



Ordinary Meeting of Council

AGENDA

26 February 2020

Commencing at 5.30pm

Bungendore Council Chambers

On-site Inspections - Nil

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3 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

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4.1 Minutes of the Ordinary Meeting of Council held on 22 January 2020

4.2 Minutes of the Planning and Strategy Committee of the Whole held on 12 February 2020

4.3 Minutes of the Extraordinary Meeting of Council held on 12 February 2020

5 DISCLOSURES OF INTERESTS

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Confidential - Not for Publication

16 REPORTS FOR CLOSED SESSION

- 16.1 Acquisition of Encroachment
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 Quarterly Legal Report - December 2019
Item 16.2 is confidential in accordance with s10(A)(g) of the Local Government Act 1993 because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.
- 16.3 Writing Off Water Usage Under Hardship Policy
Item 16.3 is confidential in accordance with s10(A)(b) of the Local Government Act 1993 because it contains discussion in relation to the personal hardship of a resident or ratepayer

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

16.4 Writing Off Water Usage Due to Undetected Leak Policy

Item 16.4 is confidential in accordance with s10(A)(b) of the Local Government Act 1993 because it contains discussion in relation to the personal hardship of a resident or ratepayer and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

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 2048
Attachment 1 Bungendore Structure Plan 2048 (Under Separate Cover)
- Item 9.2 Review of Submissions to North Elmslea Planning Proposal
Attachment 1 Original and Revised Gateway Determinations (Under Separate Cover)
Attachment 2 Summary of Government Agency Submissions and Responses (Under Separate Cover)
Attachment 3 October 2019 Revised Planning Proposal (Under Separate Cover)
Attachment 4 Submission Assessment Table - Your Voice Submissions (Under Separate Cover)
Attachment 5 Submission Assessment Table - Emailed Submissions (Under Separate Cover)
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- Item 9.3 Draft Jerrabomberra Innovation Precinct Planning Agreement
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- Item 9.4 Renewal Application to Operate Caravan Park - Eaglehawk Holiday Park - 1246 Federal Highway, Sutton
Attachment 1 Draft Conditions of Consent (Under Separate Cover)
- Item 9.9 Delivery Program Update - July-December 2019
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- Item 9.17 Quarterly Budget Review Statement for the Quarter Ending 31st December 2019
Attachment 1 Attachment - QBRS for 31 December 2019 (Under Separate Cover)
- Item 9.18 Investment Report - January 2020
Attachment 1 January 2020 - Investment Report Pack (Under Separate Cover)
- Item 9.19 Rates Harmonisation - Preferred Rating Structure
Attachment 1 Community Reference Panel - Workshop One

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- Recommendations (Under Separate Cover)*
- Attachment 2 *Community Reference Panel - Workshop Two
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- Item 9.20 QPRC Internal Audit Charter
Attachment 1 Internal Audit Charter (Under Separate Cover)
- Item 10.1 Sports Fields and Park Irrigation
*Attachment 1 Irrigation Systems Across the QPRC LGA (Under Separate
Cover)*
- Item 10.2 Biannual Biosecurity Weeds Report (July-December 2019)
*Attachment 1 Standard Biosecurity Intention to Enter Notification Letter
(Under Separate Cover)*
*Attachment 2 Standard Biosecurity Inspection Advice Letter (Under
Separate Cover)*
- Item 10.5 Resolution Action Sheet
Attachment 1 Resolution Action Sheet (Under Separate Cover)
- Item 11.1 Minutes of the Youth Committee Meeting held 3 February 2020
*Attachment 1 Youth Committee minutes of 3 February 2020 (Under
Separate Cover)*
- Item 14.1 Responses to Councillors' Questions
*Attachment 1 Responses to Councillors Questions (Under Separate
Cover)*

Closed Attachments

- Item 9.2 Review of Submissions to North Elmslea Planning Proposal
*Attachment 7 Councillors Only - Submissions Unredacted (Under
Separate Cover)*
- Item 9.4 Renewal Application to Operate Caravan Park - Eaglehawk Holiday Park - 1246 Federal
Highway, Sutton
*Attachment 2 Legal Advice on Permanent Residents (Under Separate
Cover)*
*Attachment 3 Non-compliant Permanent Dwelling Sites (Under Separate
Cover)*
- Item 9.7 Charleyong Bridge
*Attachment 1 Charleyong Bridge Maintenance Cost Estimate (Under
Separate Cover)*
- Item 9.10 Cultural Arts Assistance Scheme Application for Funding - Vision 2020 Exhibition
*Attachment 1 Vision 2020-QPRC Grant Application CAAS (Under
Separate Cover)*
- Item 9.11 Cultural Arts Assistance Scheme Application - ACT Maori Performing Arts Inc
*Attachment 1 CAAS Application- ACT Maori Performing Arts Inc. (Under
Separate Cover)*
- Item 9.12 Cultural Arts Assistance Scheme Application - Create Collaborate Collective Inc
*Attachment 1 CAAS Application - Create Collaborate Collective Inc. (Under
Separate Cover)*
- Item 9.13 Cultural Arts Assistance Scheme Funding Application from Karabar High School -
MUSEffect Dance Program
*Attachment 1 CAAS Funding Application - Karabar High School MUSE
Downunder (Under Separate Cover)*

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- Item 14.1 Responses to Councillors' Questions
Attachment 2 Responses to Councillors Questions with confidential information (Under Separate Cover)
- Item 16.3 Writing Off Water Usage Under Hardship Policy
Attachment 1 Request to Waive Outstanding Water Account (Under Separate Cover)



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Bungendore Council Chambers on Wednesday, 22 January 2020 commencing at 5.30pm.

ATTENDANCE

Councillors: Cr Overall (Chair), Crs Biscotti, Bray AM, Harrison, Hicks, Marshall, 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 K Monaghan, 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

001/20

RESOLVED (Taylor/Schweikert)

That apologies from Crs Brown and Noveska for non-attendance be received and that leave of absence be granted.

The resolution was carried unanimously.

4. CONFIRMATION OF MINUTES

4.1 Minutes of the Ordinary Meeting of Council held on 18 December 2019

002/20

RESOLVED (Taylor/Schweikert)

That the Minutes of the Ordinary Meeting of Council held in the Bungendore Council Chambers on Wednesday 18 December 2019 be confirmed.

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

003/20

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, Harrison, Hicks, Marshall, Overall, Taylor and Winchester

Against: Cr Schweikert

There were no disclosures.

6. ADJOURNMENT FOR PUBLIC FORUM

At this stage of the proceedings, the time being 5.31pm, Cr Overall advised that the meeting should now adjourn for the Public Forum.

004/20

RESOLVED (Overall/Taylor)

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

ADJOURNMENT:

The meeting adjourned for the Public Forum at 5.31pm and resumed at 6.06pm.

7. MAYORAL MINUTE

7.1 Cancellation of Fireworks, Australia Day

005/20

RESOLVED (Overall/Schweikert)

That Council:

1. Endorse the decision of the Mayor to cancel the Queanbeyan Australia Day celebration fireworks display scheduled for Sunday night 26 January 2020.
2. Donate the funding attributed to the fireworks display to the Braidwood Community Help Fund to assist property owners and families directly impacted by the bushfires.

The resolution was carried unanimously.

8. NOTICES OF MOTIONS OF RESCISSION

There were no notices of motion of rescission.

9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.1 Bungendore Structure Plan 2048

MOVED (Schweikert/Taylor)

That Council:

1. Note the changes to the Bungendore Structure Plan 2048 further to the Council meeting on 18 December 2019.
2. Defer this item to the February 2020 Ordinary meeting.

AMENDMENT (Harrison/Winchester)

That Council:

1. Note the changes to the Bungendore Structure Plan 2048 further to the Council meeting on 18 December 2019.
2. Endorse the amended Bungendore Structure Plan 2048 for public exhibition for a further period of 28 days including an independently facilitated public meeting.
3. Following the close of the public exhibition period, consider issues raised in submissions when finalising the Bungendore Structure Plan 2048 and report back to Council.

During discussion Cr Harrison raised a point of order stating that the amendment on the table included Cr Winchester's suggestion for a public meeting and if Cr Biscotti wanted to eliminate this, the time to suggest that would be if the amendment is carried and becomes the motion. Cr Biscotti could then move an amendment to the amended motion. The Mayor upheld the point of order.

Cr Harrison raised a second point of order stating that Cr Schweikert did have the right to speak to the amendment as well as exercise his right of reply to the original motion. The Mayor advised that he was aware of that.

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

For: Crs Harrison, Marshall and Winchester

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

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

006/20

RESOLVED (Schweikert/Taylor)

That Council:

1. Note the changes to the Bungendore Structure Plan 2048 further to the Council meeting on 18 December 2019.
2. Defer this item to the February 2020 Ordinary meeting.

The resolution was carried unanimously.

9.2 Queanbeyan Section 7.12 Fixed Levy Development Contributions Plan 2019

007/20

RESOLVED (Hicks/Marshall)

That Council:

1. Adopt the final Queanbeyan Section 7.12 Fixed Levy Development Contributions Plan 2019 and advertise the commencement of the new Plan.
2. Repeal the Queanbeyan City Council Section 94 Contributions Plan adopted on 16 March 2012.

The resolution was carried unanimously.

9.3 Engagement of Project Manager for Queanbeyan Civic and Cultural Precinct

008/20

RESOLVED (Harrison/Taylor)

That Council:

1. Note the report on Queanbeyan Civic and Cultural Precinct project.
2. Engage APP Corporation Pty Limited to provide project management services for the Queanbeyan Civic and Cultural Precinct.
3. Proceed with detail design of Queanbeyan Civic and Cultural Precinct and where appropriate incorporate comments received from community consultation.
4. Call for expressions of interest from suitably qualified construction contractors to deliver QCCP.

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

Against: Cr Marshall

9.4 Digitisation project for historic back issues of local newspapers

009/20

RESOLVED (Taylor/Harrison)

That Council approve:

1. A staged approach to digitise the Queanbeyan Age and Bungendore Mirror up to 1954, with assistance from the National Library of Australia.
2. An increase in QPRC Library Services operational funding by \$20,000 per year for three years to fund the digitisation project commencing 2020-2021.

For: Crs Biscotti, Bray, Harrison, Overall, Taylor and Winchester

Against: Crs Hicks and Schweikert

9.5 Cultural Arts Assistance Scheme Application - Waitangi Day 2020

010/20

RESOLVED (Marshall/Schweikert)

That Council approve the allocation of a grant of \$1,500 from the Cultural Arts Assistance Scheme to the ACT Maori Performing Arts Inc. to assist in the presentation of a Waitangi Day 2020 celebration to be held on 1 February 2020 in Queanbeyan Park.

The resolution was carried unanimously.

Cr Marshall left the meeting at 6.57pm.

9.6 Request for Donation for Rates Relief

011/20

RESOLVED (Overall/Biscotti)

That Council:

1. Note the company constitution of Kano Jujutsu Institute Limited and the objects for which the company is established under the *Corporations Act 2001*.
2. Note that Kano Jujutsu Institute Limited is registered as a non-profit company with ASIC.
3. Approve as a one-off donation for rate relief to Kano Jujutsu Institute Limited for 50% of the General Rates levied in 2019/2020, the organisation having demonstrated that it operates as non-profit entity.
4. Review the QPRC Donations Policy, including Schedule 1, for the 2020/2021 financial year.

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

Against: Cr Harrison

Cr Biscotti left the Chambers at 7.08pm.

9.7 Investment Report - December 2019

012/20

RESOLVED (Bray/Schweikert)

That Council:

1. Note the investment income for December 2019 was \$205,925.
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 December 2019.

The resolution was carried unanimously.

Cr Biscotti returned to the Chambers at 7.10pm.

9.8 Drought and Bushfire Assistance

MOVED (Overall/Bray)

That Council:

1. Note the report.
2. Fund the hire fees of the Braidwood Showground for the duration of the BlazeAid operation.
3. Write to the Minister for Local Government requesting exemption from section 356 of the *Local Government Act 1993* allowing Council to provide immediate financial relief to private individuals for the purpose of:
 - a. Subsidising private works relating to dam cleaning and reinstatement of property lost in the 2019/20 bushfires.
 - b. Covering the waste disposal fees for general building waste and debris generated as a direct result of the fire, subject to that material not being contaminated with any form of asbestos matter and where the costs are not otherwise recoverable by the owner through insurance or other external funding sources.
4. Adopt a draft program of financial assistance measures for:
 - a. A subsidy for DA/inspection fees for rebuilding destroyed homes and infrastructure.
 - b. \$470 one-off rates rebate for all rates assessments where homes have been destroyed or rendered uninhabitable.
5. Place the draft program of financial assistance on public exhibition for 28 days and report to the March Council meeting for adoption.
6. Thank the Prime Minister and utilise the \$1m bushfire assistance from the Commonwealth Government to:
 - a. Offset the assistance measures outlined in 2-4 above (est \$300k).
 - b. Fit out the recovery centre and arrange repairs to the evacuation centre in Braidwood, and recovery camp at the Showground (est \$50k).
 - c. Recruit a fixed term local bushfire recovery coordinator to work with the local and regional recovery committee effort (est \$100k).
 - d. Recruit a fixed term economic development officer to work with local business in Braidwood, Bungendore, Nerriga and Araluen to identify economic impacts, develop business and skills; and fund marketing campaigns to help restore those local economies and trade, and to bring tourists back into those towns (est \$175k).
 - e. Initiate as soon as possible a television advertising campaign to help restore local economies in Bungendore and Braidwood (est \$25k).
 - f. Second a community development officer to engage with community, establish funded programs and coordinate

events to restore and build resilience in the communities of Braidwood, Nerriga and Araluen and adjacent localities (est \$150k).

- g. Provide financial support for local wildlife recovery groups (\$10k).
 - h. Hold balance in reserve for unfunded infrastructure repairs (est \$190k).
7. Seek options for secondment of staff for the above roles from the Local Government Bushfire Recovery Support Group administered by OLG and LGNSW.

Cr Hicks foreshadowed a CONTRARY motion: [“That Council hold an urgent workshop to discuss the financial implications following the bushfires.”]

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

013/20

RESOLVED (Overall/Bray)

That Council:

- 1. Note the report.
- 2. Fund the hire fees of the Braidwood Showground for the duration of the BlazeAid operation.
- 3. Write to the Minister for Local Government requesting exemption from section 356 of the Local Government Act 1993 allowing Council to provide immediate financial relief to private individuals for the purpose of:
 - a. Subsidising private works relating to dam cleaning and reinstatement of property lost in the 2019/20 bushfires.
 - b. Covering the waste disposal fees for general building waste and debris generated as a direct result of the fire, subject to that material not being contaminated with any form of asbestos matter and where the costs are not otherwise recoverable by the owner through insurance or other external funding sources.
- 4. Adopt a draft program of financial assistance measures for:
 - a. A subsidy for DA/inspection fees for rebuilding destroyed homes and infrastructure.
 - b. \$470 one-off rates rebate for all rates assessments where homes have been destroyed or rendered uninhabitable.
- 5. Place the draft program of financial assistance on public exhibition for 28 days and report to the March Council meeting for adoption.
- 6. Thank the Prime Minister and utilise the \$1m bushfire assistance from the Commonwealth Government to:
 - a. Offset the assistance measures outlined in 2-4 above (est \$300k).

- b. Fit out the recovery centre and arrange repairs to the evacuation centre in Braidwood, and recovery camp at the Showground (est \$50k).
 - c. Recruit a fixed term local bushfire recovery coordinator to work with the local and regional recovery committee effort (est \$100k).
 - d. Recruit a fixed term economic development officer to work with local business in Braidwood, Bungendore, Nerriga and Araluen to identify economic impacts, develop business and skills; and fund marketing campaigns to help restore those local economies and trade, and to bring tourists back into those towns (est \$175k).
 - e. Initiate as soon as possible a television advertising campaign to help restore local economies in Bungendore and Braidwood (est \$25k).
 - f. Second a community development officer to engage with community, establish funded programs and coordinate events to restore and build resilience in the communities of Braidwood, Nerriga and Araluen and adjacent localities (est \$150k).
 - g. Provide financial support for local wildlife recovery groups (\$10k).
 - h. Hold balance in reserve for unfunded infrastructure repairs (est \$190k).
7. Seek options for secondment of staff for the above roles from the Local Government Bushfire Recovery Support Group administered by OLG and LGNSW.

For: Crs Biscotti, Bray, Harrison, Overall, Schweikert, Taylor and Winchester

Against: Cr Hicks

SUPPLEMENTARY REPORTS

9.9 Queanbeyan Riverside Caravan Park

014/20

RESOLVED (Hicks/Winchester)

That Council:

1. Endorse the attached terms to enable drafting of the lease.
2. Exhibit the draft lease for 28 days.
3. Authorise the CEO to execute the lease if no objections are received, otherwise present a further report to Council.

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

Against: Cr Harrison

10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

10.1 Commencement of Risk Audits for On-site Sewerage Management Systems in former Queanbeyan area

015/20

RESOLVED (Harrison/Schweikert)

That the report be received for information.

The resolution was carried unanimously.

10.2 Integrated Planning 2020-21

016/20

RESOLVED (Harrison/Winchester)

That the report be received for information.

The resolution was carried unanimously.

10.3 Bushfire Recovery

017/20

RESOLVED (Hicks/Schweikert)

That:

1. The report be received for information.
2. A workshop be held on budget implications of the bushfires.

The resolution was carried unanimously.

Procedural motion

018/20

RESOLVED (Overall/Winchester)

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

The resolution was carried unanimously.

11. REPORTS OF COMMITTEES

11.1 Minutes of the QPRC Heritage Advisory Committee Meeting held 19 December 2019

MOVED (Overall/Biscotti)

That Council:

1. Note the minutes of the QPRC Heritage Advisory Committee held on 19 December 2019.
2. Adopt recommendations QPRC HAC 13/19 to QPRC HAC 15/19 from the meeting held on 19 December 2019 being:

QPRC HAC 13/19 That in the event that Charleyong Bridge is offered to Council by NSW Roads and Maritime Services (RMS):

- a) Council request the funding that RMS has allocated for the demolition of Charleyong Bridge be transferred to Council to assist with

the ongoing maintenance of the bridge into the future;

- b) Council request that sufficient land around the Charleyong Bridge be provided to Council for public access.

QPRC HAC 14/19 That in the event that Charleyong Bridge is demolished, that Council support the original recommendation of the QPRC Heritage Advisory Committee (QPRC HAC 005/18): *“That Council write to the RMS to ascertain access to the Charleyong Bridge timbers for the restoration of Foxlow Bridge in the event that the Charleyong Bridge is demolished.”*

QPRC HAC 15/19 That Council supports the interpretive signage for Charleyong Bridge and requests that Council has input into the style, content, design and location of the signs with RMS.

AMENDMENT (Hicks/Schweikert)

That Council:

1. Note the minutes of the QPRC Heritage Advisory Committee held on 19 December 2019.
2. Receive a further report on recommendations QPRC HAC 13/19 to QPRC HAC 15/19 from the meeting held on 19 December 2019 being:

QPRC HAC 13/19 That in the event that Charleyong Bridge is offered to Council by NSW Roads and Maritime Services (RMS):

- a) Council request the funding that RMS has allocated for the demolition of Charleyong Bridge be transferred to Council to assist with the ongoing maintenance of the bridge into the future;
- b) Council request that sufficient land around the Charleyong Bridge be provided to Council for public access.

QPRC HAC 14/19 That in the event that Charleyong Bridge is demolished, that Council support the original recommendation of the QPRC Heritage Advisory Committee (QPRC HAC 005/18): *“That Council write to the RMS to ascertain access to the Charleyong Bridge timbers for the restoration of Foxlow Bridge in the event*

that the Charleyong Bridge is demolished.”

QPRC HAC 15/19 That Council supports the interpretive signage for Charleyong Bridge and requests that Council has input into the style, content, design and location of the signs with RMS.

During discussion Cr Overall, with consent of the seconder, withdrew his motion. The amendment (of Crs Hicks and Schweikert) became the motion. The motion (of Crs Hicks and Schweikert) was PUT and CARRIED.

019/20

RESOLVED (Hicks/Schweikert)

That Council:

1. Note the minutes of the QPRC Heritage Advisory Committee held on 19 December 2019.
2. Receive a further report on recommendations QPRC HAC 13/19 to QPRC HAC 15/19 from the meeting held on 19 December 2019 being:

QPRC HAC 13/19 That in the event that Charleyong Bridge is offered to Council by NSW Roads and Maritime Services (RMS):

- a) Council request the funding that RMS has allocated for the demolition of Charleyong Bridge be transferred to Council to assist with the ongoing maintenance of the bridge into the future;
- b) Council request that sufficient land around the Charleyong Bridge be provided to Council for public access.

QPRC HAC 14/19 That in the event that Charleyong Bridge is demolished, that Council support the original recommendation of the QPRC Heritage Advisory Committee (QPRC HAC 005/18): “That Council write to the RMS to ascertain access to the Charleyong Bridge timbers for the restoration of Foxlow Bridge in the event that the Charleyong Bridge is demolished.”

QPRC HAC 15/19 That Council supports the interpretive signage for Charleyong Bridge and requests that Council has input into the style, content, design and location of the signs with RMS.

The resolution was carried unanimously.

- 020/20 **11.2 Greenways s.355 Committee Minutes**
RESOLVED (Harrison/Schweikert)
That Council note the minutes of Greenways s.355 Committee's meeting held on 9 December 2019.

The resolution was carried unanimously.

- 021/20 **11.3 Audit, Risk and Improvement Committee Meeting Minutes 25 November 2019**
RESOLVED (Harrison/Hicks)
That the minutes of the Audit Risk and Improvement Committee be noted.

The resolution was carried unanimously.

- 022/20 **11.4 Vacancy - Braidwood and Curtilage Heritage Advisory Committee**
RESOLVED (Overall/Taylor)
That Council appoint Margaret Tuckwell as a member of the Braidwood and Curtilage Heritage Advisory Committee.

The resolution was carried unanimously.

12. NOTICES OF MOTIONS

There were no notice of motions.

13. REPORTS TO COUNCIL - DELEGATES REPORTS

- 023/20 **13.1 Delegates' Reports**
RESOLVED (Taylor/Harrison)
That Council note the Delegates' Reports.

The resolution was carried unanimously.

14. QUESTIONS WITH NOTICE

- 024/20 **14.1 Responses to Councillors' Questions**
RESOLVED (Taylor/Bray)
That the report be received for information.

The resolution was carried unanimously.

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

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

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

There were no presentations.

16. REPORTS FOR CLOSED SESSION

025/20

RESOLVED (Overall/Hicks)

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 Writing Off Water Usage Accounts due to Undetectable Leak - Bungendore

Item 16.1 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.

Item 16.2 Writing Off Water Usage Accounts due to Undetectable Leak - Karabar

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.

The meeting then moved into Closed Session at 7.35pm to discuss the matters listed above.

16.1 Writing Off Water Usage Accounts due to Undetectable Leak – Bungendore

026/20

RESOLVED (Bray/Hicks)

That Council write off a total of \$1,169.44 in water usage charges for the property listed in this report.

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

Against: Cr Schweikert

16.2 Writing Off Water Usage Accounts due to Undetectable Leak – Karabar

027/20

RESOLVED (Bray/Taylor)

That Council write off a total of \$1,608.00 in water usage charges for the property listed in this report.

The resolution was carried unanimously.

028/20

RESOLVED (Overall/Taylor)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 7.38pm.

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

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

18. CONCLUSION OF THE MEETING

The time being 7.40pm, Cr Overall announced that the agenda for the meeting had now been completed.

**CR TIM OVERALL
MAYOR
CHAIRPERSON**



PLANNING AND STRATEGY COMMITTEE OF THE WHOLE MEETING

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

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

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

MINUTES OF THE PLANNING AND STRATEGY COMMITTEE OF THE WHOLE OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Council Chambers, 253 Crawford St, Queanbeyan on Wednesday, 12 February 2020 commencing at 5.30pm.

ATTENDANCE

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

Staff: M Thompson, A/CEO/General Manager; D Tooth, A/Portfolio General Manager Community Connections; J Richards, Portfolio General Manager Community Choice and A Knight, Portfolio General Manager Organisational Capability.

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

1. OPENING

The meeting commenced 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

PLA001/20

RESOLVED (Taylor/Bray)

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

The resolution was carried unanimously.

4. DISCLOSURES OF INTEREST

PLA002/20

RESOLVED (Taylor/Schweikert)

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

The resolution was carried unanimously.

Crs Biscotti, Bray, Harrison, Noveska, Overall, Schweikert and Taylor lodged a special disclosure of pecuniary interest under sections 451 (4) and (5) of the *Local Government Act 1993* for Item 6.2 - Exhibition of Draft Queanbeyan-Palerang Comprehensive Local Environmental Plan 2020.

Mr Derek Tooth declared a less than significant non-pecuniary interest for Item 9.1 – Report on Outcome of Appeal - Section 34 Conciliation Conference - Wallace Street Pty Ltd, stating he is a friend of the land holder.

Prior to consideration of Item 6.2, Crs Hicks and Winchester lodged a special disclosure of pecuniary interest under sections 451 (4) and (5) of the *Local Government Act 1993* for the following item.

5. ADJOURNMENT FOR PUBLIC FORUM

At this stage of the proceedings, the time being 5.33pm, Cr Overall advised that the meeting should now adjourn for the Public Forum.

PLA003/20

RESOLVED (Overall/Taylor)

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

ADJOURNMENT:

The meeting adjourned for the Public Forum at 5.33pm and resumed at 5.37pm.

6. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

6.1 Draft Planning Proposal to rezone part of Bywong and Wamboin

MOVED (Hicks/Schweikert)

That:

1. Council endorse the draft planning proposal to rezone part of Bywong and Wamboin from E4 Environmental Living to R5 Large Lot Residential subject to:
 - a. Those 15 lots proposed to be split zoned being submitted as R5 Large Lot Residential zone only.
 - b. The inclusion of extensive agriculture as a permitted use without consent.
2. The draft planning proposal be forwarded to the NSW Department of Planning, Industry and Environment (DPIE) seeking a Gateway determination under Section 3.34 of the *Environmental Planning and Assessment Act, 1979*.
3. Subject to Council receiving a Gateway Determination Council endorse the planning proposal for public exhibition, following the receipt of NSW Government agency submissions and providing any changes required to the planning proposal, as a result of agency consultation, are minor.

AMENDMENT (Overall/Brown)

That:

1. Council endorse the draft planning proposal to rezone part of Bywong and Wamboin from E4 Environmental Living to R5 Large Lot Residential subject to those 15 lots proposed to be split zoned being submitted as R5 Large Lot Residential zone only.
2. The draft planning proposal be forwarded to the NSW Department of Planning, Industry and Environment (DPIE) seeking a Gateway determination under Section 3.34 of the *Environmental Planning and Assessment Act, 1979*.
3. Subject to Council receiving a Gateway Determination Council endorse the planning proposal for public exhibition, following the receipt of NSW Government agency submissions and providing any changes required to the planning proposal, as a result of agency consultation, are minor.

The amendment (of Crs Overall and Brown) was WITHDRAWN.

The Mayor vacated the chair and left the Chambers at 6.30pm and returned at 6.31pm.

During discussion Cr Schweikert raised a point of order and referred to sections of the Code of Meeting Practice that relate to acts of disorder and bringing the Council into disrepute. Cr Schweikert also referred to sections of the Code of Conduct that relate to intending to prevent the proper or effective function of the Council or deliberately

seek to impede the business of Council at a meeting. Cr Schweikert believed that Cr Harrison was deliberately impeding the business of the meeting by speaking for such a long time and requested the Mayor ask him to stop. The Mayor ruled against the point of order.

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

PLA004/20

RESOLVED (Hicks/Schweikert)

That:

1. Council endorse the draft planning proposal to rezone part of Bywong and Wamboin from E4 Environmental Living to R5 Large Lot Residential subject:
 - a. Those 15 lots proposed to be split zoned being submitted as R5 Large Lot Residential zone only.
 - b. The inclusion of extensive agriculture as a permitted use without consent pursuant to Schedule 1 of the PLEP 2014 as it applies to the planning proposal.
2. The draft planning proposal be forwarded to the NSW Department of Planning, Industry and Environment (DPIE) seeking a Gateway determination under Section 3.34 of the *Environmental Planning and Assessment Act, 1979*.
3. Subject to Council receiving a Gateway Determination Council endorse the planning proposal for public exhibition, following the receipt of NSW Government agency submissions and providing any changes required to the planning proposal, as a result of agency consultation, are minor.

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

Against: Crs Brown, Harrison, Noveska and Winchester

Crs Biscotti, Bray, Harrison, Hicks, Noveska, Overall, Schweikert, Taylor and Winchester declared an interest in the following item.

6.2 Exhibition of Draft Queanbeyan-Palerang Comprehensive Local Environmental Plan 2020

PLA005/20

RESOLVED (Schweikert/Harrison)

That:

1. Council exhibit draft Queanbeyan-Palerang Local Environmental Plan 2020, following approval from NSW Department of Planning, Industry and Environment to do so.
2. A report be brought back to Council on any submissions received during the exhibition period.

The resolution was carried unanimously.

6.3 Amendment to Development Control Plans Following Adoption of Community Engagement and Participation Plan

PLA006/20

RESOLVED (Schweikert/Taylor)

That:

1. For the purpose of exhibition, the Queanbeyan Development Control Plan 2012 be amended to delete Clause 1.8 and this be replaced by reference to the QPRC Community Engagement and Participation Plan.
2. For the purpose of exhibition, the Palerang Development Control Plan 2015 be amended to delete Part E and this be replaced by reference to the QPRC Community Engagement and Participation Plan.
3. Both amended documents be placed on public exhibition for 28 days and at the end of that period the feedback be reported back to Council.

The resolution was carried unanimously.

6.4 Googong Urban Development Local Planning Agreement - Second Deed of Variation

PLA007/20

RESOLVED (Schweikert/Hicks)

That Council:

1. Agree to publicly exhibit the Second Deed of Variation to the Googong Urban Development Local Planning Agreement as well as the amended Googong Urban Development Local Planning Agreement for a minimum period of 28 days.
2. Receive a further report on any submissions at the end of the consultation period.

The resolution was carried unanimously.

6.5 Proposed New Street Names - Kingfisher Lane, Burra and Silver Top Lane, Krawarree

PLA008/20

RESOLVED (Taylor/Schweikert)

That Council:

1. Adopt in principle the names 'Kingfisher Lane' and 'Silver Top Lane' as the proposed names for the new roads created within the subject subdivisions.
2. Seek approval from the Geographical Names Board for the use of the names.
3. Advertise the names for public comment for 28 days.
4. Publish a notice in the NSW Government Gazette if no objections are received.

The resolution was carried unanimously.

6.6 QPRC Parking Policy 2020

PLA009/20

RESOLVED (Harrison/Biscotti)

That after considering the six submissions received during the public exhibition period, Council formally adopt the QPRC Parking Policy 2020.

The resolution was carried unanimously.

7. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

7.1 Charity Concert for Bushfire Relief

PLA010/20

RESOLVED (Hicks/Schweikert)

That Council agree to provide \$1,500 from the Cultural Assistance Program to fund rental of the Bicentennial Hall over 6-7 March 2020 for a Bushfire Recovery Charity Concert produced by Freemasons NSW/ACT in collaboration with Dramatic Productions.

The resolution was carried unanimously.

8. 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.

9. REPORTS FOR CLOSED SESSION

PLA011/20

RESOLVED (Overall/Schweikert)

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

Item 9.1 Report on Outcome of Appeal - Section 34 Conciliation Conference - Wallace Street Pty Ltd

Item 9.1 is confidential in accordance with s10(A) (g) of the Local Government Act 1993 because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

The resolution was carried unanimously.

The meeting then moved into Closed Session at 7.09pm to discuss the matters listed above.

Mr Tooth declared an interest in the following item and left the Chambers at 7.09pm.

9.1 Report on Outcome of Appeal - Section 34 Conciliation Conference - Wallace Street Pty Ltd

PLA012/20

RESOLVED (Harrison/Hicks)

That Council agree to the terms for the creation of a covenant for access over the Landmark land as indicated in Attachment 3 to this report.

The resolution was carried unanimously.

PLA013/20

RESOLVED (Overall/Schweikert)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 7.10pm.

Mr Tooth returned to the Chambers at 7.10pm.

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

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

10. CONCLUSION OF THE MEETING

The time being 7.11pm, Cr Overall announced that the agenda for the meeting had now been completed.

**CR TIM OVERALL
MAYOR
CHAIRPERSON**



MINUTES OF THE EXTRAORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Queanbeyan Council Chambers on Wednesday, 12 February 2020 commencing at 7.30pm.

ATTENDANCE

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

Staff: M Thompson, A/CEO/General Manager; D Tooth, Portfolio General Manager Community Connections; J Richards, Portfolio General Manager Community Choice and A Knight, Portfolio General Manager Organisational Capability.

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

1. OPENING

The meeting commenced at 7.11pm.

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

029/20

RESOLVED (Taylor/Winchester)

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

The resolution was carried unanimously.

4. DISCLOSURES OF INTERESTS

030/20

RESOLVED (Taylor/Harrison)

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

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

Against: Cr Schweikert

There were no disclosures.

5. 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, if there were any presentations as to why the matters listed below should not be dealt with in Closed Session.

There were no presentations.

6. REPORTS FOR CLOSED SESSION

031/20

RESOLVED (Overall/Hicks)

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

Item 6.1 Land Acquisition - Bungendore

Item 6.1 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.

The resolution was carried unanimously.

The meeting then moved into Closed Session at 7.13pm to discuss the matters listed above.

6.1 Land Acquisition - Bungendore

032/20

RESOLVED (Winchester/Brown)

That:

1. Having attempted to negotiate with the interest holder of the Lot 2 DP1137743 for acquisition of an area of 24.29 hectares for the purpose of the proposed Bungendore Sports Hub, a road reserve and provision for expansion of the Bungendore Sewer Treatment Works and not having reached agreement, Council hereby RESOLVES that the acquisition of the property as shown and described as Lots 1 and 2 and road reserve in the proposed plan of subdivision of Lot 2 DP 1137743 be carried out by compulsory process in accordance with Part 1 of Chapter 8 of the *Local Government Act 1993* and the *Land Acquisition (Just Terms Compensation) Act 1991* being:
 - Council seek approval from the Minister for Local Government in accordance with section 187 of the *Local Government Act 1993* to give all necessary Proposed

Acquisition Notices in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*;

- Council take each further step as is necessary to obtain approval from the Minister, the Governor or any public authority as may be necessary, and take all actions as may be necessary, to give notices and otherwise carry out the acquisitions by means of compulsory acquisition;
 - Following receipt of the Minister's approval, Council serve a Property Acquisition Notice (PAN) and take each other action necessary to carry out the acquisition;
 - Following receipt of the Governor's approval, Council give effect to the acquisition by publication of an Acquisition Notice in the NSW Government Gazette and such other publication as may be required by law;
 - Council pay compensation to all interest holders entitled to compensation by virtue of the compulsory acquisition on the terms set out in the *Land Acquisition (Just Terms Compensation) Act 1991*, funded by the sports grant, roads and sewer reserves in accord with the respective areas of land.
2. Council authorise the Chief Executive Officer to complete and execute all documentation necessary to finalise and bring into force Council's acquisition of the Property and if necessary to fix the Council seal to the application to the Minister, the Governor, the Register General or any public authority for the compulsory acquisition.
 3. Upon acquisition, Council classify the acquired property as proposed Lot 1 community land proposed Lot 2 operational land and public road reserve (following a 28 day public submission period) pursuant to section 31 of the *Local Government Act 1993*.
 4. Council lodge a Development Application for the subdivision of the land to facilitate the Just Terms acquisition.
 5. The acquisition of Lot 2 DP 5489291 not be progressed.

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

033/20

RESOLVED (Overall/Taylor)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 7.28pm.

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

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

7. CONCLUSION OF THE MEETING

The time being 7.32pm, 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 2048 (Ref: ; Author: Thompson/Blacklock)

File Reference: PJT0060 - Document Set ID 536266

Summary

This report was originally reported to Council's meeting of 22 January 2020 and in accordance with Minute No. 006/20 is resubmitted to this meeting for reconsideration. The report is reproduced unchanged except for the removal of the original recommendation 1 (resolved on 22 January 2020).

The purpose of this report is to present the updated Bungendore Structure Plan 2048 (the Plan 2048) that incorporates the changes that Council resolved on 18 December 2019 and to recommend the endorsement of the amended document for the purpose of public exhibition.

Recommendation

That:

1. Council endorse the amended Bungendore Structure Plan 2048 for public exhibition for a further period of 28 days.
 2. Following the close of the public exhibition period, consider issues raised in submissions when finalising the Bungendore Structure Plan 2048 and report back to Council.
-

Background

The Bungendore Structure Plan 2048 was reported to Council at its meeting on 18 December 2019, together with the consideration of the submissions received as part of the exhibition period in August 2019. At that meeting Council resolved:

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. *The attached Bungendore Structure Plan 2048 be adopted with the following amendments:*
 - a. *Endorse modified Map Option 3 signalling North Elmslea and East Bungendore as short to medium term greenfield development sites, and the remainder as long term.*
 - b. *Remove reference to, and narrative that implies a preference for other sequencing in relation to planning proposals that might be received as possible greenfield development sites.*
 - c. *Reflect a preference to minimise infill development that would result from subdivision of existing, larger residential lots.*
 - d. *Encourage the Turallo Creek corridor to be preserved as open space for recreational purposes.*
3. *The amended Plan be presented to Council at the February Ordinary meeting for further consideration.*
4. *Studies be prepared to inform an employment lands strategy for Bungendore.*

The Plan 2048 document has subsequently been amended to address the Resolution. Refer to Attachment 1 for the amended Plan document. The Plan 2048 document now includes an amended structure plan map that shows the greenfield release areas and general sequence as per Resolution No. 426/19.

**9.1 Bungendore Structure Plan 2048 (Ref: ; Author: Thompson/Blacklock)
(Continued)**

The main changes relate to the:

- Amendment of references to infill development as part of the solution for providing additional dwelling/lot supply for the current growth rates;
- Inclusion of maps that were referenced from the Discussion Paper;
- Changes to the Review of Potential Residential Areas Table to support the Bungendore East planning proposal;
- Inclusion of an amended Structure Plan Map; and
- Minor edits to phrasing.

Staff have interpreted part 3 of the resolution as being a request to have the matter reported back to Council as soon as possible but no later than the February ordinary meeting.

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 Bungendore Land Use Strategy and Structure Plan has taken into consideration environmental issues such as biodiversity, flooding, bushfire hazards, heritage as well as water supply.

Sustainability

One of the purposes of updating the 2010 Bungendore Land Use Strategy and Structure Plan is to ensure that a framework exists for the growth of Bungendore into the future taking into account constraints and sustainability principles. The Bungendore Structure Plan 2048 achieves this purpose.

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 2048 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.

**9.1 Bungendore Structure Plan 2048 (Ref: ; Author: Thompson/Blacklock)
(Continued)**

Economic

Although the Plan 2048 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 Bungendore Land Use Strategy and Structure Plan was finalised. The Plan 2048 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

The amended Plan 2048 document has been drafted from the Discussion Paper taking into account issues raised in submissions received as part of the public exhibition of the Discussion Paper in July and August 2019. Arising from this, a key component was the identification and recommendation of greenfield areas for residential development as well as which areas should proceed and in what sequence.

Further amendments to the document have now been made in response to Council's resolution of 18 December 2019. In the interest of ensuring that the Bungendore community are aware and can comment on the recommendations for the future growth of Bungendore that are contained in the amended Plan 2048 document, it is recommended that it be publically exhibited for a further period of 28 days.

The issues raised in any submissions received during the exhibition period should then be considered, including whether this means that changes to the Plan are warranted. The Plan and the consideration of submissions is then to be reported back to Council to determine whether to endorse the Plan.

Resources (including staff)

The preparation of the Draft Bungendore Structure Plan Discussion Paper 2018-2048 and the amended Bungendore Structure Plan 2048 has involved 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 previous consultation process by the Communications team as well as relevant staff from Urban Landscapes, Utilities, Natural Landscapes and Health and Business and Innovation teams.

Integrated Plan

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

Conclusion

Preparation of the review of the Bungendore Structure Plan 2048 has been underway for a number of years and it is important to finalise the Plan 2048 to provide direction for the community and others stakeholders on how Bungendore's growth will be managed into the future. A public exhibition period was held in August 2019 seeking comment on the Structure Plan (since re-named as Discussion Paper) that presented a number of growth options for the town.

In considering the submissions on the Discussion Paper, a Bungendore Structure Plan 2048 document was prepared with a Structure Plan Map illustrating future residential growth areas together with sequencing for their rezoning and development. At the meeting of 18 December

**9.1 Bungendore Structure Plan 2048 (Ref: ; Author: Thompson/Blacklock)
(Continued)**

2019 Council determined that the narrative of the Plan 2048, together with the identification land for future residential growth and its sequencing, be amended to reflect the priority for greenfield development rather than infill and that the Structure Plan map be altered as per Resolution No. 426/19.

The amended Bungendore Structure Plan 2048 is recommended for exhibition to ensure that the Bungendore community are aware and can comment on the recommendations for the future growth of Bungendore to 2048. A 28 day exhibition period is recommended. Following the close of this period it is also recommended that issues raised in any submissions received be considered and whether any changes to the Plan are warranted. The Plan 2048 and the consideration of submissions will then to be reported back to Council to determine whether or not to endorse it.

Attachments

Attachment 1 Bungendore Structure Plan 2048 (*Under Separate Cover*)



9.2 Review of Submissions to North Elmslea Planning Proposal (Ref: ; Author: Thompson/Hogg)

File Reference: PJT0061

Summary

The North Elmslea planning proposal seeks to rezone part of Lot 1 DP 798111 from RU1 Primary Production to R2 Low Density Residential. The purpose of this report is to inform Council of the outcome of the public exhibition of the planning proposal known as the North Elmslea planning proposal. As a result of exhibition Council has received sixty-nine submissions and these have been reviewed. This report also summarises the previous consultation with NSW government agencies as well as the background to this planning proposal. The report recommends endorsement of the Planning Proposal.

Recommendation

That:

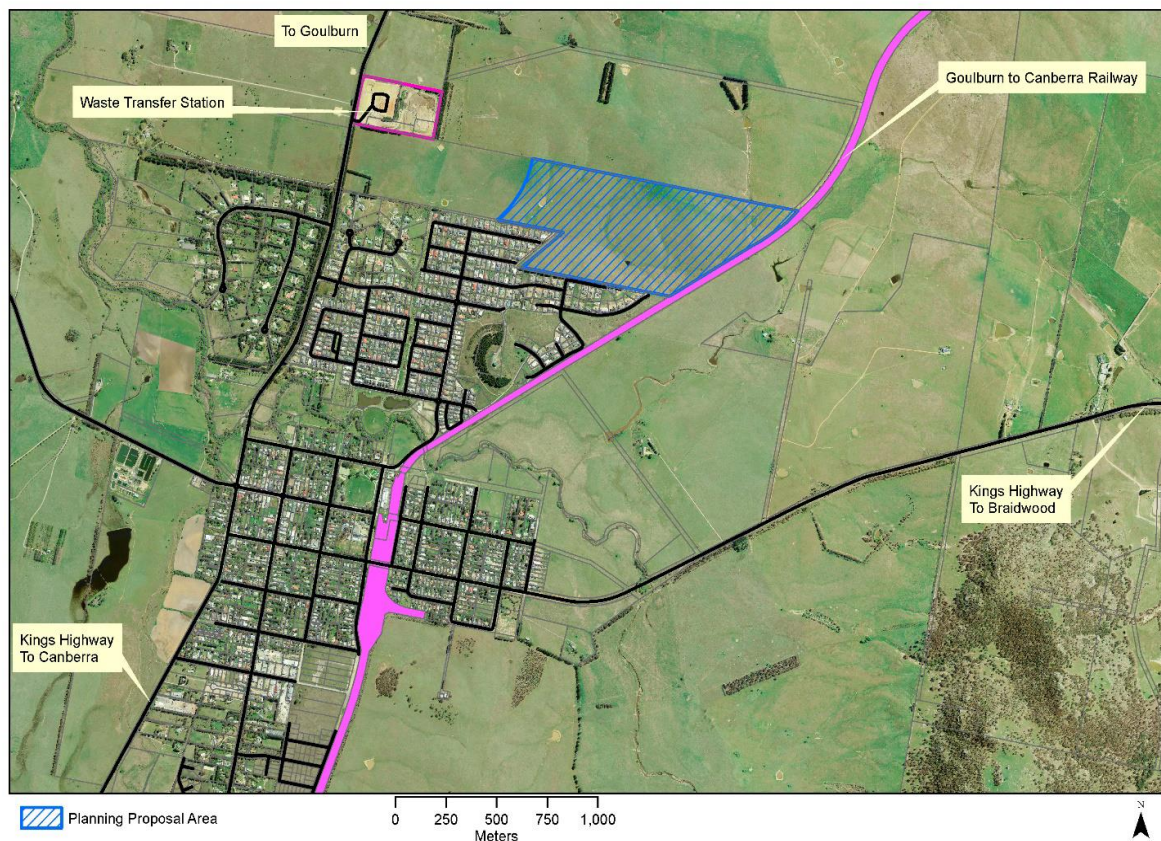
1. Council advise the Minister for Planning and Public Spaces under Section 3.6 of the NSW *Environmental Planning and Assessment Act 1979* that it wishes to progress the rezoning of part of Lot 1 DP 798111 from RU1 Primary Production to R2 Low Density Residential.
 2. The *Palerang Local Environmental Plan 2014 Lot Size Map* be amended to show a minimum lot size of 850 square metres for part of Lot 1 DP 798111.
 3. The *Palerang Local Environmental Plan 2014 Height of Buildings map* be amended to show a building height of 8.5 metres for part of Lot 1 DP 798111.
 4. The *Palerang Local Environmental Plan 2014 Lot Averaging map* be amended to remove the lot averaging provision from part of Lot 1 DP 798111.5.
 5. The *Palerang Development Control Plan 2015* be amended to provide a clear character statement and suitable controls for the Elmslea area to ensure the low density, predominately single storey character with well separated buildings is achieved in any future development, including subdivision.
-

Background

In 2014, Council received a draft planning proposal to rezone part of Lot 1 DP 798111, on the northern edge of Bungendore from RU1 Primary Production to R2 Low Density Residential (Map 1). This has been subsequently amended and if notified (gazetted) the rezoning would enable a subdivision application to be submitted for the creation of approximately 309 residential lots (exclusive of the 500 metre radius from the boundary of Lot 1 DP 798111 and Lot 44 DP 754876).

Map 1 shows the area that is subject to this planning proposal.

9.2 Review of Submissions to North Elmslea Planning Proposal (Ref: ; Author: Thompson/Hogg) (Continued)



Map 1

The planning proposal was originally reported to Council on 4 December 2014. In regard to the *Bungendore Land Use Strategy and Structure Plan August 2010* this report observed:

It is suggested that the planning proposal generally meets the document's vision...

This is consistent with the following comment made in the planning proposal (p4) attached to the report:

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

As a result of the Council report the planning proposal was forwarded to the (then) Department of Planning and Environment for a Gateway determination and this was issued on 27 April 2015. An altered Gateway determination was issued on 13 November 2019 (Attachment 1).

Consultation with 13 government agencies was undertaken in accordance with the Gateway determination. Following this a report on the government agency responses was put to the 27 February 2019 Council meeting (Attachment 2) and as a result Council resolved in part (Minute No. 040/19) that:

3. *It be noted that this planning proposal (February 2019) will be refined for public exhibition once the water licence allocation for Bungendore has been determined.*

9.2 Review of Submissions to North Elmslea Planning Proposal (Ref: ; Author: Thompson/Hogg) (Continued)

4. *Subject to Council receiving written confirmation from NSW Department of Industry - Lands and Water that the water licence allocation for Bungendore will be increased to sufficiently accommodate the planning proposal on part Lot 1 DP 798111 to allow for the creation of approximately 309 residential lots, Council agree to progress the planning proposal by placing it on public exhibition for 28 days.*
5. *While the water allocation is being finalised, staff work with the developer on a preliminary road design and the details of a planning agreement in relation to the impacts on Tarago Road including road intersections and a contribution towards community facilities.*

Council subsequently received the formal additional Water Access Licence - Certificate of Title (WAL) issued under s87B of the *Water Management Act 2000* in October 2019. Receipt of the WAL satisfies the Council resolution (Minute No. 040/19) regarding the timing of the exhibition of the North Elmslea planning proposal.

As noted in the Information report to the 13 November 2019 Planning and Strategy meeting (Item No. 7.2), the planning proposal had been revised to reflect receipt of the additional water allocation (Attachment 3).

The original Gateway determination for the planning proposal also required a number of background studies/investigations to be undertaken on a wide range of matters. As a result 11 background studies were undertaken as part of the planning proposal. These included studies / investigations on traffic and transport, sewerage, water supply and flora and fauna prior to consultation. These were required to be exhibited as part of community consultation which was done.

Consultation

The revised planning proposal and the 11 supporting background studies (including addendum and supplementary studies) were subsequently placed on public exhibition on Monday 18 November 2019.

Property owners within 150m of the subject site were notified in writing of the public exhibition period and public notices were placed in the relevant local papers. A public information meeting was also held on the 12 December 2019 with staff in attendance to answer questions.

The exhibition period was subsequently extended to the 20 December 2019 following representations from the community.

Submissions

During the exhibition period a total of 69 submissions were received. The submissions were received in the following formats: "Your Voice" – 47 submissions; Postal 2 submissions; Emails – 20 submissions. It should be noted that a number of submissions were submitted to both Your Voice and via email.

Submissions raised a wide range of matters including:

- Adequacy of Water Supply
- Minimum Lot Size/Density
- Traffic
- Density
- Community Facilities
- Community Services
- Growth

9.2 Review of Submissions to North Elmslea Planning Proposal (Ref: ; Author: Thompson/Hogg) (Continued)

Each of the matters submitted has been reviewed in detail and comments made in Attachments 4 – 6. A summary of these major issues and Council comments are provided below.

Adequacy of Water Supply

Submissions dealing with this issue raised a number of matters. These included the view that the all new houses in Bungendore and surrounds should have minimum requirements for water storage and use and that any available 'additional allocation' should be utilised to adequately support the current population given the imposition of the current water restrictions and that water pressure problems experienced in many areas of Elmslea should be addressed before placing further loads on the system. Concern was also raised in regard to impacts on water supply including underground aquifers arising from additional population.

This planning proposal was also reliant on the allocation an increased water licence for the Bungendore area. This additional allocation was approved earlier in 2019 following a detailed and rigorous investigation called the Integrated Water Management Strategy (adopted by Council in February 2019 – Minute No. 045/19) and has allowed the draft planning proposal to be placed on public exhibition. The application for additional allocation was approved by the NSW Natural Resources Access Regulator. This additional supply will benefit both the existing and future residents of Bungendore.

Any future residential development will also be required to construct new infrastructure including water treatment facilities, reservoirs and trunk mains.

In the event that development occurs on this site it will be required to obtain a Building Sustainability Index (BASIX) Certificate which requires water saving devices to be installed in a new house and water tanks are required to be installed with each new house under the *Palerang Development Control Plan 2015*.

Minimum Lot Size/Density

Submissions on lot size generally proposed a minimum lot size of 1,000m² rather than the proposed minimum of 850m². In addition concern was expressed about the increase in density brought about by 309 new dwellings and a view that such numbers are inconsistent with existing Elmslea. There was also a view that no more than 200 dwellings should be approved in order to be consistent with existing Elmslea.

Within the existing Elmslea zoned R2 Low Density Residential the current range of lot sizes is 492m² to 6,092m² (which is strata subdivided).

The *Palerang Local Environmental Plan 2014* (PLEP) includes a number of controls on development including a minimum lot size (MLS) for subdivision in this area. The area of 850m² represents the minimum lot size for subdivision for the existing developed area of Elmslea located immediately adjacent to the proposed rezoning. Despite this larger lot sizes did occur in the final subdivision design. The MLS represents the minimum standard required and as noted in the planning proposal the intention is that while some lots are likely to be the minimum size (850m²), on higher ground the lots will be larger to account for the topography.

Lot size is not the only factor which contributes to the amenity of a place. The MLS control in the PLEP works with other more detailed controls that direct the subdivision of land. The *Palerang Development Control Plan 2015* (DCP) provides more detailed controls for subdivision and also includes controls aimed at maintaining the desired character of certain precinct within Bungendore. The precincts currently centre on the historic central area of the town. However, where the character and amenity of the Elmslea area are considered important, this area could be included with specific precinct controls to set out the desired future character for the development and redevelopment that may occur. Currently the DCP has controls for subdivision design (Part C C1.2) that require design to be responsive to landform, geology, soils, drainage, vegetation and bushfire constraints as well as connecting

9.2 Review of Submissions to North Elmslea Planning Proposal (Ref: ; Author: Thompson/Hogg) (Continued)

to greenway networks. Clause 1.3.6 also includes controls to require subdivision design to be consistent with the existing subdivision pattern in the locality together with a minimum frontage of 20m.

The *Palerang Development Control Plan 2015*, also includes controls such as Maximum Gross Floor Area and Setbacks. The objective of the Maximum gross floor area is to "limit the bulk and scale of a dwelling so that the rural character is maintained" and one of controls use to achieve this objective is that "The gross floor area will be no greater than 40% of the area of the lot."

These controls could be further complemented with precinct controls for Elmslea that spell out the existing character of Elmslea and how this can be achieved in a subdivision design and subsequent erection of dwellings. As a result a recommendation that the *Palerang Development Control Plan 2015* be amended to provide a clear character statement for the Elmslea area to ensure the low density, predominately single storey character with well separated buildings is achieved in any future development, including subdivision has been included. Such an amendment to the *Palerang Development Control Plan 2015* will be required to be drafted for public exhibition, with any submissions being considered prior to determining to adopt the amendments. Should Council agree to proceed with the planning proposal, the process to amend the DCP should commence in a timely manner so as to enable community consultation to occur on these changes prior to any development consent being issued for the subdivision/development of the site. This recommendation is proposed to address the concerns about the minimum lot size and impact on character.

With the above restrictions on lot size in place lot averaging will no longer be required for the area covered by the Planning Proposal.

Traffic

Many of the submissions raised the issue of traffic. Matters raised in submissions included non-support of the planning proposal because of increased traffic and speed on McCusker Drive and on other streets in the existing Estate. A number of submissions also raised the possibility of the implementation of traffic calming measures on McCusker Drive and on other streets which it was felt should occur after a realistic examination of the impacts associated with further development.

The planning proposal notes that the main entrance to the development will be off Tarago Road with secondary access via existing roads in the North Elmslea area. There is capacity in the existing road network to accommodate the expected residential traffic generated by the future development of the site.

The planning proposal was also supported by a traffic and transport study which modelled traffic impacts including those at various intersections as well as pedestrian and cyclist mobility and made recommendations in regard to these. However, the detailed design of the road layout and location of traffic calming measures will be prepared as part of the development application process and will be considered during that process. This process also includes a public exhibition stage in which submissions on the road design/traffic calming measures may be made on the draft subdivision layout. This process will only occur if the planning proposal is approved and the public exhibition stage occurs after a development application for subdivision has been lodged.

Community Facilities

Submissions on this matter expressed the need for a high school as well as a need arising from increased population for the upgrade of existing community facilities as well as the need for new ones.

The NSW Department of Education is responsible for the provision of government schools. Also the planning proposal has been reviewed by the relevant public agencies, including NSW

9.2 Review of Submissions to North Elmslea Planning Proposal (Ref: ; Author: Thompson/Hogg) (Continued)

Department of Education, so these agencies are aware of the potential increase in the population in Bungendore.

The site is currently subject to a number of contribution plans including: Section 94 Contributions Plan No. 7 for the provision of community/recreation facilities at Bungendore; as well as Yarrowlumla Section 94 Plan No. 1 Bungendore; Yarrowlumla Section 94 Plan No. 2 Provision for Access Roads. These plans identify future facilities, like playgrounds and community centres that are required for the current and future populations as well as required future road works. Developer contributions for these facilities will be levied on any development application approved for the subdivision of the site.

Where required these plans will be reviewed to update them. It should also be noted that the applicant has indicated a willingness to negotiate a Local Planning Agreement which can result in the earlier provision of community and other facilities.

Community Services

Submissions on this included a view that existing essential services e.g.s. vet, doctors, no full time police, ambulance can be called to Queanbeyan, no after-hours doctors service are already under stress and are not large enough to support a development of this size. Resourcing of the local police station was also raised which is outside this process.

The provision of services such as medical centres and service stations is driven by market forces and is outside the scope of this planning proposal. However, by allowing for the growth of Bungendore, Council is creating the circumstances for more of these services to occur. Council also provides opportunities for these developments through the land use zones of the *Palerang Local Environmental Plan 2014* which permits with consent development of medical centres and services stations in areas zoned B2 Local Centre, B4 Mixed Use and IN2 Light Industrial areas. These zones are located within central and southern area of Bungendore.

Growth

In regard to this submissions included that the 900 population was understated and not consistent with existing the population density of existing Elmslea.

The calculation of approximately 900 additional people as a result of this planning proposal comes from the number of additional permissible dwellings, which the planning proposal states is approximately 309 residential dwellings, multiplied by the average household size (persons per dwelling) for Bungendore. According to the Australian Bureau of Statistics, in 2016 the average household size in Bungendore was 2.9 (3 people). In 2011 the average household size in Bungendore was 2.83 people per dwelling. These figures were also used in the draft Bungendore Structure Plan 2048, which was recently on exhibition, to present the various growth scenarios.

Legal

The planning proposal has been prepared and exhibited in accordance with the relevant provisions of the *Environmental Planning and Assessment Act 1979* and the *Environmental and Assessment Regulations 2000*.

Policy

Exhibition of the planning proposal has met the requirements of Council's adopted Community Engagement and Participation Plan. The planning proposal is also within an area identified for future residential development (subject to conditions now met) in the *Bungendore Land Use Strategy and Structure Plan August 2010* that was endorsed by the then Director-General of the Department of Environment and Planning.

Should this planning proposal be notified and a development application(s) be submitted the *Palerang Development Control Plan 2015* will also be applicable in considering all aspects of

9.2 Review of Submissions to North Elmslea Planning Proposal (Ref: ; Author: Thompson/Hogg) (Continued)

the potential development. In addition the following Local Infrastructure Contribution Plans currently apply:

- Palerang Section 94 Plan No.7 - Recreation Facilities at Bungendore
- Palerang Section 94 Plan No.8 - Provision of Pathway Network at Bungendore
- Yarrawlumla Council Section 94 Contribution Plan (No. 2) for Provision of Access Roads
- Yarrawlumla Section 94 Plan No.1 - Bungendore
- Yarrawlumla Section 94 Plan No.2 - Provision of Access Roads.

although the intention is that these be replaced by a local planning agreement.

Environmental

Environmental matters have been considered as part of the environmental assessments undertaken in relation to the planning proposal, government agency submissions and the planning proposal.

Sustainability

In the event of this area proceeding to be developed for future residential development this development will have to comply with the Building Sustainability Index (BASIX) requirements in relation to water consumption and greenhouse gas emissions.

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

Social / Cultural

The planning proposal provides for the long term supply of housing for Bungendore on a site identified for future extension to residential development in the currently endorsed *Bungendore Land Use Strategy and Structure Plan August 2010*.

As noted earlier in this report, condition 5 of Minute No 040/19 – 27 February 2019 requires staff to work on the details with the developer on a planning agreement which amongst other things will include a contribution towards community facilities. This would operate in the event of the site being developed for residential development. Initial discussions on a planning agreement have commenced. However, notwithstanding this, should a planning agreement not proceed, any future residential development would still be subject to a range of section 94 plans resulting in contributions/facilities necessary to support future development here.

Strategic

The planning proposal gives effect to the currently endorsed *Bungendore Land Use Strategy and Structure Plan August 2009*. This is because it is for land identified as future extension residential development (subject to conditions now met) in the currently endorsed *Bungendore Land Use Strategy and Structure Plan August 2010*. This set out a 25 year land use strategy and vision for Bungendore.

Engagement

Extensive community and government agency consultation has been undertaken as part of this planning proposal process and this is detailed above. This has resulted in a wide range of matters raised which have been carefully considered and responded to (Attachment 2, 4 to 6).

Financial

Over the life of this planning proposal considerable administrative costs have been incurred. Council costs include the administrative costs of managing, exhibiting (including a public

9.2 Review of Submissions to North Elmslea Planning Proposal (Ref: ; Author: Thompson/Hogg) (Continued)

meeting) and reporting on the planning proposal which all fall within the Land-Use Planning Branches budget.

The developer has also met the costs of the 11 background studies which are part of this planning proposal as well as those for a consultant under Council's direction to manage the process for period.

Resources (including staff)

This planning proposal has involved a number of staff on a part time basis both from the Land-Use Planning Branch and other Branches.

Integrated Plan

This planning proposal is part of the land-use program for the Land-Use Planning Branch as identified in the Operational Plan.







Conclusion

Council has completed community consultation regarding the planning proposal which seeks to amend the *Palerang Local Environmental Plan 2014* to rezone part of part of Lot 1 DP 798111, on the northern edge of Bungendore from RU1 Primary Production to R2 Low Density Residential.

In total 69 submissions (plus government agency submissions) have been received and the matters raised by them have been carefully considered. The planning proposal proposes residential development in an area identified for future extension to residential development (subject to conditions now met) in the currently endorsed *Bungendore Land Use Strategy and Structure Plan* August 2010.

In the event of this area being developed for residential development this will provide a source of future housing supply for Bungendore. A major restriction on this planning proposal proceeding has been water supply and Council has now received a licence for an increased water allocation for Bungendore. The background studies required by the original Gateway determination have also been completed. Consequently it is concluded and recommended that Council proceeds with the planning proposal which will result in a draft local environmental plan.

Attachments

- | | |
|---|--|
| Attachment 1 | Original and Revised Gateway Determinations (<i>Under Separate Cover</i>) |
|  | |
| Attachment 2 | Summary of Government Agency Submissions and Responses (<i>Under Separate Cover</i>) |
|  | |
| Attachment 3 | October 2019 Revised Planning Proposal (<i>Under Separate Cover</i>) |
|  | |
| Attachment 4 | Submission Assessment Table - Your Voice Submissions (<i>Under Separate Cover</i>) |
|  | |
| Attachment 5 | Submission Assessment Table - Emailed Submissions (<i>Under Separate Cover</i>) |
|  | |
| Attachment 6 | Submission Assessment Table - Postal Submissions (<i>Under Separate Cover</i>) |
|  | |
| Attachment 7 | Councillors Only - Submissions Unredacted (<i>Under Separate Cover</i>) -
CONFIDENTIAL |

9.3 Draft Jerrabomberra Innovation Precinct Planning Agreement (Ref: ; Author: Thompson/Brown)

File Reference: ECM 21.4.3-03

Summary

The purpose of this report is to update Council on actions in regard to a Draft Jerrabomberra Innovation Precinct Planning Agreement (draft LPA) and to seek Council's endorsement to place the draft LPA on exhibition.

Recommendation

That Council:

- 1. Note the report.**
 - 2. Agree to staff proceeding with the draft Jerrabomberra Innovation Precinct Planning Agreement by exhibiting it for 28 days.**
 - 3. Note that the results of community engagement will be reported back to Council at the conclusion of the community engagement period.**
-

Background

As Council is aware staff have recently finalised, and are actively progressing, a number of planning proposals at both South Jerrabomberra and West Jerrabomberra in order to provide for a wide range of land uses and development, including (but not limited to):

- residential development,
- employment and business related uses,
- educational uses,
- recreational uses, and
- environmental protection.

Council recently adopted a Local Infrastructure Contributions plan for South Jerrabomberra (prepared under the *NSW Environmental Planning & Assessment Act, 1979*) in order to collect contributions to fund much of infrastructure identified as necessary to service the area. Whilst this contributions plan identifies the scope and costs of essential infrastructure necessary to service the site, it does not provide final arrangements for matters such as:

- the dedication of land between parties,
- agreements to collectively contribute funding for identified works,
- cost sharing for infrastructure items not included in the 7.11 plan such as electricity works, stormwater and water supply, and
- how the recent grant funding received under the 'Growing Local Economies Fund' will be finally distributed across the various infrastructure elements identified for the site.

Accordingly Council staff have undertaken negotiations and other actions in regard to entering into a local planning agreement under the *NSW Environmental Planning & Assessment Act, 1979* with both of the respective developers of West Jerrabomberra (Poplars Pty Ltd) and South Tralee/Forrest/Morrison (The Village Building Company) in order to provide a legal mechanism for these matters to be resolved. These have resulted in a draft LPA.

9.3 Draft Jerrabomberra Innovation Precinct Planning Agreement (Ref: ; Author: Thompson/Brown) (Continued)

The contents of the draft LPA essentially gives effect to the signed letter of agreement by all parties to NSW Premier and Cabinet in August 2019 (see Attachment 1). However, negotiations have reached a stage where a plan has been drafted which reflects input from all parties (see Attachment 2). It is considered that the Draft LPA should proceed to public exhibition.

Implications***Legal***

The Jerrabomberra Innovation Precinct Planning Agreement has been prepared in accordance with the requirements of the NSW *Environmental Planning & Assessment, 1979* and the *Environmental Planning and Assessment Regulations 2000*. In addition there has been considerable legal input into it so far. Legal advice has been obtained by all parties.

Strategic

The draft LPA will assist in giving effect to Council's strategic vision for the area as set out in the *Queanbeyan Residential and Economic Strategy 2015-2031*.

Engagement

The exhibition of the Jerrabomberra Innovation Precinct Planning Agreement Exhibition will need to be consistent with the requirements of the NSW *Environmental Planning & Assessment, 1979* and Council's Community Participation Plan. In regard to this the latter requires a minimum exhibition period of 28 days.

Financial

The costs to date have included legal advice and administrative costs associated with reviewing and reporting on a draft LPA.



Resources (including staff)

The draft LPA has predominantly involved staff and up to this stage has required considerable resources. In addition it has required formal legal advice.

Conclusion

In conclusion it is considered that the draft Jerrabomberra Innovation Precinct Planning Agreement is an essential element in providing the policy settings for the further development of South Jerrabomberra. As such it is recommended that Council agree to staff progressing the draft Jerrabomberra Innovation Precinct Planning Agreement by exhibiting it for a minimum of 28 days and then reporting back on this to Council.

Attachments

- | | |
|---|--|
| Attachment 1
 | Letter To NSW Premier & Cabinet Signed All Parties - August 2019
(Under Separate Cover) |
| Attachment 2
 | Draft Jerrabomberra Innovation Precinct Planning Agreement (Under Separate Cover) |

9.4 **Renewal Application to Operate Caravan Park - Eaglehawk Holiday Park -
1246 Federal Highway, Sutton (Ref: ; Author: Thompson/Abbott)**

File Reference: 344885

Summary

Eaglehawk Holiday Park (the Park) is a caravan park located at Lot 108 & 109 DP878557, 1246 Federal Highway, Sutton.

Caravan Parks require an approval to operate under section 68 of the *Local Government Act 1993*. An approval remains current for five years. The previous approval was only for a period of 12 months until a full assessment of the Park could be undertaken. This expired on 5 August 2017. An application (No.2211) to renew the approval has been received by Council and this report details the assessment of that renewal application.

In addition, this report examines how obtaining the renewed approval to operate a caravan park impacts on the long term desire of the Park owners to continue tenure of long term sites with homes used for permanent residential accommodation. These homes are bought and sold by their occupants.

Recommendation

That:

- 1. Activity Application No. 2211 under Part F2 of section 68 of the *Local Government Act 1993*, for continued operation of a caravan park at Lot 108 & 109 DP878557, 1246 Federal Highway, Sutton be granted conditional approval for five year period.**
 - 2. Council note that enforcement action to ensure compliance with issued Fire Safety Orders will commence.**
-

Background

Original development consent for the Park was endorsed by Council on 13 May 1986, as a Tourist Park. The staff report at the time states:

"The applicant points out that the proposed development will cater for the needs of visiting tourist, and not long term residents".

This original consent incorporated 100 van sites, 25 cabins, 2 amenities blocks, an administration building and two existing dwellings occupied by the Manager and caretaker.

In 1988, the owner submitted Development Application No.D147/88 for extension of Permanent Long Term sites for permanent residence. This was refused at the Council meeting of 24 January 1989.

Application was then made for Council to re-consider the application at its meeting of 27 June 1989. The notice of determination granted development consent to increase the number of long term residential sites from 10% to 33% the later resulting in 37 long term residential sites. Legal advice is "purported to grant consent" as the *Environment Planning and Assessment Act 1979* did not at that time contain any power for the determination of a development application of a development to be reviewed by anyone other than the Land and Environment Court.

In 1998 (D112/98) a further development application was made to expand the Park by increasing the number of permanent sites from 37 to 80 (43 additional sites) and the number of casual sites from 69 to 87 (18 additional sites). The statement of environmental effects

9.4 Renewal Application to Operate Caravan Park - Eaglehawk Holiday Park - 1246 Federal Highway, Sutton (Ref: ; Author: Thompson/Abbott) (Continued)

which accompanied the development application referred to the Park as a residential/holiday park leaving no doubt that the permanent sites were intended for use as places of permanent residence. The use of the Park as a tourist park became an existing use for the purposes of the Act on making of the 1993 LEP. This was acknowledged by Council in its assessment of the 1998 development application when it approved the expansion of the Park in accordance with clause 40(1) of the *Environmental Planning and Assessment Regulation 1994*.

The Regulation allowed not only the expansion of an existing use but also the change of an existing use to another use, including a use that would otherwise be prohibited. Even if the 1986 approval only authorised the use of the Park for tourist accommodation and the 1988 approval was invalid, the 1998 approval (D112/98) validly authorised the expansion sought by the applicant and the use of 80 long term sites for permanent residential accommodation.

Approval Request

Pursuant to section 68 Part F2 of the *Local Government Act 1993* (LGA) and the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005* (Regulation), an approval is required to operate a caravan park or camping ground.

The approval to Operate a Caravan Park issued on 31/1/2001 detailed the following:

- 80 Long Term residences
- 86 Short Term residences
- 20 Camp sites

Section 103 of the LGA states that an approval lapses after 5 years and once 5 years has lapsed approval must be sought again. The last approval for this Park lapsed on 5 August 2017. Consequently the Park has been operating without a current approval.

As such a section 68 application under the LGA was submitted to Council on the 13 November 2017. The application has been received from the owner for all activity present at the Park for a further five year period. Since that time, the owner's family have become Financial Trustees and Guardians for the property.

Work has been progressing with assessing the application against the requirements of the LGA and Regulations. It is understood that it is essential that a proprietor maintain continuity of the approval to operate a park. There are various reasons for delay including legal advice and new operators of the Park however, the availability of staff resources have been mostly responsible for slow follow-up.

The objective of renewing the section 68 approval is to confirm that an existing caravan park and camping ground is designed, constructed, maintained and operated in accordance with the relevant requirements of the regulation and standards and that the conditions present at the facility promote the health, safety and amenity of the occupiers of caravans and other moveable dwellings.

The renewal application is for:

- 80 Long Term Sites – Used by Permanent Residents
- 86 Short Term Sites – Used for Cabins
- 20 Camp sites

The caravan park also includes 5 lodge style buildings, each accommodating 20-25 people. Only three of these buildings are presently used. Other community buildings include a dining hall, offices and storage areas.

9.4 Renewal Application to Operate Caravan Park - Eaglehawk Holiday Park - 1246 Federal Highway, Sutton (Ref: ; Author: Thompson/Abbott) (Continued)

Figure 1 - An overview of the site.

Assessment of the Renewal Application**Infrastructure**

The development shares services such as water and sewer with adjacent businesses including a restaurant/hotel, motel and service station. This means that the supply and treatment must meet the needs of a much larger community including all fire services.

Clause 101 - Water Supply – At the time of development the Park (and other developments under the same ownership) had tank storage for 300 kilolitres (kL). The total daily demand for the Caravan Park was calculated as 50kL per day.

Water supply is unreliable and dependant on manually carting water in a tanker from the ACT into the reservoirs servicing the Caravan Park as well as all other facilities on the site such as the Service Station, Hotel and Motel.



The *Private Water Supply Guidelines* are provided to assist operators to comply with the *Australian Drinking Water Guidelines* and the *Public Health Act 2010 (the Act)*. The Act states that a person must not, by means of a reticulated water system, supply any other person with drinking water that is not fit for human consumption. Operators must maintain a quality

9.4 Renewal Application to Operate Caravan Park - Eaglehawk Holiday Park - 1246 Federal Highway, Sutton (Ref: ; Author: Thompson/Abbott) (Continued)

assurance program to ensure that safe water is provided. There are no water quality test reports provided. Council has in the past taken a sample of water from the park and it complied at the time.

Quality assurance process has not been provided to confirm water quality in accordance with the *Drinking Water Guidelines*. The consent will be conditioned to this effect.

Clause 102 - Sewerage – Installation of a package sewerage treatment plant was approved by the State Pollution Control Commission (now the NSW Environment Protection Authority) on 11 February 1988, with a design capacity of 144kL per day and hydraulic loading capacity not to exceed 80kL per day. An additional irrigation area was provided for effluent disposal.

The plant is no longer licenced by the NSW Environment Protection Authority. The licence was surrendered and no longer required in 1999. The scale of the plant is medium, designed for more than 10 persons. This means that the requirements of *On-site Sewerage Management for Single Households 1998* (*the silver book*) do not apply. However, its scale is also too small to trigger licencing under the POEO Act of 2,500 persons or 750kL per day. All sites have a connection to the sewerage system.

The sewerage treatment plant includes an oxidation lagoon from which irrigation is undertaken. At the time of inspection there appeared to be no runoff into any watercourse or neighbouring properties.

The park management should be monitoring (sampling and obtaining results by analysis) of the concentration of pollutants. System effectiveness and capacity is unknown. A report on the system performance and quality of discharge should be undertaken. The consent will be conditioned to this effect.

Clause 128 & 129 - Fire Safety – In terms of fire safety the Park is required to comply with not only the Local Government Regulations but also with the NSW Fire Safety reforms. In 2017, the NSW Government introduced reforms through the *Environmental Planning and Assessment Regulation 2000* (the Regulation) to strengthen fire safety certification for new and existing buildings. An annual Fire Safety Statement is required. The statement confirms that each of the fire safety measures that apply to a building (as listed in the fire safety schedule) have been inspected and verified that the fire safety measures can perform to a minimum standard.

In June 2017, Council received a fire safety report from NSW Fire and Rescue regarding fire safety issues in the Park. These related to individual sites, essential services infrastructure and non-compliances in the lodges. The issues were investigated by Council officers and a Notice of Proposed Order was issued on 9 July 2018. Further inspection on 9 September 2019 found no significant improvement.

Council again issued a Notice of Proposed Order on 27 September 2019. Representations from the operator of the park were considered including extended timeframes for compliance. The order was then issued on 21 November 2019. The order split the requirements into two stages:

- Stage 1 works were to be complete by 12 December 2019; and
- Stage 2 by 20 February 2020.

9.4 Renewal Application to Operate Caravan Park - Eaglehawk Holiday Park - 1246 Federal Highway, Sutton (Ref: ; Author: Thompson/Abbott) (Continued)

An inspection was carried out on 5 February 2020 to determine compliance with the Stage One requirements and update progress on Stage Two requirements. The findings of the inspection are shown below.

Summary Table:

Fire Safety Order Requirement	Compliance	Notes
Stage One:		
Install Smoke detectors in common areas of lodges	Partial- onsite works complete	Smoke alarms have been installed to common areas of lodges and to hallways outside sole occupancy units. Council have not received certification from the installer.
Ensure all fire hose reels are maintained and in working order	No	Contract with National Fire Solutions has been signed by park owner- no inspection carried out to date
Ensure all exit signs are maintained and in working order	No	Contract with National Fire Solutions has been signed by park owner- no inspection carried out to date
Submit certification from a suitably qualified fire consultant that the smoke alarms, exit signs and fire hose reels are operating in accordance with the relevant Australian Standards	No	Contract with National Fire Solutions has been signed by park owner- no inspection carried out to date
All egress travel paths to exits are to be cleared and are to remain unobstructed.	Yes	All the egress and travel paths were clear and unobstructed at the time of inspection

Stage Two:		
Install Self Closing Solid Core Doors in Lodges	Partial	Solid Core Doors have been purchased for all three lodges currently in use (Brumby, Kangaroo and Koala) Solid Core Doors have been installed in Brumby and Koala and are currently being installed in Kangaroo. Self-closers for all doors have been purchased and will be installed once received.
Provide an evacuation plan in accordance with AS3754-2010 Planning for Emergencies in Facilities	No	Evacuation plan currently being prepared.
Copy of annual fire safety statement is to be prominently displayed	No	Contract with National Fire Solutions has been signed by park owner- no inspection carried out to date.
The property is to be provided with a fire hydrant system	No	Unable to find suitable designer/fire engineer at this stage. Work is ongoing.

9.4 Renewal Application to Operate Caravan Park - Eaglehawk Holiday Park - 1246 Federal Highway, Sutton (Ref: ; Author: Thompson/Abbott) (Continued)

In addition to the above, development consent D112/98 included the following conditions of consent which have never been complied with:

- Condition No 4 - A minimum of 10,000 litres of water dedicated for fire protection being held on site at all times. Access to water is to be provided by 50mm male BSP ball valve outlets, 65mm hydrants or other arrangements to the satisfaction of Council's Fire Control Officer.
- Condition No 5. – Preparation of a Fire Management Plan in consultation with and to the satisfaction of Council's Fire Control Officer. Such a plan to be submitted to Council within two months of the date of this approval.

Owners of the Park are currently in the process of installing two new 100,000L water storage tanks for firefighting purposes.



While the owners have made some progress in complying with the Orders it appears likely that breaches will continue unless enforcement action is taken. It is considered Council needs to commence enforcement action to ensure compliance.

Clause 104 - Electricity - It is expected that all caravan parks are initially reviewed against the minimum prescriptive provisions. Electrical supply must satisfy the requirements of AS/NZS 3000:2000, *Electrical Installations* (known as the Australian/New Zealand Wiring Rules) as in force on 1 September 2005. Electrical safety is the owner's responsibility and must be implemented and maintained within all caravan parks and structures.

The consent will require that a report confirming electrical compliance must be submitted.

Setbacks

Clause 91 - Separation Distances – Clause 139 – Site Coverage -- There are long-term sites having dwellings installed closer than 3m to another dwelling or installation of structures constructed of non-conforming materials to fire safety provisions relating to class 1 buildings contained in Section 3.7.1 and 3.8.6 of Volume Two of the *Building Code of Australia*.

Site boundary arrangements and fire separation between some of the larger dwellings is of concern. It appears that the "rule" for "Manufactured Home Estates" has been followed and not "Caravan Park" requirements. Setback requirements are very different with Caravan Parks requiring 3m separation between dwellings (s91) and Manufactured Home Estates requiring only 1m to the boundary (s47). *Note: A place that includes both manufactured homes and caravans is a caravan park and not a manufactured home estate.*

The difference is that long term sites in caravan parks are generally for transient people and not permanent residents. This Park is approved as a Caravan Park, not a Manufactured Home Estate.

All structures must be sited and clearances maintained to ensure that the likelihood of fire spread between structures is reduced so that occupants can safely evacuate and the potential for fire spread to multiple structures is reduced.

9.4 Renewal Application to Operate Caravan Park - Eaglehawk Holiday Park - 1246 Federal Highway, Sutton (Ref: ; Author: Thompson/Abbott) (Continued)

In addition to the above there are dwellings located on long-term sites which are over size being more than 2/3 of the site coverage (Cl 139). Some buildings extend for the width of the whole site and are constructed of combustible materials. Others run over boundaries and take up two sites. The site coverage requirement is similar for both a Caravan Park and a Manufactured Home Estate, so there is no reason why this has not been a condition of site occupation. Former management of the Park have not enforced the Regulations.

While the separation distance for long term sites should be 3m from any other moveable dwellings, this does not prohibit the installation of semi-detached relocatable homes on adjoining dwelling sites so long as they are separated by construction conforming to the fire safety and sound insulation provisions relating to class 1 buildings contained in section 3.7.1 and 3.8.6 of *Building Code of Australia, Volume Two*. None of the non-complying dwellings have this.

Clause 160 of the Regulations, requires the owner to notify Council when the installation of such structures has occurred. Council has not received notice of installation of any of these structures. In addition clause 135, states that a relocatable home must not be installed on a dwelling site unless each major section of the home has been constructed and assembled at, and transported to, the caravan park from a place of manufacture outside the caravan park. A number of buildings appear to have been constructed or, at least, extended on site.

It is clear the owner and management have allowed permanent dwellings to be constructed on sites with little regard to the Regulations. The majority of the setback and site coverage non-compliances appear to have been in place for many years. Council could take several approaches in trying to resolve the issue.

1. Do nothing.
2. Require relocation of the dwellings.
3. Require that when the dwellings are replaced they are to meet the required setback and site density requirements.
4. Require removal of the dwellings, which brings hardship responsibilities.
5. Require removal of non-conforming combustible materials on structures.
6. Seek a section 82 variation to the Regulation under the LGA. Such variations are sometimes approved if an alternative solution can be implemented to mitigate the non-compliance e.g. inadequate fire separation offset by having a fire hose reel on site.

Attachment 3 provides a summary of site separation distance non-compliances with long term dwellings to be resolved.

It is recommended that a combination of 3, 5 and 6 be implemented. That is, any dwellings that are removed or refurbished be replaced in a way that complies with the Regulations; any ancillary combustible structure be removed and that in the interim the applicant seek a section 82 variation for those dwelling which presently do not comply. A schedule of works for completion over a mutually acceptable time frame to develop plans for improving the fire separation to meet the objectives of the Regulation will be required.

Engagement

At the start of the process, residents of the Park were sent a letter assuring them that even though this was going to be a comprehensive review of the requirements, it was intended that once a list of non-compliances was prepared, Council would work with the owner to address or seek resolution where possible to work towards a conditional approval. There is no intention from Council to remove residents from their homes.


9.4 Renewal Application to Operate Caravan Park - Eaglehawk Holiday Park - 1246 Federal Highway, Sutton (Ref: ; Author: Thompson/Abbott) (Continued)

Conclusion

With respect to the section 68 assessment against the requirements of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005*, there are a number of non-compliance issues and concerns which require further technical reports or correction to satisfy Council that the operation of the Park complies with the Regulation. These issues can be controlled with conditions as provided in Attachment 1. As such conditional approval of the section 68, F2 approval is recommended.

In regard to setback and site coverage non-compliances on the 80 long term residential sites, the park operator will be required to liaise with residents to require satisfactory compliance with the Regulations and conditions of the Activity Approval.

Attachments

- | | |
|--|---|
| Attachment 1 | Draft Conditions of Consent (<i>Under Separate Cover</i>) |
|  Attachment 2 | Legal Advice on Permanent Residents (<i>Under Separate Cover</i>) -
CONFIDENTIAL |
| Attachment 3 | Non-compliant Permanent Dwelling Sites (<i>Under Separate Cover</i>) -
CONFIDENTIAL |

9.5 Proposed Change to the QPRC Environmental Expo Program (Ref: ; Author: Abbott/Pensini)

File Reference: 25.1.1-03

Summary

The QPRC environmental expos are coordinated by Council to provide information to the community about current environment issues and sustainability initiatives, such as information on renewable energy, biodiversity, biosecurity and waste. The environmental expos are designed to be Council's signature community environmental education centerpiece which runs in tandem with the Keep NSW Beautiful modules provided to schools in the local government area.

Since 2017 the environmental expos have been held three times a year at the major country shows in the region (Queanbeyan, Bungendore and Braidwood), however during this time Council staff have noticed a significant decrease in participation and overall interaction.

Therefore, it is proposed to change the environmental expos to a new mobile environmental education program using Council's new QPRC Community Education Trailer. This program will allow additional flexibility letting Council attend a number of different events as well as community pop-up days similar to that of the QPRC Mobile Library. The Keep NSW Beautiful modules provided to schools will be kept as is.

Recommendation

That Council:

1. **Change the current Environmental Expo initiative to a new mobile environmental education program using the QPRC Community Education Trailer.**
 2. **Continue to provide the Keep NSW Beautiful modules to all schools in the local government area.**
 3. **Continue to provide similar budget for the new mobile environmental education program in the first year.**
-

Background

The environmental expos have been run for the past 11 years from 2009-2020. Initially the Environmental Expo was held bi-annually at the Queanbeyan Bicentennial Hall, however it was moved in 2013 and incorporated into the Queanbeyan River Festival on an annual basis.

With the dissolution of the Queanbeyan River Festival in 2017, the Environmental Expo was moved and has since remained at the major regional shows (Queanbeyan, Bungendore, and Braidwood) three times a year. However, notably with the more recent move and significantly over the past 2 years staff have noticed a substantial decrease in show goer participation and overall interaction, despite staff trying various methods of engagement. Therefore a new mobile environmental education program is proposed.

The new mobile environmental education program will work by using the new QPRC Community Education Trailer (pictured below) to attend multiple community events: for example the Majors Creek Festival and/or Bungendore Harvest Festival (minimum of three annually) at the discretion of staff as well as set community pop-up days similar to that of the QPRC Mobile Library. The community pop-up days will be promoted using Council's social media networks and newsletters. Sustainability workshops may also be held in conjunction with events or set community pop-up days.

9.5 Proposed Change to the QPRC Environmental Expo Program (Ref: ; Author: Abbott/Pensini) (Continued)

Council's Keep NSW Beautiful modules provided to all schools within the local government area will be kept as is. The modules presently taught include:

- In the bin
- Recycling
- Sustainability
- Composting
- Schoolyard Harvest
- Worm Farming
- Saving Water
- Keeping Waterways Clean
- Lunches Unwrapped
- Litter
- Waste Audits

QPRC Community Education Trailer

The QPRC Community Education Trailer was once used by Council's Natural Landscapes and Health team for water wise education however, due to lack of appropriate use and required maintenance, a decision was made to retrofit it into a multipurpose education trailer that can be used much more frequently and appropriately across QPRC. The inside of the education trailer is still yet to be retrofitted however, once completed it will contain the following:

- A TV screen for presentations, videos, sign up services and website access.
- Solar panels and rechargeable battery with USB capability for smart devices.
- Petrol generator.
- Smart city capability.
- Pull out draws that contain flyers, brochures, and factsheets for public consumption.
- Drinking water refill station.
- Display space.



Old Waterwise Trailer



New QPRC Education Trailer

9.5 Proposed Change to the QPRC Environmental Expo Program (Ref: ; Author: Abbott/Pensini) (Continued)

Implications***Environmental***

The environmental benefits to the community and Council are wide ranging. The proposed program will facilitate the distribution of accurate environmental information to the community. This will hopefully result in an increase in community environmental awareness, understanding and education. For example information that could be distributed, could include:

- Recycling and waste information.
- Biosecurity and biodiversity information.
- Onsite sewer management system information.
- Waterwise information.

Sustainability

Likewise the sustainability benefits to the community and Council are wide ranging. The proposed program will also facilitate the distribution of accurate sustainability information to the community. This will hopefully result in an increase in sustainability initiatives and projects within the community and enhance social and community inclusion. For example information that could be distributed, could include initiatives such as:

- Composting and worm farming.
- Energy efficient lighting.
- Home solar PV installations.
- Community garden initiatives/overlooked bounty.
- Water sensitive urban design.

Asset

The QPRC Community Education Trailer has been recently repaired structurally (rust removed, new wiring and panels) as well as a fresh paint job and new decals. Maintenance of the trailer will be required.

Strategic

Natural Landscapes and Health KPI 25.1.1.1- Community events run by Council with sustainability initiatives promoted- 4 events per year.

Engagement

Council's Natural Landscapes and Health Team believe that the mobile environmental education program will provide the following additional benefits to the community when compared to the current Environmental Expo approach. They are:

- Greater outreach to smaller communities other than the three major urban centres such as: Captains Flat, Royalla and Araluen.
- Increased participation and overall involvement.
- Improved flexibility in scheduling and staff involvement.
- Increased community uptake of environmental and sustainability knowledge.

9.5 Proposed Change to the QPRC Environmental Expo Program (Ref: ; Author: Abbott/Pensini) (Continued)

Financial

The 2019/2020 financial year budget for the current environmental expos and Keep NSW Beautiful schools modules is \$12,000. The proposed new mobile environmental education program and Keep NSW Beautiful modules will not require any additional budget in the 2020/2021 financial year. It is proposed that the new program will use the funds in the following way:

- \$5000 internal retrofit of the QPRC Community Education Trailer.
- \$5000 Keep NSW Beautiful modules.
- \$2000 education resources.

Future budgets for the mobile environmental education program following on from the 2020/2021 financial year could run at significantly reduced cost to Council, possibly only \$8000-\$9000 a financial year.

Resources (including staff)

Council staff time from the Natural Landscapes and Health team. Some additional weekend work will be required.

Integrated Plan

Community Engagement and Participation Plan:

- 4.1 Actions we will take to improve community engagement at QPRC.

Community Strategic Plan 2018-2028:

- 1.1.2 We are an inclusive region with access to opportunities and community support services by those who need them most.
- 3.1.4 We actively promote and implement sound resource conservation and good environmental practice.
- 5.1.7 We have a well informed and engaged community.

Conclusion

The mobile environmental education program offers a significant opportunity for Council to engage and interact with the community including smaller rural communities. It is believed that this program will improve overall involvement and uptake of environmental and sustainability knowledge in the community, at a reduced cost to Council.

Attachments

Nil

9.6 Edwin Land Parkway Road Noise Study (Ref: ; Author: Thompson/Hansen)

File Reference: 586218

Summary

SLR Consulting Australia Pty Ltd (SLR) was commissioned by Council (QPRC) to undertake a post-construction noise assessment and develop a future years' model of the road noise impacts from Edwin Land Parkway (ELP) in Jerrabomberra.

Previous noise assessments conducted by SLR in 2009 and 2013, concluded that noise levels from the ELP at adjacent properties were within the noise limits of the NSW *Road Noise Policy* (RNP).

The purpose of this assessment was to determine if properties adjacent to ELP comply with the NSW Road Noise Policy for the current year, 2019 and also for the year 2022, which will be 10 years post-construction of the ELP. A summary of post construction noise assessment of road noise emissions from the Edwin Land Parkway (ELP) is presented in this report (670.11066-R01-v2.0 20190806).

Recommendation

That Council:

- 1. Note the report on the Edwin Land Parkway Noise Study.**
 - 2. Consider providing \$30,000 in the 2020/2021 budget to complete assessment and design of suitable treatments to reduce road noise to compliant levels on the Edwin Land Parkway.**
 - 3. Receive a further report once the assessment and design work is completed that provides an estimate to provide suitable noise treatments to affected houses.**
-

Background

SLR Consulting Australia Pty Ltd (SLR) was commissioned by the Council (QPRC) to undertake a post-construction noise assessment and develop a future years' model of the road noise impacts from Edwin Land Parkway (ELP).

Previous noise assessments conducted by SLR in 2009 and 2013, concluded that noise levels from the ELP at adjacent properties were within the noise limits of the NSW *Road Noise Policy* (RNP).

The purpose of this assessment was to determine if properties adjacent to ELP comply with the NSW Road Noise Policy for the current year, 2019 and also for the year 2022, which will be 10 years post-construction of the ELP .

Road traffic noise levels have been considered in relation to criteria within the Roads and Maritime Service (RMS) *Road Noise Policy* (RNP).

The NSW *Road Noise Policy* (RNP) provides assessment criteria for residential land uses for particular types of road categories.

9.6 Edwin Land Parkway Road Noise Study (Ref: ; Author: Thompson/Hansen) (Continued)

The ELP is categorised as a sub-arterial road and the land use types and assessment criteria are described in the RNP applicable to the project area are shown in Table 1.

Table 1 - RNP Assessment Criteria: Sub-Arterial Road

Section of ELP	Type of Project/Land use	Assessment Criteria	
		Day (7:00am to 10:00pm) dBA LAeq,(15hour)	Night (10:00pm to 7:00am) dBA LAeq,(9hour)
Tomsitt Drive to Stringybark Drive	Existing residences affected by additional traffic on existing road	60	55
East of Stringybark Drive	Existing residences affected by noise from a new road	55	50

A traffic counting survey was undertaken concurrently with the noise monitoring survey to establish the number and composition of vehicles utilising the ELP. The traffic data will be used to validate the noise modelling results and for extrapolation of the future traffic volumes.

The traffic count data used for validation has been summarised in Table 4 along with the traffic composition in terms of light vehicles and heavy vehicles.

Table 4 Traffic Data used for Noise Model Verification

Traffic Counter Location	2019 Average Daily Vehicle Traffic Count				Traffic Speed, km/h
	Day		Night		
	Light Vehicle	Heavy Vehicle	Light Vehicle	Heavy Vehicle	
ELP Jerra roundabout – Stringybark/Numeralia Drive	6,691	464	628	43	70
ELP Stringybark/Numeralia Drive - Cooma Road	7,655	503	635	51	70
Tomsitt Drive (East Bound) Jerra roundabout – ELP	8,041	384	524	31	50
Tomsitt Drive (West Bound) ELP to Jerra roundabout	7,965	398	941	37	50

9.6 Edwin Land Parkway Road Noise Study (Ref: ; Author: Thompson/Hansen) (Continued)

The assessment shows that based on current traffic volumes, 14 properties are expected to experience road traffic noise levels higher than the RNP criteria during the daytime period, with 9 of those properties also likely to exceed the criteria during the night-time period, i.e. road noise at 5 properties would exceed the criteria during the daytime period only.

The assessment shows that based on projected future ELP traffic volumes for the Year 2022, 15 properties are expected to experience road traffic noise levels higher than the RNP criteria during the daytime period, with 10 of those properties also likely to exceed the criteria during the night-time period, i.e. road noise at 5 properties would exceed the criteria during the daytime period only.

The predicted noise levels at several properties were higher than the RNP criteria by a margin of less than 2dBA, which is generally not considered as an exceedance. Those properties have not been included in the counts shown above.

Exceedances of up to 9dBA were predicted at residences east of Stringybark Drive, generally at the upper floor of two-storey properties where direct line-of-sight to the road traffic occurs.

It may be reasonable and feasible to reduce road traffic noise to compliant levels by way of noise barriers at single-storey properties that are located close to each other whereas in house treatments may be required for isolated or two storey properties.

Now that the noise affected homes have been identified, further work is required to determine the most suitable treatment for the houses detailed in this report. This work is estimated to cost a further \$30,000.

Once the assessment and design is completed, the cost to provide the appropriate treatments can be estimated.

Implications

Engagement

No engagement has been undertaken on this matter. Engagement with affected property owners should be delayed until the above report has been completed to enable discussions to include proposed noise amelioration solutions.

Financial

Funds have not been provided for this work or any future noise amelioration work.

Program Code	Expense Type	Funding source	Amount
		For consideration in a future budget.	\$ 30,000

Attachments

Nil

9.7 Charleyong Bridge (Ref: ; Author: Thompson/Hansen)

File Reference: 585952

Summary

The Charleyong Bridge is located on the Nerriga Road known as Main Road 92. Charleyong Bridge is a timber bridge contain an Alan Truss. The bridge passes over the Mongarlow River and is under the care and control of Transport for NSW.

A by-pass of the Charleyong Bridge is due to be completed mid 2020 which includes the construction of a new bridge to replace the Charleyong Bridge.

The demolition of the existing Charleyong Bridge was approved in 2016 as part of the project to build a new bridge over the Mongarlowe River on Main Road 92.

The approval process included an options assessment and consultation with the community, including Braidwood Historical Society and Queanbeyan-Palerang Regional Council in 2016.

Since the approval of the bridge replacement project in 2016, Charleyong Bridge maintenance work and funding has been planned based on the bridge being closed to traffic and demolished within five years.

A bridge carrying only pedestrians or bicycles still requires maintenance. Although it will no longer have the wear and tear of vehicle use, timber still deteriorates over time. The bridge will require the same level of maintenance, including closing it to dismantle and replace truss components.

Transport for NSW's position remains that it does not support the retention of the bridge and the decision to demolish the bridge has previously been established during the REF approval process.

Recommendation

That Council:

- 1. Note the report.**
 - 2. Note that Transport for NSW will proceed to demolish the Charleyong Bridge in accordance with the Review of Environmental Factors completed in 2016.**
-

Background

The Charleyong Bridge (shown red in Figure 1 below) is located on the Nerriga Road (known as Main Road 92). Charleyong Bridge is a timber bridge and contains an Alan Truss. The bridge passes over the Mongarlowe River.

A by-pass of the Charleyong Bridge is due to be completed mid 2020 which includes the construction of a new bridge (shown blue in Figure 1) to replace the Charleyong Bridge. The demolition of the existing Charleyong Bridge was approved as part of the project to build a new bridge over the Mongarlowe River on Main Road 92.

The approval process included an options assessment and consultation with the community, including the Braidwood Historical Society and Queanbeyan-Palerang Regional Council in 2016. The old bridge is scheduled for demolition following the completion of the new road and bridge.

The Nerriga Road is a Regional Road and is under the care and control of Transport for NSW. The bridge is maintained by Transport for NSW.

9.7 Charleyong Bridge (Ref: ; Author: Thompson/Hansen) (Continued)

Transport for NSW have completed various works on the bridge over time. This work has always anticipated the removal of the bridge following the construction of a new bridge over the river.

The existing bridge has previously been the subject of major maintenance works, particularly between 2008 and 2010. This work although major, was not permanent and it was noted that further replacement, addition or alteration would be required in the next 10 years (i.e. by 2020). Large timber truss bridges such as Charleyong Bridge, in general, require major refurbishment work every 10 – 20 years.

Some of the work includes:

- Major temporary strengthening via steel supports was installed on all of the piers in 2009-2010.
- A major rehab in 2008-2010 involving replacing the deck, major temporary strengthening via steel supports on all piers, installation of piles for the steel supports.
- In 2014/15 financial year a major project was undertaken to replace some members of the truss span under the assumption that the bridge would be demolished within 10 years.

Financial reports between 2004 and 2014 indicate the maintenance costs of the bridge averaged approximately \$400,000 per year (in 2014 dollars).

In January 2020, following re-opening of Nerriga Road to traffic after bushfire closures, the bridge was inspected and appeared to be in operational condition.

On Tuesday 21 January 2020, deformation of the bridge truss was observed and the bridge was immediately closed to all traffic. Further detailed inspections were carried out which confirmed the need to keep the bridge closed to pedestrians and vehicles for safety reasons.

Transport for NSW investigated options for temporary repairs to the existing bridge and also expediting construction on the new bridge and approaches. Based on the options explored, it was not considered practical to carry out temporary repairs to the existing bridge as the new bridge could be opened to traffic in a shorter timeframe.

Transport for NSW determined that the existing timber bridge would remain closed to all traffic and plans to demolish the bridge should proceed following the opening of the new bridge to traffic.

The latest Level 2 inspection was undertaken by an experienced Transport for NSW Bridge Inspector in May 2019 and indicated the bridge to be in poor condition.

Once the new bridge is completed, Transport for NSW will either proceed to demolish the bridge in accordance with the approved Review of Environmental Factors (REF) for the project or hand the bridge over to Council. Transport for NSW will cease to fund the ongoing maintenance of the Charleyong Bridge. If the bridge is retained, Council will be responsible for all future maintenance and repair costs of the bridge.



Figure 1

Transport for NSW will only permit the bridge to remain in circumstances where Council can demonstrate ability and capacity to manage and maintain the bridge and where there would be no recurring costs to Transport for NSW. It is beyond Transport for NSW' control to ensure conservation of the bridge once handed over to Council.

A timber truss bridge is a complex structure that requires specific maintenance skills. In addition to this, if the bridge is not subjected to frequent transient loads the timber tends to deteriorate more quickly because of biological (fungi and termite) attack. Limiting the bridge to pedestrian access only will not reduce the ongoing maintenance costs of the bridge.

To mitigate the heritage impacts by the removal of the bridge, Transport for NSW has completed an archival recording of Charleyong Bridge and will develop a heritage interpretation strategy, as well as provide elements from the bridge for a display at the Braidwood Museum.

The historic role of the bridge was considered in the REF and the Submissions Report. A number of heritage measures, such as retaining the stone abutments as a marker of the original bridge location, have been identified as part of the assessment.

Transport for NSW will prepare a heritage interpretation strategy, including the Charleyong Bridge within the context of the human history of the area and particularly the Nerriga Road / Wool Road route.

A bridge carrying only pedestrians or bicycles still requires maintenance. Although it will no longer have the wear and tear of vehicle use, timber still deteriorates over time. The bridge will require the same level of maintenance, including closing it to dismantle and replace truss components. Although this has been tried by Transport for NSW at a number of locations, it has been found not to be sustainable and those bridges have subsequently been removed due to safety concerns.

9.7 Charleyong Bridge (Ref: ; Author: Thompson/Hansen) (Continued)

Maintaining the Charleyong Bridge as a heritage item is an expensive and complex activity that Council is not resourced to undertake. Council should not support the retention of this bridge.

In addition to requests to retain the bridge, Council has been requested to assist with the development of the area adjacent to the bridge as a historic interest location and the nearby cricket pitch and associated structures be reinstated and made available to public. It has also been requested that public access to the river in this location also be developed. An estimated cost for this work has not been calculated.

The old cricket pitch is located on land that is currently owned by the Sydney Catchment Authority (shown green in Figure 1). This land is private land and is not open to the public.

The land that fronts the river is Crown Land (shown yellow in Figure 1). Any work to clear or improve this land would require approval from Crown Lands.

Implications**Asset**

If the Charleyong Bridge is retained it will be transferred to Council. It would then be added to Council's asset list and funds will need to be provided for the ongoing maintenance and repair of the bridge.

If the adjoining land is developed, any improvements will require ongoing maintenance and repair in addition to any capital expenditure to establish the site. Council may need to purchase land prior to anything commencing.

Strategic

The retention of the Charleyong Bridge or the development of the adjoining land is not included in any plan or strategy of Council.

Financial

Retaining the Charleyong Bridge will require Council to provide additional funds to maintain and repair the bridge.

An estimated amount of \$400,000 per annum will be required for maintenance. The cost of future repairs are not known at this time and will be subject to the performance of the timber bridge elements.

Attachments

- Attachment 1 Charleyong Bridge Maintenance Cost Estimate (*Under Separate Cover*) -
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9.8 Tender Recommendation for South Jerrabomberra Northern Entry Road
(Contract 2019-54) (Ref: ; Author: Hansen/Ramsland)

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 and Council at its 18 December 2019 meeting resolved to receive a further report detailing the outcomes of negotiations with the preferred Tenderer and the timing of the tender award.

The grant funding deed for the NSW Government funding component has not been received in time for this Council meeting and award of the tender cannot occur until such time as this deed is received by Council. The acceptance of the tender is extremely time sensitive and once government funding is received it needs to be bought back before Council without delay. As such this report recommends that Council delegate the consideration of the Tender to the March Planning and Strategy meeting.

Recommendation

That Council delegate the consideration of Tender 2019-54 to the March 2020 Planning and Strategy meeting.

Background

Following announcements by the Deputy Premier and Member of 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 2019 and were assessed by staff following an 8 week tender period.

The tender was not able to be awarded due to a delay in receipt of the grant funding deed for the NSW Government funding component. The grant funding deed was expected to be received in time for this Council meeting however, it is yet to be received. It is proposed to report to Council and award the tender as soon as the grant funding deed is obtained. To reduce further delays in achieving the milestone completion dates the Council report may need to be brought to a future Planning and Strategic Committee meeting.

Tenders are normally dealt with at an Ordinary Council Meeting so consideration at a Committee meeting will require a specific resolution to do so.

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.

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

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 and facilitates the extension of the road through to the new urban release area in South Jerrabomberra (South Tralee).

Economic

The project enables the 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 Jerrabomberra focused on defence, space, energy and technology enterprise, and capable of connection to related government agency business. It also connects to infrastructure provided by Village Building Company to the South Jerrabomberra (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 is being presented at this Council meeting. The LPA will be based on the letter of agreement executed early last year (presented at Council meeting 18 December 2019).

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



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 projects supports Council’s 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

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

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 Strategic Pillars of Council and our Community.

Conclusion

The award of the tender to construct NER has been delayed due to the delay in receiving the grant funding deed for the NSW Government funding component. The grant funding deed was expected to be received in time to report to this Council meeting, however it is yet to be received. It is proposed to report to Council and award the tender as soon as the grant funding deed is obtained. To reduce further delays in achieving the milestone completion dates the Council report may need to be brought to a future Planning and Strategic Committee meeting.

Attachments

Nil

9.9 Delivery Program Update - July-December 2019 (Ref: ; Author:
Richards/Tozer)

File Reference: 51.1.2-03

Summary

The Delivery Program 2018-21 was adopted in June 2018 and Council is required to report on its progress at least every six months. A report will be presented to the February meeting each year on the progress against the Delivery Program for the period 1 July – 31 December. The progress report for the Delivery Program for the full financial year will be presented to the August Council meeting each year.

Recommendation

That Council note the Delivery Program update.

Background

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

The Operational Plan is essentially a sub-plan of the Delivery Program and focuses on the current financial year. The Operational Plan includes a major detailed budget, full list of capital works and key performance indicators for Council services. The attached update provides councillors and the community with an understanding of the progress Council is making with its capital projects and key performance indicators. The update should be read in conjunction with the second quarter budget review that is also presented to this meeting.

As part of Council's reporting requirements, an End of Term report is being developed and is required to be presented to Council prior to August 2020. This report will highlight how Council has moved towards achieving the aspirations outlined in the Community Strategic Plan.

Implications

Policy

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

Integrated Plan

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


9.9 Delivery Program Update - July-December 2019 (Ref: ; Author: Richards/Tozer)
(Continued)

Conclusion

The Delivery Program 2018-21 is in its final financial year, with a new Delivery Program to be developed with the incoming Council in early 2021.

The attached report has been populated and developed from a new performance reporting piece of software that aligns with Council's other corporate programs.

Attachments

Attachment 1  Delivery Program Update 2019-20 - July/December (*Under Separate Cover*)

9.10 Cultural Arts Assistance Scheme Application for Funding - Vision 2020
Exhibition (Ref: ; Author: Richards/Mirowski)

File Reference: Community – Culture – Cultural Development – Cultural Art Assistance Scheme 2019/20 – 1.1.3-01 – Application Vision 2020

Summary

On 29 January 2020, an application was submitted for funding under Council's Cultural Arts Assistance Scheme (CAAS). The applicant is the curator of the Vision 2020 Textiles Exhibition. The application seeks funds to assist with venue hire costs of the Q Exhibition Space, so that the travelling arts exhibition can be shown in Queanbeyan.

Recommendation

That Council approve the allocation of a donation of \$1,500 from the Cultural Arts Assistance Scheme to the curator of the Vision 2020 Textile Exhibition to offset hire costs for the exhibition at the Q Exhibition Space in Queanbeyan.

Background

The aim of the CAAS is to improve the Queanbeyan-Palerang community's opportunities for involvement in art and cultural activities. Under the CAAS, grants of up to \$1,500 will be considered if a project meets one or more of the following criteria:

1. Employs a professional artist
2. Attracts matching funding from another source outside of Council
3. Works in partnership with other community groups / government bodies
4. A festival, event or project that will engage the broader Queanbeyan-Palerang community.

The project meets the criteria for a grant of \$1,500. The month-long exhibition at The Q will take place from 28 April 2020 to 30 May 2020. Forty textile artworks from Australian and international artists have been selected, including works by three Canberra-based artists. The travelling exhibition will feature textile works of 50 x 50cm which interpret the theme of 'vision – the power of sight, the art of seeing'.

There is no provision in the Vision 2020 exhibition budget for venue hire, and thus the travelling exhibition relies on securing fee-free exhibition spaces. The exhibition will be on tour from April 2020 to July 2021. The tour program is still under development, but will include exhibitions at the Australasian Quilt Convention in Melbourne, Gosford Hospital Exhibition Space, and internationally in the USA.

Implications

Policy

Funding this event complies with the *QPRC Donations Policy 2017*. Under the Policy, Council commits to provide financial assistance for the development of positive and beneficial projects which address the identified objectives in the *QPRC Community Strategic Plan 2018-2028*. The project aligns with the key goal of Strategic Pillar 1 - Community, which is 'We build on and strengthen our community cultural life and heritage'.

The application is from an individual who is curator of the exhibition, rather than a not-for-profit community group. *Councils Donations Policy 2017* states that grants may be made, in some

**9.10 Cultural Arts Assistance Scheme Application for Funding - Vision 2020
Exhibition (Ref: ; Author: Richards/Mirowski) (Continued)**

cases, to individuals, as the aim of the Policy is to support a wide range of activities that builds community capacity, fosters social networks and information exchange, facilitates cooperation and builds on existing community strengths.

Private commercial ventures cannot be funded through the CAAS. The attached application clearly states that the exhibition is not a commercial venture, and selected artists pay a \$55 fee to assist with exhibition and tour expenses on a not-for-profit, break-even basis. The curator volunteers her time, expertise and travel costs for the exhibitions. The exhibition will be open to the public free of charge.

Social / Cultural

The funding will allow the Queanbeyan-Palerang community to experience a high quality textile arts exhibition of international standing.

Financial

There are sufficient funds available to cover this funding request.

Program Code	Expense Type	Funding source	Amount
3020-5070	Donations Cultural Activities	Cultural Arts Assistance Scheme	\$ 1,500

Conclusion

The project would benefit the Queanbeyan-Palerang community through providing opportunities for engaging in an art and cultural activity, and is expected to produce positive and strong artistic and cultural outcomes.

Attachments

Attachment 1 Vision 2020-QPRC Grant Application CAAS (*Under Separate Cover*) -
CONFIDENTIAL

9.11 Cultural Arts Assistance Scheme Application - ACT Maori Performing Arts Inc
(Ref: ; Author: Richards/Mirowski)

File Reference: 1.1.3-01 Cultural Arts Assistance Scheme – 2019/20

Summary

On 6 February 2020 the ACT Maori Performing Arts Inc. submitted an application for funding under Council's Cultural Arts Assistance Scheme (CAAS). The application seeks \$1,500 CAAS funds to support the 8th Australian Kapa Haka Festival 2020.

Recommendation

That Council not support the allocation of funding to ACT Maori Performing Arts Inc. under the Cultural Arts Assistance Scheme (CAAS) as the application does not meet the eligibility criteria.

Background

At the 22 January Ordinary Meeting of Council, Council approved a CAAS donation to ACT Maori Performing Arts Inc. of \$1,500 for costs associated with a Queanbeyan Waitangi Day Festival, to be held on 1 February 2020. The outdoor festival was cancelled on advice of local health authorities that extreme heatwave conditions and smoke and fire hazards would pose a risk to public health. Consequently, QPRC staff did not release any CAAS funds for the cancelled event.

The attached new application seeks \$1,500 CAAS funding towards costs for a 'VIP and Elderly Area' at the Australian National Maori Kapa Haka Qualifying Festival 2020, which will be held at Exhibition Park, ACT on 13-14 March 2020. At this large event, Maori cultural groups compete for selection to participate in a prestigious national festival in New Zealand, planned for February 2021. One group will be selected to represent Australia, and one other group will be selected to represent their state.

The event will have free entry to the public and will be live streamed by Maori TV to an international audience. The event will include food and merchandise stalls and will be sponsored by the New Zealand High Commission.

Implications

Policy

The QPRC website notes that the stated aim of the CAAS is to assist local arts and cultural groups to develop their own projects, and to improve the LGA's community's opportunities for involvement in arts and cultural activities. Applications are invited from cultural and community organisations for projects that meet the aim of the scheme, and can demonstrate that their projects will improve the community's opportunities for involvement in arts and cultural activities. Projects approved under the CAAS scheme have to date, been conducted in the Queanbeyan-Palerang LGA, enabling the local community to directly participate in, and benefit from, the activity or event.

9.11 Cultural Arts Assistance Scheme Application - ACT Maori Performing Arts Inc (Ref: ; Author: Richards/Mirowski) (Continued)

Council makes donation and grants in line with the *QPRC Sponsorship Policy 2017*. The Sponsorship Policy defines a grant as a payment made by Council for a specific purpose or project that demonstrates community benefit and assists in meeting QPRC's strategic goals and objectives. The Sponsorship Policy also states that Council is committed to providing financial assistance that addresses identified objectives of the QPRC Community Strategic Plan.

Social / Cultural

Since this event will not be held in the LGA, it does not align with the Strategic Pillar of 'Community', including the goal to develop the cultural capacity of the community through increasing the availability and participation in arts, performance, cultural gatherings, events and exhibitions in the Queanbeyan-Palerang region.

Financial

If Council determines to grant the funding the source of funding would be as shown below.

Program Code	Expense Type	Funding source		Amount
3020-5070	Grant	Cultural Arts Assistance Scheme	\$	1,500

Conclusion

Both the location of the event and the specific purpose of the funding i.e. to provide a VIP/Elderly area at a National event are outside the CAAS eligibility criteria. It is recommended that the application not be supported.

Attachments

- Attachment 1 CAAS Application- ACT Maori Performing Arts Inc. (*Under Separate Cover*) - **CONFIDENTIAL**

9.12 Cultural Arts Assistance Scheme Application - Create Collaborate Collective Inc (Ref: ; Author: Richards/Mirowski)

File Reference: Culture – Cultural Development – 1.1.3 Cultural Arts Assistance Scheme – Cultural Arts Assistance Scheme 2019/20 – 1.1.3-01.

Summary

On 10 February 2020, the Create Collaborate Collective Inc. submitted an application for funding under Council's Cultural Arts Assistance Scheme (CAAS). The application seeks \$1,500 funds towards staging an arts exhibition at The Queanbeyan Hive, which will be available to the public through gold coin donation.

Recommendation

That Council approve the allocation of a donation of \$1,500 from the Cultural Arts Assistance Scheme to Create Collaborate Collective Inc. to assist with costs for a public art exhibition.

Background

The application seeks funding assistance to put on a three-week public art exhibition at the Queanbeyan Hive, in Crawford Street, featuring the life and works on Connee Colleen, a well-known living local Queanbeyan character, artist, activist and archivist. The exhibition will open 4 April and close on 25 April 2020. It will feature a comprehensive retrospective of sculptures, drawings, sketches, and plans from Connee's long artistic career. The exhibition will include information and interpretation.

Connee's work features depictions of real Queanbeyan people and heritage buildings. The exhibition will include depictions of elderly, disabled and Indigenous residents of Queanbeyan in the 1980s, and will bring to life the history of Queanbeyan, through highlighting the stories of real people and places in Queanbeyan.

The exhibition will be open to the public for a total of 90 hours. The applicant wishes to utilise the CAAS funds towards hire of gallery spaces, designing information panels and transporting and preserving artworks and artefacts. Volunteers will be responsible for planning and managing the exhibition.

Implications

Policy

The CAAS is administered in line with Council's *Donations Policy 2017* (for donations under s356 of the *Local Government Act 1993*). Under the Policy, Council commits to providing financial assistance for the development of positive and beneficial projects which address the identified objectives in the *QPRC Community Strategic Plan 2018-2028*. The project aligns well with Council's Donations Policy, in that it may produce strong outcomes under the key goal of Strategic Pillar 1 – Community, which is 'We build on and strengthen our community cultural life and heritage'.

The project meets the aims and eligibility criteria for funding under the CAAS. The aim of the CAAS is to assist local arts and cultural groups to start and develop their own projects, and to improve the community's opportunities for involvement in cultural and arts activities. The

9.12 Cultural Arts Assistance Scheme Application - Create Collaborate Collective Inc (Ref: ; Author: Richards/Mirowski) (Continued)

project is of a non-commercial nature and meets the eligibility criteria for funding of up to \$1,500.

Under the CAAS program, grants of up to \$1,500 will be considered if a project meets one or more of the following criteria:

- employs a professional artist;
- attracts matching funding from another source outside of Council;
- works in partnership with other community groups / government bodies,
- provides a festival or event that will engage the broader Queanbeyan-Palerang community.

This project meets three of these four criteria in that it will attract a funding contribution of \$1,525 from Rotary. The applicant organisation will be working in partnership with Rotary, and the project will provide an event that will engage the broader Queanbeyan-Palerang community.

Social / Cultural

This project has the potential to deliver positive outcomes for the artistic and cultural life of Queanbeyan, and will also engage and educate the local community regarding Queanbeyan's history and heritage. Volunteers will prepare and manage the exhibition.

Financial

There are sufficient 2019-20 CAAS funds available to cover this funding request.

Program Code	Expense Type	Funding source	Amount
3020-5070	Donations Cultural Activities	Cultural Arts Assistance Scheme	\$ 1,500

Conclusion

This funding application aligns with the aims and purpose of the CAAS scheme, the QPRC Donations Policy, and the QPRC Community Strategic Plan. It has the potential to provide positive social, cultural and educational outcomes for the Queanbeyan-Palerang community.

Attachments

- Attachment 1 CAAS Application - Create Collaborate Collective Inc. (*Under Separate Cover*) - **CONFIDENTIAL**

9.13 Cultural Arts Assistance Scheme Funding Application from Karabar High School - MUSEffect Dance Program (Ref: ; Author: Richards/Mirowski)

File Reference: Culture – Cultural Development – 1.1.3 Cultural Art Assistance Scheme – Cultural Arts Assistance Scheme 2019/20 1.1.3-01.

Summary

On 11 February 2020, Karabar High School submitted an application for funding under Council's Cultural Arts Assistance Scheme (CAAS). The application seeks \$1,500 to assist with the costs of providing the MUSE Downunder Program to young dancers in the LGA.

Recommendation

That Council approve the allocation of \$1,500 from the Cultural Arts Assistance Scheme to assist with costs for the MUSEffect Dance Program.

Background

The application seeks funding to assist with bringing six artists, a company director and a film maker from Los Angeles to Queanbeyan, to deliver the MUSEffect program, and to assist with venue hire costs. The program was delivered in Queanbeyan in both 2018 and 2019. The application provides strong anecdotal evidence that the program created significant and long-term personal development outcomes for program participants in 2018 and 2019.

The program combines intensive contemporary dance training, with mental and physical fitness initiatives, and an examination of a relevant social issues such as body image, technology or homelessness. MUSEffect explores topics relevant to today's society with the purpose of igniting personal initiative, and cultivating positive permanent changes that improve quality of life.

The program involves two-day dance workshops for those aged 9 to 11 years, and a four-day dance workshop for those aged 12 years and older. Around 30 young participants will be selected through auditions and the program will be advertised through local schools, dance schools and social media.

The program, which is planned for 23 March to 1 April 2020 will culminate in a dance performance at The Q Theatre, where young participants will perform with professional dancers. Choreography will be provided by the dance company. The project will also involve participants creating a dance film exploring a social issue, with the aim of creating awareness, and developing real social change.

Implications

Policy

The CAAS is administered in line with Council's *Donations Policy 2017* (for donations under s356 of the *Local Government Act 1993*). Under the Policy, Council commits to providing financial assistance for the development of positive and beneficial projects which address the identified objectives in the *QPRC Community Strategic Plan 2018-2028*. The project aligns well with Council's Donations Policy, in that it may produce strong outcomes under Strategic Pillar 1 – Community, which is 'We build on and strengthen our community cultural life and heritage'. The project is in line with the service objective of developing the cultural capacity of the community through the availability and participation in arts, performance and cultural gatherings, events and exhibitions in the LGA.

9.13 Cultural Arts Assistance Scheme Funding Application from Karabar High School - MUSEffect Dance Program (Ref: ; Author: Richards/Mirowski) (Continued)

The project meets the aims and eligibility criteria for CAAS funding. The aim of the CAAS includes improving the community's opportunities for involvement in cultural and arts activities. The project will involve a non-profit dance company and meets the eligibility criteria for funding of up to \$1,500.

Under the CAAS program, grants of up to \$1,500 will be considered if a project meets one or more of the following criteria:

- employs a professional artist;
- attracts matching funding from another source outside of Council;
- works in partnership with other community groups / government bodies; or
- provides a festival or event that will engage the broader Queanbeyan-Palerang community.

This project meets three of these four criteria. The project will attract matching funding of \$5,200 from sponsors and donations.

Social / Cultural

This project has the potential to have positive outcomes for the social and cultural life of the Queanbeyan-Palerang community. Young participants will be charged costs of \$140 to participate in the two day program for dancers aged 9 to 12 years. Dancers aged 12 and up will be charged \$500 for the four-day program. These costs may prove prohibitive for some local families.

Financial

There are sufficient CAAS funds available to cover this funding request.

Program Code	Expense Type	Funding source	Amount
3020-5070	Donations Cultural Activities	Cultural Arts Assistance Scheme	\$ 1,500

Conclusion

The funding application is in line with the aims and purpose of the CAAS scheme, the QPRC Donations Policy, and the Community Strategic Plan, and has the potential to provide positive and possibly long-lasting social, artistic and cultural outcomes for the Queanbeyan-Palerang community.

Attachments

- Attachment 1 CAAS Funding Applciation - Karabar High School MUSE Downunder
(Under Separate Cover) - **CONFIDENTIAL**

9.14 Meet and Make Expo - Bungendore (Ref: ; Author: Thompson/Richards)

File Reference: 1.4.1-01

Summary

In 2017 a *Meet and Make Expo* was held at the Bungendore Showground. It was extremely popular with 'makers' from the local government area and visitors alike. There has been a positive response to the notion of repeating the event on Saturday 9 May 2020 and support in the form of \$2,150 from the events budget Category Two has been requested.

Recommendation

That Council approve \$2,150 from the Category Two events budget to support the proposed *Meet and Make Event* at the Bungendore Showground on Saturday 9 May 2020.

Background

Meet and Make events, such as the Arts Trail, are very popular in the Queanbeyan-Palerang region. The proposed event at the Bungendore Showground will follow the highly successful 2017 event and offer an opportunity to showcase the areas creative and talented artists and makers. The event takes the form of an arts fair or festival with a focus on local artists showing attendees how the various creative pieces are made.

Implications

Policy

The proposed '*Meet and Make*' event is in line with Category Two of Council's *Events Strategy 2018-2025* that supports events or festivals with the primary purpose of celebrating local culture and/or promoting the liveability of the local government area (LGA). It further encourages events or activities with the primary purpose of activating spaces and places in town and city centres that inspire creativity and vitality in the public realm and contribute to economic and social activity.

Social / Cultural

This is intended as a free event that will be open to all makers within the LGA to celebrate our diversity, local culture and our creativity. It provides visitors with the opportunity to learn about techniques, materials and arts practice through stallholder classes, workshops, exhibition opportunities and other creative activities.

The event will further assist makers from across the LGA who have been directly affected by recent bushfires and Kings Highway road closures over the Christmas/ New Year holiday season and contribute to a positive sense of community.

Economic

The event organiser is requesting \$2,150 financial support for showground hire and cleaning, public liability insurance and marking banners, signs and flyers.

**9.14 Meet and Make Expo - Bungendore (Ref: ; Author: Thompson/Richards)
(Continued)**

Strategic

This event will specifically activate Bungendore and surrounds. There may be opportunities to expand into a destination weekend event with options for local galleries to offer workshops and demonstrations during the (Mother's Day) weekend.

Engagement

There will be significant engagement with our large and growing Arts community. The event will offer them an opportunity to showcase their art.

Financial

Program Code	Expense Type	Funding source		Amount
1.4.1	Event funding	Events Category 2	\$	2,150

Resources (including staff)

The Art and Culture area of Council will assist with documentation and marketing.

Conclusion

The Bungendore *Meet and Make Expo* has been a successful event in the past and is in line with the Category 2 funding under the Events Strategy 2018-2025.

Attachments

Nil

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.15 QPRC Membership - Southern Tablelands Arts (Ref: ; Author: Richards/Hansen)

File Reference: Community – Cultural Development – Associations

Summary

Southern Tablelands Arts (STARTS) Inc. formed in 1996 as a peak regional arts organisation, offering support and opportunities in the arts for both staff and community members.

An annual fee is calculated on a per capita basis for councils. Funds are then used to manage STARTS and allow for projects and development programs to be offered around the region. In 2018, QPRC withdrew its membership from STARTS, prompted by a significant rise in fees and an internal review that indicated limited value for our regional artists.

During 2019, STARTS has undergone a shift in strategy and focus and has requested that QPRC re-join. Based on current population staff have negotiated a fee for the remainder of the financial year of \$15,000 and \$30,000 for 2020/21.

Recommendation

That Council approve QPRC membership and participation in Southern Tablelands Arts Inc. and allow budget for membership fees in 2019/20 and 2020/21 budgets.

Background

STARTS has been operating as a peak arts organisation for the region since 1996. It has been prominent in the region: developing, supporting and delivering arts and cultural projects, building capacity, and providing professional development opportunities for staff and creatives.

Queanbeyan City Council was an active member some years ago and the community gained significant benefit from past programs. However, following a significant rise in fees in 2018 and a review of engagement with STARTS programs, the QPRC Art and Culture team, with Council's endorsement, withdrew membership.

During 2019, STARTS reviewed its strategy and focus. The board has recently contacted QPRC to update staff on changes in the organisation and opportunities on offer. Staff can now identify benefits to our Council and community through active membership in STARTS and has requested that QPRC consider re-joining. QPRC has negotiated a fee for the remainder of the financial year of \$15,000 and \$30,000 for 2020/2021.

STARTS will work closely with member Council delegates and staff to achieve needed programs and agreed outcomes best suited for their LGA. They will deliver services, programs and support to QPRC staff and communities in accordance with the Memorandum of Understanding (MOU) which will be developed with Council managers. The QPRC financial contribution, (the annual fee based on our population) will be important to secure the effective operations of the STARTS organisation in our region.

9.15 QPRC Membership - Southern Tablelands Arts (Ref: ; Author: Richards/Hansen)
(Continued)

Implications

Social / Cultural

Opportunities for cultural development within the region will be enhanced.

Economic

Many of the programs aim to support business skill development for creatives in the region. Training programs are also cost effective. Networking opportunities are often linked to economic benefit.

Strategic

STARTS membership and participation will be included in the new Cultural Plan.

Engagement

QPRC staff will be eligible for STARTS Board membership, and delegates will represent QPRC at regional meetings and events.

Financial

Funds are available from the existing membership budget for this year's part payment.

Program Code	Expense Type	Funding source		Amount
3020	63401	Membership to Associations	\$	15,000

Next year's payment of \$30,000 has been included in the 2020/21 budget for consideration.

Integrated Plan

STARTS membership will support the effective delivery of Program output 1.1.2 Community workshops.

Conclusion

Significant benefits are anticipated through membership to STARTS, including regional networking, and development opportunities for staff and community members. Agreement to re-join this peak body for the remainder of 2019-20 and 2020-21 will enable QRPC to determine cost effectiveness of this membership.

Attachments

Nil

9.16 Family Day Care Closure During Beard Fire - 23 January 2020 (Ref: ; Author: Richards/Hansen)

File Reference: 2.1.1

Summary

As a result of the evacuation order during the Beard Fire on Thursday 23 January 2020, the Queanbeyan Family Day Care (FDC) Service took precautionary measures to ensure the safety of all children in care. The FDC and Community and Education management team requested that Educators in the Queanbeyan area close their business from 1pm. Parents were contacted and requested to collect children who were in the Queanbeyan area. This decision was made in the interests of public safety and consideration of increasing traffic issues in and out of the Queanbeyan region.

Recommendation

That Council support compensation to be paid to registered Educators who lost income due to the requested closure during the Beard Fire evacuation on 23 January 2020.

Background

By mid-morning on Thursday 23 January 2020, it became obvious that the Beard Fire threat was a growing concern in the Queanbeyan city area. Family Day Care staff contacted the Service Manager to request a closure of the service at 1.00pm to allow parents to safely collect children in care with Educators based in the Queanbeyan area.

At 12 noon all Educators had been notified of this decision and parents were then notified of the forthcoming closure. Parents were asked to collect children if possible after 1.00pm. Two Educators had children who could not be collected, and they were safely housed at the Queanbeyan Library with assistance and support from the Library staff. The Library was also a safe place for any residents evacuated from Queanbeyan with close parking, air conditioned accommodation, food and water, activities and communication facilities available. Many families joined the Educators in the Library activity room and library staff ensured children had stories, games and activities during the afternoon.

As a result of the forced closure of the Family Day Care Service, parents were not charged for any time after 1.00pm. Educators subsequently lost any potential income for the latter part of that day.

The closure affected 95 children in the scheme and in all but 2 cases, parents were anxious about the fire in the city area, and were able to collect children quickly and safely from their Educator's home. All children in care that day were safe and this was the primary concern of staff and management.

As a result of the closure, the combined group of 27 Queanbeyan based Educators lost payment for 336.25 hours. Bungendore and Wamboin Educators were not impacted.

The total cost to Council if the affected Educators were to be compensated will be \$3,883.40.

QPRC Family Day Care Service budget can be used to cover this amount.

9.16 Family Day Care Closure During Beard Fire - 23 January 2020 (Ref: ; Author: Richards/Hansen) (Continued)

Implications

Legal

Queanbeyan Family Day Care is highly regulated by government agencies, and all official notifications were made to the appropriate agencies on this day regarding the decisions and actions undertaken in the interests of safety and wellbeing of children and families.

Policy

The safety and wellbeing of children in care is paramount in Queanbeyan Family Day Care Policies and Procedures.

Social / Cultural

Children in care were collected by parents quickly, or alternatively cared for in the Queanbeyan Library by trained FDC and library staff.

Economic

There was a significant financial impact on many of the Educators who lost potential income from 1.00pm on 23 January 2020. Whilst understanding the decision to close the service that afternoon was based on the safety and wellbeing of children in care, Educators have requested compensation.

Financial

There are funds in the budget (from profits made in the Queanbeyan Family Day Care business) to cover the financial losses suffered by Educators in the Scheme.

Program Code	Expense Type	Funding source	Amount
3010	Operating Family Day Care	\$	3,883.40

Resources (including staff)

Staff from Community Choice teams and other areas of QPRC (Security, Disaster Management, Urban Landscapes, and others) worked together to ensure the community remained informed and safe on that afternoon.

Conclusion

The Queanbeyan Family Day Care team made an informed decision based on the information coming from ACT Emergency Services. The primary focus was to ensure the safety and wellbeing of children in care and the safety of Educators in the Queanbeyan Family Day Care Scheme. Consideration was given to the increasing traffic congestion and the need for parents to collect children as quickly as possible.

There are sufficient funds remaining in the FDC Budget (10-3010-5010-61129) to cover all payments to compensate Educators for lost income which would have been forthcoming for the children they had in care on the 23 January 2020.

Attachments

Nil

9.17 Quarterly Budget Review Statement for the Quarter Ending 31st December 2019 (Ref: ; Author: Monaghan/Marmont)

File Reference: 43.1.1

Summary

The December 2019 Quarterly Budget Review Statement (QBRS) is presented for the information of Council and the community.

The Quarterly Budget Review Statement has been prepared in consultation with all Branches and Portfolios within QPRC.

The Quarterly Budget Review Statement result is a consolidated surplus of \$4.530m. The operating result is shown in accordance with Office of Local Government requirements including non-cash adjustments for depreciation and asset disposals.

The financial reports below indicate the financial position of Council is satisfactory, having regard to the original estimates of income and expenditure.

Recommendation

That Council:

- 1. Adopt the December 2019 Quarterly Budget Review Statement and variations as outlined in this report.**
 - 2. Note the predicted consolidated surplus of \$4.530m.**
-

Background

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

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

The overall consolidated result has moved from an accrued operational surplus position of \$3.582m following the September Quarter budget review, to an operational surplus of \$4.530m for the December Quarterly budget review (before capital income).

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

The significant variations and issues impacting on the funded result are summarised and discussed in the report attached, with favourable changes identified as (F) unfavourable as (U) and changes which have no effect as (N) neutral.

9.17 Quarterly Budget Review Statement for the Quarter Ending 31st December 2019
(Ref: ; Author: Monaghan/Marmont) (Continued)

Implications**Legal**

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

Financial

The tables below summarise the Funds and Consolidated results as at 31 December 2019.

Total Council Summary

Description	Original	Approved	Current	Actual	Proposed	Forecast
	Budget	Changes	Budget	YTD	Adjustments	Budget
	\$,000	QBRS - Sept	\$,000	\$,000	\$,000	\$,000
		\$,000	\$,000	\$,000	\$,000	\$,000
Income						
Rates, Levies & Annual Charges	(71,784)	(718)	(72,502)	(72,204)	0	(72,502)
User Charges & Fees	(30,181)	(626)	(30,807)	(12,211)	(767)	(31,574)
Interest & Investment Revenue	(3,780)	(500)	(4,280)	(3,018)	0	(4,280)
Other Income	(2,566)	243	(2,324)	(1,004)	(244)	(2,567)
Operating Contributions	(2,064)	(35)	(2,099)	(549)	1,114	(985)
Operating Grants	(12,376)	229	(12,147)	(4,602)	(1,807)	(13,953)
Profit or Loss on Disposal	(1,037)	(605)	(1,642)	(422)	758	(884)
Total Income	(123,789)	(2,011)	(125,800)	(94,011)	(945)	(126,745)
Expense						
Employee Costs	44,835	63	44,898	22,450	(316)	44,582
Borrowing Costs	3,540	0	3,540	700	0	3,540
Materials & Contracts	45,764	1,254	47,519	19,639	(112)	47,407
Depreciation & Impairment	24,153	1,082	25,235	9,071	0	25,235
Other Expenses	11,571	48	11,645	6,600	329	11,974
Internal Expenses	(8,153)	(2,465)	(10,618)	(1,240)	96	(10,522)
Total Expense	121,709	(18)	122,219	57,220	(3)	122,216
Operating (Surplus)/Deficit before Capital	(2,080)	(2,029)	(3,582)	(36,791)	(948)	(4,530)
Capital Income						
Capital Contributions	(78,312)	(802)	(79,114)	(3,411)	0	(79,114)
Capital Grants	(75,751)	614	(77,110)	(3,312)	9,947	(67,162)
Operating (Surplus)/Deficit after Capital	(156,143)	(2,218)	(159,806)	(43,514)	8,999	(150,806)
Non Cash						
Capital Contributions	70,960	0	70,960	841	0	70,960
Depreciation & Impairment	(24,153)	(1,082)	(25,235)	(9,071)	0	(25,235)
Profit or Loss on Disposal	1,037	605	1,642	422	(758)	884
Total Non Cash	47,844	(477)	47,367	(7,808)	(758)	46,609
Investing Fund Flows						
Capital Works Program	145,921	7,131	173,467	28,261	(7,699)	165,768
Asset Purchases	3,460	(166)	3,460	2,487	32	3,492
Loan Principal Repayments	5,426	0	5,426	2,168	0	5,426

9.17 Quarterly Budget Review Statement for the Quarter Ending 31st December 2019
(Ref: ; Author: Monaghan/Marmont) (Continued)

Total Council Summary

Description	Original	Approved Changes	Current	Actual	Proposed	Forecast
	Budget	QBRS - Sept	Budget	YTD	Adjustments	Budget
Total Investing Fund Flows	154,807	6,965	182,353	32,916	(7,667)	174,686
Financing Fund Flows						
Sale of Assets	(1,037)	(605)	(1,642)	(1,280)	(100)	(1,742)
Proceeds from Borrowings	(4,884)	0	(4,884)	0	0	(4,884)
Total Financing Fund Flows	(5,921)	(605)	(6,526)	(1,280)	(100)	(6,626)
Net (Inc)/Dec in Funds before Transfers	40,587	3,666	63,388	(19,686)	475	63,863
Reserve Movements						
Transfers to Internal Reserves	4,232	1,446	5,677	230	216	5,893
Transfers to Developer Contributions	7,564	165	7,729	0	0	7,729
Transfers to Other External Reserves	11,705	789	12,495	0	(83)	12,412
Transfers from Internal Reserves	(16,064)	(1,403)	(25,163)	(72)	1	(25,162)
Transfers from Developer Contributions	(13,864)	(163)	(14,027)	0	(362)	(14,389)
Transfers from Other External Reserves	(32,415)	(5,332)	(49,186)	(221)	(377)	(49,563)
Total Reserve Movements	(38,842)	(4,498)	(62,476)	(62)	(604)	(63,080)
Net (Inc)/Dec in Unrestricted Funds	1,745	(833)	912	(19,748)	(129)	783

Conclusion

Revision of the budget at the December Quarter Review increases the operational surplus position by \$948K before capital amendments. Major variances include a reclassification of Roads to Recovery grant income from capital to operational \$1.528m (F), a reduction in employee costs due to position vacancies \$316K (F), an increase in Cemetery fees \$172K (F), full accounting treatment for sale of Council assets now included in QBRS \$758K (U) and a reduction in property management charge as a result of deferral of capital projects to future years \$287K (U). A detailed listing of variations is included in the attached report.

The recent bushfires have the potential to significantly affect Council's budgeted position. While estimates of the loss or damage to Council assets have not been identified at this stage, it is important that we remain aware of the possible impact.

Attachments

Attachment 1 Attachment - QBRS for 31 December 2019 (*Under Separate Cover*)



9.18 Investment Report - January 2020 (Ref: ; Author: Knight/Drayton)

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 January 2020.

Recommendation

That Council:

1. Note the investment income for January 2020 was \$877,147.
 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 January 2020.
-

Background

Cash and Cash Equivalent Investments

A list of Council's cash and investments as at 31 January 2020 is detailed in the attached Investment Report Pack.

Over the last 12 months, Council's portfolio produced an annualised rate of return of 3.83%, outperforming the benchmark Bank Bill Index by 2.43%.

As at 31 January 2020, the principal amount invested was \$209,309,083 and the year to date return was \$3,897,727 which is 91% of Council's revised annual budget.

Market Update

The average 30 day BBSW rate for January 2020 was 0.83%.

The Reserve Bank (RBA) chose to maintain the cash rate at 0.75% at its February 2020 meeting. Following the announcement, markets have fully priced in a cash rate cut by August 2020.

The TCorpIM Long-Term Growth Fund rebounded with a strong return in January 2020. 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 rallied to produce a solid January 2020 return. 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, 13/01/2020

Policy

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

Financial

As at 31 January 2020, the 2019/20 Financial Year investment return amounted to \$3,897,727. The investment returns are added to the associated restricted funds (e.g. development contributions) that form Council's investment portfolio.

Attachments

Attachment 1 January 2020 - Investment Report Pack (*Under Separate Cover*)



9.19 Rates Harmonisation - Preferred Rating Structure (Ref: ; Author:
Knight/Monaghan)

File Reference: 43.2.1-15

Summary

The Rates Harmonisation Community Reference Panel were formed in November 2019, and were asked to provide feedback and advice to Council in the development of a new, equitable rating structure. Panel members attended a series of background briefing sessions during December and January about the rates modelling and analysis that has been undertaken, and participated in facilitated workshop sessions to reach a consensus decision on the preferred rating structure.

The Panel recommended a preferred rating structure to Council, which was considered at a February Council workshop. Council will now need to endorse their preferred rate structure option for a six week period of community engagement.

Recommendation

That Council:

- 1. Endorse the preferred rate structure, as set out in the report – Preferred Rate Structure Option 6, for community engagement.**
 - 2. Receive a report on the community engagement results at the April Council meeting, before adopting a draft Revenue Policy.**
-

Background

Council has commenced the development of a new, equitable rating structure for the amalgamated Council area, and has resolved to have the new structure in place by 1 July 2020; before the end of the current Council term.

Council has participated in a series of workshops and briefing sessions and considered the following critical factors to inform its view on the major revenue and rating principles and set revenue strategy objectives:

- Long term revenue requirements to meet the financial sustainability criteria
- Mix of revenue from rates, annual charges and user fees and charges
- Relative similarities and differences in the current rating structures and how changes will impact ratepayers
- The principles of equity, simplicity and efficiency for a new revenue strategy.

As an outcome of the October 2019 Council workshop, two preferred rate structure options were selected for further modelling and analysis, and Council resolved to consult with the Community Reference Panel, seeking feedback on the two preferred options.

The Office of the NSW Valuer General has released new land values, to be used for the calculation of rates in the 2020/2021 financial year. Council's early modelling has been

9.19 Rates Harmonisation - Preferred Rating Structure (Ref: ; Author: Knight/Monaghan) (Continued)

updated to incorporate the revised land values, and these models have been used for analysis by the Community Reference Panel, and a Council workshop in February 2020.

Implications***Legal*****Rates Freeze**

At the time of amalgamation in May 2016, clause 25 of the Local Government (Council Amalgamations) Proclamation froze both the rating structures; categories and sub-categories of land for rating purposes and provided an exemption to the legislative constraint that requires Councils to have only one rate structure.

The Proclamation required that newly merged Councils review their rating structure within the first Council term.

The Local Government Amendment (Rates-Merged Council Areas) Act 2017 provided the transitional provisions for maintenance of the pre-amalgamated rate paths, with a provision that the Minister of Local Government was able to make a determination to maintain the separate, pre-merger rate paths for up to 4 years (to 30 June 2020.)

These provisions have restricted Council from implementing an equitable, harmonised rates structure for the first four years of the newly formed QPRC, and the current rates structure still reflects those in place for the former Palerang and Queanbeyan City Councils.

On 25 June 2019, the Local Government Amendment Act 2019, amended section 218 CB Transitional provision for maintenance of pre-amalgamated rate paths, providing that the Minister was able to make the “rates freeze” determination for an additional year – up to 5 years from the date of amalgamation (to 30 June 2021.)

Opting Out

The Office of Local Government affirmed that the extension of the ‘rates freeze’ period was optional, and merged councils could choose to ‘opt out’ of the continuing rates restrictions.

At the Ordinary Meeting held 15 August 2019, Council resolved to ‘opt out’ of the rate path freeze, and continue the rating review to introduce a new rating structure from 1 July 2020.

Policy

The revenue strategy is being developed to support Council’s broader Financial Strategy and Policy to reach a ‘Responsible or Optimal’ scenario and achieve an acceptable compromise between Council’s obligations to:

- achieve financial sustainability,
- manage the asset backlog to prevent an infrastructure crisis,
- preserve essential public services in line with population growth,
- keep rates, fees and charges affordable,
- borrow at acceptable levels in line with intergenerational equity and

9.19 Rates Harmonisation - Preferred Rating Structure (Ref: ; Author: Knight/Monaghan) (Continued)

- meet the financial benchmarks outlined in Council's long term financial strategy.

The 'Narrow the Gap' principle detailed in Council's financial strategy aims to progressively map and match asset and service expenses to related revenue sources such that:

- all property taxes, including rates, annual charges, development contributions and asset specific grants cover the cost of maintenance, renewal, upgrade and debt servicing costs of infrastructure.
- the base amount (comprising the fixed component of the general rate) match the net cost of providing Council services and the ad valorem amount match the net cost of owning infrastructure.
- water, sewer and waste services (including attributed corporate costs) are funded by user charges.
- council services (including attributed corporate costs) are funded through fees, charges and specific purpose grants.
- Council's governance and corporate overhead costs are attributed across the asset and service areas, and the general purpose component funded by the Financial Assistance Grant.

Through its strategy of matching income and expenses, Council will identify the gap between those costs and revenues and utilise policy measures to improvement alignment through a combination of:

- modifying rates, fees and charges
- accessing additional grant funding
- adjusting asset condition and intervention levels
- adjusting levels of service to meet what the community are prepared to pay for.

Engagement

A Community Reference Panel was formed in November 2019 to provide feedback and advice to Council in the development of the preferred rate structure option. The panel consists of 17 ratepayers and community members who were selected through an expression of interest process and appointed by Council. The Panel members include residential, business and farmland ratepayers from the former Palerang and Queanbeyan local government areas.

Panel members attended a series of background briefing sessions during December and January and received information about the rates modelling and analysis that has been undertaken by Council. The Panel participated in two facilitated workshop sessions for detailed discussion about Council's 2 preferred rate structure options. They have provided feedback that supports a principles based approach, with a focus on equity and simplicity.

The panel reached a consensus recommendation on the preferred rate structure, as well as a series of supporting recommendations that are presented in the attached reports. The rate structure recommended by the Community Reference Panel is referred to as Option 5.

9.19 Rates Harmonisation - Preferred Rating Structure (Ref: ; Author: Knight/Monaghan) (Continued)

Rate Structure Option 5 is based on a simplified version of Council's preferred Option 2, and follows a principles based approach with:

- Subcategorisation for different population and activity centres
- Incorporates an ad valorem and base structure
- The ad valorem is set to recover the cost of infrastructure
- The base is set to recover the cost of services and operations
- The rates yield by category and sub-category is consistent with the existing (current year) rates yield.

In this way, all properties within a subcategory pay a proportionate share toward the cost of infrastructure based on their land value and the base charge can be increased or decreased to differentiate type, quality and scope of services provided.

Rate Structure Option 5

Category	Subcategory	Number of assessments	Ad valorem	Base Amount
Residential		24,740		
Residential	Queanbeyan	15,071	0.327832	410.00
Residential	Googong	2,056	0.327832	480.00
Residential	Bungendore	1,349	0.208652	375.00
Residential	Braidwood	700	0.208652	375.00
Residential	General	5,563	0.170856	375.00
Business and Mining		1,342		
Business	Queanbeyan CBD	144	1.749024	660.00
Business	Poplars Business Park	7	1.749024	660.00
Business	Queanbeyan Industrial	793	0.783089	450.00
Business	Queanbeyan Suburban	153	1.294362	450.00
Business	Bungendore	75	0.178308	425.00
Business	Braidwood	72	0.178308	425.00
Business	General	97	0.166726	410.00
Mining		2	0.551994	1,100.00
Farmland		1,014		
Farmland		1,014	0.122507	1,120.00
TOTAL		27,096		

Conclusion



Council considered the Community Reference Panel report and recommendations at a workshop in February. The workshop discussion was supportive of the Community Reference Panel recommendation, and in-line with the additional subcategorisation within the Business rate category, has also recommended that a Googong Business subcategory be included. The Council workshop has provided the following preferred harmonised rate structure recommended for the next phase of broad community engagement.

9.19 Rates Harmonisation - Preferred Rating Structure (Ref: ; Author:
Knight/Monaghan) (Continued)

Rate Structure Option 6

Category	Subcategory	Number of assessments	Ad valorem	Base Amount
Residential		24,740		
Residential	Queanbeyan	15,071	0.327832	410.00
Residential	Googong	2,056	0.327832	480.00
Residential	Bungendore	1,349	0.208652	375.00
Residential	Braidwood	700	0.208652	375.00
Residential	General	5,563	0.170856	375.00
Business and Mining		1,342		
Business	Queanbeyan CBD	144	1.752274	660.00
Business	Poplars Business Park	7	1.752274	660.00
Business	Googong	29	1.752274	660.00
Business	Industrial	793	0.783089	450.00
Business	Urban	124	1.241453	450.00
Business	Bungendore	75	0.178308	425.00
Business	Braidwood	72	0.178308	425.00
Business	General	97	0.166726	410.00
Mining		2	0.551994	1,100.00
Farmland		1,014		
Farmland		1,014	0.122507	1,120.00

Attachments

- Attachment 1  Community Reference Panel - Workshop One Recommendations (*Under Separate Cover*)
- Attachment 2  Community Reference Panel - Workshop Two Recommendations (*Under Separate Cover*)

9.20 QPRC Internal Audit Charter (Ref: ; Author: Knight/Cakalic)

File Reference: ECM 45.3.1

Summary

Part 2 of the QPRC Internal Audit Charter provides that “Internal Audit responsibilities are defined in this charter which is approved by Council on endorsement of the Audit, Risk and Improvement Committee (ARIC)”. Part 15 of the Charter provides further that any changes to the Charter are to be “recommended to Council”.

This report submits for Council endorsement the attached amended version of the Internal Audit Charter as recommended by the ARIC.

Recommendation

That Council approve the Internal Audit Charter.

Background

The Internal Audit Charter was reviewed by the Audit, Risk and Improvement Committee (ARIC) Chair in consultation with Committee Members. The revised draft was endorsed for submission and Council approval at the ARIC meeting held on 25 November 2019. The Charter includes changes to section 9: Management and Staff Responsibilities and Obligations. Additional text within this section provides more details on management obligations and responsibilities in relation to internal audit, and better reflects the relationship between the ARIC and QPRC. The opportunity was also taken to effect minor formatting improvements and to change references in the Charter from ‘General Manager’ to ‘Chief Executive Officer’.

The NSW Office of Local Government proposes to release a model Internal Audit Charter in 2020, following consultation with councils on the discussion paper ‘A New Risk Management and Internal Audit Framework for Local Councils in NSW’. Comments on the discussion paper have been submitted as per Council resolution 440/19 (Council meeting held 18 December 2019). The discussion paper states that all councils will be required to adopt and comply with the model Internal Audit Charter. QPRC’s Legal and Risk Branch has reviewed the key requirements of the model charter foreshadowed in the discussion paper and considers that QPRC’s Internal Audit Charter already satisfies most of those proposed requirements.

Implications

Strategic

Internal Audit is an integral aspect of good governance and Council’s risk management framework. The internal audit function is mandated by the Internal Audit Charter which is a formal document defining its purpose, authority, responsibility and position within QPRC.

Conclusion

The review of the Internal Audit Charter by ARIC has made overall improvements to the document which more clearly articulate management and staff responsibilities and obligations. Adoption of the revised Internal Audit Charter is recommended.

Attachments

Attachment 1 Internal Audit Charter (*Under Separate Cover*)



10.1 Sports Fields and Park Irrigation (Ref: ; Author: Thompson/Geyer)

File Reference: 2.1.1-19

Report

Over recent months, drought and water restrictions have highlighted the manner in which our sports fields are irrigated, what water sources are available and the impact of water restrictions.

The level 4 restrictions which took effect early January in Braidwood required water on the Recreation Ground fields to be turned off. At the same time, complaints were being received for watering the Queanbeyan Showground, which uses bore water, during day time hours.

This report is designed to assist Councillors and the community understand the different water sources and demand for water across QPRC sports facilities and parks.

Sports Fields

QPRC has 32 sporting fields spread across 23 locations throughout the LGA. Of these the majority are natural grass fields of various grades. All are irrigated and have a variety of water needs, dependant on grass type and soil structure. On average, each field is watered for 30 minutes per station, 4 times per week, with watering occurring between 12.00 midnight and 8.00am. Occasionally fields may have irrigation running during "office hours" to ensure new seed establishes or for maintenance checks.

Parks, Showgrounds and Other Open Space

A number of parks and open space areas are irrigated for horticultural reasons and to enhance the look of the CBD and key community areas. Level 1 parks, e.g. Queanbeyan Park, Queen Elizabeth II Park, Ryrie Park, Bungendore Park (part) and Beltana Park are irrigated to keep the lawns green. These parks are on similar automated systems as sports fields.

Queanbeyan Showground Arena is irrigated to soften the surface for equestrian or other animal events, to encourage grass growth and to suppress dust. This irrigation is distributed by travelling irrigators, which must be manually set and packed up each day. Water is sourced from a bore within the Showground.

Foot Paths, Roundabouts and Road Related Areas

Within CBDs and key town approach areas, gardens set in a round-about or median strips require automated watering, as manual watering presents an unacceptable risk to staff and a disruption to traffic. The gardens that give our CBDs their attractive appeal, require an assured water supply, as these areas are often hotter than nearby parklands, due to road surfaces. In these instances drip irrigation is employed. Footpath irrigation is common across large areas of Googong, and occasionally appears in Queanbeyan. While footpath irrigation was once common in Queanbeyan, a large number were turned off in the millennial drought and not recommissioned afterwards.

Water Sources

Googong's parks are all connected to the purple pipe system and will be irrigated with recycled water. More recycled water will be used as more of Googong is developed.

Queanbeyan Showground is irrigated with bore water and potential exists for this to be partially automated.

QE2 Park and areas along Trinculo Place use river water and other parks have potential to go onto this supply, with some work to the inlets being required.

10.1 Sports Fields and Park Irrigation (Ref: ; Author: Thompson/Geyer) (Continued)

Council holds a 100 mega litre licence to pump from this catchment for parks and sports fields. Queanbeyan Park is currently watered from town water, however, a bore within the park has potential to provide an alternate supply. A large number of Council's irrigated fields parks and gardens are watered with potable water. This water source is the most expensive and is directly affected by water restrictions.

Some sports fields can tolerate low levels of water and will come back successfully with appropriate attention. QPRC's high level fields however would not survive and would need significant capital investment to re-establish the playing surfaces if irrigation was turned off. These include Seiffert Oval, Riverside Oval, Campese Oval, Freebody 1 and Margaret Donoghue. Duncan Fields at Googong would also suffer, but with recycled water available, may not be as restricted as potable water.

During the millennial drought, Council and the ACT Government entered into an agreement which cut water to lower value fields across the region, redirecting water saved to critical fields. The agreement then allowed the sharing of these fields to ensure key competitions could continue across Queanbeyan and the ACT.

Climate Change Resilience

Every option is being explored to better utilise the resources available, including water. With the new Regional Sports Complex, rain water runoff is to be captured and stored for irrigation. Use of recycled water, captured from the synthetic fields and reused into the irrigation, is also part of an integrated water strategy for this facility. Queanbeyan Showground Advisory Committee also looked at this option, including potential to harvest stormwater and runoff from neighbouring properties, however this site has other complications due to its state heritage listing.

Recommendation

That the report be received for information.

Attachments

Attachment 1 Irrigation Systems Across the QPRC LGA (*Under Separate Cover*)



10.2 Biannual Biosecurity Weeds Report (July-December 2019) (Ref: ; Author: Thompson/Abbott)

File Reference: 24.3

Report

This report outlines Council's progress towards management of weeds under the NSW biosecurity framework in 2019-20. It responds to a resolution at Council's meeting on 25 September 2019, that:

1. Council receive a bi-annual report on Council's management of weeds under the NSW biosecurity framework in regard to safeguarding our economy, environment and community.
2. The report address Council's role and record in working with landowners and occupiers to help them meet their general biosecurity duty according to the Biosecurity Act 2015, including:
 - Helping to identify priority weeds
 - Providing advice and information on ways to manage weeds
 - Providing displays at community events about weeds
 - The ongoing program of rural and urban inspections to check for priority weeds
 - Compliance issues.

The report to the Ordinary Meeting of Council on 25 September 2019 included the attachment of a draft internal guiding document for the program in 2019-20 and draft internal annual report based on the regional reporting requirements for the South East Weeds Action Program. Feedback from Councillors regarding the type and detail of reported information that would be useful to them was requested.

Council's management of weeds is largely on track to meet 2019-20 targets and is successfully completing multiple strategic projects to improve longer term outcomes. The report outlines how Council is working with landowners and managers by:

- Helping identify priority weeds, including nearly 1000 property-specific reports outlining the priority weeds found during property inspections with around 200 face-to-face meetings on-site, supported by four public events
- Providing advice and information on ways to manage weeds (similar to identifying priority weeds above)
- Providing displays and presentations about weeds at four community events
- Close to meeting targets for the ongoing program of inspections, supported by strategic projects targeting high priority weeds and priority asset protection sites
- Ongoing provision of baseline information regarding priority weeds and their control requirements under the new legislation to enable effective compliance enforcement if required after future inspections

QPRC's Biosecurity program (24.3) has four main outputs:

- Biosecurity weed control on Council land (24.3.1)
- Biosecurity weed education, inspection and enforcement (24.3.2)
- Biosecurity weed survey and management planning (24.3.3)
- Biosecurity weed strategic projects (*proposed* 24.3.4)

10.2 Biannual Biosecurity Weeds Report (July-December 2019) (Ref: ; Author: Thompson/Abbott) (Continued)

Biosecurity Weed Control on Council Land

Seasonal control of priority weeds posing a biosecurity risk on Council land (roadsides and reserves) was conducted mostly as scheduled during the reporting period. This included the control of Serrated tussock, African lovegrass, English/Scotch broom, St John's wort and Fireweed. Sweet briar was also targeted within priority areas under the Save our Scarlet Robin strategic project. The impacts of bushfire (smoke, road closures, worksite safety) disrupted some scheduled activities during December.

While two Weed Sprayer positions are permanent, one occupant has been successively seconded for 3 years so that position has been filled on a fixed term basis.

Two other fixed term weed sprayer positions are funded by strategic projects, providing extra capacity and flexibility from a total of four staff. During the reporting period one of these staff members moved to a new fixed term position under the Beefing up Braidwood project and the position has not been successfully filled, partly due to the insecurity of the short term contract offered. External contractors have been organised to ensure completion of Council's weed control workload in 2019-20.

Biosecurity Weed Education, Inspection and Enforcement

Overall the weed education and inspection program is close to being on track, although the routine program has been supplemented by strategic projects in order to achieve some targets. The impacts of bushfire (smoke, road closures, worksite safety) disrupted some scheduled activities during December.

The following outputs have been achieved in the first six months of 2019-20:

Activity	Annual target	First 6 months
4-year inspection of all properties >1ha (number of properties)	1865	749
4-year survey of urban areas (km ² or number of towns)	11	8
Additional 4-year inspection of priority sites (number of sites)	14	8
Re-inspection of priority weed compliance sites (number of sites)	283	233
Inspect all high risk pathways (km of roadside)	1840	920
Inspect all high risk sites (number of sites)	140	100
Participation at public events (number of events)	7	4
Biosecurity Undertaking or Direction issued (number)		2

Routine inspections of properties have been conducted across the following localities: Braidwood, Kwararree, Googong, Tralee, Carwoola, Bungendore and Bywong. In addition, inspections of some properties that had locked gates during locality-wide inspections prior to July 2019 were also completed.

Re-inspection of priority weed sites to ensure compliance with weed eradication programs included Fireweed (only known in Googong) and Gorse infestations that are high priority weeds to be eradicated from the Queanbeyan-Palerang area. In addition, an increasing number of re-inspections are occurring at properties with more widespread weeds that had not been sufficiently controlled and landholders were rescheduled for an inspection in less than the four-year routine inspection cycle. In most cases compliance has been very high, with only two Directions issued.

Inspections of high risk pathways and sites, identified through and fully funded by the South East Weeds Action Program, are on target. These include major roads, rest stops, camping grounds and other places where biosecurity material (such as weed seed) from outside our region has a higher chance of being deposited. Of particular concern has been the recent increase in hay being imported from unknown sources and education programs around the identification of new weed species are being developed.

10.2 Biannual Biosecurity Weeds Report (July-December 2019) (Ref: ; Author: Thompson/Abbott) (Continued)

While the *Biosecurity Act 2015* gives powers to authorised officers to enter properties without notice, for routine inspections they always send an 'Intention to Enter Premises' letter (sample attached). This letter advises the purpose of the inspection with the offer to make an agreed appointment time and has attached factsheets explaining Council's Biosecurity Weeds Inspection Process and the Biosecurity Act. On average approximately 20% of landholders arrange to meet the officers on-site, providing an excellent opportunity for targeted and relevant education and extension.

Following every inspection a weeds report is sent to the land owner in the form of an 'Inspection advice' letter (sample attached). This letter outlines any priority weeds found during the inspection and relevant information relating to those weeds including the control requirements expected to meet the general biosecurity duty. Links are provided to standard information available through the NSW WeedWise website and app to assist landholders to identify and control priority weeds. In the past some landholders have advised officers that they do not have the resources to manage the weeds themselves, so a list of weed controllers known to operate locally is included to assist.

Public events undertaken included:

- Bywong Community Association Meeting
- Queanbeyan Show
- Braidwood Tune-up
- Beefing Up Braidwood workshop

Biosecurity Weed Survey and Management Planning

All weed inspection data collected was cleaned, collated and submitted to the Biosecurity Information System as required. Ongoing glitches in the data management system have been effectively managed.

Limited resources were available to complete further survey and analysis for longer term strategic planning purposes.

Biosecurity Weed Strategic Projects

Council actively seeks external funding to support strategic weed management projects beyond our current capacity. Some projects help meet Council's values of Innovation and Continuous Improvement by piloting new approaches to routine activities, while others assist the community and partner agencies with priority weed management issues. The following projects are operational in 2019/20.

Save Our Species Weed Control

Ten year project to control berry-bearing bushes within two project areas to protect threatened woodland birds from predatory Currawongs that feed on the berries. Most control work scheduled for early 2020.

Ox-eye Daisy Weed Management

Regional project to map isolated infestations of the priority weed ox-eye daisy, raise awareness, and undertake initial control works on private land. Project extension sought due to drought and delay in obtaining off-label herbicide permit.

Regional SEWAP admin

Funds held when Palerang/QPRC was administering the South East Weeds Action Program 2015-20 are being used to provide technical and administrative support services to the new lead agency, South East Local Land Services. Support has included funding activities approved by the regional weeds committee, including attendance by weed officers at the NSW weeds conference and running of regional training courses.

10.2 Biannual Biosecurity Weeds Report (July-December 2019) (Ref: ; Author: Thompson/Abbott) (Continued)

Weed control - WaterNSW Land

Manage biosecurity weeds on WaterNSW land at Bombay to protect the threatened Bombay bossiaea plant that only occurs within the QPRC area. Assistance provided in replanting seedlings propagated by Australian National Botanic Gardens and agreement made with WaterNSW for ongoing weed control and rehabilitation, however the core site was destroyed by fire and is being monitored.

Weed Control - Crown Land Bombay

Manage biosecurity weeds on Crown land at Bombay to protect the threatened Bombay bossiaea plant that only occurs within the QPRC area. Significantly impacted by bushfire. Control works delayed and some will not be possible.

Weed control - Crown Land Carwoola

Manage biosecurity weeds on Crown land at Carwoola to protect threatened species/community and adjacent nature reserve. Contractors being arranged for early 2020.

Beefing Up Braidwood

Develop a local weed control plan to protect the priority economic asset of pasture production around Braidwood, leading to individual property plans and weed control assistance during drought. Project on track with a draft local plan approved for public exhibition and around 30 properties engaged covering nearly 100 square kilometres.

Biosecurity - At What Cost?

Assess economic impacts of weeds on agricultural land in south east NSW, ultimately to identify potential priority economic assets for more frequent inspections. Project delayed due to the lack of an internal project officer but commenced.

Biosecurity – No Space 4 weeds @ my place

Develop online tools to deliver relevant weed management information by property address, with capacity for adding a broader range of environmental education material. Project delayed due to the lack of an internal project officer.

Gorsebusters – Upper Shoalhaven

Develop an education program and undertake inspections to determine the extent and control required for the priority weed Gorse at sites downstream of known isolated infestations. Inspections along the Shoalhaven and Endrick Rivers were delayed due to the impact of fires in December. Promotional material being developed, however potential displays at Bungendore show delayed due to new show date in October (and Braidwood Show subsequently cancelled due to fire impacts).

Put Out the Fireweed in Googong

Develop an education program and undertake inspections to detect and control the priority weed Fireweed in the Googong township, the only currently known infestation within the QPRC area. Project delayed due to the lack of an internal project officer.

Additional grants have been applied for and others will be sought to supplement these projects as opportunities arise. These include control of weeds on priority Crown Land at Lake George and Carwoola.



Conclusion

Council's biosecurity staff accept that the program is currently running at lower effectiveness than desired, however this is mostly due to known factors that are progressively being addressed. The immediate major problem is the lack of resources to deliver the program as planned and it is hoped that upcoming internal resource planning meetings for the next Delivery Program period will help resolve barriers to employment of additional staff.

Recommendation

That the report be received for information.

Attachments

- Attachment 1  Standard Biosecurity Intention to Enter Notification Letter (*Under Separate Cover*)
- Attachment 2  Standard Biosecurity Inspection Advice Letter (*Under Separate Cover*)

10.3 Negotiation of Enforceable Undertaking Under the Provisions of Protection of the Environment Operations Act 1997 – Morisset Street Sewage Pump Station Overflow - 21 September 2019 (Ref: ; Author: Hansen/Cunningham)

File Reference: 33.2.3-03

Report

Council would recall a briefing on the above incident whereby a failure of the Morisset Street Sewage Pumping Station (over part periods of 20 and 21 September 2019) caused an overflow of raw sewage into the Queanbeyan River. Details of the incident were reported to all relevant parties at the time in accordance with Council's Pollution Incident Response Management Plan.

In the time since the incident Council has been liaising with NSW EPA, the regulator, insofar as the required regulatory response to what is otherwise a breach of environmental legislation. The relevant Act for these considerations is the Protection of the Environment Operations Act 1997 (POEO) whereby a number of options are noted to be available, namely; official warning letters, penalty notices, enforceable undertakings or prosecution.

As part of Council's introductory discussions with EPA, and in light of the seriousness of the event coupled with Council's compliance history, the consensus of staff is that the best course of action is for Council to pursue a satisfactory negotiation for the issue of an Enforceable Undertaking.

Enforceable Undertakings are voluntary and legally binding written agreements between the EPA and the proponent (Council). They necessarily contain details of the commitments the proponent makes in response to any breach. If granted, they form part of the applicant's compliance history. They are also published on the EPA's public register and forms part of EPA's media releases as appropriate.

Formal application for an Enforceable Undertaking for this incident was made with EPA on 22 January 2020. A number of commitments were made as part of this application consisting of both internal and external proposals. Most of the former relate to improvements at the pump station itself and many of these are already in place. The latter predominantly consists of a proposed joint venture between Council and the Molonglo Conservation Group that should see some planned revegetation and bank stabilisation works on that part of the Queanbeyan River between Morisset Street and the ACT border – the area directly affected by the spill. This tranche of works is estimated at \$50,000, with funds to be sourced from the sewerage reserve.

Pending EPA approval for the Enforceable Undertaking, it is hoped that these environmental improvement works could be complete by 30 June 2020 or shortly thereafter.

Recommendation

That the report be received for information.

Attachments

Nil

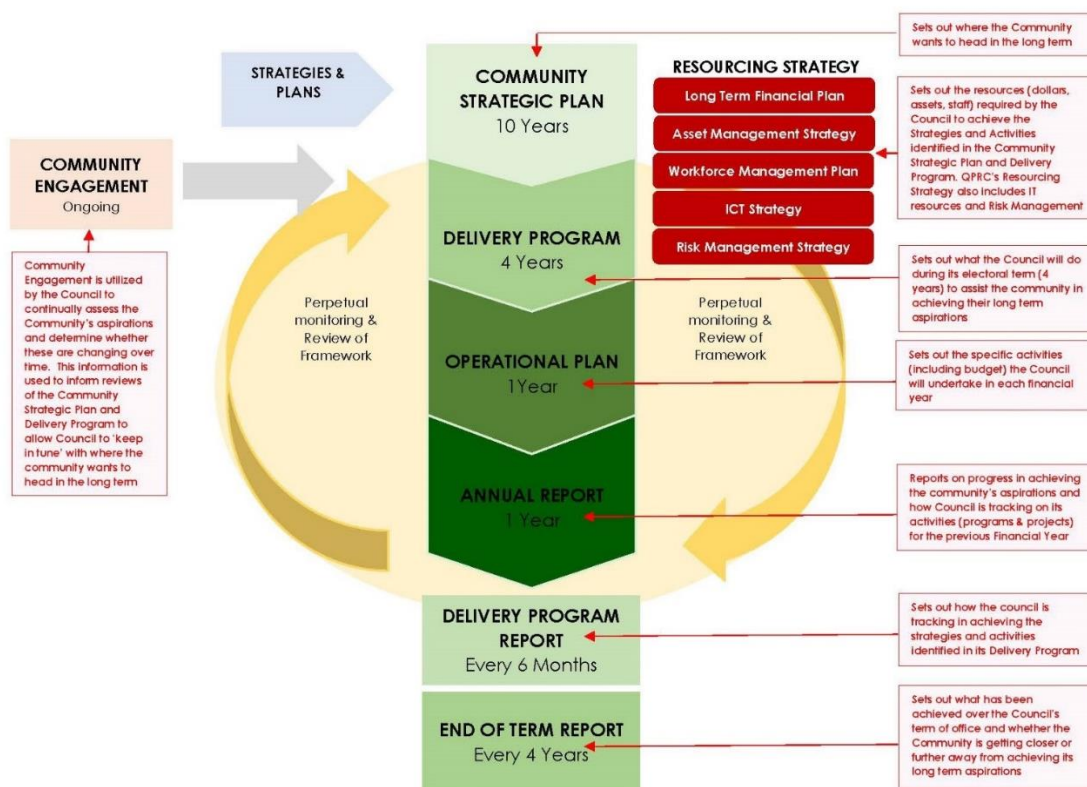
10.4 Development of a Regional Community Strategic Plan Covering Most of the Canberra Region Joint Organisation (CRJO) Councils (Ref: ; Author: Thompson/Spyve)

File Reference: 51.1.1

Report

Under the provisions of the Local Government Act 1993, councils are required to facilitate the development of a Community Strategic Plan (CSP) which encapsulates the community's Vision and their long term aspirations for the region. The CSP constitutes the peak corporate plan within the Integrated Planning & Reporting Framework (see diagram below) which now forms a central part of all councils' corporate planning requirements as required by the Local Government Act.

Figure1: Overview of the Integrated Planning Framework



It has been proposed by the CRJO that following the 2020 local government election, that a region-wide approach be taken for the development of the CSP. A region-wide approach was taken by Goulburn-Mulwaree, Yass and Upper Lachlan councils following their 2016 election where they developed a Regional CSP. Those councils felt that the development of a combined CSP has worked well for them. Also, the NSW State Government has actively encouraged regional and rural councils to take a coordinated approach and to consider the option of developing region-wide CSPs.

Following the development of a Regional CSP, each individual Council will then develop and adopt their own Delivery Program for 2021-2025.

The CRJO, through its *Strategic Plan 2019-2021*, is promoting a regional approach on a number of initiatives to provide for region-wide collaboration, coordination and cooperation and the development of a Regional CSP fits in well with this strategic objective. The General

10.4 Development of a Regional Community Strategic Plan Covering Most of the Canberra Region Joint Organisation (CRJO) Councils (Ref: ; Author: Thompson/Spyve) (Continued)

Managers Advisory Group (GMAG) at its meeting on 25 October 2019 advocated this approach and recommended to the CRJO Board to support this initiative. At the Board meeting of 6 December 2019 the following was resolved:

That the CRJO Board note the proposal by the Community Wellbeing and IP&R Working Group to develop three projects;

- (1) Development of a Regional Community Strategic Plan,*
- (2) A joint Regional Wellbeing Survey and*
- (3) A joint community satisfaction aspect be incorporated into the Regional Wellbeing Survey and that each Council make a decision if they participate.*

So far 9 of the 10 member councils (through the GMAG) have expressed support in participating in the project. Wingecarribee Council has indicated that they do not wish to participate as they are already a long way into implementing a wellbeing measurement project of their own.

From QPRC's perspective, there is an advantage to cooperating with our neighbouring CRJO member councils to identify community aspirations and collect data on community wellbeing on a regional basis. This information will greatly assist in the development and implementation of regional initiatives as well as providing good comparative data to assist with measuring the state of the region.

One of the biggest challenges to achieving the development of a Regional CSP will be the development and implementation of a community engagement strategy to define the various communities' aspirations which make up the CRJO region. Work on this aspect of the plan's development needs to get underway immediately in order to deal with the logistics of achieving this.

It is envisaged that the Regional CSP will provide information on various communities' long-term aspirations based around the sub-regions of Tablelands, Alpine and Coastal. Each Council will have information specific to their local government area within these sub-regions. This approach will ensure that if there are 'unique circumstances/aspirations' which arise from the community engagement process that they are not lost within the 'big picture' analysis of the wider CRJO region.

The Goulburn-Yass-Upper Lachlan CSP took a similar approach where they set out the community aspirations within their respective areas as a result of the community engagement process.

Financial

There will need to be a level of financial commitment from QPRC to assist with the development of a Regional CSP. It is proposed that \$50,000 be budgeted for within the 2020-21 Draft Operational Plan to assist with the costs of developing and implementing the community engagement plan for the Regional CSP. In comparison, the development of the current CSP, including the appointment of an independent community engagement specialist, cost more than \$120,000. It is acknowledged that the next version of the CSP will largely test to validity of the aspirations and goals of the community, where the current version was the first for QPRC and required more in-depth engagement.

Consultation

A comprehensive community engagement strategy will need to be developed and implemented to adequately provide for the engagement of the communities participating in the development of the Regional CSP. This work needs to commence immediately so that the required community views can feed into the development of the new CSP within the required statutory timeframes. The Local Government Act requires the new CSP to be in place by 1

10.4 Development of a Regional Community Strategic Plan Covering Most of the Canberra Region Joint Organisation (CRJO) Councils (Ref: ; Author: Thompson/Spyve) (Continued)

July 2021. Taking into account that the community engagement needs to cover nine local government areas within the CRJO area, sufficient time needs to be set aside to allow for this to adequately occur.

Conclusion

The CRJO Board has endorsed the development of a Regional CSP amongst its member councils. Nine out of 10 of the councils (through the GMAG and Board) have supported the implementation of this project as a regional coordination project as advocated within the CRJO *Strategic Plan 2019-2021*. Work on this project needs to commence immediately to allow adequate time for the complex community engagement process to occur across the nine participating councils and to meet the tight statutory timeframes required by the Local Government Act 1993.

Recommendation

That the report be received for information.

Attachments

Nil

10.5 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 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 Minutes of the Youth Committee Meeting held 3 February 2020 (Ref: ; Author: Richards/Campese)

File Reference: Community – Community – Youth – Committee

Summary

The minutes of the Youth Committee meeting held on 3 February 2020 are presented to Council for consideration.

Recommendation

That Council note the minutes of Youth Committee held on 3 February 2020.

Attachments

Attachment 1 Youth Committee minutes of 3 February 2020 (*Under Separate Cover*)



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

Attachment 1 Responses to Councillors Questions (*Under Separate Cover*)



Attachment 2 Responses to Councillors Questions with confidential information (*Under Separate Cover*) - **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 Acquisition of Encroachment

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 Quarterly Legal Report - December 2019

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

Item 16.3 Writing Off Water Usage Under Hardship Policy

Item 16.3 is confidential in accordance with s10(A) (b) of the Local Government Act 1993 because it contains discussion in relation to the personal hardship of a resident or ratepayer and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Item 16.4 Writing Off Water Usage Due to Undetected Leak Policy

Item 16.4 is confidential in accordance with s10(A) (b) of the Local Government Act 1993 because it contains discussion in relation to the personal hardship of a resident or ratepayer and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.