.

Attachment 6 summarises the harvestable rights process, extracted from the WaterNSW website.

Council may consider lobbying the State Government for a review of the Harvestable Rights for Farm Dams legislation.

Implications***Policy***

If Council were to consider introducing targeted drought assistance to farmers, it must consider all the impacts, intended and unintended, of any new policy decision. It must also consider other issues such as equity in the distribution of any direct financial support to recipients, given the need to provide the full range of services and infrastructure to all QPRC ratepayers and residents.

In considering eligibility criteria for any direct financial support or rate relief, Council could assess:

- Is the farm owned by a large corporation or a family run property?
- Are they in financial hardship?
- Should farmers be ineligible for drought assistance because they have off-farm income?

Primary production is a major contributor to the national wealth. As stated in the background to the notice of motion at Council's October 2019 meeting, "Agriculture is an economic staple

9.16 Drought Relief (Ref: ; Author: Tegart/Ferguson) (Continued)

of the area providing jobs and thus knock on effects for income for many in the community.” It is important to ensure that the agricultural sector can remain viable to help keep not only the whole QPRC community functioning productively and positively, but also maintaining Australia’s national prosperity.

The farm unit can have any number of variables in terms of its financial arrangements. It may therefore be difficult for Council to determine how it will assess eligibility. The Rural Assistance Authority sets out the criteria in Attachment 7 for farmers to qualify for State Government assistance

(see https://www.raa.nsw.gov.au/_data/assets/pdf_file/0005/817853/Drought-Assistance-Fund-Guidelines.pdf):

Council could use that criteria as a basis for eligibility, or simply determine that any parcel of land that is categorised as Farmland in the QPRC local government area, and which pays South East Local Land Services rates, will qualify for financial or in-kind support from Council

Engagement

Consultation has taken place with a number of individual members of the local farming and wider community, Landmark Braidwood, the Braidwood Country Women’s Association, local government councils and staff in preparing this report.

Financial

The recent sale of the Southern Phone Company, resulting in the unbudgeted receipt of more than \$785k to Council, may be an appropriate source of funding for any assistance Council can provide to drought-affected farmers.

Council may consider appropriate opportunities to broaden Council’s Own Source Revenue such as a Special Rate Variation to allow the collection of an additional Special Rate for an environmental levy, as an example, to fund additional environmental management responsibilities (biodiversity, biosecurity, catchment management and drought management), often brought on by new legislation set by Government.

This would be a fixed amount to apply potentially across all rating categories, not just targeted at farmland rates. Rates legislation means that anything such as an environmental levy would simply affect the way Council charges its total allowable rates, and not actually increase the total amount collected. Rather, it would affect the levels that different ratepayers pay. The only way to increase the total rates across all ratepayers would be for Council to apply for a Special Rates Variation, and at this stage, this is not planned.





As indicated under 2.8 above, Council may consider a temporary shift in the distribution of rates across categories, to reduce the share placed on Farmland properties.

Conclusion

Council requested a report to be presented at its meeting on 18 December 2019 that proposed a number of initiatives that would assist drought-affected farmers in QPRC. The report has focused on farmers, but similar assistance may be afforded to business that rely particularly on agricultural activity.

The report examined the drought, and a range of relief programs being provided by the Federal and NSW State Governments and other local government councils. The report puts forward some options for actions in the immediate, intermediate and longer-term phases that Council may consider implementing to help drought-stricken farmers.

Attachments

- Attachment 1  Combined Drought Indicator (*Under Separate Cover*)
- Attachment 2  Current farming conditions (*Under Separate Cover*)
- Attachment 3  Spatial distribution of poverty rates for NSW and Sydney region (*Under Separate Cover*)
- Attachment 4  Extract from QPRC's 2019-20 Revenue Policy (*Under Separate Cover*)
- Attachment 5  Capacity to Pay (*Under Separate Cover*)
- Attachment 6  Harvestable Rights (*Under Separate Cover*)
- Attachment 7  Rural Assistance Eligibility Criteria (*Under Separate Cover*)

9.17 Local Government Remuneration Tribunal submission (Ref: ; Author:
Tegart/Ferguson)

File Reference: 52.7.1

Summary

Council resolved at its November meeting to lodge a submission to the Local Government Remuneration Tribunal (the Tribunal) during its annual review of the fees payable to mayors and councillors, and its three-yearly review of the categorisation of councils. The Tribunal is seeking submissions from individual councils on four matters, to be received by 20 December 2019. This report presents the draft submission to Council for endorsement.

Recommendation

That Council endorse the draft submission to the Local Government Remuneration Tribunal addressing the four matters identified for its review of the categories of councils and the fees payable to mayors and councillors.

Background

At its meeting on 27 November 2019, Council resolved as follows:

- 406/19 RESOLVED** that Council:
1. Support the inclusion of Queanbeyan-Palerang Council in a proposed new category "Regional Centre" within Non-Metropolitan Councils.
 2. Prepare a draft submission to the Local Government Remuneration Tribunal for consideration by Council at its meeting on 18 December 2019, addressing the four matters identified for its review of the categories of councils and the fees payable to mayors and councillors.

The Tribunal invited submissions from councils, to be received by 20 December 2019, addressing the following four matters:

1. Proposed classification model and criteria
2. Allocation in the proposed classification model
3. Range of fees payable in the proposed classification model
4. Other matters

The categories currently in place are:

Metropolitan	Non-metropolitan
Principal CBD	Regional City (pop. >150,000)
Major CBD	Regional Strategic Area (pop. >200,000)
Metropolitan Large	Regional Rural (pop. minimum 20,000)
Metropolitan Medium	Rural (pop. <20,000)
Metropolitan Small	

The Tribunal now proposes to create a new category under **Non-Metropolitan**, to be known as "Regional Centre", and placed between the Regional Strategic Area and Regional Rural categories. The Tribunal proposes the following criteria for the new category:

9.17 Local Government Remuneration Tribunal submission (Ref: ; Author: Tegart/Ferguson) (Continued)

The new category will include councils that typically have a minimum population of 40,000 and be considered the geographic centre of the region, providing services to their immediate and wider catchment communities. It will have the following further specific criteria:

- *A large city or town providing a significant proportion of the region's housing and employment*
- *Health services, tertiary education services and major regional airports which service the surrounding and wider regional community*
- *A full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres*
- *Total operating revenue exceeding \$100m per annum*
- *A degree of economic activity within the Council area characterised by a Gross State Product exceeding \$2b*
- *The highest rates of population growth in regional NSW*
- *Significant visitor numbers to established tourism ventures and major events that attract state and national attention*
- *A proximity to Sydney which generates economic opportunities*

QPRC has traditionally been placed in the Regional Rural category, but if the new category of Regional Centre is determined, the Tribunal proposes that QPRC will be placed there.

The fees for mayors and councillors to be determined for all categories will take effect from 1 July 2020.

A submission has been prepared for Council's endorsement (**Attachment 1**).

Implications

Legal

Under s.241 of the *Local Government Act 1993*, the Tribunal is required to make an annual determination, no later than 1 May 2020, on the fees payable to councillors and mayors to take effect on 1 July 2020. The Tribunal is also required under the *Local Government Act* to undertake a review of categories of councils at least once every three years.

Financial

The Tribunal determined the following fees in 2018 for the Non-Metropolitan category:

Category	Councillor Annual Fee		Mayoral Fee (additional)	
	Min	Max	Min	Max
Regional City	17,980	31,260	38,200	97,370
Regional Strategic Area	17,980	29,670	38,200	86,440
Regional Rural	8,970	19,790	19,100	43,170
Rural	8,970	11,860	9,540	25,880

The Government's public sector wages policy, which applies to the Tribunal's determination of mayors' and councillors' fees, caps any increase to 2.5%.


Council normally assigns the maximum annual fee under its current category of Regional Rural. If the new category is determined and the fees set approximately halfway between the Regional Strategic Area and Regional Rural, this would require an increase of approximately \$70,000 in the relevant budget allocation should the maximum fee be selected by councillors

9.17 Local Government Remuneration Tribunal submission (Ref: ; Author: Tegart/Ferguson) (Continued)

Conclusion

At the Local Government Remuneration Tribunal's invitation, Council resolved to lodge a submission by 20 December 2019 addressing four nominated matters relating to the Tribunal's three-yearly review of the categorisation of councils. The submission supports the proposed new category, to be known as Regional Centre under Non-Metropolitan Councils, with an amendment to the proposed criteria. The submission, which supports QPRC's inclusion in the new category, is presented to Council for endorsement prior to lodgment.

Attachments

Attachment 1  Draft submission to the Local Government Remuneration Tribunal (*Under Separate Cover*)

File reference: 43.3.1

Summary

In accordance with the *Clause 212 of the Local Government (General) Regulation 2005*, this Investment Report is presented to Council on a monthly basis. This report presents the investment result for November 2019.

Recommendation

That Council:

- 1. Note the 2019/20 investment income for November 2019 was \$747,307.**
 - 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. Receive the Investment Report for the month of November 2019.**
-

Background

Cash and Cash Equivalent Investments

A list of Council's cash and investments as at 30 November 2019 is detailed in the attached Investment Report Pack.

Over the last 12 months, Council's portfolio produced an annualised rate of return of 3.80%, outperforming the benchmark Bank Bill Index by 2.22%.

As at 30 November 2019, the principal amount invested was \$200,266,403 and the year to date return was \$2,814,655 which is 66% of Council's revised annual budget. As part of the September Quarterly Budget Review, the annual budgeted return on investments was increased by circa \$500,000.

Market Update

The average 30 day BBSW rate for November 2019 was 0.87%.

Although the Reserve Bank (RBA) board chose to maintain the current cash rate at the record low rate of 0.75% at its December 2019 meeting, the Board is prepared to ease monetary policy further if required to support sustainable growth in the economy, full employment, and the achievement of their inflation target over time.

The TCorpIM Long-Term Growth Fund had a robust return in November 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 produced a strong return in November 2019. The Fund contains 58% defensive assets.

Implications***Legal***

Council's investments as listed in Table 2 of the attached Investment Report Pack comply fully with section 625 of the *Local Government Act 1993*, clause 212 of the Local Government General Regulations 2005, and Council's Investment Policy.

Certified by Kate Monaghan, Responsible Accounting Officer, 6/12/2019

Policy

The Investment Policy was adopted by Council on 22 May 2019 and is next due for review in May 2020.

Financial

As at 30 November 2019, the 2019/20 Financial Year investment return amounted to \$2,814,655. The investment returns are added to the associated restricted funds (e.g. development contributions) that form Council's investment portfolio.

Attachments

Attachment 1 November 2019 - Investment Report Pack (*Under Separate Cover*)



10.1 Braidwood Water (Ref: ; Author: Hansen/Hansen)

File Reference: 511399

Report

Stage 2 water restrictions were introduced on Braidwood Water Supply on 22 November 2019. The Braidwood urban water is sourced from the Shoalhaven River and pumped to an off river storage pond before being treated and reticulated to Braidwood residents and businesses.

Due to the current period of dry weather, flow in the Shoalhaven River has dropped and sufficient water is now not available to meet the current consumption needs of Braidwood. To enable water to continue to be supplied to Braidwood, consumption needs to be significantly reduced.

Stage 2 water restrictions aim to reduce water usage in Braidwood to around 450 kL per day. Since Stage 2 restrictions commenced, Braidwood has used an average of 620 kL each day. In addition to the extra water pumping from the Shoalhaven River, more effort is now required to encourage Braidwood residents to reduce consumption during this dry period.

Shoalhaven River Pumping

The water in sections of the Shoalhaven River adjacent to the raw water pump station has been exhausted and there is no flow in the River to top-up these sources as they are pumped. Staff have installed temporary portable pumps both up and down stream of the raw water pump station to transfer water from other pools to the raw water pump station pool.

The pumps will be progressively moved to further pools until pumping is no longer possible.

The pumping effort is providing approximately 450 kL of raw water to Braidwood each day however recent bushfire activity in the area resulted in no water being transferred to the off river storage pond from 1 December 2019 to 5 December 2019, leading to storage levels below 80%.

Pumping has now recommenced, however the reliability of the water in the river is low. Once the water from the available water holes is pumped out, very little recharge of these water holes is expected.

For the pumping to continue, an exemption may be required from NSW Department of Planning, Industry and Environment (DPIE). An exemption under clause 39A of the *Water Management (General) Regulation 2018* responds to this situation by allowing prompt construction and use of water supply works by a public authority in order to supply water for critical needs in times of drought.

Relevant applications for exemptions will be made by staff to enable additional water to be pumped from the Shoalhaven River during this time.

Braidwood Water Restrictions

While it is noted a separate report on a harmonised restrictions policy is being considered at this meeting, the current Stage 2 restrictions have not reduced water consumption in Braidwood to a sustainable level. The lower yield of the Shoalhaven River will require Braidwood to reduce consumption immediately.

Since Stage 2 restrictions were imposed, Braidwood has consumed on average 620 kL of water each day. Water consumption needs to be reduced and it is evident that moving to Stage

10.1 Braidwood Water (Ref: ; Author: Hansen/Hansen) (Continued)

3 restrictions is now required. An increase in monitoring and enforcement action is also required to enable usage targets to be met.

Three applications for restriction exemptions have been approved to date.

Staff will increase surveillance once Stage 3 restrictions commence. This will involve the monitoring and alerting residents and business of required water usage to ensure restrictions are adhered to.

Stage 3 restrictions are as follows:

Item	Stage 3
Private gardens and lawns; commercial nurseries, market gardens and turf growing businesses	<p>No sprinkler or other irrigation system may be used.</p> <p>Watering of lawns not permitted.</p> <p>A hand-held hose fitted with a trigger nozzle, a bucket, a watering can or a dripper system may be used to water plants between 7am and 10am and between 7pm and 10pm on alternate days as per the 'odds and evens' system.</p> <p>At all times gardens may only be watered without causing pooling or runoff.</p>
Lawns and plants at parks, sports, amenities, golf courses and public gardens	<p>The target of a 35% reduction in water use should be met.</p> <p>At all times lawns and plants may only be watered without causing pooling or runoff.</p>
Paved areas	<p>Water must not be used to clean paved areas unless necessary as a result of accident, fire, health hazard or other emergency.</p>
Private ponds and fountains	<p>Fountains must be switched off.</p> <p>Only ponds that support fish may be topped up, and then only using a hand-held hose fitted with a trigger nozzle, a bucket or a watering can.</p>
Public ponds and fountains	<p>Existing public ponds must not be filled or topped up other than with non-potable water.</p> <p>New ponds may not be filled with any water.</p> <p>No fountains may be operated or filled or topped up with any water.</p>
Private Swimming Pools	<p>Pools must not be emptied, filled or topped up without a written exemption.</p>
Public Swimming Pools	<p>Pools must not be emptied, filled or topped up without a written exemption.</p>
Water storage tanks, dams, and lakes	<p>Must not be filled or topped up other than with non-potable water.</p>

10.1 Braidwood Water (Ref: ; Author: Hansen/Hansen) (Continued)

Vehicles	No washing of any vehicle except at a commercial car wash that recycles water or holds an exemption allowing use of potable water. Boat motors may be flushed or rinsed after use.
Windows and buildings	No washing unless necessary as a result of accident, fire, health hazard or other emergency. Building gutters may be cleaned at any time.
Construction and related activities	Unless impractical, water may only otherwise be used by means of a hose fitted with a flow cut-off device. Wherever practicable non-potable water should be used.

Braidwood Drought Tap

The 'drought tap' available on McKellar Street in Braidwood is being constantly used to supply water to residents not connected to the Braidwood urban water supply to support their domestic uses. Volumes are limited to 1000 litres per visit. This service will continue.

Emergency Water Provision

In the event that the drought continues, water may need to be transported to Braidwood to supplement the potable water supply. The cost to transport water to Braidwood is high and the logistics and risk management protocols are complex. Every effort should be made by the community to conserve water to delay the commencement of transporting water to Braidwood.

Road transport is the only mode of transport to Braidwood. Following exhaustive investigations into other supply sources, the only locations to source water for Braidwood are either from Bungendore or Queanbeyan.

Consideration of the impact of using water from these two locations needs to be assessed and if the drought continues, water from Bungendore may also become restricted.

The Queanbeyan water supply comes from Canberra and is supplied under a Commonwealth agreement. The agreement restricts the cross-border supply to Queanbeyan residents only. An exemption from this requirement may be required before water can be drawn from the Queanbeyan water supply for transport to Braidwood. This will need to be explored further if this option is required. Discussions have commenced with Icon Water.

Non-Potable Water Supply Options

The availability of non-potable water supplies for Braidwood are limited. Recycled water is not available from the Braidwood treatment plant and Council does not have access to any ground water in the Braidwood area.

The possibility of enhancing the Braidwood surface water system with ground water is being considered as a longer term option. Further work will be undertaken in the future to assess the viability of this.

Staff will continue to investigate other non-potable water supply options.

10.1 Braidwood Water (Ref: ; Author: Hansen/Hansen) (Continued)

Road Maintenance

Water is normally sourced from non-potable supplies (STP, streams, dams) to assist with roads maintenance and construction. Due to the drought and fire-fighting effort, those sources are no longer available, and maintenance activity has been significantly curtailed in the east of the LGA. Alerts on the grading schedule published on the website will be listed accordingly. This may include further work on the Nerriga Road rehabilitation as the logistics, availability and cost of carting water will be significant.

Recommendation

That the report be received for information.

Attachments

Nil

10.2 Asset Management Plans (Ref: ; Author: Hansen/Grant)

File Reference: 36.2.2

Summary

Council is required to have Asset Management Plans prepared and adopted as part of the Integrated Planning and Reporting requirements under the NSW Office of Local Government.

A new suite of Asset Management Plans have been prepared for the following Asset Classes:

- Transport
- Water
- Sewerage
- Buildings
- Parks & Recreation
- Stormwater

The plans have been developed based the International Infrastructure Management Manual 2015 and are required to be endorsed by Council following a public consultation process.

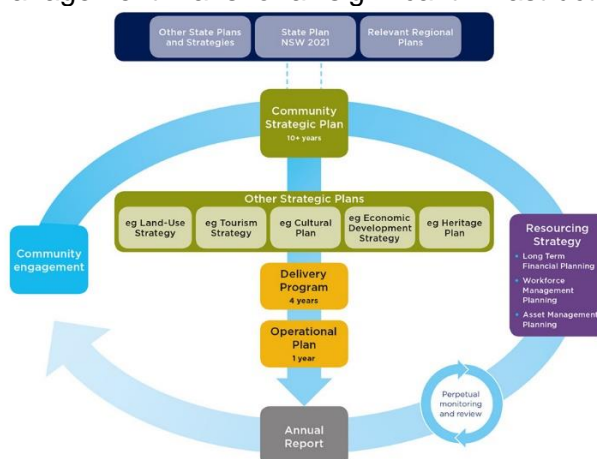
Recommendation

That the report be received for information.

Background

Council is required to have Asset Management Plans prepared and adopted as part of the Integrated Planning and Reporting (IPR) requirements under the NSW Office of Local Government.

The IPR framework lists the requirement for Council to undertake Asset Management Planning and to produce Asset Management Plans for all significant infrastructure asset classes.



Ideally, Asset Management Plans should be no older than four years. QPRC currently have the following Asset Management Plans from the former councils:

Palerang Asset Management Plan – Adopted 2013 (Combined Asset Class Plan)

10.2 Asset Management Plans (Ref: ; Author: Hansen/Grant) (Continued)

QCC Stormwater Asset Management Plan – Adopted 2015
QCC Transport Asset Management Plan – Adopted 2015
QCC Sewer Asset Management Plan – Adopted 2015
QCC Parks and Recreation Asset Management Plan – Adopted 2015
QCC Water Asset Management Plan – Adopted 2015
QCC Building Asset Management Plan – Adopted 2015

A new suite of Asset Management Plans have been created to document the future planning for the following Asset Classes:

- Transport
- Water
- Sewerage
- Buildings
- Parks & Recreation
- Stormwater

Asset Management Plans are yet to be created for the following asset classes:

- Information Technology
- Office Furniture
- Fleet
- Waste

It is intended that Asset Management Plans for these Asset Classes will be prepared over the next 12 – 18 Months.

It is proposed that following review and endorsement from Executive in December 2019, the Asset Management Plans will be presented to Council at a workshop in January 2020. Following the workshop, a report will be provided to Council seeking to place the Plans on Public Exhibition.

It is expected that the exhibited plans will then be provided to Council for endorsement in April 2020.

Attachments

Nil

**10.3 Queanbeyan-Palerang Sports Council Strategic Planning Workshop (Ref: ;
Author: Thompson/Penman)**

File Reference: 4.3.3

Report

A Queanbeyan-Palerang Sports Council Strategic Planning Workshop was held at Riverside Oval Clubhouse on Monday 11 November 2019 at 6.45pm, with the following groups represented:

- QPRC: Crs Biscotti, Winchester, Hicks
- Monaro Panthers Football Club (MPFC)
- Bungendore Tigers Senior Rugby League Club (BTSRLFC)
- Bungendore Soccer Club (BSC)
- Queanbeyan Senior Rugby Union Football Club (QSRUFC)
- Queanbeyan District Senior Cricket Club (QDSCC)
- Queanbeyan Tigers Senior AFL Club (QTSAFLC)
- Queanbeyan Kangaroos Junior Rugby League Club (QKJRLC)

Below is a summary of the items discussed at the workshop.

Recap of previous workshop

Staff gave a brief overview of the previous workshop held in February 2019, with funding applications submitted for 1 of the 4 main priorities agreed to from this previous workshop. This being lights for 2 junior AFL fields with announcements made of successful application in late December 2019 or early January 2020.

Strategic plan

Staff gave an update of the changes to the strategic plan. The plan was first prepared in 2016 and adopted by Council in 2017 with the main changes being the merge of former QCC and Palerang information to QPRC. As this is a working document, further changes have been made to keep it current with updates to works that have been completed or are in progress.

Work Schedule Priorities

Discussion was had around the priorities, with the outcome that staff are to go through the list and place the works in priority order from the staff point of view, then bring back the list to the next workshop for the clubs review as agreed. Staff will also add a column into the list for an approximate funding amount required for each of the priorities.

The next workshop to be scheduled for February/March 2020.

Recommendation

That the report on the Queanbeyan-Palerang Sports Council Strategic Planning Workshop held on 11 November 2019 be received for information.

Attachments

Nil

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

File reference: 52.3.2

Report

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

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

Recommendation

That the report be received for information.

Attachments

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



11.1 Queanbeyan-Palerang Sports Council - Minutes of Meeting held 11 November 2019 (Ref: ; Author: Thompson/Penman)

File Reference: 4.3.3

Summary:

The Queanbeyan-Palerang Sports Council has submitted the minutes of its meeting held 11 November 2019

Recommendation

That Council note the minutes of Queanbeyan-Palerang Sports Council held on 11 November 2019.

Attachments

Attachment 1  Minutes of the Queanbeyan-Palerang Sports Council Meeting held on 11 November 2019 (*Under Separate Cover*)

11.2 Minutes of the Braidwood and Curtilage Heritage Advisory Committee held 14 November 2019 (Ref: ; Author: Thompson/McCauley)

File Reference: 476761


Summary:

The Minutes of the Braidwood and Curtilage Heritage Advisory Committee of 14 November 2019 are presented to Council for its consideration.

Recommendation

That Council note the Minutes of Braidwood and Curtilage Heritage Advisory Committee Meeting held on 14 November 2019.

Attachments

Attachment 1  Minutes of the Braidwood and Curtilage Heritage Advisory Committee held 14 November 2019 (*Under Separate Cover*)

11.3 Consultative Committee on Aboriginal Issues (Ref: ; Author:
Richards/Campese)

File Reference: ID 5969

Summary:

The Consultative Committee on Aboriginal Issues held a meeting 19 November 2019. The majority of the meeting was focused on the newly endorsed RAP please find attached.

Recommendation

That Council note the minutes of Consultative Committee on Aboriginal Issues held on 19 November.

Attachments

Attachment 1 RAP (*Under Separate Cover*)



Attachment 2 Minutes (*Under Separate Cover*)



11.4 Youth Committee (Ref: ; Author: Richards/Campese)

File Reference: ID 5978

Summary:

The Youth Committee held a meeting at the Visitor Information Centre 4 November 2019. Please find attached meeting minutes.

Recommendation

That Council note the minutes of Youth Committee held on 4 November 2019.

Attachments

Attachment 1 Youth Committee (*Under Separate Cover*)



11.5 Access Committee (Ref: ; Author: Richards/Campese)

File Reference: ID 5993

Summary:

The Access Committee has submitted the minutes and recommendations of its meeting held on 8 November 2019 for Council's information and consideration.

Recommendation

That Council:

- 1. Note the minutes of Access Committee held on 8 November 2019.**
- 2. Adopt recommendations 05/19 to 06/19 from the meeting held on 8 November 2019.**

DAC: 05/19 Accept changes to Terms of Reference

DAC: 06/19 Accept two new members (Katrina Chisolm and Judit Koacs)

Attachments

Attachment 1 Access Committee EOI (*Under Separate Cover*)



Attachment 2 Access Committee Minutes (*Under Separate Cover*)



Attachment 3 Access Committee TOR (*Under Separate Cover*)



11.6 Braidwood Locality Committee Meeting Minutes 31 October 2019 (Ref: ;
Author: Tegart/Ferguson)

File Reference: 52.3.3-01

Summary:

The minutes of the meeting of the Braidwood Locality Committee held on 31 October 2019 are attached for Council's information.

Recommendation


That Council:

1. Note the minutes of the Braidwood Locality Committee meeting held on 31 October 2019.
2. Consider the following recommendation from the meeting held on 31 October 2019:

BDLC05/2019 RECOMMENDATION that the Braidwood Locality Committee:

1. Acknowledge that there are a number of shared-use facilities available for hire in Braidwood and that exclusive use by one group of any of these facilities cannot be provided.
 2. Encourage community groups that wish to seek the construction of an extension of any of the current community facilities in Braidwood to submit their request in writing to the QPRC CEO, with details of specific requirements so that these may be considered by Council in the next draft Operational Plan and Delivery Program.
-

Attachments

Attachment 1  Braidwood Locality Committee Meeting minutes 31 October 2019 (*Under Separate Cover*)

11.7 Bungendore Town Centre and Environs Committee Meetings Minutes (Ref: ;
Author: Tegart/Ferguson)

File Reference: 52.3.3




Summary:

The Bungendore Town Centre and Environs Committee has submitted for Council's information the minutes of its meetings held on 7 March, 1 May, 24 July and 13 November 2019.

Recommendation

That Council note the minutes of the Bungendore Town Centre and Environs Committee meetings held on 7 March, 1 May, 24 July and 13 November 2019.

Attachments

- | | |
|--|--|
| Attachment 1 | BTCEC Meeting minutes 7 March 2019 (<i>Under Separate Cover</i>) |
|  Attachment 2 | BTCEC Meeting minutes 1 May 2019 (<i>Under Separate Cover</i>) |
|  Attachment 3 | BTCEC Meeting minutes 24 July 2019 (<i>Under Separate Cover</i>) |
|  Attachment 4 | BTCEC Meeting minutes 13 November 2019 (<i>Under Separate Cover</i>) |

11.8 Wamboin Locality Committee Meeting 22 November 2019 (Ref: ; Author:
Tegart/Ferguson)

File Reference: 52.3.3-01










Summary:

The minutes of the meeting of the Wamboin Locality Committee held on 22 November 2019 are attached for Council's information.

Recommendation

That Council note the minutes of Wamboin Locality Committee meeting held on 22 November 2019.

Attachments

- | | |
|---|---|
| Attachment 1
 | Wamboin Locality Committee meeting minutes 22 November 2019
(Under Separate Cover) |
| Attachment 2
 | Wamboin Hall s.355 Committee AGM minutes 13 August 2019 (Under
Separate Cover) |
| Attachment 3
 | Wamboin Hall s.355 Committee Financial Report 13 August 2019 (Under
Separate Cover) |
| Attachment 4
 | Canning Close s.355 Committee AGM minute4s 29 August 2019 (Under
Separate Cover) |
| Attachment 5
 | Les Reardon Reserve s.355 Committee AGM minutes 3 September 2019
(Under Separate Cover) |
| Attachment 6
 | Les Reardon Reserve s.355 Committee Financial Report 3 September
2019 (Under Separate Cover) |
| Attachment 7
 | Les Reardon Reserve s.355 Committee Chair's Report 3 September
2019 (Under Separate Cover) |
| Attachment 8
 | Greenways s.355 Committee AGM minutes 10 September 2019 (Under
Separate Cover) |
| Attachment 9
 | Greenways s.355 Committee Major Works 10 September 2019 (Under
Separate Cover) |

File Reference: ECM_509084_v1_LTC Report 4 December 2019

Summary:

The Local Traffic Committee has submitted the minutes and recommendations of its meeting held on 4 December 2019 for Council's information and consideration.

Recommendation

That Council:

- 1. Note the minutes of Local Traffic Committee Meeting on 4 December 2019.**
- 2. Adopt recommendations LTC 48/19 to LTC 53/19 from the meeting held on 4th December 2019.**

LTC 48/19 Under the *Roads Act 1993* approve the TCP with road closures in Googong for the Googfest 2020 Event, subject to the following conditions:

- TCPs and contingency plans are strictly complied with at all times**
- Additional VMS is placed on Old Cooma Road for additional advanced notice to guide non-local event attendees to the event off-street parking site**
- Length of queue and end of queue management be strictly monitored and advanced warning and controls to be immediately implemented when required**
- An all-weather hard stand surface must be provided for the designated parking area. The event be cancelled if a significant rain event makes the off-street parking area unsuitable for use**
- Traffic Lights at the intersections of Googong Road and Wellsvale Drive are set to flashing amber and the flow of traffic is suitably managed by authorised traffic controllers with clear lines of communication established**
- Public Transport plans (use of Bus Services) to minimise use of cars to and from the event site are implemented, with contingency plans for additional services if capacity is exceeded at any time. The TCP is to be amended to allow for a bus zone and associated risks are addressed**
- In the event of an incident at either intersection off Old Cooma Road, that contingency plans are implemented to suitably divert traffic**

LTC 49/19 Under the *Road Transport Act* approve line marking changes on Buttle Street Queanbeyan as per the design.


LTC 50/19 Under the *Road Transport Act* approve the line marking changes on Burra Road at the Mt Pleasant Rd intersection, Googong as per the design.

LTC 51/19 Under the *Road Transport Act* approve updated design of line-marking and signs for installation at Bambridge Parade near Hearne Street and McGowan Crescent, Googong

LTC 52/19 Under the *Roads Transport Act* approve changes on Tarago Road, Mt Fairy as per the updated design.

LTC 53/19 Under the *Road Transport Act* approve the installation of 'No-Parking' Signs at Pobje Lane, Queanbeyan in accordance with the design.

Attachments

Attachment 1  Local Traffic Committee - Minutes of Meeting 4 December 2019 (*Under Separate Cover*)

12.1 Constitutional Referendum (Ref: ; Author: Harrison/Harrison)

File Reference: ORD027-05

Notice

Councillor Pete Harrison will move the following motion:

Motion

That:

1. Council agree to undertake a constitutional referendum at the September 2020 Local Government elections to seek voters' views on the implementation of a ward system for councillor elections.
 2. The relevant referendum question be:
"Currently Queanbeyan-Palerang Regional Council is an undivided council with no wards. If the mayor is directly elected by the voters, do you agree to the Queanbeyan-Palerang Local Government Area being divided into five (5) wards for the election of ten (10) councillors, each ward electing two (2) councillors?"
 3. The CEO notify the NSW Electoral Commission of Council's intention to have a referendum within 21 days of Council resolving such, and arrange and distribute appropriate information to voters.
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Background

The *Local Government Act 1993* and *Local Government (General) Regulation 2005* describe the way in which the election of councillors in a Local Government Area (LGA) must be conducted. The recent Council resolution to hold a referendum on the way in which the mayor is elected provides an opportunity to also seek voters' views on the introduction of a ward system for the election of councillors.

For the purpose of councillor elections, an LGA may be considered as a single area or it may be divided into electoral divisions called wards (previously also known as ridings). Accordingly, councillors may be elected either by the entire electorate or by electors in individual wards. QPRC currently elects councillors from a single area but residents in rural areas have expressed concern that their voice is being lost in an environment that necessarily reflects the interests of the majority urban population.

There are advantages and disadvantages of each approach, with proponents of ward systems holding, amongst other things, that wards allow councillors to more closely relate and be more accountable to their constituents, and opponents holding that ward systems promote an undesirable level of parochialism. Currently, 49 NSW councils (38%) employ a ward system in councillor elections. As has been previously noted, 33 NSW councils (26%) have their mayor elected by the voters (rather than by councillors), with 16 of these using a ward system and 17 a single area in councillor elections.

It should be noted that all three councils (Dungog, Shellharbour, Wollondilly) where electors voted to introduce a popular mayor at the last round of elections either had in place or voted to concurrently introduce a ward system. With North Sydney Council moving away from a popular mayor, of the 35 LGAs where the mayor will be elected by the voters at the 2020

12.1 Constitutional Referendum (Ref: ; Author: Harrison/Harrison) (Continued)

elections, 18 will elect their councillors in wards while 17 will elect their councillors from a single area.

There is no set pattern for a ward system, either in relation to the number of wards employed or the number of councillors elected within each ward. NSW Councils currently use anywhere from two (2) to five (5) wards, with anything from two (2) to five (5) councillors elected per ward, in councils comprising from six (6) to fifteen (15) councillors. Ward systems are used in both metropolitan and regional councils.

While a summary of the population distribution within the QPRC LGA is provided in Attachment 1 (Possible QPRC Ward Configurations), there is a degree of flexibility in relation to the alignment of actual ward boundaries. These would be established in consultation with the electorate prior to any subsequent election, but usually, although not necessarily (note the approach taken by Shellharbour City Council presented in the attachments), in the lead up to the referendum on the matter. Either way, any decision made as a result of a referendum held in conjunction with the 2020 local government elections, would take effect from the 2024 elections.

A list of the referendum questions that have been presented by NSW councils in recent years is included as Attachment 2 (Referendum Questions).

Implications**Legal**

Section 16 of the *Local Government Act 1993* (the Act) identifies the matters that must be dealt with through a constitutional referendum:

16 What matters must be dealt with at a constitutional referendum?

A council may not do any of the following unless approval to do so has been given at a constitutional referendum—

- (a) divide its area into wards or abolish all wards in its area,
- (b) change the basis on which the mayor attains office (that is, by election by the councillors or by election by the electors),
- (c) increase or decrease the number of councillors in accordance with the limits under section 224,
- (d) change the method of ordinary election of councillors for an area divided into wards.

As such, any decision to divide the QPRC LGA into wards for the purpose of councillor elections, per Section 16 (a), must be dealt with through a constitutional referendum. While any of the changes identified within Section 16 may be dealt with in a single referendum question, there is no immediate connection in the present case between the existing proposal to hold a referendum under Section 16 (b) in relation to the election of the Mayor and the present proposal to divide the LGA into wards for the purpose of the councillor election. The two issues could, nonetheless, be dealt with in a single referendum question if Council were to resolve to do so.

Policy

Consideration has been given to the wording of the referendum question presented under Item 12.1 (2) of the Ordinary Meeting of 27 November 2019, that being:

12.1 Constitutional Referendum (Ref: ; Author: Harrison/Harrison) (Continued)

“Do you wish to see Queanbeyan-Palerang Regional Council retain its current number of elected representatives at 11 but introduce a directly elected mayor by the voters of the region plus ten (10) councillors elected from across the region?”

Since this question does not specify whether or not the “councillors elected from across the region” should be elected in a single area or in wards, the wording of both this question in relation to the election of the Mayor and another in relation to the establishment of wards would not be in conflict with each other. Ultimately, it will be up to the Electoral Commissioner to decide on the wording of the individual questions in any case so that, provided the intention is clear, the precise wording of the referendum question at this point is not critical.

While it would also not appear to be a requirement to identify specific ward boundaries at this point—they will be adjusted periodically in any case, just like any electoral boundaries—it would be desirable to identify an appropriate division early on to allow informed debate preceding any referendum on the matter.

Financial

There is a cost associated with both the conduct of a referendum and the associated public consultation required under Section 210A of the Act. As a result, referenda are usually conducted at the same time as local government elections to minimise any additional expense. In the present case, since council has already resolved to hold a referendum in conjunction with the 2020 local government elections, costs would be kept to a minimum.

Attachments

Attachment 1 Possible QPRC Ward Configurations (*Under Separate Cover*)



Attachment 2 Referendum Questions (*Under Separate Cover*)



12.2 Car Parking and Traffic Safety (Ref: ; Author: Harrison/Harrison)

File Reference: ORD027-05

Notice

Councillor Pete Harrison will move the following motion:

Motion

That Council receive a report reviewing car parking and traffic safety in Surveyor Street, Agnes Avenue and Early Street surrounding the Queanbeyan High School and Finigan School of Distance Education.

Background

The completion of the Finigan School of Distance Education has generated additional demand on parking and traffic movements around the Queanbeyan High School site. Representations from local residents and on-site inspections have identified concerns relating to an increase in the number of vehicles utilising off street parking, blocking of driveways and the narrowing of traffic lanes due to parking on both sides of the road.

A formal report will help to identify actions that may be taken to ameliorate some of these problems.

Implications

Legal

A formal report will more clearly identify the problems at hand and provide the necessary basis for any actions that need to be taken.

Policy

There are no policy implications.

Financial

The recommended report should be able to be completed within the context of Council's normal operating processes and as such should not require any extraordinary budget adjustment.

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.

Cr Tim Overall		
No.	Meeting/Function/Event Attended	Summary of Key Points
1	CRJO Board Meeting. Friday 6 December, Tumut NSW.	<ul style="list-style-type: none"> • CRJO Finance Report to 31 October 2019 <ul style="list-style-type: none"> - Fully review the 2019/20 budget position and undertake forward financial forecasting • CRJO Membership Fees: 2020-2021 and 2021-2022 FY <ul style="list-style-type: none"> - Consideration of the proposed membership fee structure for the 2020-2021 financial year, which consists of a Flat Fee of \$10,000 and a Population fee of \$0.77 per head and increases in line with the rate peg. • CRJO Business Plan 2019-20 <ul style="list-style-type: none"> - Consideration to adopt the Business Plan 2019/2020 and note the Business Plan will be revised for the 2020/21 financial year and will be tabled for endorsement at the Board Meeting 28 February 2020. • CRJO Communication & Engagement Strategy • General Managers Advisory Group Meeting – November 2019 • Joint Organisation Capacity Building Fund: <ul style="list-style-type: none"> - Business opportunities and shared services including: <ol style="list-style-type: none"> a. Procurement (co-collaboration with Joint Organisations) b. Delivering services on behalf of State and Federal Government and other agencies and Organisations for the region c. Regional Project Management Office. - Regional Workforce Strategy • CRJO Organisational Review • CRJO Operational Report and Working Groups – Update • Office of Local Government Audit & Risk

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

Cr Mark Schweikert		
No.	Meeting/Function/Event Attended	Summary of Key Points
1	Attended Bungendore Community Meeting - 3 December	
2	Local Traffic Committee - 4 December	<ul style="list-style-type: none"> • See minutes.
3	Bungendore Christmas Party - 7 December	<ul style="list-style-type: none"> • With Crs Overall and Biscotti
4	Chaired Australia Day Committee - 10 December	<ul style="list-style-type: none"> • Committee agreed to Queanbeyan, Braidwood and Captains Flat activities/funding. • Still attempting to find Bungendore organiser.
5	Queanbeyan East Public School Presentation Day - 12 December	<ul style="list-style-type: none"> • Representing the Mayor and MP for Monaro.

Cr Trudy Taylor		
No.	Meeting/Function/Event Attended	Summary of Key Points
1	21 October, 2019 Queanbeyan Showground Advisory Committee	<ul style="list-style-type: none"> • See minutes
2	30 October, 2019 Dangerous Dog Panel	<ul style="list-style-type: none"> • Seven reports for determination • Update on previous matters
3	31 October, 2019 Represented Mayor at Qbn Whites event	<ul style="list-style-type: none"> • Assisted with opening of new weights shed and dressing rooms
4	1 November, 2019 Represented Mayor at opening of Bungendore Ambulance Station	<ul style="list-style-type: none"> • Assisted with opening of new Ambulance Station in Bungendore
5	1 November, 2019 Represented Mayor at Member for Monaro announcement	<ul style="list-style-type: none"> • Member for Monaro announced funding for flood mitigation in Bungendore
6	15 November, 2019 Attended the Kirkin o the Tartan at the Council Chambers	<ul style="list-style-type: none"> • The unveiling and blessing of the new tartan of QPC
7	21 November, 2019	<ul style="list-style-type: none"> • Considered three new matters

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

	Dangerous Dog Panel	<ul style="list-style-type: none"> • Heard three appeals on previous matters • Updated on previous determinations
8	22 November, 2019 Represented Mayor at the opening of the Bungendore Quilt Exhibition	
9	11 December, 2019 Represented the Mayor at the Googong Anglican School presentation day event	<ul style="list-style-type: none"> • Presented awards on behalf of the Mayor and the Deputy Premier and Member for Monaro The Hon. John Barilaro
10	13 December, 2019 Represented the Mayor at the Jerrabomberra Public School presentation day event	<ul style="list-style-type: none"> • Presented awards on behalf of the Mayor and the Deputy Premier and Member for Monaro The Hon. John Barilaro

Attachments

Nil

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

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.

Recommendation

That the report be received for information.

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>) - CONFIDENTIAL |

15 NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION

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

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

Recommendation

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

Item 16.1 Sale of Council Property

Item 16.1 is confidential in accordance with s10(A) (c) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Item 16.2 CBD Redevelopment

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 Proposed Land Acquisition

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.