



Ordinary Meeting of Council

AGENDA

27 May 2020

Commencing at 5.30pm

In light of the COVID-19, this meeting will be held remotely. Presentations can either be made in writing or by attending a Zoom meeting: see Public Involvement at Meetings on Council's website.

On-site Inspection

Item 9.1 - DA.2019.1185 – Quarry Remediation

Date: Tuesday 26 May 2020

Time: 4.00pm

Location: Entry Gate – 791 Hoskinstown Road

Approximately 1.5km north of junction Hoskinstown Road and Briars Sharrow Road

Approximate travel time from Queanbeyan/Bungendore is 30 minutes

Social distancing requirements will apply on site.

Queanbeyan-Palerang Regional Council advises that this meeting will be webcast to Council’s website. Images and voices of those attending will be captured and published.

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1 OPENING

2 ACKNOWLEDGEMENT OF COUNTRY

3 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

4 CONFIRMATION OF MINUTES

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

4.2 Minutes of the Planning and Strategy Committee of the Whole held on 13 May 2020

5 DISCLOSURES OF INTERESTS

6 ADJOURNMENT FOR PUBLIC FORUM

7 MAYORAL MINUTE

8 NOTICES OF MOTION OF RESCISSION

9 REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.1	DA.2019.1185 - Quarry Remediation/Rehabilitation and Environmental Protection Works - 791 Hoskinstown Road, Bungendore	3
9.2	DA.2019.090 - Clause 4.6 Variation to Minimum Lot Size and Erection of a Single Dwelling - Catholic Cemetery Road, Araluen	13
9.3	Adoption of Draft QPRC Climate Change Action Plans	21
9.4	Tender REGPRO022021 - Contract for Supply and Delivery of Bulk Water Treatment Chemicals	25
9.5	CD002-2015 - Extension of Contract.....	29
9.6	Cooma Road Tree Works Procurement Process.....	33
9.7	Asset Management Policy	37
9.8	Asset Management Plans.....	39

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

BUSINESS PAPER AGENDA – 27 May 2020 Page ii

9.9	Closure of Farrington Rural Recycling Station	41
9.10	Tourism Advisory Panel	43
9.11	Economic Advisory Panel.....	49
9.12	Australia Day Donations to Assisting Community Groups.....	51
9.13	Financial Assistance Policy - Drought, Bushfire, COVID-19	53
9.14	Loan Program 2019/20 and 2020/21	57
9.15	Loan Agreement - Common Seal of Council.....	63
9.16	Land Values for Bushfire Affected Local Government Areas	65
9.17	Quarterly Budget Review Statement for the Quarter Ending 31st March 2020 ...	67
9.18	Investment Report - April 2020.....	73
9.19	Review of QPRC Donations Policy.....	75
9.20	Councillor Superannuation Inquiry.....	77
10	REPORTS TO COUNCIL - ITEMS FOR INFORMATION	
10.1	COVID Recovery.....	79
11	REPORTS OF COMMITTEES	
11.1	Local Traffic Committee 7 April 2020.....	83
11.2	Minutes Audit, Risk and Improvement Committee	85
11.3	Fernleigh Park s.355 Committee	87
12	NOTICE OF MOTIONS	
12.1	Election Signs	89
13	REPORTS TO COUNCIL - DELEGATES REPORTS	
13.1	Delegates Reports.....	91
14	QUESTIONS WITH NOTICE	
14.1	Responses to Councillors' Questions	95
15	NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION	96

Confidential - Not for Publication

16 REPORTS FOR CLOSED SESSION

16.1 Quarterly Legal Report - March 2020

Item 16.1 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.

16.2 Notice of Motion - Queanbeyan CBD Property

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

16.3 Confidential - Industrial Relations Matter

Item 16.3 is confidential in accordance with s10(A) (a) (g) of the Local Government Act 1993 because it contains personnel matters concerning particular individuals (other than councillors); AND 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.

17 CONCLUSION OF THE MEETING

LIST OF ATTACHMENTS –

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

Open Attachments

- Item 9.1 DA.2019.1185 - Quarry Remediation/Rehabilitation and Environmental Protection Works - 791 Hoskinstown Road, Bungendore
- Attachment 1 Section 4.15 Matters for Consideration - DA.2019.1185 - Rehabilitation Works - 791 Hoskinstown Road, BUNGENDORE (Under Separate Cover)*
- Attachment 2 Application Information - DA.2019.1185 - Rehabilitation Works - 791 Hoskinstown Road, BUNGENDORE (Under Separate Cover)*
- Attachment 3 Redacted Submissions - DA.2019.1185 - Rehabilitation Works - 791 Hoskinstown Road, BUNGENDORE (Under Separate Cover)*
- Attachment 5 Draft Conditions of Consent - DA.2019.1185 - Rehabilitation Works - 791 Hoskinstown Road, BUNGENDORE (Under Separate Cover)*
- Item 9.2 DA.2019.090 - Clause 4.6 Variation to Minimum Lot Size and Erection of a Single Dwelling - Catholic Cemetery Road, Araluen
- Attachment 1 Section 4.15 Matters for Consideration Report - DA.2019.090 - Catholic Cemetery Road (Under Separate Cover)*
- Attachment 2 Supporting Documents - DA.2019.090 - Catholic Cemetery Road (Under Separate Cover)*
- Attachment 3 Submission - DA.2019.090 - Catholic Cemetery Road (Under Separate Cover)*
- Attachment 4 Clause 4.6 Variation Request - DA.2019.090 - Catholic Cemetery Road (Under Separate Cover)*
- Item 9.3 Adoption of Draft QPRC Climate Change Action Plans
- Attachment 1 Summary and Analysis of Submissions Made Following Exhibition (Under Separate Cover)*
- Attachment 2 Public Exhibition- 'Your Voice' Comments and Written Submissions (Under Separate Cover)*
- Attachment 3 Initial Community Consultation Survey Results and Community Workshop Overview (Under Separate Cover)*
- Attachment 4 Draft Council Operations Climate Change Action Plan (Under Separate Cover)*
- Attachment 5 Draft Community Climate Change Action Plan (Under*

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

BUSINESS PAPER AGENDA – 27 May 2020 Page iv

- Separate Cover)*
- Item 9.7 Asset Management Policy
Attachment 1 Draft Asset Management Policy (Under Separate Cover)
- Item 9.10 Tourism Advisory Panel
Attachment 1 Capital To Coast (Under Separate Cover)
Attachment 2 Braidwood Heritage Centre (Under Separate Cover)
Attachment 3 Agritourism Project (Under Separate Cover)
Attachment 4 Minutes - TAP Meeting 10 Feb 2020 (Under Separate Cover)
Attachment 5 Minutes - TAP Meeting 11 May 2020 (Under Separate Cover)
- Item 9.11 Economic Advisory Panel
Attachment 1 Minutes - Economic Advisory Panel Meeting 24 Feb 2020 (Under Separate Cover)
- Item 9.13 Financial Assistance Policy - Drought, Bushfire, COVID-19
Attachment 1 Draft Financial Assistance Policy - Drought, Bushfire, COVID-19, as ammended (Under Separate Cover)
Attachment 2 Written Policy Submission (Under Separate Cover)
- Item 9.16 Land Values for Bushfire Affected Local Government Areas
Attachment 1 Correspondence from the NSW Valuer General (Under Separate Cover)
- Item 9.17 Quarterly Budget Review Statement for the Quarter Ending 31st March 2020
Attachment 1 QBRS for 31st March 2020 (Under Separate Cover)
- Item 9.18 Investment Report - April 2020
Attachment 1 April 2020 - Investment Report Pack (Under Separate Cover)
Attachment 2 TCorp Market Update 7 May 2020 (Under Separate Cover)
- Item 9.19 Review of QPRC Donations Policy
Attachment 1 QPRC Donations Policy 2017 (Under Separate Cover)
Attachment 2 Donations Policy - 2020 Amendments (Under Separate Cover)
- Item 11.1 Local Traffic Committee 7 April 2020
Attachment 1 Local Traffic Committee minutes 7 April 2020 (Under Separate Cover)
- Item 11.2 Minutes Audit, Risk and Improvement Committee
Attachment 1 ARIC 14 February 2020 Draft Minutes (Under Separate Cover)
- Item 11.3 Fernleigh Park s.355 Committee
Attachment 1 Fernleigh Park s.355 Committee minutes 26 February 2020 (Under Separate Cover)
- Item 12.1 Election Signs
Attachment 1 From 28 August 2019 meeting - Responses to Councillors' Questions (Under Separate Cover)
- Item 14.1 Responses to Councillors' Questions
Attachment 1 Responses to Councillors Questions (Under Separate Cover)

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

BUSINESS PAPER AGENDA – 27 May 2020 Page v

Closed Attachments

- Item 9.1 DA.2019.1185 - Quarry Remediation/Rehabilitation and Environmental Protection Works - 791 Hoskinstown Road, Bungendore
Attachment 4 Unredacted Submissions - DA.2019.1185 - Rehabilitation Works - 791 Hoskinstown Road, BUNGENDORE (Under Separate Cover)
- Item 9.4 Tender REGPRO022021 - Contract for Supply and Delivery of Bulk Water Treatment Chemicals
Attachment 1 Vendor Index (Under Separate Cover)
Attachment 2 Tender Evaluation Report (Under Separate Cover)
Attachment 3 Tender Evaluation Matrix (Under Separate Cover)
- Item 9.5 CD002-2015 - Extension of Contract
Attachment 1 CD0002-2015 Braidwood Waste Transfer Station Waste Haulage Trial Arrangements - Confidential Attachment (Under Separate Cover)
- Item 9.6 Cooma Road Tree Works Procurement Process
Attachment 1 Forest Tree Services - Cooma Rd Tree Works Quote (Under Separate Cover)
- Item 9.13 Financial Assistance Policy - Drought, Bushfire, COVID-19
Attachment 3 Request for Rent Relief (1) (Under Separate Cover)
Attachment 4 Request for Rent Relief (2) (Under Separate Cover)
- Item 12.1 Election Signs
Attachment 2 From 28 August 2019 meeting - Responses to Councillors' Questions with confidential information (Under Separate Cover)
- Item 14.1 Responses to Councillors' Questions
Attachment 2 Responses to Councillors Questions with confidential information (Under Separate Cover)



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

ATTENDANCE

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

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

Also Present: 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

There were no apologies.

4. CONFIRMATION OF MINUTES

4.1 Minutes of the Ordinary Meeting of Council held on 25 March 2020

085/20

RESOLVED (Taylor/Bray)

That the Minutes of the Ordinary Meeting of Council held in the Bungendore Council Chambers on Wednesday 25 March 2020 be confirmed.

The resolution was carried unanimously.

4.2 Minutes of the Planning and Strategy Committee of the Whole held on 8 April 2020

086/20

RESOLVED (Taylor/Bray)

That the Minutes of the Planning and Strategy Committee of the Whole held in the Queanbeyan Council Chambers on Wednesday 8 April 2020 be confirmed.

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

087/20

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.

The resolution was carried unanimously.

Cr Taylor declared a less than significant non-pecuniary interest in Item 9.1: DA.2018.224 - Construction of a Single Dwelling - Variation to Minimum Lot Size - 11 Wilson Street, Majors Creek, stating she is long-time friends of the owners of a neighbouring property.

6. ADJOURNMENT FOR PUBLIC FORUM

Due to COVID-19, there was no Public Forum, but it was noted that the following on-line submissions had been received:

Name	Item no	Item description	For/Against/Neutral
Mr Matt Darwon	9.1	DA.2018.224 - Construction of a Single Dwelling - Variation to Minimum Lot Size - 11 Wilson Street, Majors Creek	Against
Mrs Kylie Coe	9.1	DA.2018.224 - Construction of a Single Dwelling - Variation to Minimum Lot Size - 11 Wilson Street, Majors Creek	Against

7. MAYORAL MINUTE SUPPLEMENTARY REPORT

7.1 Condolence Motion for the Late Dr David Madew

088/20

RESOLVED (Overall)

That Council, with deep respect, offer sincere sympathy to the immediate and extended family of former Mayor of Queanbeyan City Council, Dr David Madew.

The resolution was carried unanimously.

8. NOTICES OF MOTION OF RESCISSION

There were Notices of Motion of Rescission.

Cr Taylor declared an interest in the following item and left the zoom meeting at 5.34pm.

9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION**9.1 DA.2018.224 - Construction of a Single Dwelling - Variation to Minimum Lot Size - 11 Wilson Street, Majors Creek**

089/20

RESOLVED (Harrison/Bray)

That:

1. Development application DA.2018.224 for the construction of a single dwelling on Lot 245 DP DP755934, 11 Wilson Street, Majors Creek be refused for the following reasons.

Reasons for Refusal:

- (a) The proposed development fails to satisfy the provisions of Clause 4.2A – Erection of dwelling houses on land in certain rural, residential and environment protection zones of the Palerang Local Environmental Plan 2014;
 - (b) While the subject application was accompanied by a request to vary a development standard prepared in accordance Clause 4.6 of the Palerang Local Environmental Plan 2014, this request fails to adequately demonstrate that compliance with the development standard is unreasonable or unnecessary and that there are sufficient environmental planning ground to justify contravening the development standard;
 - (c) The proposed development fails to satisfy the minimum lot size provisions of Clause 4.2A of the Palerang Local Environmental Plan 2014 and as such the proposed development is considered to be contrary to the public interest.
2. Those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.
 3. The Department of Planning, Industry and Environment be forwarded a copy of Council's Notice of Determination.

The resolution was carried unanimously.

Cr Taylor returned to the meeting at 5.38pm.

- 090/20
- 9.2 Draft Local Strategic Planning Statement - 'Towards 2040'**
RESOLVED (Bray/Schweikert)
That Council:
1. Publicly exhibit the draft Local Strategic Planning Statement.
 2. Undertake community consultation as outlined in this report.
- The resolution was carried unanimously.
- 091/20
- 9.3 Embellishment of Proposed Park - 16 Agnes Avenue, Queanbeyan - Outcome of Public Exhibition**
RESOLVED (Harrison/Hicks)
That Council:
1. Endorse the landscape concept Option A (Attachment 3) developed by Indesco for embellishment of the park at 16 Agnes Avenue, Queanbeyan.
 2. Receive a report on potential staging options and associated estimates for the project.
 3. Support the investigation of grant sources to fund the embellishment of the Park at 16 Agnes Avenue Queanbeyan.
 4. Consider inclusion of the project in the next Delivery Program.
- The resolution was carried unanimously.
- 092/20
- 9.4 Draft Sustainable Events Management Policy**
RESOLVED (Schweikert/Overall)
That the draft Sustainable Events Management Policy be deferred for discussion at a workshop.
- The resolution was carried unanimously.
- 9.5 Foxlow Bridge**
MOVED (Hicks/Harrison)
That Council receive an updated report on the Foxlow Bridge including options and costs of a low level crossing.
- AMENDMENT (Marshall/Schweikert)**
That:
1. Council receive an updated report on the Foxlow Bridge including options and costs of a low level crossing.
 2. This matter be considered at a Councillor workshop prior to coming back to Council.
- The amendment (of Crs Marshall and Schweikert) was PUT and CARRIED unanimously, and became the motion.

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

093/20

RESOLVED (Marshall/Schweikert)

That:

1. Council receive an updated report on the Foxlow Bridge including options and costs of a low level crossing.
2. This matter be considered at a Councillor workshop prior to coming back to Council.

The resolution was carried unanimously.

9.6 Palerang Community Development Servicing Plans for Water Supply and Sewerage

094/20

RESOLVED (Harrison/Overall)

That Council:

1. Endorse release of the draft Palerang Community Water Supply and Sewerage Development Servicing Plans for public exhibition between the dates 28 April 2020 and 9 June 2020 (inclusive).
2. Receive a further report at the conclusion of the exhibition period that considers any submissions that are received.

The resolution was carried unanimously.

9.7 Tender Recommendation for Bungendore Flood Risk Management Implementation Measure 1 - Contract 2020-19

095/20

RESOLVED (Schweikert/Harrison)

That Council award the tender for Contract 2020-19 for the Bungendore flood risk management implementation measure 1 works to Guideline ACT as recommended in the Tender Evaluation Report when project approvals are obtained.

The resolution was carried unanimously.

9.8 Select Tender following Expression of Interest - Bungendore Roundabout

096/20

RESOLVED (Taylor/Schweikert)

That Council resolve to call Select Tenders following an Expression of Interest for the Bungendore Roundabout project.

The resolution was carried unanimously.

9.9 Abbeyfield Project Bungendore

097/20

RESOLVED (Schweikert/Harrison)

That:

1. The report be noted.
2. Council agree to enter into a 50 year lease with Abbeyfield for the use of Council land at 4 – 6 Majara St, Bungendore for the development of a 12 – 14 unit complex for independent living for low income seniors.
3. The rental be \$1 per annum when and if demanded.
4. The lease is subject to successful development approval and substantial commencement within five years.

The resolution was carried unanimously.

9.10 Draft Revenue Policy 2020-2021

098/20

RESOLVED (Schweikert/Harrison)

That Council:

1. Endorse the Draft 2020-21 Revenue Policy for public exhibition from 24 April to 1 June 2020.
2. Note that in accordance with sections 520 and 531 of the *Local Government Act*, written notice of subcategory changes will be provided to each rateable person.
3. Prepare additional consultation resources to provide information about land revaluation and the impact on individual rates assessments, to be timed with the release of new land values by the NSW Valuer General.
4. Revise and harmonise water, wastewater and waste charges to commence from 2021/22.
5. Note the deferral of stormwater charges for Bungendore and Braidwood until 2021/22.

The resolution was carried unanimously.

9.11 Financial Assistance Policy - Drought, Bushfire, COVID-19

099/20

RESOLVED (Marshall/Schweikert)

That Council endorse the draft Financial Assistance Policy – Drought, Bushfire, COVID-19, and place it on public exhibition for 28 days to seek community comment prior to reporting back for consideration of submissions and its final adoption.

The resolution was carried unanimously.

9.12 Investment Report - March 2020

100/20

RESOLVED (Bray/Taylor)

That Council:

1. Note the investment return for March 2020 was -\$1,760,101.
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 March 2020.

The resolution was carried unanimously.

9.13 Draft Operational Plan and Fees and Charges 2020-21

101/20

RESOLVED (Marshall/Taylor)

That Council endorse the draft Operational Plan and Fees and Charges for public exhibition from 24 April until 1 June 2020.

The resolution was carried unanimously.

9.14 Queanbeyan CBD - Monaro Street Project

102/20

RESOLVED (Hicks/Biscotti)

That Council:

1. Thank the NSW Government and accept the offer of grant of \$10m for the Monaro Street refurbishment.
2. Arrange loan funding of \$5.7m as co-contribution for the project.
3. Engage with business, property owners and relevant agencies to prepare design and detailed estimates; and through the construction phase.

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

Against: Cr Marshall

10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION**10.1 Summary of Maintenance Grading and Gravel Resheeting Activities - Quarter 3, 2019/20**

103/20

RESOLVED (Schweikert/Winchester)

That the report be received for information.

The resolution was carried unanimously.

- 104/20 **10.2 Successful Community Building Partnership Program 2019
Funding Application - Fernleigh Park**
RESOLVED (Taylor/Hicks)

That the report be received for information.

The resolution was carried unanimously.

- 105/20 **10.3 Resolution Action Sheet**
RESOLVED (Harrison/Hicks)

That the report be received for information.

The resolution was carried unanimously.

11. REPORTS OF COMMITTEES

There were no Reports of Committees.

12. NOTICES OF MOTION

There were no Notices of Motion.

13. REPORTS TO COUNCIL - DELEGATES REPORTS

- 106/20 **13.1 Delegates Report**
RESOLVED (Harrison/Schweikert)

That the report be received for information.

The resolution was carried unanimously.

14. QUESTIONS WITH NOTICE

- 107/20 **14.1 Responses to Councillors' Questions**
RESOLVED (Marshall/Taylor)

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

108/20

RESOLVED (Overall/Taylor)

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

Item 16.1 Writing Off Water Usage Account due to Undetectable Leak

Item 16.1 is confidential in accordance with s10(A) (b) of the Local Government Act 1993 because it contains discussion in relation to the personal hardship of a resident or ratepayer and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Item 16.2 Sewerage Discharge Calculation - User Charge

Item 16.2 is confidential in accordance with s10(A) (b) of the Local Government Act 1993 because it contains discussion in relation to the personal hardship of a resident or ratepayer and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

The resolution was carried unanimously.

The meeting then moved into Closed Session at 6.40pm to discuss the matters listed above.

16.1 Writing Off Water Usage Account due to Undetectable Leak

109/20

RESOLVED (Marshall/Harrison)

That Council write off a total of \$2,168.58 in water usage charges for the property listed in this report.

The resolution was carried unanimously.

16.2 Sewerage Discharge Calculation - User Charge

110/20

RESOLVED (Hicks/Harrison)

That Council:

1. Recalculate the sewer usage charge for the property listed in this report, using average water meter consumption over the prior two years to determine sewer usage, resulting in a write off of \$2,703.77.
2. Adjust the Revenue Policy to make allowance for sewerage usage charges to be recalculated based on comparable prior period consumption history, where there was a significant undetected leak, where the owner provides evidence that the leak was rectified as soon as reasonably possible, and where there is evidence that the leaked water was not discharged into the sewerage system.

The resolution was carried unanimously.

111/20

RESOLVED (Overall/Taylor)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 6.41pm.

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

17. CONCLUSION OF THE MEETING

The time being 6.43pm, 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, 13 May 2020 commencing at 5.30pm.

ATTENDANCE

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

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

Also Present: 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

PLA054/20

RESOLVED (Taylor/Hicks)

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

The resolution was carried unanimously.

4. DISCLOSURES OF INTEREST

PLA055/20

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.

Cr Winchester declared a less than significant non-pecuniary interest in Item 7.1: Family Day Care Government Income Distribution, stating his sister is a family day care educator. He stated he will disclose and not vote.

5. ADJOURNMENT FOR PUBLIC FORUM

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

PLA056/20

RESOLVED (Overall/Hicks)

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

ADJOURNMENT:

The meeting adjourned for the Public Forum at 5.32pm and resumed at 5.36pm.

6. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

6.1 Review of Determination REV.2020.1000 - Development Application DA.2019.065 - 3 Lot Community Title Subdivision - 71 MacDiarmid Road, Burra

PLA057/20

RESOLVED (Harrison/Taylor)

That:

1. Application REV.2020.1000 for Review of Determination for a 3 Lot Community Title Subdivision (DA.2019.065) on Lot 4 DP 285984 No.71 MacDiarmid Road, Burra not be supported, upholding Council's previous recommendation to refuse the application.
2. Those persons who lodged a submission(s) on the application be advised in writing of the determination of the review.
3. The NSW Rural Fire Service be forwarded a copy of Council's Notice of Determination.

The resolution was carried unanimously.

6.2 Draft Jerrabomberra Innovation Precinct Infrastructure Planning Agreement

PLA058/20

RESOLVED (Hicks/Harrison)

That Council:

1. Note the report.
2. Agree to Council staff undertaking all necessary actions to finalise the draft Jerrabomberra Innovation Precinct Local Planning Agreement.
3. Authorise the Mayor and Chief Executive Officer to execute the Jerrabomberra Innovation Precinct Local Planning Agreement.

The resolution was carried unanimously.

6.3 Amendment to Googong Development Control Plan 2010

PLA059/20

RESOLVED (Taylor/Harrison)

That Council adopt the amendments to the Googong Development Control Plan 2010 as indicated in Attachments 1 through 4 to this report.

The resolution was carried unanimously.

Cr Winchester declared an interest in the following item.

7. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

- PLA060/20 **7.1 Family Day Care Government Income Distribution**
RESOLVED (Taylor/Hicks)
That the report be received for information.
For: Crs Biscotti, Bray, Harrison, Hicks, Noveska, Overall,
 Schweikert and Taylor

Cr Winchester did not vote.

- PLA061/20 **7.2 COVID-19 - Response and Recovery**
RESOLVED (Schweikert/Hicks)
That the report be received for information.

The resolution was carried unanimously.

SUPPLEMENTARY REPORTS

- PLA062/20 **7.3 COVID-19 - Response and Recovery (Addendum)**
RESOLVED (Schweikert/Hicks)

That the report be received for information.

The resolution was carried unanimously.

8. REPORTS OF COMMITTEES

- PLA063/20 **8.1 Minutes of the Braidwood and Curtilage Heritage Advisory
Committee held 9 April 2020**
RESOLVED (Schweikert/Taylor)
That Council note the Minutes of Braidwood and Curtilage Advisory
Committee held on 9 April 2020.

The resolution was carried unanimously.

- PLA064/20 **8.2 Minutes of the QPRC Heritage Advisory Committee Meeting
held 16 April 2020**
RESOLVED (Overall/Schweikert)
That Council note the Minutes of QPRC Heritage Advisory
Committee held on 16 April 2020.

The resolution was carried unanimously.

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

There were no matters.

10. CONCLUSION OF THE MEETING

The time being 5.48pm, 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.

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.1 DA.2019.1185 - Quarry Remediation/Rehabilitation and Environmental Protection Works - 791 Hoskinstown Road, Bungendore (Ref: ; Author: Thompson/Williams)

File Reference: DA.2019.1185

Summary***Reason for Referral to Council***

This application has been referred to Council because a total of seven (7) submissions were received in relation to the development.

Proposal:	Quarry Remediation/Rehabilitation - Environmental Protection Works
Applicant/Owner:	Applicant: Canberra Sand and Gravel Pty Ltd Owners: Canberra Sand and Gravel Pty Ltd
Subject Property:	Lots 38 to 41 & Lot 47 DP 754893, 791 Hoskinstown Road, Bungendore
Zoning and Permissibility:	RU1- Primary Production under Palerang Local Environmental Plan 2014
Public Submissions:	Seven (7)
Issues Discussed:	<ul style="list-style-type: none">• Planning Requirements• Traffic Generation• Water Course Impact• Definition
Disclosure of Political Donations and Gifts:	Applicant declared no Donations or Gifts to any Councillor.

Recommendation

That:

- 1. Development application DA.2019.1185 for Quarry Remediation/Rehabilitation - Environmental Protection Works on Lot 39 DP 754893, Lot 40 DP 754893, Lot 41 DP 754893, Lot 47 DP 754893 & Lot 38 DP 754893, 791 Hoskinstown Road, Bungendore be granted conditional approval.**
 - 2. Those persons who lodged a submission be advised in writing of the determination of the application.**
 - 3. All external agencies be forwarded a copy of Council's Notice of Determination.**
-

9.1 DA.2019.1185 - Quarry Remediation/Rehabilitation and Environmental Protection Works - 791 Hoskinstown Road, Bungendore (Ref: ; Author: Thompson/Williams) (Continued)

Background

Proposed Development

The development application is for Quarry Remediation/Rehabilitation (Environmental Protection Works).

The application seeks approval to remediate an old clay quarry to rehabilitate the property to support agricultural/grazing ventures. The remediation is proposed to import 222,750m³ (compacted) of certified Virgin Excavated Natural Material (VENM) and certified Excavated Natural Material (ENM) from surrounding areas (including Canberra) to fill affected areas.

The approach demonstrates a "whole of life" approach to extractive industry, with VENM (quarry product) being extracted from the site in the 1960's-1990's to support brick manufacturing in Queanbeyan for construction in the Canberra region. Now similar material (VENM/ENM) will be imported from construction sites within the region (Queanbeyan and Canberra) to rehabilitate the site.

Subject Property

Lot 39 DP 754893, Lot 40 DP 754893, Lot 41 DP 754893, Lot 47 DP 754893 & Lot 38 DP 754893 is known as 791 Hoskinstown Road, Bungendore and is located approximately 2km north of the intersection of Briars Sharrow Road and Hoskinstown Road.

The lots are original portions with the currently disused Bungendore-Captians Flat railway line running north to south.

The property was subject to an extractive industry approval in 1965 under a license arrangement and formally approved in 1969 under D74/1969 for the extraction of clay and shale material to be used for brick manufacturing for construction in the Canberra region (manufactured in Queanbeyan). The quarry ceased operation roughly around 1993 with minor remediation works completed.



Figure 1 – Location of Proposed Development

9.1 DA.2019.1185 - Quarry Remediation/Rehabilitation and Environmental Protection Works - 791 Hoskinstown Road, Bungendore (Ref: ; Author: Thompson/Williams) (Continued)

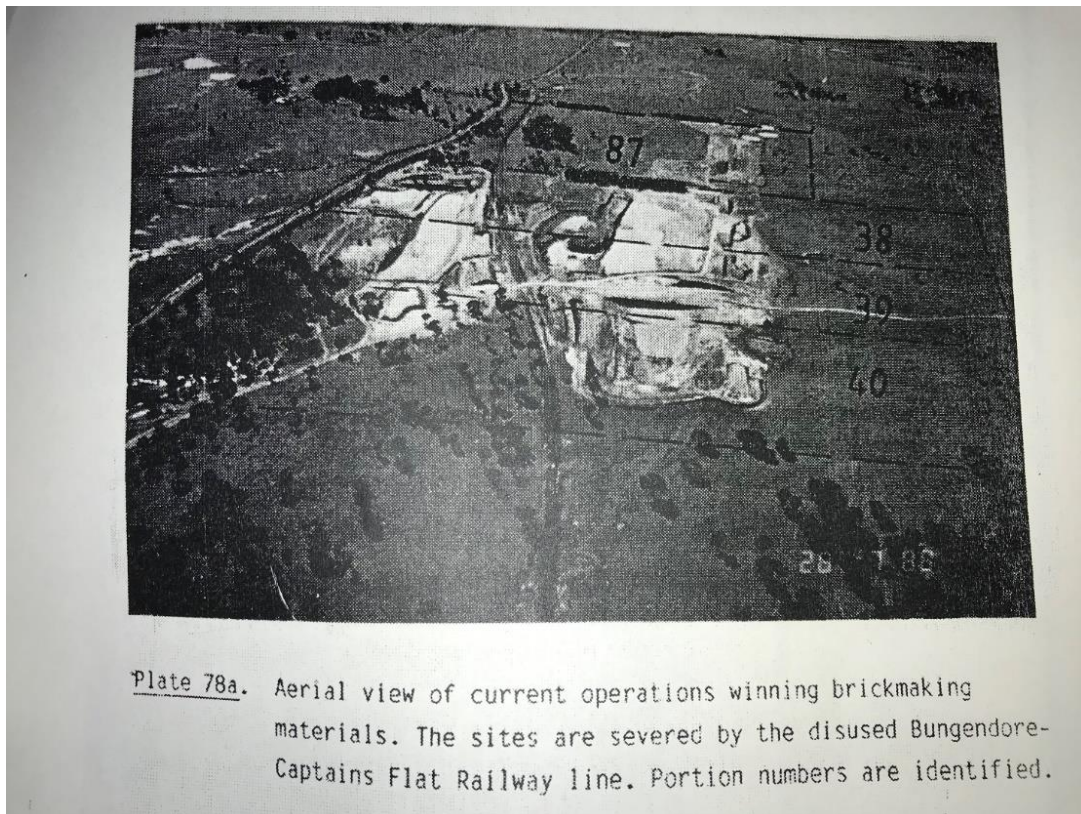


Figure 2: Photo from late 80's early 90's.

The property was later purchased by a different owner and a dwelling, sheds and barn were approved on Lot 47 under applications 2002/CA-00282 & 2002/CA-00312.

There have been subsequent approvals for the site.

Planning Requirements

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

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

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

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

9.1 DA.2019.1185 - Quarry Remediation/Rehabilitation and Environmental Protection Works - 791 Hoskinstown Road, Bungendore (Ref: ; Author: Thompson/Williams) (Continued)

(a) Compliance with LEP

Palerang Local Environmental Plan (PLEP) 2014

During the assessment of the application and discussions with the NSW Environmental Protection Authority (EPA), it is considered that the proposal to return the landscape to replicate its original form through the use of importing only certified VENM/ENM material from the surrounding area satisfies the PLEP permissible use Environmental Protection Works (Land Remediation).

Environmental Protection Works - means works associated with the rehabilitation of land towards its natural state or any work to protect land from environmental degradation, and includes bush regeneration works, wetland protection works, erosion protection works, dune restoration works and the like, but does not include coastal protection works.

To ensure the development retains the remediation focus, strict conditions have been placed on the consent to ensure the development does not stray from the proposed intent. The conditions implemented ensure the site is strictly monitored, reporting is maintained for Council and a bond will be held by Council to ensure there is incentive to complete the project to the standards conditioned.

The development is compliant with the objectives and provisions of the PLEP 2014.

(b) Compliance with DCP

Palerang Development Control Plan (PDCP) 2015

The PDCP 2015 is applicable to developments within the former Palerang LGA (excluding Braidwood Conservation area). The proposed development involving the import of 222,750m³ of VENM/ENM used to remediate an old Clay Quarry are all consistent with the objectives and controls within the Palerang DCP 2015 as detailed within the attached s4.15 assessment report.

(c) Other Matters

Nil

(d) Referrals

(i) Health Officer's Comments

Council's Health Officer has no objection to the development subject to the following:

1. Conditions requiring a detailed Environmental Management Plan are to be supplied to Council for approval prior to commencing works. This plan is to detail (at a minimum):
 - i. How the sediment retention ponds are to be managed.
 - ii. A response plan that requires any breaches of the environmental management plan to be reported to Council's Environmental Health Team as soon as reasonably possible.
 - iii. Erosion and sediment controls and maintenance.
 - iv. Stockpile detail.
 - v. Dust suppression.
 - vi. Noise mitigation.
 - vii. A complaints management system for handling enquiries regarding operations at the quarry from the community

This plan can then be used as a continued compliance/management document to ensure minimal impacts to surrounding lots, drainage lines and the environment.

9.1 DA.2019.1185 - Quarry Remediation/Rehabilitation and Environmental Protection Works - 791 Hoskinstown Road, Bungendore (Ref: ; Author: Thompson/Williams) (Continued)

2. The disused quarry has the potential to have areas of the site which may have been contaminated by virtue of its previous use. As such a preliminary site assessment should be carried out to determine whether any such areas of environmental concern exist and if so whether it is necessary to specifically remediate those areas prior to fill being imported onto the site. As such a condition similar to the following should be imposed. Prior to the commencement of work the applicant will need to submit a Preliminary Site Investigation (PSI) prepared by a suitable qualified environmental consultant in accordance with the NSW EPA's Guidelines for Consultants Reporting on Contaminated Sites. Any recommendations of that report requiring further studies or remediation are to be carried out prior to the commencement of work or as otherwise agreed to by Council.
3. Prior to the return of the Remediation Bond a Validation Report from a suitably qualified environmental consultant is to be provided confirming that the site has been rehabilitated and is suitable for its proposed use for extensive agriculture. Any conditions or limitations as to future use must be stated in the validation report.

(ii) Development Engineer's Comments

The average annual Virgin Excavated Natural Material (VENM) and Excavated Natural Material (ENM) imported fill volume would be approximately 66,825t/year over five (5) years with a possible maximum annual imported fill of 111,375t/year over three (3) years. This is the equivalent to a total of 334,125t of imported fill or 222,750m³ of compacted material.

The average importation rate using 32 tonne trucks would equate to 8-10 average truck movements per day for a daily average delivery of 300t of VENM and ENM. Peak deliveries could be up to a maximum of 45-50 truck movements per day for a daily maximum of 1,500t of VENM and ENM.

It is anticipated that sufficient resource exists to facilitate rehabilitation of the decommissioned clay quarry for five years.

The imported VENM and ENM fill material will be transported from Canberra, Queanbeyan and surrounds via the Kings Highway, Trucking Yard Lane and finally Hoskinstown Road. Imported VENM and ENM from other sites may occur but on an irregular and uncertain basis.

Storm Water: - Stormwater runoff is to be managed and maintained throughout the development and will be extended downstream to a location(s) where run off can be disposed of without detrimental impacts from flooding (of properties or roads), scouring of surfaces, or undue nuisance or hazard. Health has provided appropriate conditions to ensure the adequate standards/quality of water to be discharged into surrounding drainage lines/creeks is maintained.

Traffic - Hoskinstown Road (from Trucking Yard Lane to Briars Sharrow Road) had a traffic count up to 573 vehicles per day in February 2006. The decommissioned Clay Quarry entry is currently located off Hoskinstown Road within a right-of-way over Part Lots 41, 40 and 39 DP 754893 (Canberra Sand and Gravel) and Lot 1 DP 110580 (Transport for NSW). The Hoskinstown Road regulatory speed zone at this location is posted at 100km/h. At this location, Hoskinstown Road has excellent sight distance in both directions and will require some vegetation clearing.

There are sections of Hoskinstown Road where the bitumen wearing course width is 5.8m which flags a number of concerns.

- i) Road safety for current users with the increase of truck movements, in particular overtaking and passing will be tight where the road surface is 5.8m wide. A condition to restrict times for truck movement and implement a code of conduct will be applied.

9.1 DA.2019.1185 - Quarry Remediation/Rehabilitation and Environmental Protection Works - 791 Hoskinstown Road, Bungendore (Ref: ; Author: Thompson/Williams) (Continued)

- ii) Preservation of Council road assets, specifically with pavement integrity and bitumen wearing course edge breaks. Contributions for haulage route maintenance on a \$/t/km rate over the lifecycle of the decommissioned quarry rehabilitation should be implemented.

Hoskinstown Road Bridge - The concrete bridge on Hoskinstown Road is to the standard of T44 design loading and more than adequate to accommodate the haulage traffic volume.



Figure 3 – Hoskinstown Road Bridge

The development engineer has no objection to the proposal subject to the conditions of consent which will require adequate contributions to cover road maintenance and possible upgrades along Hoskinstown Road and construct/maintain an adequate access and internal road for the development.

(iii) External Agency Referrals

a) Transport for NSW (RailCorp-John Holland Rail)

The development is located around the former Bungendore-Captains Flat Rail line which is Railcorp land. As per the Infrastructure SEPP, the application was referred to John Holland Rail (JHR) who are the party responsible for reviewing impacts to railway land in the LGA.

JHR provided advice dated 10 December 2019 which indicated no objections to the development subject to the imposition of certain conditions being:

- Prior to construction, supplying a Risk Assessment/Management Plan and detailed Safe Work Method Statements to JHR.
- No works within the Rail Corridor.
- Stormwater is not to be discharged into the Rail Corridor.

9.1 DA.2019.1185 - Quarry Remediation/Rehabilitation and Environmental Protection Works - 791 Hoskinstown Road, Bungendore (Ref: ; Author: Thompson/Williams) (Continued)

- Applicant to provide JHR information in regards to the suitability of the current level crossings on Hoskinstown Road.
- Any works within the Rail Corridor require separate consent from John Holland Rail on behalf of RailCorp.
- The Rail Corridor shall be fenced along the boundary and maintained during the development.

b) Natural Resource Access Regulator (NRAR)

The property/old quarry has had past complaints and compliance action relating to impacts on drainage lines on adjoining properties given no formal remediation was undertaken. To ensure these works would be compliant and provide minimal impact to the 1st/2nd order streams (catchment for Halfway Creek) on site the application was concurrently referred to NRAR for comment.

Correspondence was received on 30 October 2019 which provided no objection to the development and required no approval from NRAR as the areas for remediation are *“located within the previously disturbed area, and contained within a bunded area, as such will not require approval”*.

c) NSW Department of Planning, Industry and Environment - Crown Land

Crown Roads are located in and around the subject development area and required referral to NSW Department of Planning, Industry and Environment - Crown Land to ensure any impacts (physical and legal) are addressed.

Correspondence was received on 10 December 2019 which provided no objection to the development and flags that the Crown Roads within the development can be closed and purchased if the applicant wishes. This advice has been verbally forwarded to the applicant as it has no role in this assessment.

d) WaterNSW

WaterNSW was provided a referral in error. However, correspondence was received dated 28 October 2019 providing no objection to the development as the subject site is located outside the Sydney Drinking Water Catchment area and not within proximity to warrant assessment.

Financial Implications

The development will generate an increase in traffic along Trucking Yard Lane and Hoskinstown Road, increasing wear on Council's assets. The consent has been conditioned to require contributions as triggered under the Yarrowlumla Development Contributions Plan 2- Roads, specifically section P.7.6.1- Extractive Industries and Landfilling (and other intensive truck haulage developments).

Given the estimated volumes to be imported between 3-5 years (5 years being the maximum and the total yearly limits volumes to a minimum of 3 years), Council is expected to receive between \$59,000 - \$99,000 in contributions towards Trucking Yard Lane (PAL P9 SUBNG) & Hoskinstown Road (TSC P3 HOSLB). This contribution is considered to offset the financial implications of this aspect of the development.

The development will also be conditioned to provide Council a Contingency Bond to the value of \$50,000 (estimated cost of works). This bond will be held until works are satisfactorily completed, acting as an incentive to ensure the site works are completed as proposed.

9.1 DA.2019.1185 - Quarry Remediation/Rehabilitation and Environmental Protection Works - 791 Hoskinstown Road, Bungendore (Ref: ; Author: Thompson/Williams) (Continued)

Additionally, this bond will provide Council with an avenue to fund the works in the event the applicant cannot complete the works (e.g. due to financial hardship or abandonment of works).

Engagement

The application was notified in accordance with Part E of the PDCP 2015 originally from the 30 October 2019 to 13 November 2019. However, an administration issue resulted in an error of the scope notified, requiring re-notification from 27 November to 11 December 2019. The notification resulted in seven (7) submissions received. Six submissions were against the proposal and one supported the development.

Issue 1 - Increased Traffic and Safety - All submissions raised concerns around the increased truck movements on Hoskinstown Road, road condition and road safety.

Assessing Officer's Comments - Hoskinstown Road in the location of the development has a regulatory speed zone of 100km/h with excellent sight distance in both directions. To ensure sight distance is maintained some minor vegetation management/removal will be required as part of the access works.

Hoskinstown Road contains areas where the road surface at 5.8m will limit overtaking in areas. Council has included conditions on the consent to facilitate increased safety on the road, including:

- Entrance to the subject site will need to be upgraded to be suitable for the development and make access/egress safe.
- No more than 118,800m³ a year (minimum 3 year completion period) to ensure the intensity of the development is consistent with the proposal.
- A Code of Conduct for transport of materials on public roads to the satisfaction of Council to be included into the site induction and compiled by all haulage drivers.
- No haulage on Trucking Yard Lane and Hoskinstown Road between the hours of school bus operations (7:30am-9am & 3:30-5pm).
- Contribution fees applicable to the development based on tonnes imported. These contributions are to be allocated to new works (including new road segments) on Trucking Yard Lane and Hoskinstown Road. These contributions are considered to offset the potential impacts.

Issue 2 – Use Definition – Concerns were raised around the nature of the development, detailing that the proposal is clearly a waste facility for commercial gain.

Assessing Officer's Comments – During the assessment of the application and discussions with the EPA it is considered that the proposal to return the landscape to its original form through the use of only certified VENM/ENM material from the surrounding area would constitute Environmental Protection Works (Land remediation) and with strict conditions would not constitute a waste facility. The conditions implemented ensure the site is strictly monitored and reporting is maintained for Council.

Issue 3 - Dust - Concerns on the impacts of dust from stock piling and equipment operation on neighbouring lots has been raised.

Assessing Officer's Comments - The site will include earth moving and traffic from delivery truck generating dust. To ensure dust management is undertaken a condition of consent has been included to create an Operational Management Plan which is to detail how the dust is to be managed on site which will require approval from Council prior to commencement of works. This plan and the Environmental Management Plan provides the foundations for Council to undertake efficient compliance/monitoring.

9.1 DA.2019.1185 - Quarry Remediation/Rehabilitation and Environmental Protection Works - 791 Hoskinstown Road, Bungendore (Ref: ; Author: Thompson/Williams) (Continued)

In addition to the plan, a separate condition will be included to cease works during high wind days to reduce dust impacts and for bushfire prevention.

Issue 4 - Noise of Operation - Concerns around the noise of the construction in the area has been raised as a concern.

Assessing Officer's Comments - The development works are limited to weekday's only (excluding public holidays) and between the hours of 7am and 5pm. In addition to the limited hours, a condition of consent has been included to ensure the activity does not exceed 55dB during operational periods in accordance with the Protection of the Environment Operations Act 1997.

Issue 5 - Impacts to the Rail Line and Potential Rail Trail - Concerns around impacts to the railway corridor were raised and the potential impacts on the proposed Rail Trail development which has been actively pursued on the Bungendore-Captains Flat line.

Assessing Officer's Comments - A condition forms part of the consent to fence the railway corridor, with no works to be located within the area. In addition, there are also conditions which prohibit stormwater disposal within the corridor. Given the fencing and condition, the development will not have an impact on the corridor or potential future Rail Trail developments.

Issue 6 - Continued Compliance/Monitoring - Concerns on compliance and monitoring of dust, noise and environmental impacts were raised.

Assessing Officer's Comments - The application will be conditioned to supply an Operational Management Plan and Environmental Management Plan to Council's satisfaction prior to commencement of works. These plans will be required to detail how impacts such as dust, noise, potential pollution, management of sediment ponds etc. are managed and maintained. These documents will also form the foundations for compliance action if non-compliance is reported to Council. In the event that the applicant abandons the development/site, Council have conditioned the requirement for a bond (to be held by Council prior to works commencing) which can be executed to fund completion works.

Issue 7- Impacts to Water Courses/Drainage Lines - Concerns in regard to the impacts of soil and potential pollution in downstream drainage lines and watercourses from the import of fill has been raised.

Assessing Officer's Comments - The conditions of consent include the requirement to supply a detailed Environmental Management Plan which will detail erosion and sediment controls to be maintained and how potential pollution of drainage lines will be managed. The detail will include how sediment ponds are managed (detailing method to flocculate to pond), contingencies and how sediment ponds will be controlled. The Environmental Management Plan will have to reference the Protection of the Environment Operations Act 1997 and will require approval from QPRC staff prior to works commencing. This document delivers detailed information for the applicant to follow during works and provides Council foundations to undertake effective Compliance action if required.

In addition to the conditions the application was referred to the Natural Resource Access Regulator who monitors water use and impacts to water courses within NSW. The application to import certified VENM/ENM to remediate raised no objection from the department given the heavily impacted nature of the current site and the existing water rights (ponds proposed for dust suppression) located on the property.

Issue 8 - Local Amenity - Concerns in regards to the impact of amenity of the Hoskinstown area was raised.

9.1 DA.2019.1185 - Quarry Remediation/Rehabilitation and Environmental Protection Works - 791 Hoskinstown Road, Bungendore (Ref: ; Author: Thompson/Williams) (Continued)

Assessing Officer's Comments - The proposed works are limited to 5 years and will result in the remediation of the clay quarry. Given the lot was previously an extractive industry in the area it is considered to have been a part of the amenity in the area previously and the proposed remediation works would operate at a similar intensity during the approval period of the quarry.

To ensure the impacts are minimised the operational times are limited to weekdays only (excluding public holidays) and between the hours of 7am to 5pm. The noise and dust will be managed to the standards above. It's considered these conditions will maintain the current rural amenity in the maximum 5 year construction period.

Conclusion

The submitted proposal for Quarry Remediation/Rehabilitation (Environmental Protection Works), at 791 Hoskinstown Road Bungendore is a compliant development and is supported by a Quarry Rehabilitation Plan and detailed plans. The proposal was notified to adjoining owner/occupiers and 7 submissions were received. The assessment has determined that any relevant issues raised can be dealt with by appropriate conditions of approval.





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

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

Given the above it is recommended that approval be the Quarry Remediation/Rehabilitation (Environmental Protection Works) be supported for the following reasons:

- The proposal is consistent with the objectives of the Palerang Local Environmental Plan 2014- RU1- Primary Production Zone.
- The Proposed Quarry Remediation/Rehabilitation is consistent with the controls of the Palerang Development Control Plan 2015.
- The proposed Quarry Remediation/Rehabilitation with the imposed conditions of consent will have no foreseen adverse impacts on surrounding lots.
- The proposal formally 'closes' the lifecycle of the clay quarry and returns the land to a state to accommodate primary production uses as zoned.

Attachments

- | | |
|---|--|
| Attachment 1
 | Section 4.15 Matters for Consideration - DA.2019.1185 - Rehabilitation Works - 791 Hoskinstown Road, BUNGENDORE (<i>Under Separate Cover</i>) |
| Attachment 2
 | Application Information - DA.2019.1185 - Rehabilitation Works - 791 Hoskinstown Road, BUNGENDORE (<i>Under Separate Cover</i>) |
| Attachment 3
 | Redacted Submissions - DA.2019.1185 - Rehabilitation Works - 791 Hoskinstown Road, BUNGENDORE (<i>Under Separate Cover</i>) |
| Attachment 4 | Unredacted Submissions - DA.2019.1185 - Rehabilitation Works - 791 Hoskinstown Road, BUNGENDORE (<i>Under Separate Cover</i>) -
CONFIDENTIAL |
| Attachment 5
 | Draft Conditions of Consent - DA.2019.1185 - Rehabilitation Works - 791 Hoskinstown Road, BUNGENDORE (<i>Under Separate Cover</i>) |

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.2 DA.2019.090 - Clause 4.6 Variation to Minimum Lot Size and Erection of a Single Dwelling - Catholic Cemetery Road, Araluen (Ref: ; Author: Thompson/Williams)

File Reference: DA.2019.090

Summary***Reason for Referral to Council***

This application has been referred to Council because a variation of development standards is sought under the provisions of Clause 4.6 of a Local Environment Plan.

Proposal:	Dwelling & Clause 4.6 Request
Applicant/Owner:	Applicant: Coe Planning Services Owner: Margaret Anne Wisbey
Subject Property:	Lots 569, 570 & 571 DP 755901, Catholic Cemetery Road, Araluen
Zoning and Permissibility:	RU1- Primary Production under Palerang Local Environmental Plan 2014
Public Submissions:	One
Issues Discussed:	<ul style="list-style-type: none">• Planning Requirements• Clause 4.6 Variation to LEP Minimum Lot Size
Disclosure of Political Donations and Gifts:	Applicant Declared no Donations or Gifts to any Councillor.

Recommendation

That:

1. Development application DA.2019.090 for the construction of a single dwelling on Lot 569 DP 755901, Lot 570 DP 755901 & Lot 571 DP 755901, Catholic Cemetery Road, Araluen be refused for the following reasons:
 - (a) The proposed development fails to satisfy the provisions of Clause 4.2A - Erection of dwelling houses on land in certain rural, residential and environment protection zones of the Palerang Local Environmental Plan 2014;
 - (b) While the subject application was accompanied by a request to vary a development standard prepared in accordance Clause 4.6 of the Palerang Local Environmental Plan 2014, this request fails to adequately demonstrate that compliance with the development standard is unreasonable or unnecessary and that there are sufficient environmental planning ground to justify contravening the development standard;
 - (c) The proposed development fails to satisfy the minimum lot size provisions of Clause 4.2A of the Palerang Local Environmental Plan 2014 and as such the proposed development is considered to be contrary to the public interest.
 2. Those persons who lodged a submission on the application be advised in writing of the determination of the application.
 3. The Department of Planning, Industry and Environment (Planning and Crown Lands) be forwarded a copy of Council's Notice of Determination.
-

9.2 DA.2019.090 - Clause 4.6 Variation to Minimum Lot Size and Erection of a Single Dwelling - Catholic Cemetery Road, Araluen (Ref: ; Author: Thompson/Williams) (Continued)

Background

Proposed Development

The development application is for a Clause 4.6 request to vary the Palerang LEP 2014 minimum lot size of 40ha to allow construction of a single new dwelling on a 5.66ha allotment (86% variation).

Subject Property

The subject site is legally described as Lot 569 DP 755901, Lot 570 DP 755901 & Lot 571 DP 755901 and is commonly known as off Catholic Cemetery Road. The site is located on the western side of the Crown Road Reserve (which forms an extension of Victoria Street) and has a combined area of roughly 5.66ha.

The site is an irregular shape and contains varying slopes from 5-10 degrees as the site slopes up towards the centre of the lot and flattens.

The site contains grassland vegetation with individual trees in the north-eastern corner.

Vehicular access is provided to the site via a proposed extension of Victoria Street within a Crown Road Reserve.

Existing development within the locality consists of single dwellings on holdings ranging from 5ha (smallest holding) to old original dwellings being associated with large crown land leases and areas over 40ha.

Figure 1 below shows a locality map with the property (outlined red and orange) in the context of Araluen village.

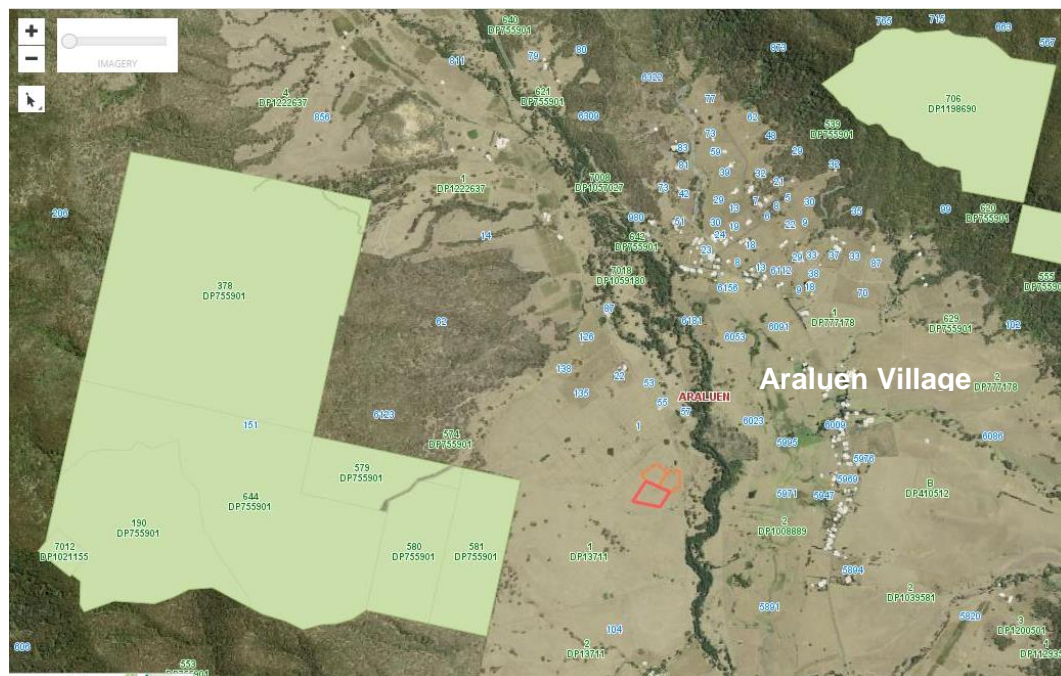


Figure 1 – Locality Map

9.2 DA.2019.090 - Clause 4.6 Variation to Minimum Lot Size and Erection of a Single Dwelling - Catholic Cemetery Road, Araluen (Ref: ; Author: Thompson/Williams) (Continued)

Figure 2 below shows the three allotments making up the property outlined in red and orange.



Figure 2 – Property Configuration

Planning Requirements

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

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

1. State Environmental Planning Policy (Building Sustainability Index: Basix) 2004
2. State Environmental Planning Policy No.55 – Remediation of Land
3. Palerang Local Environmental Plan 2014 (LEP)
4. Palerang Development Control Plan 2015 (DCP)

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

(a) Compliance with LEP

Palerang Development Control Plan (PLEP) 2014

Minimum Lot Size and Clause 4.6 Variation Request

The subject site is comprised of three (3) original portions, which were previously part of a larger holding. Under Clause 4.2A(3)(a) of the PLEP the minimum lot size for the erection of a dwelling is 40ha (referred to as the development standard). The three allotments have a combined area of 5.66ha and, even when consolidated, fail to satisfy the 40ha minimum lot

9.2 DA.2019.090 - Clause 4.6 Variation to Minimum Lot Size and Erection of a Single Dwelling - Catholic Cemetery Road, Araluen (Ref: ; Author: Thompson/Williams) (Continued)

size that is applicable to the site. As such, the subject site fails to satisfy the provisions of Clause 4.2A of the PLEP 2014.

In recognition of this non-compliance the application was accompanied by a request prepared in accordance with Section 4.6 of the PLEP 2014 to vary the development standard. The development attempts to justify the contravention of the minimum lot size development standard for the erection of a dwelling house in certain rural, residential and environment permitted under Clause 4.2A(3)(a) of the PLEP 2014. A copy of the Clause 4.6 variation request is provided in Attachment 4.

The Clause 4.6 request is considered to be inadequate in that the applicant has not satisfactorily demonstrated that compliance with the standard is unnecessary or unreasonable in the circumstances of the case, or that there are sufficient environmental planning grounds to justify contravening the development standard. A summary of this assessment is shown below with a more detailed assessment within the attached *Section 4.15 Matters for Consideration* report (Attachment 1).

Summary of Clause 4.6 Variation Request

Under Clause 4.6 of the PLEP, the consent authority may consider a variation, where that variation would achieve a better outcome.

Clause 4.6(3) of the PLEP states the following:

“Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

- (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case; and*
- (b) that there are sufficient environmental planning grounds to justify contravening the development standard.”*

Further Clause 4.6(4) of the PLEP 2014 states that development consent must not be granted for a development that contravenes a development standard unless the consent authority is satisfied of all of the following:

4.6(4)(a)(i) the applicant’s written request has adequately addressed the matters required to be demonstrated by subclause (3)

Having given consideration to the applicant’s written justification the request is not considered to adequately address the matters required to be demonstrated in subclause 4.6(3), specifically, that compliance with the standard is unnecessary or unreasonable in the circumstances of the case.

The applicant’s justification in Attachment 4 relies principally on assessment against the five part ‘Wehbe tests’ established by the NSW Land and Environment Court in *Wehbe v Pittwater Council* (2007). The NSW Land and Environment Court has established that should development satisfy the provision of one of the five tests then strict compliance with the development standard should be considered unreasonable or unnecessary.

Test 1 - The proposal, resulting in residential development contrary to the development standards of the Palerang Local Environmental Plan, is considered to represent unplanned residential development being contrary to the objectives of the development standard which seek to minimise unplanned rural residential development and to enable the replacement of lawfully erected dwelling houses in rural, residential and environment protection zones.

9.2 DA.2019.090 - Clause 4.6 Variation to Minimum Lot Size and Erection of a Single Dwelling - Catholic Cemetery Road, Araluen (Ref: ; Author: Thompson/Williams) (Continued)

Test 2 - The underlying objectives or purpose of the development standard are relevant to the development.

Test 3 - The underlying object or purpose of the development standard is not defeated or thwarted by strict application of the development standard.

Test 4 - The development standard has been consistently applied and any variations have been suitably justified upon their own merit. As such, the development standard is not considered to have been abandoned or destroyed.

Test 5 - It is noted that the applicant has taken a broad interpretation of this principle. The test as established within the Wehbe case reads as follows:

“the zoning of particular land” was “unreasonable or inappropriate” so that “a development standard appropriate for that zoning was also unreasonable or unnecessary as it applied to that land” and that “compliance with the standard in that case would also be unreasonable or unnecessary”:

Given that the subject site has been utilised consistently over the past 50 years as part of a larger land holding for the purposes of extensive agriculture, the zoning of the land is considered to be reasonable and appropriate for the site.

Based upon the above, the strict compliance with the development standard is not considered to be unreasonable or unnecessary.

In considering if there are sufficient environmental planning grounds to justify contravening the development standard, Council officers do not support the proposition that the proposed departure would result in a development pattern that is consistent with the existing and desired future character of the locality or that the benefits posed by the departure justify the contravention of the development standard. Rather, the proposed development is considered to be contrary to the planned residential density as established through the Palerang Local Environmental Plan 2014.

4.6(4)(a)(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

The objectives of Clause 4.2A of the PLEP 2014 are:

- (a) to minimise unplanned rural residential development,*
- (b) to enable the replacement of lawfully erected dwelling houses in rural, residential and environment protection zones.*

The proposal is considered to be inconsistent with the objectives of the development standard in that the subject site fails to satisfy the requirements for the erection of a dwelling house upon the subject site and the proposed development must be considered as unplanned rural residential development beyond the strategic vision of the PLEP 2014. As such, the proposed development is inconsistent with the objectives of the clause.

The site is Zoned RU1 Primary Production zone under PLEP 2014. The objectives of the zone are as follows:

- o To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- o To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- o To minimise the fragmentation and alienation of resource lands.*

9.2 DA.2019.090 - Clause 4.6 Variation to Minimum Lot Size and Erection of a Single Dwelling - Catholic Cemetery Road, Araluen (Ref: ; Author: Thompson/Williams) (Continued)

- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To minimise the impact of any development on the natural environment.*
- *To ensure that development does not unreasonably increase the demand for public services or facilities.*

By accommodating a residential use upon the subject site, the proposed development detracts from the likelihood of the broader land holding being utilised for a viable primary production purpose. The proposed development is therefore considered to be inconsistent with the objectives of the RU1 Primary Production zone which seek to minimise the fragmentation and alienation of resource lands.

4.6(4)(b) the concurrence of the Secretary has been obtained.”

As the subject variation request is greater than 10% Council does not have deemed concurrence for the subject variation. As such, the subject application was referred to the Planning Secretary for concurrence. However, no response has been received to date. It should be noted that this does not limit Council's ability to refuse the subject application.

In conclusion, the applicant's written request to justify the contravention of the minimum lot size provision to allow for the erection of a dwelling house on certain rural, residential and environment protection zones permitted under Clause 4.2A(3)(a) of the PLEP 2014 is considered to be inadequate in that the applicant has unsatisfactorily demonstrated that compliance with the standard is unnecessary or unreasonable in the circumstances of the case, or that there are sufficient environmental planning grounds to justify contravening the development standard. Accordingly the subject request is considered to fail to satisfy the provisions of Clause 4.6 of the PLEP 2014 and is therefore not supported.

(b) Compliance with DCP***Palerang Development Control Plan (PDCP) 2015***

The proposed development involving the construction of a dwelling is consistent with the objectives and controls within the Palerang DCP 2015 as detailed within the attached s4.15 assessment report.

(c) Other Matters

Other Impacts - In recognition of the extent of the variation proposed (86%) the development is considered to be contrary to the strategic vision for development within the RU1 Primary Production zone and represents unplanned residential development. By accommodating a residential use on the subject site, the proposed development detracts from the likelihood of the land being utilised for a viable primary production purpose. The proposed development is therefore considered to be inconsistent with the objectives of the RU1 Primary Production zone which seek to minimise the fragmentation and alienation of resource land.

(d) Referrals**(i) Building Surveyor's Comments**

Council's Building Officer offered no objections to the proposal, as the proposal looks generally compliant with the BCA.

(ii) Development Engineer's Comments

Council's Development Engineer has reviewed the application and reviewed access, servicing (including stormwater disposal) and impacts to the sewer infrastructure located

9.2 DA.2019.090 - Clause 4.6 Variation to Minimum Lot Size and Erection of a Single Dwelling - Catholic Cemetery Road, Araluen (Ref: ; Author: Thompson/Williams) (Continued)

on the lot. No objections to the proposal were raised subject to the imposition of recommended conditions of consent and no approval of the "Removable Deck".

(iii) External Agencies:**a. NSW Department of Planning, Industry and Environment – Planning**

The application was referred to the NSW Department of Planning, Industry and Environment - Planning as the proposed Clause 4.6 variation is greater than 10% and as such is beyond the deemed concurrence powers of Council as per the NSW Planning Circular PS 20-002. The application was referred on 29 May 2019 with no response received to date. It should be noted that this does not limit Council's ability to refuse the subject application in accordance with the staff recommendation.

b. NSW Department of Planning, Industry and Environment - Crown Land

The application was referred to NSW Department of Planning, Industry and Environment - Crown Land as the proposed development is seeking to construct the access within a Crown Road Reserve, an extension to Victoria Street. The application was referred on 29 May 2019 with a response received 28 June 2019. The Crown offered no objection to the development, subject to Council taking ownership of the affected Crown Road reserve if approved.

Financial Implications

There are no foreseen financial implications to Council or the Araluen community given the recommended refusal other than the potential for an appeal to the Land and Environment Court.

Engagement

The application was notified in accordance with Part E of the PDCP 2015 from 29 May 2019 to 11 June 2019, with one (1) submission received (Attachment 3). The issues raised were as follows.

Issue 1 - Legal Access - The submission raised concerns about the legal access to the subject site as it relies on a Crown Road currently under lease.

Assessing officer's comments - The application was referred to the NSW Crown Land Department who have reviewed the application and have no objection to the proposal, subject to the extension of Victoria Street being dedicated to QPRC. It's considered that the review by the Crown has considered the lease arrangement and provides no barrier for this approval.

Issue 2 - Minimum Lot Size – The submission raised concerns about the permissibility of a dwelling on a lot under 40ha.

Assessing officer's comments – The submitter has identified the major impediment to approving this proposal. The applicant has provided justification for Council to consider a Clause 4.6 variation to this development standard. The details attempt to justify why the dwelling should be located on a 5.66ha lot creating a potential 86% variation to the control. The assessment has reviewed the request and concludes that the proposal should not be supported. Details of the Clause 4.6 variation request can be seen within the attached *s4.15 Matters for Consideration* report.

Issue 3 - Exact Location of Property – The submission raised concerns about the physical location of the property.

9.2 DA.2019.090 - Clause 4.6 Variation to Minimum Lot Size and Erection of a Single Dwelling - Catholic Cemetery Road, Araluen (Ref: ; Author: Thompson/Williams) (Continued)





Assessing officer's comments - The applicant has supplied a site plan which shows the approximate location of the development solely within the lot boundaries. Any concerns about boundary lines onsite should be directed to the services of a registered land surveyor.

Conclusion

The submitted proposal for the construction of a single dwelling on Lot 569 DP 755901, Lot 570 DP 755901 & Lot 571 DP 755901, Catholic Cemetery Road, Araluen has been assessed under Section 4.15 of the *Environmental Planning & Assessment Act 1979* including the relevant provisions of *Palerang Local Environmental Plan 2014* and the *Palerang Development Control Plan 2015*.

The development does not satisfy the requirements or achieve the objectives of these instruments. The proposed variation request was considered to be unfounded and is not supported. As such, the subject application is not supported and is recommended for refusal.

Attachments

- | | |
|---|--|
| Attachment 1
 | Section 4.15 Matters for Consideration Report - DA.2019.090 - Catholic Cemetery Road (<i>Under Separate Cover</i>) |
| Attachment 2
 | Supporting Documents - DA.2019.090 - Catholic Cemetery Road (<i>Under Separate Cover</i>) |
| Attachment 3
 | Submission - DA.2019.090 - Catholic Cemetery Road (<i>Under Separate Cover</i>) |
| Attachment 4
 | Clause 4.6 Variation Request - DA.2019.090 - Catholic Cemetery Road (<i>Under Separate Cover</i>) |

9.3 Adoption of Draft QPRC Climate Change Action Plans (Ref: ; Author: Thompson/Abbott)

File Reference: 25.2.1

Summary

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

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

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

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

The Plans have been exhibited for public comment and 72 submissions were received. This report provides details of those submissions and, with some proposed changes to reflect input from the community, recommends that the Plans be adopted by Council.

Recommendation

That Council adopt the Community Climate Change Action Plan and Council Operations Climate Change Action Plan noting that actions requiring funding will be considered for inclusion in future Delivery Plans.

Background

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

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

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

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

The Community Climate Change Action Plan recognises the important role the community has in addressing climate change and highlights measures the community can take and

9.3 Adoption of Draft QPRC Climate Change Action Plans (Ref: ; Author: Thompson/Abbott) (Continued)

which Council can support to both mitigate and adapt to climate change impacts in the local region.

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

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

The draft QPRC Climate Change Action Plans were then presented to Council at the meeting of the 18 December 2019, with Council resolving to place the Plans on public exhibition for an extended period (23 December 2019 to the 1 March 2020).

Implications***Policy***

Policies that may be affected by the adoption of the Council Operations Plan include the following:

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

Environmental

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

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

Sustainability

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

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

9.3 Adoption of Draft QPRC Climate Change Action Plans (Ref: ; Author: Thompson/Abbott) (Continued)

Strategic

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

Engagement

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

Initial community consultation for the Climate Change Action Plan began in early 2019 with a “Your Voice” survey and two workshops in Queanbeyan and Braidwood that resulted in participants identifying climate change concerns, suggesting abatement targets and providing a list of potential actions that could be undertaken by Council and the community (Attachment 3).

Notable findings from community consultation included:

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

During the course of further public exhibition, Council received a total of 72 submissions.

Following the public exhibition period (December 2019-March 2020), the online data analysis indicates that a total of 918 visits occurred on the ‘Your Voice-QPRC Climate Change Action Plans’ webpage with 586 visitors downloading the documents. Council received a total of 32 written submissions and 40 ‘Your Voice’ comments from the community and Council staff on the Community Climate Change Action Plan and the Council Operations Climate Change Action Plan with 60% indicating that they would like to see ambitious action taken by Council. Copies of submissions received are provided in Attachment 2.

The issues raised in submissions were summarised under group headings and analysed. Attachment 1 details those issues and comments and makes recommendations as to whether changes to the Plan should be made. Where changes have been recommended they are included in the revised Plans (Attachments 4 and 5).

The majority of respondents indicated that they are in support of the Plans proposed and as such the Plans are recommended for adoption by Council.

Financial

Depending on what actions are eventually incorporated into future operational and delivery programs, the Plan could impact on Council’s Delivery Program in a number of ways, for example:

9.3 Adoption of Draft QPRC Climate Change Action Plans (Ref: ; Author: Thompson/Abbott) (Continued)

- The Plan identifies a range of solar photovoltaic power generation opportunities at Council-owned facilities. It is estimated that these will cost \$1 million and will return more than \$140,000 annually in net cost savings to Council for 25 years.
- Street lighting systems can be progressively upgraded to LED - potentially with smart technology, with savings in energy costs and maintenance. Initial cost estimates of \$2.4 million will save an estimated \$440,000 each year. Council has included a proposal to migrate to LED street lighting with Essential Energy in the Operational Plan 2020-21.
- Council's pre-existing Sustainable Design Policy for Council Buildings will see energy efficiency and sustainable design built into major building and infrastructure projects, including the Queanbeyan Civic and Cultural Precinct on Crawford Street, the Queanbeyan Sewerage Treatment Plant, and the expansion of the Googong Water Recycling Plant.
- Council is encouraged to consider policy measures that will lead to lower carbon emissions, including LED lighting for new and refurbished sporting fields and public lighting, fleet policy changes that will see Council's vehicles transition to low and zero emissions over time, and the adoption of updated guidelines for local councils on sustainable procurement.
- Council is encouraged to support the community in the facilitation of the Community Climate Change Action Plan, this will ultimately incur additional budget costs.

Resources (including staff)






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

Conclusion

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

Queanbeyan-Palerang Regional Council is far from being alone in developing a climate change action plan and renewable energy targets. At the beginning of 2020 a number of councils and towns in NSW plus the ACT have set ambitious goals for renewable energy and/or carbon emissions.

Attachments

Attachment 1 	Summary and Analysis of Submissions Made Following Exhibition (<i>Under Separate Cover</i>)
Attachment 2 	Public Exhibition- 'Your Voice' Comments and Written Submissions (<i>Under Separate Cover</i>)
Attachment 3 	Initial Community Consultation Survey Results and Community Workshop Overview (<i>Under Separate Cover</i>)
Attachment 4 	Draft Council Operations Climate Change Action Plan (<i>Under Separate Cover</i>)
Attachment 5 	Draft Community Climate Change Action Plan (<i>Under Separate Cover</i>)

9.4 Tender REGPRO022021 - Contract for Supply and Delivery of Bulk Water Treatment Chemicals (Ref: ; Author: Hansen/Cunningham)

File Reference: 33.2.4-03, 32.1.1-12

Summary

In November 2016 Council jointly tendered with a number of other Local Water Utilities (LWUs) for an umbrella contract for the supply and delivery of water treatment chemicals. The procurement process was conducted with the assistance of the Regional Procurement Initiative. The current contract is due to expire shortly and a new contract is now proposed for the period 1 July 2020 to 30 June 2023.

Recommendation

That:

1. Council accept the following tenderers as listed in the schedule as preferred suppliers for water treatment chemicals for the period 1 July 2020 to 30 June 2023.
2. Provision be made for an optional 12 month extension for the period 1 July 2023 to 30 June 2024 based on satisfactory supplier performance.

Schedule	Product	Vendor #
A	Chlorine (70kg cylinders)	5
B	Aluminium Sulphate	2
C(1)	Sodium Hydroxide (30%)	2
C(2)	Sodium Hydroxide (25%)	2
D	Bulk Hydrate Lime	5
E	Sodium Hypochlorite (13%)	5
F	Polymer (LT) 25kg bags	13
G	Acetic Acid	6
H	Aluminium Chlorohydrate Solution (ALCHOR AC)	6
I	Ferric Sulphate (31%)	2
J	Nitric Acid (68%)	6
K	Sodium Fluoride (Granular)	6
L	Potassium Permanganate (25kg pail)	6
M	Sodium Metabisulphate 31%	6
N	Sulphuric Acid (70%)	6
O	Citric Acid (50%)	6

Background

In November 2016 Council participated in a joint umbrella tender with another three LWUs (Councils) for the supply and delivery of water treatment chemicals. The process was conducted on the consortium's behalf by the Regional Procurement Initiative and was formally adopted by Council at its ordinary meeting of 23 November 2016. The contract has been extended on occasions in line with its standard provisions and is due to expire on 30 June 2020.

9.4 Tender REGPRO022021 - Contract for Supply and Delivery of Bulk Water Treatment Chemicals (Ref: ; Author: Hansen/Cunningham) (Continued)

In making preparations for the future the decision was again made to join with other Councils for a new umbrella contract again through the resources of the Regional Procurement Initiative.

Full details of the process used are contained in the evaluation report provided as a confidential attachment to this report. A summarised set of details are however provided below.

Tendering Process

The consortium of councils consist of eleven entities across NSW who have LWU responsibilities. For QPRC, the product manifest ranged across 15 different chemicals routinely used across its water and sewerage businesses. Indicative monthly quantities were identified and minimum drop quantities were specified – details of which prospective suppliers were required to consider when making their unit rate offers.

In accordance with s55 of the *Local Government Act 1993* (and its regulations) the tender was advertised on 3 March 2020 and closed on 24 March 2020. A total of 17 suppliers submitted offers according to their capabilities. The evaluation plan was based on a 60/40 split between price and non-priced criteria, with the latter being further assessed according to the following considerations:

- Referees (10%)
- Quality Assurance (10%)
- Ecologically Sustainable Development (10%)
- Customer Service (10%)

The tender evaluation was conducted at the participating Council level. For QPRC this was undertaken on 16 April 2020 and facilitated by the Manager of the Regional Procurement Initiative. The outcome of these assessments is contained in the attachment to this report.

The contract is proposed for a base period of three years (1 July 2020 to 30 June 2023) with an option for a single one year extension – subject to satisfactory supplier performance.

Implications

Legal

Process has been conducted in satisfaction of s55 of the *Local Government Act 1993* and Part 7 of the Local Government (General) Regulation 2005.

Policy

Consistent with Council's procurement policy.

Financial

Maximises efficiencies in obtaining the best possible market prices for chemicals.

9.4 Tender REGPRO022021 - Contract for Supply and Delivery of Bulk Water Treatment Chemicals (Ref: ; Author: Hansen/Cunningham) (Continued)

Conclusion

Council's Water and Sewerage businesses are large users of water treatment related chemicals. The procurement of these are often a significant expense in the operation of these enterprises. By obtaining the best available price for these commodities Council is actively engaged in minimising these costs and, by extension, the user charges for its customers. The recommendation above contains a list of those suppliers with the best offers according to their respective commodities.

Attachments

- Attachment 1 Vendor Index (*Under Separate Cover*) - **CONFIDENTIAL**
- Attachment 2 Tender Evaluation Report (*Under Separate Cover*) - **CONFIDENTIAL**
- Attachment 3 Tender Evaluation Matrix (*Under Separate Cover*) - **CONFIDENTIAL**

9.5 CD002-2015 - Extension of Contract (Ref: ; Author: Hansen/Belcher)

File Reference: 34.2.2

Summary

Council has entered into separate Contracts with Veolia Environmental Services (Australia) Pty Ltd and J.J. Richards and Sons Pty Ltd for the provision of bulk waste bins and waste transport services at the Bungendore Resource Recovery Facility and Macs Reef Waste Transfer Station. The Initial Contract Term for these Contracts expires on 1 August 2020 with an option to extend the Contract for up to two years. This report recommends the extension of these Contracts to 30 June 2022.

Recommendation

That Council:

- 1. Extend the Contract CD002-2015 Provision of Bulk Waste Bins and Waste Transport Services to 30 June 2022.**
- 2. Commence a trial collection arrangement under the terms of Contract CD002-2015 to collect:**
 - a. Bulk residual waste from the Braidwood Waste Transfer Station by Contractor 1 up to the new Contract end date at a value of \$insert per load (GST inclusive).**
 - b. Bulk commingled recyclables from the Braidwood Waste Transfer Station by Contractor 2 up to the new Contract end date at a value of \$insert per load (GST inclusive) plus \$insert per month (GST inclusive) per hired bin.**

Background

At the May 2015 Ordinary Council meeting, Council entered into a contract for the provision of bulk waste bins and waste transport services at the Bungendore Resource Recovery Facility and the Macs Reef Waste Transfer Station (Resolution CW12/2015).

The scope of the current contract is to:

- Supply and transport bulk waste bins from Bungendore Resource Recovery Facility to the Nominated Facility
- Supply and transport bulk waste bins from Macs Reef Waste Transfer Station to Bungendore Resource Recovery Facility
- Supply and transport bulk commingled household recyclables bins from Bungendore Resource Recovery Facility to the Nominated Facility
- Supply and transport bulk commingled household recyclables bins from Macs Reef Waste Transfer Station to the Nominated Facility

The Nominated Facility for general waste is the Woodlawn Bioreactor operated by Veolia Environmental Services (Australia) Pty Ltd. The Nominated Facility for household recyclables is the Hume Materials Recovery Facility operated by RDT Operations Pty Ltd.

The contract allowed for separable portions and was awarded to the following parties:

9.5 CD002-2015 - Extension of Contract (Ref: ; Author: Hansen/Belcher) (Continued)

- Veolia Environmental Services (Australia) Pty Ltd
 - Bungendore Resource Recovery Facility – General Waste
- J.J. Richards and Sons Pty Ltd
 - Bungendore Resource Recovery Facility – Comingled Recyclables;
 - Macs Reef Waste Transfer Station – General Waste;
 - Macs Reef Waste Transfer Station – Commingled Recyclables.

Each Contractor has met their obligations under the Contract and all parties have worked well together in managing the waste through the facilities.

The Initial Term of the Contracts are due to expire on 1 August 2020. Under the Contract, Council may extend the operation of this Contract beyond the Initial Contract Term for a period that is not less than 3 months and is not more than two years from the expiration of the initial contract term.

Council staff recommend that the Contracts be extended to 30 June 2022. An extension of this Contract will facilitate on-going waste management at these facilities and will enable Council to develop and finalise a waste disposal Contract (i.e. determine a location for the various waste streams to be disposed at) prior to going to market for a bulk waste transport Contract. The finalisation of the proposed Waste Strategy may guide that future decision.

In addition, Council does not yet have an ongoing contract for the transport of waste from the new Braidwood Waste Transfer Station (WTS). After considering a number of options, Council staff consider that a stand-alone contract for the Braidwood WTS does not represent the best value for money for Council and ratepayers. The principal reasons for this are:

- A trial allows us to make changes to determine the best arrangement of collection frequency and bin sizes/volumes
- A trial allows us to provide better quantification of waste volumes prior to going to market for a long-term contract
- The trial provides us with the opportunity to wrap waste haulage from the Bungendore Resource Recovery Facility, Braidwood Waste Transfer Station and Macs Reef Waste Transfer Station into a single future haulage contract to provide a more attractive Contract for prospective tenderers
- The existing Contract allows for Council to utilise the existing contractual arrangements and reduce Contractual overheads as a whole

Waste volumes from Braidwood WTS are relatively minor and are of low density, therefore, the cost to transport waste will be higher (per tonne-kilometre) than from the Bungendore Resource Recovery Facility. It is considered that delaying the award of a long-term contract for this facility will provide greater value for money. To this end, Council staff have requested variations from each Contractor for prices to haul waste from Braidwood to the respective nominated facilities. Costs for these are contained in the confidential attachments.

Implications***Legal***

The extension is provided for in the Contract and the Contractors have met all performance requirements. The trial is also provided for in the Contract.

Financial

Funding of these Contracts is covered in existing Operational budgets and no additional funding will be required.

Resources (including staff)

Extension of the Contract and the trial arrangement will not require additional resourcing.

Integrated Plan

Extension of the Contract and the trial arrangement are in keeping with Community Strategic Plan Key Goal 4.1.4.

Conclusion

Council had entered into separate Contracts with Veolia Environmental Services (Australia) Pty Ltd and J.J. Richards and Sons Pty Ltd for the provision of bulk waste bins and waste transport services at the Bungendore Resource Recovery Facility and Macs Reef Waste Transfer Station. The Initial Contract Term for these Contracts expires on 1 August 2020 with an option to extend the Contract for up to two years. The Contractors have met their contractual obligations during the Contract term and have worked collegiately with Council staff. In addition, utilisation of the existing Contract to conduct a waste haulage trial at Braidwood Waste Transfer Station provides a value for money solution for Council and ratepayers. This report recommends the extension of these Contracts to 30 June 2022 and the inclusion of a trial waste haulage arrangement from Braidwood Waste Transfer Station.

Attachments

- Attachment 1 CD0002-2015 Braidwood Waste Transfer Station Waste Haulage Trial Arrangements - Confidential Attachment (*Under Separate Cover*) - **CONFIDENTIAL**

9.6 Cooma Road Tree Works Procurement Process (Ref: ; Author:
Hansen/Reczek)

File Reference: 43.4.1-01 Procurement - General

Summary

Since February 2020, Forest Tree Services Pty Ltd has been engaged to remove dangerous roadside vegetation as part of Council's bushfire recovery works funded through the Commonwealth – State Disaster Recovery Funding Arrangements (DRFA).

The supplier has provided services to the value of \$8,219,900 (GST inclusive) since February 2020, in its capacity providing emergency recovery operations for QPRC clearing principally along Araluen, Nerriga and Cooma Roads. Work was paused at the beginning of May to review procurement procedures and to allow Disaster Recovery Funding arrangements to be finalized. Cooma Road vegetation removal works have not yet been completed, and the road remains closed.

On 15 May, the Government announced that DRFA have been extended for bushfire and flood recovery works to allow funding for emergency and immediate reconstruction works for up to 90 days (previously 21 days). After 90 days, Councils are required to apply for funding and go through a funding approval process. Council's current expenditure has occurred within the 90 day funding period.

In accordance with the *Local Government Act*, Council is required to invite tenders for contracts over \$250,000. Section 55(3)(k) provides that tendering requirements do not apply to contracts made in cases of emergency.

Recommendation

That Council:

1. **Note the contract with Forest Tree Services has been made for emergency recovery works to remove dangerous roadside vegetation and is exempted from tendering requirements in accordance with the provisions of section 55(3)(k) of the *Local Government Act 1993*.**
2. **Note that in accordance with section 55 (3)(i) of the *Local Government Act 1993*, the remaining vegetation removal work for the re-opening of Cooma Road is exempted from tendering requirements due to:**
 - **the extenuating circumstances of recent bushfire activity that has meant the urgent roadside vegetation works are required to be undertaken; and**
 - **the unavailability of competitive or reliable tenderers, meaning that a satisfactory result would not be achieved by inviting tenders.**

Background

Forest Tree Services Pty Ltd was engaged by QPRC under the emergency response following the recent bushfires to reopen fire damaged roads that were closed. Several quotes were obtained with Forest Tree Services being selected as they had appropriate resources and were available within the required timeframe. They have since completed \$8.2million in bushfire recovery works for QPRC.

**9.6 Cooma Road Tree Works Procurement Process (Ref: ; Author: Hansen/Reczek)
(Continued)**

Council does not currently have access to a pre-qualified panel of suppliers for this type of work. While we are scoping for an appropriate Vegetation Panel to be established, this will take several months to finalize.

Council has now reviewed the procurement arrangement with Forest Tree Services and sought a fixed quote to resume recovery operations and facilitate the re-opening of Cooma Road as a priority engagement. The supplier has now committed to a contract offer for the completion of works with a 4 week term at a total additional cost of \$1,075,049.44 (including GST.)

Given the value of the remaining work, it is unlikely that an open tender process will allow Cooma Road to be re-opened within a reasonable timeframe.

Implications***Legal***

Section 55(3)(k) of the *Local Government Act 1993* provides that tendering requirements do not apply where a contract was made in case of emergency.

Section 55(3)(i) of the *Local Government Act 1993* provides that tendering requirements do not apply where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders.

Council is justified in providing an exemption for the completion of vegetation removal works at Cooma Road due to:

- “*extenuating circumstances*” – recent bushfire activity has meant urgent roadside cleanup works are required to be undertaken and need to be completed within an appropriate timeframe
- “*unavailability of competitive or reliable tenderers*” – quotes from other suppliers have highlighted levels of resourcing and availability that will not allow the opening of Cooma Road within that timeframe
- “*a satisfactory result would not be achieved by inviting tenders*” – The tender process under Local Government (General) Regulation 2005 Section 167 (2) requires open tenders to be open for a minimum 21 day period. Both a general vegetation works supplier panel tender and Cooma Road Tree Works tender would extend existing road closures further.

Policy

Council’s Procurement Policy defers to the *Local Government Act* for exemptions from tendering limits.

Financial

Source of funding will be from Commonwealth – State Disaster Recovery Funding Arrangements (DRFA.), and is expected to reimburse the clearing costs borne by Council to date, and the additional expenditure proposed with this report.

Transport for New South Wales are currently processing the initial claims lodged by QPRC.

**9.6 Cooma Road Tree Works Procurement Process (Ref: ; Author: Hansen/Reczek)
(Continued)**

Resources (including staff)

Procurement to ensure contractual arrangements are in place for Forest Tree Services Pty Ltd to formalize scope of work, completion times and outcomes for the works.

Conclusion

Forest Tree Services Pty Ltd is well-resourced and available contractor who have completed a large amount of recent works for QPRC. Council have sought a fixed quote for completion of the Cooma Road Tree works over a 4 week term. This will allow QPRC to expedite the re-opening of Cooma Road which remains closed following the recent bushfires, at a known cost.

The *Local Government Act* provides that tendering requirements are not applicable if Council resolves that a tender would not produce a satisfactory result citing extenuating circumstances, lack of available/resourced contractors and the amount time required to run an open tender.

Attachments

- Attachment 1 Forest Tree Services - Cooma Rd Tree Works Quote (*Under Separate Cover*) - **CONFIDENTIAL**

File Reference: 36.2.2

Summary

This policy governs the sustainable management of Queanbeyan-Palerang Regional Council's physical assets to meet current and future community needs under the adopted responsible spending scenario.

In managing its assets Queanbeyan-Palerang Regional Council is committed to:

- Providing safe, reliable and effective services with a focus on the needs of agreed levels of service
- Taking a responsible and sustainable approach to financial asset management
- Complying with all legislative and regulatory requirements
- Demonstrated transparent and responsible asset management processes that align to ISO 55001 Asset management systems

This policy replaces the previous Queanbeyan City Council Asset Management Policy (2015) and the Palerang Council Asset Management Policy (2013).

Recommendation

That Council:

1. **Adopt the QPRC Asset Management Policy.**
 2. **Rescind the previous Asset Management Policies of Queanbeyan City Council and Palerang Council.**
-

Background

The Asset Management Policy is the high level statement setting out QPRC's approach to Asset Management, including the principles that will be followed in establishing asset management objectives.

An approved Asset Management Policy forms part of the Integrated Planning and Reporting (IPR) - Resources Planning requirements and as such is a fundamental policy supporting infrastructure management decision making and the long term sustainability of the Council.

Prior to amalgamation, Asset policies were in place at both Queanbeyan City Council (2015) and Palerang Council (2013). This policy seeks to harmonise previous asset management policies and support Council's financial sustainability goals. It will replace previously adopted asset management policies.

Attachments

Attachment 1 Draft Asset Management Policy (*Under Separate Cover*)



File Reference: 36.2.2

Summary

Council is required to have asset management plans prepared for its major asset classes in accordance with best practice requirements and integrated planning and reporting guidelines.

Draft asset management plans have been prepared for the following asset classes:

- Transport
- Water
- Sewerage
- Buildings
- Sport and Recreation
- Stormwater

Public consultation is now required to gain community comments on the outcomes of the asset management plans.

A draft asset management policy is included in this agenda, while an updated asset strategy is expected mid-year.

Recommendation

That Council:

- 1. Place the Asset Management Plans on exhibition for a 28 day period.**
 - 2. Receive a further report on the Asset Management Plans incorporating the comments received during the exhibition period.**
-

Background

Asset Management Plans are required to be prepared and updated on a minimum 4 year period. The last version of asset management plans were adopted in 2013 – Palerang Council and 2015 – Queanbeyan City Council. Asset reviews were undertaken by GHD as part of the Percy Allan asset and financial sustainability review of the merged council in 2016/17, following which an asset strategy was published around the 2017 local government election.

The new draft asset management plans have been prepared for the following asset classes:

- Transport
- Water
- Sewerage
- Buildings
- Sport and Recreation
- Stormwater

The format of the asset management plans are based on the International Infrastructure Management Manual (IIMM) 2015. Data used in the plans has been developed from information contained in QPRC's asset register. This data includes financial values, condition

9.8 Asset Management Plans (Author: Hansen/Grant) (Continued)

data and asset age. Financial information is also reflected in the annual financial statements (Note 10a, Note 20, and special schedule 7, which record asset values, depreciation, MRR and asset condition using the IIMM rating system).

An overview of the asset management plans was provided at a Councillor workshop on Wednesday 6 May.

The asset management plans align to data contained within the Long Term Financial Plan (LTFP) for consistency in information.

The documents are to be made available for community consultation prior to final review and approval by Council.

Attachments

Nil

9.9 Closure of Farringdon Rural Recycling Station (Ref: ; Author:
Hansen/Belcher)

File Reference: 34.1.3

Summary

This report recommends that Council remove the rural recycling station located near the Farringdon Rural Fire Station.

Recommendation

That Council remove the rural recycling station located near the Farringdon Rural Fire Station.

Background

Over several years, Council has been working with the community to improve the use of the Farringdon Recycling Station located near the Farringdon Rural Fire Station. The rural recycling station comprises around twenty 240L wheelie bins, a rack to secure the bins and some instructional/educational signage. Common issues at the site include:

- Disposal of household residual waste
- Contamination of the recycling bins
- Placement of non-recyclable materials around bins rather than in the bins
- Illegal dumping

Two recent inspections of the facility found that on both occasions all bins were substantially contaminated. An example of the frequent state of the facility is shown below.



**9.9 Closure of Farringdon Rural Recycling Station (Ref: ; Author: Hansen/Belcher)
(Continued)**

During this time, Council has taken the following steps to improve the situation:

- Moved the rural recycling station to a less high profile location
- Placed additional waste education signage in the area
- Increased illegal dumping prevention activities in the area

Regrettably, those efforts have not been successful. As such, it is recommended that the rural recycling station located near the Farringdon Rural Fire Station be removed in June 2020.

Recyclable materials can be taken to the Braidwood Waste Transfer Station. Household recyclable materials are accepted free of charge.

Implications***Environmental***

Removal of the facility will reduce litter in the area and also decrease contamination of recyclable materials.

Illegal dumping in the area will be monitored if the facility is removed.

Conclusion

Due to ongoing contamination and misuse of the facility, it is recommended that the rural recycling station located near the Farringdon Rural Fire Station be removed.

Attachments

Nil

9.10 Tourism Advisory Panel (Ref: ; Author: Richards/Darcy)

File Reference: Tourism Advisory Panel

Summary

This Report contains the minutes of the February and May Tourism Advisory Panel meetings and associated recommendations made by the Panel to Council

Recommendation

That Council:

1. **Note the minutes from the Tourism Advisory Panel meeting on the 10 February 2020 and 11 May 2020.**
 2. **Provide in-principle support for the Capital to Coast Walking Trail and seek \$25,000 funding to conduct a preliminary business case.**
 3. **Provide in-principle support for the Braidwood Heritage Centre.**
 4. **Consider the Braidwood Heritage Centre in the next Delivery Program, pending grant funding.**
 5. **Support the development of the Agritourism product including its planning instruments to develop this industry sector.**
-

Background

The Tourism Advisory Panel received reports on the following initiatives regarding new tourism product development opportunities in our region.

Capital to Coast Walking Trail

The Capital to Coast Walking Trail is a 111km trail starting from Hoskinstown, passing by Braidwood and concluding at Nelligen near Batemans Bay. It could be completed in approximately five days/four nights. The trail is also suitable for mountain bikes. A map is attached and a website has been developed <https://www.capitaltoeasttrail.net/> by the promoters of the trail.

Features of the Trail include:

- Hoskinstown - first settled in 1835
- The Great Dividing Range – crossing at 1100 metres
- Mulloon Creek Campground at 900 metres in Tallaganda National Park
- Mt Palerang – a landmark on the Great Dividing Range
- Shoalhaven River Crossing at the Bombay Bridge
- Braidwood
- Monga National Park – home to rare and endangered plants and wildlife
- The Corn Trail – historic indigenous and settler route from coast to hinterland Nelligen – historic coastal port town on the Clyde River

The Trail does not use any private land. Facilities along the route are currently limited, with hikers needing to be self-sufficient for food, water and accommodation, with existing opportunities to replenish in Braidwood.

John Studholm is leading the promotion of this Trail and first presented the opportunity to representatives from Destination Southern NSW, NSW Department of Premier and Cabinet

9.10 Tourism Advisory Panel (Ref: ; Author: Richards/Darcy) (Continued)

(now Regional NSW) and QPRC in mid-2019. Since then a registered association called Capital to Coast Trail Inc. has been formed who are seeking in principle support for the Trail and to pursue further funding.

A quote of \$25,000 has been obtained to undertake an assessment of the concept of the Capital to Coast Walk, determine its potential as a high-quality walking experience, and provide a preliminary business case. This will include a review of the current state of the trail and provide recommendations for infrastructure. The outcome of the work will be a basis for engaging with stakeholders and potential investors to secure interest and funding. Eurobodalla Shire Council have provided verbal in principle support and noted that the Trail is consistent with their Nature Tourism Plan.

The Capital to Coast Trail also crosses the proposed Great South Coast Walk which is currently being assessed as a potential major walking trail from Sydney to Eden. The Capital to Coast walk could leverage any investment in the Great South Coast Walk by offering a connecting route.

The concept of a Trail is supported by the Queanbeyan-Palerang Tourism Plan 2017-2025 strategic theme of *The Great Outdoors* that provides guidance on product development and marketing.

Braidwood Heritage Centre

The Braidwood Heritage Centre is a significant product that could be developed to realise the tourism potential of Braidwood. It is a concept developed by the Braidwood and District Historical Society to help establish the State heritage listed town as a cultural and heritage centre and education destination. The proposal is attached.

Braidwood was State Heritage listed for the people of NSW in 2006 but has received little financial support from the State Government to develop its heritage and cultural assets. The Braidwood Heritage Centre concept provides a master plan to attract investment to help build Braidwood into a major heritage tourism destination.

The Braidwood and District Historical Society fully owns the land, building and collection on which the Heritage Centre concept will be located and facilitated. The aim is to build an economically self-sustaining cultural and creative centre that connects the community and visitors.

Highlights of the Heritage Centre concept include:

- Artisan Workshops
- Gallery
- College of Rare and Lost Crafts
- Café
- Accommodation
- The Museum and collection
- Museum Shop
- Tours and Events
- Education programs
- Research
- Conservation

9.10 Tourism Advisory Panel (Ref: ; Author: Richards/Darcy) (Continued)

The Heritage Centre is estimated to require funding of \$2.1m (sought from State Government) and would be income generating to cover ongoing costs, management and maintenance.

The Braidwood Heritage Centre concept is supported by the Queanbeyan-Palerang Tourism Plan 2017-2025 strategic themes that provides guidance on product development and marketing – they are *Meet the Makers* and *Revitalising our Places*

Agritourism Product Update

Agritourism has been selected as one of four regulatory reform projects to support the expansion of the NSW Government's 'Easy to do Business' initiative. The Tourism Advisory Panel received a presentation from Rose Wright from Regionality – a consultancy commissioned by the NSW Office of Small Business Commissioner (OSBC) on a project to make it faster and easier for NSW farmers to gain the approvals and licences necessary to diversify their businesses into agritourism. This will provide farmers with opportunity to secure alternative income streams, improve their financial security, and add to the skilled workforce in a key growth industry for the economy.

QPRC was selected as one of three trial sites across NSW to work with Regionality and the OSBC. The project involves three key phases, including:

1. Phase 1 - Pilot and Discovery:
Developing a streamlined agritourism experience for customers in three councils. Preparation will involve mapping the current customer journey, identifying pain points and working with pilot councils and Service NSW to digitise and simplify the customer experience.
2. Phase 2: Regulatory Reform and Capacity Building:
Partnering with regulating agencies to drive the planning and local government reforms needed to reduce red tape in agritourism. OSBC will engage in intensive consultation with councils, peak industry groups, case study businesses from the pilot areas, and other stakeholders. The phase concludes in June 2020.
3. Phase 3: Implementation and Evaluation:
Implementing a state-wide agritourism strategy and policy and evaluating the success of the project.

Regionality presented a project update to the Tourism Advisory Panel on the 12 farms in the Queanbeyan-Palerang area that have progressed through the program and transitioned their agritourism business idea into a viable business opportunity. Three of the twelve proponents have presented their ideas to the QPRC Development Control Review (DCR) process.

New Product Support

Substantial ground has been made by QPRC since the Queanbeyan-Palerang Tourism Plan inception, particularly with regard to tourism marketing through new the development of new social media channels, new websites, marketing campaign, new visitor guide, promotional videos and image library and industry development initiatives.

9.10 Tourism Advisory Panel (Ref: ; Author: Richards/Darcy) (Continued)

The region now requires new product stimulus to help attract visitors to the region and build on our core strengths and themes identified in the Queanbeyan-Palerang Tourism Plan 2017-25. The three strategic themes underpin the Tourism Plan are:

1. Meet the Makers

- Food and drink
- Arts and crafts
- High quality, accessible and more personalised experiences

2. Great Outdoors

- Healthy outdoor living
- Quality recreational opportunities

3. Revitalising our Places

- Queanbeyan – Small city for small business
- Vibrant rural villages – steeped in heritage; celebrating our country lifestyle and rich artisan culture



The Capital to Coast Trail, Braidwood Heritage Centre and the Agritourism product are all potential new tourism products that are supported by the QPRC Tourism Plan and required to help stimulate local tourism activity, new business ventures and increased attraction for visitors.

Implications***Legal***

Any proposed tourism product will be required to meet any legal and Council obligations that will be identified with each individual project as it is developed.

Social / Cultural

New tourism product not only increases the visitor experience but also enhances social and quality of life offerings and promotes community pride and engagement in the local community.

9.10 Tourism Advisory Panel (Ref: ; Author: Richards/Darcy) (Continued)

Economic

Tourism makes a significant contribution to the local and regional economy. Destination Southern NSW estimates that the Queanbeyan-Palerang region derives approximately \$97m annually from visitation revenue (Tourism Research Australia 2014-2019 NVS, IVS data)

5 year av 2014-2019	July to Sep	Oct to Dec	Jan to Mar	Apr to June	Total
% of the year	26%	22%	24%	28%	100%
Total visitors per quarter	153,763	128,549	136,950	161,737	581,000
Expenditure per quarter \$million	\$26	\$21	\$23	\$27	\$97
Average visitors per month	51,254	42,850	45,650	53,912	
Expenditure per month \$million	\$9	\$7	\$8	\$9	

Strategic

Any proposed development will be required to meet legal and Council obligations that will be identified with each individual project as it is developed.

The development of the Braidwood Heritage Centre is predicated on the Conservation Management Plan (CMP) and the proposal incorporates all aspects of the CMP including improved entry and disabled access and elevator to the first floor. The Plan states that an integrated development application and heritage approval will be required.

Financial

This report seeks in-principle support for both the Capital to Coast Walking Trail and the Braidwood Heritage Centre, with the latter seeking endorsement to be included in the next Delivery Plan pending funding.

To date, the NSW or Federal government does not provide any tourism related funding for Feasibility studies or Business Case development. Both projects may need to self-fund these studies or Council may elect to support with funding.

Integrated Plan

Developing new tourism product is supported in the Community Strategic Plan:

1. Choice – a prosperous Queanbeyan- Palerang
 - We will promote Queanbeyan-Palerang's identity and the growth of our economy, including tourism, as a destination of choice

All the proposed projects are supported by the


1. Queanbeyan-Palerang Tourism Plan 2017-25
2. Destination Southern NSW Destination Management Plan
3. South East and Tablelands Regional Plan




9.10 Tourism Advisory Panel (Ref: ; Author: Richards/Darcy) (Continued)

Conclusion

In-principle support is sought for the Capital to Coast Walking Trail, Agritourism product development and the Braidwood Heritage Centre with the latter also seeking endorsement for inclusion on the next Delivery Plan, pending government funding.

Attachments

- Attachment 1 Capital To Coast (*Under Separate Cover*)

- Attachment 2 Braidwood Heritage Centre (*Under Separate Cover*)

- Attachment 3 Agritourism Project (*Under Separate Cover*)

- Attachment 4 Minutes - TAP Meeting 10 Feb 2020 (*Under Separate Cover*)

- Attachment 5 Minutes - TAP Meeting 11 May 2020 (*Under Separate Cover*)


9.11 Economic Advisory Panel (Ref: ; Author: Richards/Darcy)

File Reference: Economic Advisory Panel

Summary

This Report contains the Minutes of the February Economic Advisory Panel meeting and associated recommendations made by the Panel to Council.

Recommendation

That Council:

1. **Receive and note the minutes of the Economic Advisory Panel meeting on 24 February 2020.**
 2. **Support relevant staff to participate in the process to plan for a Design Review Panel as part of the Queanbeyan CBD renewal.**
 3. **Support a representative of the Defence industry to be added to the membership of the Economic Advisory Panel.**
-


Background

A meeting of the Economic Advisory Panel was held on the 24 February 2020 - the Minutes and Recommendations are contained herewith.

Conclusion

This Report provides Minutes and Recommendations from the Economic Advisory Panel meeting including planning to establish a Design Review Panel (DRP) to contribute to the delivery of best practice design for buildings and public realm that may present as part of Queanbeyan CBD renewal and the expansion of the Economic Advisory Panel to include a Defence Industry representative.

Attachments

Attachment 1  Minutes - Economic Advisory Panel Meeting 24 Feb 2020 (*Under Separate Cover*)

9.12 Australia Day Donations to Assisting Community Groups (Ref: ; Author: Richards/Duncan)

File Reference: 1.4.1EV001.06

Summary

Each year, Council provides donations to community groups that assist Council with QPRC Australia Day celebrations. This report lists the relevant groups and seeks approval to pay donations for assistance provided with Australia Day 2020.

Recommendation

That Council make donations totalling \$2,600 to support community organisations that provided assistance with Australia Day 2020 celebrations, as follows:

	\$
Queanbeyan Girl Guides	400
Rotary Branch – Queanbeyan	400
Sing Australia Choir	200
Legacy – Queanbeyan Branch	200
Captains Flat Community Group	200
Queanbeyan Lions Club	200
Lions Club – Braidwood	200
City of Queanbeyan Pipes Band	200
Rotary Club – Bungendore	200
Queanbeyan Red Cross	200
Queanbeyan CWA	200

Background

Local community groups have an important role in creating the success of QRPC Australia Day celebrations. Each year, Council provides individual donations (\$200-\$400) to community groups that assist on the day. In exchange for the donation, Council receives the income from sales of food and beverages.

This year, twelve Community Groups provided assistance to Council across the LGA.

Bungendore Country Women's Association invoiced Council separately for providing catering to the Bungendore Australia Day celebrations. The other eleven groups and their donations as per agreement are listed above in the recommendation.

The following eleven community groups are eligible for donations as per previous arrangements.

Implications

Financial

Funds are available in the Australia Day event budget.

Program Code	Expense Type	Funding source	Amount
		Australia Day Event Budget	\$ 2,600

9.12 Australia Day Donations to Assisting Community Groups (Ref: ; Author:
Richards/Duncan) (Continued)

Conclusion

Council receives assistance from community groups across the LGA to run Australia Day celebrations. In exchange for donations to community groups Council receives the income from sales that come from stallholders. A total of \$2,600 is requested.

Attachments

Nil

9.13 Financial Assistance Policy - Drought, Bushfire, COVID-19 (Ref: ; Author: Knight/Monaghan)

File Reference: 43.2.1-16

Summary

The draft Financial Assistance Policy – Drought, Bushfire, COVID 19 is an extension of Council’s existing Hardship Policy provisions and has been developed in accordance with the previous resolutions of Council.

The draft Policy has been on public exhibition for the period 23 April to 21 May, with one submission received, from the Queanbeyan Ratepayers and Residents Association Inc, which has been used to inform the final draft Policy. The updated policy is attached to this report for Council’s consideration.

Council has received four donations requests in accordance with the draft Policy, for Council consideration.

Recommendation

That Council:

- 1. Adopt the draft Financial Assistance Policy – Drought, Bushfire, COVID-19, as amended.**
 - 2. Provide rental rebates for 3 months for April, May and June 2020, to the Queanbeyan Golf Club, Richter House Pty Ltd, Marathon Health and Country Children’s Early Learning Pty Ltd, at a total cost of \$27,128, as detailed in the report.**
-

Background

Like most communities, Queanbeyan-Palerang has been significantly impacted by the Coronavirus (COVID-19) shutdown restrictions, and ratepayers, sporting clubs, community organisations and businesses that Council interacts with and collects revenue from are facing a financial crisis.

At the April 2020 Planning and Strategy Meeting, Council resolved to extend hardship provisions for residential and business ratepayers suffering under the COVID-19 pandemic, similar to previous Council resolutions that extended hardship relief for drought and bushfire affected ratepayers.

Implications

Legal

Council can provide financial assistance in accordance with section 356 of the *Local Government Act*. This may include financial assistance to private individuals where the financial assistance is part of a program and at least 28 days public notice of the council’s proposal to pass the necessary resolution has been given.

The draft Policy outlines the intended program of financial assistance and has been on public exhibition for 28 days, with one submission received.

9.13 Financial Assistance Policy - Drought, Bushfire, COVID-19 (Ref: ; Author: Knight/Monaghan) (Continued)

Engagement

One submission was received, from the Queanbeyan Ratepayers and Residents Association Inc. The submission is attached to the report. The draft policy has been amended to incorporate the feedback that 'landlords' should be identified within the policy, as business ratepayers within the scope of the extended hardship provisions.

Policy

The *Donations Policy* enables certain organisations or community groups to seek donations to offset facility hire, rents or rates charges. Category A (general assistance), B (facility hire/lease fees), C (rates and charges), and D (rental rebate) may apply.

As evidenced in its response to the drought and bushfire crisis (December and January reports), Council relaxed the elements of its *Financial Hardship and Assistance Policy* to enable less rigid application criteria. This enables deferral of some payments, removal of interest charges, longer term payment arrangements and limits the debt recovery actions. However the rate remains as a charge against the property.

The draft Financial Assistance Policy – Drought, Bushfire, COVID 19 is an extension of Council's existing Hardship Policy provisions, and existing Donations Policy provisions. It contains provisions to support the community and reflects previous Council resolutions to support individuals, businesses and community groups in the short term and medium term, as the current hibernation of the economy persists, and through their recovery process.

Financial

Applications have been received from four lessees of Council premises for some leniency from their rental commitments, due to the impact of COVID-19 on their income.

Lessee / Licensee	Property and Use	COVID Impact	Monthly rental
Queanbeyan Golf Club	Leased property front 9 holes at Golf Course	Golf Course not operating as normal and use has been restricted to only members. Bar and Restaurant not being operated.	\$929
Richter House Pty Ltd	Café at Morton Park adjacent to Queanbeyan River	The café is operating with coffee sales and a small amount of takeaway food. Turnover has reduced by > 90%. Struggling to cover fixed costs.	\$1,106
Marathon Health	Rear section of the Westpac Building used as a Headspace Centre for young people with mental health issues	Headspace operations suspended and tenancy not being used. Rudimentary service being provided to clients with staff operating from home.	\$6,725
Country Children's Early	Country Kids Club Outside School Hours Program operated from the Palerang	Loss of enrolments due to initial advice for the closure of community facilities, and reduction in Child Care Subsidies during the period of free child care arrangements.	\$3,040

9.13 Financial Assistance Policy - Drought, Bushfire, COVID-19 (Ref: ; Author: Knight/Monaghan) (Continued)

Lessee / Licensee	Property and Use	COVID Impact	Monthly rental
Learning Pty Ltd	Community Room in Bungendore		

The draft Financial Assistance Policy – Drought, Bushfire, COVID 19 provides options for Council to reduce rents on Council property for operators who can demonstrate financial distress due to coronavirus.

The 4 requests have been assessed in accordance with the criteria provided within schedule 5 of the donations policy to determine the level of rental rebate, as follows.

Lessee / Licensee	Level of Rebate	Monthly rental	Cost of donation for 3 months
Queanbeyan Golf Club	70%	\$929	\$1,950
Richter House Pty Ltd	45%	\$1,106	\$1,493
Marathon Health	74%	\$6,725	\$14,929
Country Children's Early Learning Pty Ltd	96%	\$3,040	\$8,755





It should be noted that in assessing these applications, allowance has been made to extend the donations policy to commercial operators.

Program Code	Expense Type	Funding source	Amount
52.5 Governance	Donations	General Income / Rates	27,128

Conclusion

The draft Financial Assistance Policy – Drought, Bushfire, COVID-19, outlines Council's current resolutions in one policy document. The policy has been on public exhibition, with amendments made, taking into account submissions received, and is now reported to Council for adoption.

Attachments

- Attachment 1  Draft Financial Assistance Policy - Drought, Bushfire, COVID-19, as ammended (*Under Separate Cover*)
- Attachment 2  Written Policy Submission (*Under Separate Cover*)
- Attachment 3  Request for Rent Relief (1) (*Under Separate Cover*) - **CONFIDENTIAL**
- Attachment 4  Request for Rent Relief (2) (*Under Separate Cover*) - **CONFIDENTIAL**

9.14 Loan Program 2019/20 and 2020/21 (Ref: ; Author: Knight/Monaghan)

File Reference: 43.1.1-09

Summary

In line with the adopted Operational Plan, Council requires loans to be drawn to finance capital projects in the current and next financial year.

The original 2019-20 budget allowed for \$4,884,000 borrowings, however some capital works have been deferred, and the required borrowings have been reduced to \$1,634,000, with the remaining loans to be deferred until the finance is required in 2020-21.

The draft 2020-21 Operational Plan allows for \$58,092,000 borrowings in 2020-21, including the first tranche of borrowing for QCCP. This report provides a risk analysis over the QCCP financing strategy, and promotes a recommended approach.

Recommendation

That Council:

- 1. Approve the proposed borrowings for 2019-20 and authorise the Mayor and Chief Executive Officer to enter a loan agreement with NSW Treasury Corporation for a total loan amount of \$1,634,000.**
 - 2. Apply for a Government Deed of Indemnity for the QCCP loan financing.**
 - 3. Invite tenders for the provision of a fixed term loan for QCCP, with the timing of the tender to align with the QCCP construction tender.**
 - 4. Amend the draft 2020/21 Operational Plan to include the maximum loan amount of \$70,894,000 for the QCCP project.**
 - 5. Receive a further report in the first quarter of 2020/21 to consider the remainder of the 2020/21 annual loan borrowing program.**
-

**9.14 Loan Program 2019/20 and 2020/21 (Ref: ; Author: Knight/Monaghan)
(Continued)**

Background

Council's 2019/20 Operational Plan outlined \$4,884,000 borrowings to be drawn to finance the following modified capital projects:

- Riverside Caravan Park Upgrade \$334,000
- Bungendore and Braidwood Carpark \$2,500,000
- Braidwood Office Smart Hub / Customer Space \$250,000
- Local Roads Renewal \$1,300,000
- Bicentennial Hall \$500,000

NSW Treasury Corporation (TCorp) is the central borrowing authority for NSW Government and is Council's preferred lender as it is able to provide cheaper financing at Government rates. The most recent quoted TCorp interest rate is 2.55% for 20 year fixed term loans.

TCorp loans are only available for community infrastructure, and specifically prohibited for use for commercial activities, including caravan parks. Therefore, it is proposed that the \$334,000 loan application for the Riverside Caravan Park project be targeted specifically at the component of works involving community infrastructure. This incorporates the Queanbeyan River Walk extension and Queen Elizabeth II Park infrastructure constructed for community recreational use.

Of the capital projects listed, three have planned completion dates after June 2020 and will require loans next financial year. They have been identified in the third quarterly budget review for deferral into 2020/21.

Two of the capital works budgets have been fully utilised within the current financial year and require loan financing totalling \$1,634,000 to be drawn-down, for:

- Riverside Caravan Park Upgrade \$334,000
- Local Roads Renewal \$1,300,000

Council's 2020/21 Operational Plan requires \$58,092,000 borrowings to be drawn-down to finance the following capital projects:

- Memorial Park Studies, \$1,000,000
- Regional Sports Complex, stage 1, \$10,000,000
- Efficient Street Lighting Upgrades, \$4,168,000
- Queanbeyan Civic and Cultural Precinct (QCCP), first tranche, \$42,924,000

The QCCP project is at an advanced stage of planning, and Council will need to secure financing approvals to ensure that procurement processes are not delayed, and to remove finance availability risk.

As part of the NSW Government COVID-19 economic stimulus package, the government has changed the way TCorp funds are able to be distributed. It has lifted restrictions on the use of TCorp loans by councils that have not met the 'Fit for the Future' financial sustainability criteria, and is preferencing loan financing for essential infrastructure expenditure on roads, bridges, waste, sewerage, water and other transport infrastructure. It has placed additional restrictions

9.14 Loan Program 2019/20 and 2020/21 (Ref: ; Author: Knight/Monaghan) (Continued)

on the use of TCorp loans for any other types of Council infrastructure, placing a two year moratorium on TCorp loans for Civic Centres.

Councils can still use commercial lenders for Civic Centre projects, and the Government is offering to provide a loan guarantee in the form of a 'Deed of Indemnity, for and on behalf of the State of NSW.' The Deed of Indemnity is available upon application, and is conditional upon NSW Treasury's assessment, analysis and approval.

Implications

Legal

NSW councils can borrow funds under section 621 of the *Local Government Act 1993*. The intention to borrow must be outlined in the council's draft Operational Plan.

Councils must also apply to the Office of Local Government, completing a loan borrowing request issued in May each year.

If, during the year, Council is required to increase its proposed borrowings or change the purpose of the initial request, a council resolution must be passed prior to drawing down any funds.

If there is an increase, Council must also notify the Office of Local Government by re-submitting the electronic loan borrowing request form including the updated amounts.

Financial

2019/20 Loan Program

The proposed borrowings for 2019/20 are included in the adopted Operational Plan. The amounts in the table below are the estimated cost of interest for the life of the loans, calculated at 2.55% for a 20 year term.

Program Code	Expense Type	Funding source	Amount	Loan Period
11.9 Caravan Parks	Interest	Caravan Park lease income	\$93,000	20 years
31.1 Roads	Interest	Rates funded	\$363,000	20 years

QCCP Loan

The Queanbeyan Civic and Cultural Centre project is significant, raises substantial debt and has capital grants and property sales in prospect. Council considered the business case and resolved to use loan financing for the project, with repayments funded through merger savings, lease income, efficiency savings from organisational service reviews and attributions from its water supply and sewerage businesses. Council reviewed its long term financial plan and determined not to consider a special rate variation to service the debt for the head office,

**9.14 Loan Program 2019/20 and 2020/21 (Ref: ; Author: Knight/Monaghan)
(Continued)**

preferring dividends from Queanbeyan water and sewer funds as a means to service future capital works in Queanbeyan.

The adopted long term financial plan has recently been updated with current project cost estimates and projected cash-flow timing, and will be the subject of a Council workshop in June. The Capital Expenditure Review has been submitted to the Office of Local Government in accordance with the resolution of Council.

Financing Risks

Given the level of debt that is proposed to be raised for QCCP, before seeking commercial funding the following Treasury Risks have been assessed and mitigation strategies proposed.

Availability Risk

Availability Risk is the risk that Council might be unable to secure financing, resulting in the project being prevented or delayed until a solution was found. Consequentially, any project delay would lead to construction cost escalation, and risk the sunk costs that have already been invested. If funds are borrowed in two tranches to match project expenditure across two years of construction, the consequence of availability risk in the second year would be severe.

Council Officers have received indicative borrowing rates from the four major banks, and have met with three of their Treasury Management teams to discuss risks and options. Two of the banks were very confident in the liquidity of the banks over the next 2 years, however one pointed to the government economic stimulus that has required banks to make funds available to small and medium businesses over the next two years in response to the business impact of COVID-19. Availability risk is possible, and the impact on project delivery would be extreme. Council should secure funding confirmation for the entire financing amount, prior to accepting the construction tender.

Interest Rate Risk

Most councils favour fixed interest rates to lock in certainty for repayments over time. This approach is also supported by TCorp's practice of only offering fixed rate loans.

Interest rate risk is the risk that interest rates may increase until a fixed rate is contracted with a lender. Lenders offer loan packages that fix interest rates now, for future borrowing, with the cost of forward pricing included within the fixed interest rate.

In the current economic environment, no underlying rate movement is expected over the coming months and years, however commercial rates also move unexpectedly, driven by liquidity, credit-worthiness ratings and other market factors.

For example, whilst the State Government has agreed to provide a deed of indemnity over Council's borrowings, it is possible that the NSW Government rating could be downgraded.

Risk of Breaking Fixed Rate Loan

Once Council enters a contract for a fixed rate loan, including locking in a forward rate with a lender, it will be obliged to complete the contract and draw the funds at the agreed rate, for the agreed term, or face significant loan break fees. Therefore, Council will need to have a high degree of confidence in the cost and timing of construction, and the required amount of finance, before locking in a fixed rate.

**9.14 Loan Program 2019/20 and 2020/21 (Ref: ; Author: Knight/Monaghan)
(Continued)**

In order to make objective analysis of the pricing of forward interest rates and various loan structure options from the commercial banks, and in order to receive the tightest available commercial rates, Council should invite tenders for specific loan options, including:

- Fixed interest rates for a 20 year loan term, and quarterly repayments with the loan to be drawn in 2 tranches in March 2021 and March 2022, and the rate locked in today.
- Fixed interest rates for a 20 year loan term, and quarterly repayments with the entire loan amount to be drawn in March 2021 and the rate locked in today.
- Fixed interest rates for a 20 year loan term, and quarterly repayments with the entire loan amount to be drawn within a week of the tender acceptance.
- Fixed interest rates for 25 and 30 year loan terms.

In this way, Council will be able to calculate the cost of fixing forward interest rates and be able to make an objective decision. In order to have certainty of financing requirements for the project, the loan tender should be timed to end with the main construction tender, and Council can assess both tender recommendations at the same meeting.

To provide Council with the option to make the full drawdown in the first year; if that is assessed as the cheapest funding option once rates are received, Council would need to amend the draft Operational Plan to include the maximum value of the loan drawdown for QCCP in 2020-21, and include the same value in the OLG Proposed Loan Borrowings Return.

Integrated Plan

The 2019/20 Operational Plan includes loan financing for the following capital projects.

Project	Description	2019/20 Budget	Loan funding	Other funding
100945	QBN - Riverside Caravan Park Upgrade	\$400,000	\$334,000	Transfer from reserve \$66,000
100861	BGD and BWD - car parks	\$2,500,000	\$2,500,000	-
100879	BWD - office smart hub/cultural space	\$250,000	\$250,000	-
101002	QPR - Local Roads Renewal	\$2,565,000	\$1,300,000	General Revenue: \$1,265,000
100959	QBN - Upgrade Bicentennial Hall	\$1,000,000	\$500,000	Capital Grants \$500,000
			\$4,884,000	

The draft 2020/21 Operational Plan proposes loan financing for the following capital projects.

Project	Description	2020/21 Budget	Loan funding	Other funding
760502	QPR-Memorial Park Site Studies	\$1,000,000	\$1,000,000	-
100184	QPR-Regional Sports Complex, Stage 1	\$19,000,000	\$10,000,000	Capital grants: \$9,000,000
100183	QBN- LED efficient street lighting upgrades	\$4,168,000	\$4,168,000	-

9.14 Loan Program 2019/20 and 2020/21 (Ref: ; Author: Knight/Monaghan)
(Continued)

Project	Description	2020/21 Budget	Loan funding	Other funding
100265	QBN-Civic and Cultural Precinct	\$42,924,000	\$42,924,000	-
			\$58,092,000	

Conclusion

Council is required to approve the 2019-20 proposed borrowing program, in order that application can be made with TCorp.

The QCCP project will be financed with a commercial loan, and a tender approach will ensure that Council receives the most competitive rates available, and put Council in the best position to analyse the cost of forward pricing, and the most cost effective loan term.

The remainder of the 2020-21 proposed borrowing program should be reviewed in the first quarter of 2020-21, after the Operational Plan is resolved and draft 30 June 2020 financial statements have been received, and Council has a clear report on its 30 June financial position.

Attachments

Nil

9.15 Loan Agreement - Common Seal of Council (Ref: ; Author: Knight/Monaghan)

File Reference: 43.1.1-09

Summary

A review of Council's loan documents has found that Council has one loan agreement still in the name of Palerang Council.

The purpose of this report is to seek a resolution authorising the signing of an updated loan agreement, to transfer the loan balance into Queanbeyan-Palerang Regional Council.

Recommendation

That Council authorise the use of the Common Seal for the execution of the Loan Agreement with Westpac Banking Corporation.

Background

At the time of amalgamation in 2016, the amalgamation proclamation transferred all the assets and liabilities of the former Councils into the new entity, Queanbeyan-Palerang Regional Council.

A review of existing loan agreements has found that the Westpac loan was not updated to reflect the transfer at the time, and this should now be corrected.

Westpac have provided an updated Loan Agreement, reflecting the same rates and terms as the existing agreement with Palerang Council, to execute the transfer. Staff have confirmed the interest rate, loan balance and loan term match the Council's loan register.

Implications

Legal

The Local Government (Council Amalgamations) Proclamation 2016 transferred the assets and liabilities of the former Councils to the new Council.

Financial

The value of the loan at the last repayment date in March 2020 was \$3,156,326. The loan had an original fixed interest term of 10 years at 6.025%, which concludes in February 2023. At the end of the initial fixed interest period Council may ask Westpac to quote another fixed rate for a term, or a variable rate.

This resolution does not affect the financial position or borrowing costs of Council.

Conclusion

In order to update the loan account into the Council's name, Council is required to resolve the use of the Common Seal for the execution of the new loan agreement.

Attachments

Nil

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.16 Land Values for Bushfire Affected Local Government Areas (Ref: ; Author: Knight/Monaghan)

File Reference: 43.2.1-20

Summary

The NSW Valuer General Office has studied the impact of bushfire on the land valuations undertaken in NSW in 2019, and have offered to re-issue valuations to all bushfire affected local government areas. If Council takes up this option, all QPRC properties will be revalued again in 2020, with the new valuations to take affect from the rating year commencing 1 July 2021.

2020/21 rate notices would still use the 2019 land valuations, effective from 1 July 2020.

Recommendation**That Council:**

- 1. Consider the analysis provided by the Valuer General, noting the potential impact of bushfires on land values across NSW is estimated to be between 0% to -20%.**
 - 2. Not take up the option for the issue of new land revaluations in 2020, preferring a stable land valuation base to remain in place for 3 rating years.**
-

Background

All QPRC properties were revalued at 1 July 2019 and these new values will be used for rating from 1 July 2020 to 30 June 2023. The Valuer General conducts annual revaluations, even though new land values are provided to NSW councils every three years for rating purposes. When new land valuations are received every third year, general rates are effectively re-distributed due to changing relativities, because property land values change disproportionately across and between rate categories.

As a consequence, land revaluations can be reasonably disruptive to ratepayers, causing some general rates to increase, and others to decrease every three years, dependent on their comparative movements against the average valuation changes in their respective rate category.

The 1 July 2019 land values were determined before the recent bushfires occurred, and therefore the valuations issued do not reflect the impact of fires. The Valuer General has written to offer to provide new land valuations in 2020, at no additional cost to Council.

The Valuer General has commissioned a study to analyse the impact of previous bushfires on NSW land values in order to form a view of the potential impact of the 2019/20 bushfires. The study investigates four case studies of previous bushfire events in the Blue Mountains (2013), Carwoola (2017), the Warrumbungles (2017) and Tathra (2018). Evidence of land value reductions was found in three of the four case studies. However, the impact was not consistent with all locations having some sales that showed an increase in land value. The reductions in land value that were found ranged between -2% to -6% (Blue Mountains), -3% to -8% (Carwoola), -11% to -33% (Warrumbungle LGA).

The Executive Summary is attached and the full report is available on the NSW Valuer General's website.

9.16 Land Values for Bushfire Affected Local Government Areas (Ref: ; Author: Knight/Monaghan) (Continued)

Implications***Legal***

The NSW Valuer General is the statutory independent valuing authority in NSW. Land is valued by the Valuer General under the *Valuation of Land Act 1916*, with these valuations distributed to councils every three years, and used for the calculation of the ad valorem component of council general rates.

Financial

Land revaluations do not impact the total amount of general rates income that Council earns (as that is set through IPART), and there is no financial impact on Council as a result of land revaluations.

Conclusion

The Valuer General has provided an opportunity to Council to receive a new land valuation across the LGA at 1 July 2020. The opportunity has been offered to all 51 bushfire effected LGAs, however it will affect all ratepayers, and all land values, creating two consecutive years of unstable rates for individual assessments.

Attachments

Attachment 1 Correspondence from the NSW Valuer General (*Under Separate Cover*)



9.17 Quarterly Budget Review Statement for the Quarter Ending 31st March 2020
(Ref: ; Author: Knight/Marmont)

File Reference: 45.3.2-03

Summary

The March 2020 Quarterly Budget Review Statement (QBRs) provides a summary of Council's financial performance at the end of the March 2020 quarter and reports on progress made against the original budget adopted by Council in its 2019/20 Operational Plan.

The revised estimated operating result for the year to 30 June 2020 is a surplus of \$1,907,000. The budget adjustments recommended to Council for approval in this report result in a net reduction to the budgeted surplus of \$2,622,000.

Recommendation

That Council:

1. **Accept the March 2020 Quarterly Budget Review Statement and adopt the recommended budget variations as outlined in the report.**
 2. **Note the estimated consolidated surplus of \$1,907,000.**
-

Background

The Office of Local Government has developed a set of reporting requirements for the QBRs, to facilitate progress reporting against the original budget, and revised budgets at the end of each quarter. A detailed list of budget variances across the organisation is included in the attached QBRs, which has been prepared in consultation with all Branches and Portfolios within QPRC.

The key financial priorities affecting Council's business in the March quarter are the COVID-19 shutdown, the impact of floods and bushfires and the delivery of major capital works.

COVID-19 economic close-down

Council entered into a stage of pandemic emergency planning in February 2020, and by 23 March had begun closing customer service centres and community facilities. Council's crisis management team (CMT) followed a systematic and structured approach to reorganise the way that Council conducts business. All essential and mission critical services and programs identified in the business continuity plan continues to be delivered. Many office-based staff operated from home and IT resources have been reassigned. Largely, Council has continued to deliver its projects and programs as planned. Additionally, Council has provided an additional program of support for the local community.

Council has now begun implementing its re-opening strategy, following a staged approach based on Government advice. High touch facilities will remain closed, staff travel will continue to be restricted and events involving large public gatherings will continue to be remain banned and restricted.

From 15 May, playgrounds, skateparks, dog parks and outdoor gyms were reopened. Indoor sports and aquatic centres remain closed. From 1 June, libraries and customer service centres will reopen. While the Q Theatre remains closed, the Queanbeyan customer centre will relocate to the Q foyer to accommodate social distancing between customers. Some minor

**9.17 Quarterly Budget Review Statement for the Quarter Ending 31st March 2020
(Ref: ; Author: Knight/Marmont) (Continued)**

planned refurbishments will be undertaken in the service centre at 256 Crawford St in the meantime.

The financial impact of the pandemic response has been estimated and included within the March QBRS. The following table provides an overview of the impact as compared to Council's 2019/20 adopted budget.

The revenue impacts arising from the shutdown of facilities are lost income from sports and swim-school programs, venue hire, kiosk sales, saleyards fees and QPAC venue hire and box office sales. Other income impacts such as the expected reduction in building and development fees as a result of a downturn in activity are not yet estimable. Council has extended its hardship application policy for deferral of rates and annual charges payments, and has allowed for an estimated increase in outstanding rates and annual charges from 5.72% to 10% by 30 June 2020. It is noted that Council has begun promoting its hardship policy, however has not yet received a significant influx of applications for extended payment arrangements.

Council's investment income has been affected by the global economic crisis, with 12% of its investment portfolio held in medium and long term managed funds with NSW Treasury Corporation. These investments have had a negative performance of \$2.1 million since February (including a small positive result in April.)

Expense impacts include savings in operating costs for facilities that have now closed, including casual employees, gas and electricity, printing and advertising and food and beverages. The majority of permanent employees at these facilities have been redeployed into other areas of Council, or to assist with project work, and a small number have been retained to continue maintenance work. A small number of employees are receiving additional special leave payments in accord with the Covid LG splinter award.

There have been cost savings across the organisation with the cancellation of travel and offsite training, but additional costs to provide IT equipment to support working from home arrangements, and allowance for additional community donations including rates and rental rebates in accordance with adopted policies.

2019-20 Budget Impact	Adjustment
Receipts	
Aquatic Centre	(98,000)
Indoor Sports Centre	(46,000)
Sportsgrounds	(109,000)
The Q	(135,000)
Saleyards	(20,000)
Rates and Annual Charges	(3,003,000)
Investment Income	(2,163,000)
Total Lost Income Receipts	(5,574,000)
Payments	
Aquatic Centre	(16,000)
Community Events	(16,000)
Council Property / Halls	(101,000)
Indoor Sports Centre	(31,000)
Staff learning and development	(353,000)
Library	(10,000)
Saleyards	(6,000)

**9.17 Quarterly Budget Review Statement for the Quarter Ending 31st March 2020
(Ref: ; Author: Knight/Marmont) (Continued)**

Sportsgrounds	(6,000)
The Q	(94,000)
IT	114,000
Customer Service	(44,000)
Donations	105,000
Other	(21,000)
Net Decrease in Payments	(479,000)

The primary drivers of the nett loss of \$5m are anticipated cashflow reductions from deferred rate payments, and returns from investments. Staff will monitor and report on the actual impacts over the coming months.

Floods and bushfires

Council's emergency response includes support for emergency management during the crisis, urgent and immediate reconstruction works, long term support for community recovery, and repair and reinstatement of community infrastructure. The following budget adjustments have been incorporated within the December and March QBRS.

The cost of emergency works has been \$11.4million to date, with the bulk of this cost to be funded through Commonwealth – State Disaster Recovery Funding Arrangements (DRFA). Council is currently holding the cost for the total expenditure, but has made claims through the DRFA, and invoiced RMS for the State Roads portion of the work, and expects to be reimbursed in the current financial year. Of the total amount, Council has incurred non-claimable costs of \$290,000.

Council has received \$1,525,000 in State and Commonwealth funding for community recovery efforts. A key element has been the setup and staffing of a recovery centre, the employment of a bushfire recovery coordinator, economic development officer and community development officer to directly support individuals, businesses and communities with the recovery process, and supporting BlazeAid and other groups. The total amount has been allocated in the current year budget however, Council acknowledges that there are no quick fixes and it is anticipated that many of the commitments made will be made over a longer period to support the ongoing recovery of the affected communities.

In addition to emergency works completed in the current year, Council has taken stock of the damage incurred to its infrastructure, and estimates the total repair work to be undertaken over the next 12 months to be \$28,000,000. This includes approximately \$16.6 million damage to local roads caused by fire, and \$11.4 million caused by flooding. Council is finalising a claim for funding from the DRFA. A further report on claiming costs carried by Council for clearing trees is included in this agenda. It is anticipated Council will be able to claim for those costs.

Delivery of Major Capital Works

As at 31 December, Council was budgeting to deliver \$166 million capital works in the current financial year. The capital works program has been interrupted by bushfire recovery works, and some capital projects have been held up in the planning stage while Council goes through the process of securing grant funding. The total program was a challenging level of capital works to undertake, and through the March QBRS a significant amount of capital project work has been reviewed and deferred into next financial year. The net capital works program budget has been decreased by \$72 million, and reallocated into reserves, available for reallocation into the 2020/21 operational plan.

9.17 Quarterly Budget Review Statement for the Quarter Ending 31st March 2020
(Ref: ; Author: Knight/Marmont) (Continued)

Implications

Legal

This QBRs complies with clause 203(1) of the *Local Government (General) Regulation 2005* which requires that, not later than 2 months after the end of each quarter, excluding the June quarter, the responsible accounting officer must submit a budget review statement to Council.

The format of the review must be consistent with the minimum requirements contained in the QBRs Guidelines provided by the Office of local Government.

Financial

The overall consolidated result has worsened from an operational surplus of \$4.530m following the December QBRs, to an operational surplus of \$1.907m for the March QBRs (before capital income).

Council's general fund result has worsened from an operational surplus of \$3.084m following the December QBRs to an operational deficit of \$1.320m for the March QBRs.

The major impact on the operating result is the internal project management attribution allocation of 4% on capital works. Where capital projects have decreased by \$72m in the current year, the internal attribution amount is not allocated and impacts the operational result.

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 net effect as (N) neutral. Where Council has separately resolved to fund additional projects, they have been separately identified within the comments of the QBRs, 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 tables below summarises the consolidated result projected to June 2020.

Total Council Summary

Description	Original	Approved Changes		Current	Actual	Proposed	Forecast
	Budget	QBRs - Sept	QBRs - Dec	Budget	YTD	Adjustments	Budget
	\$,000	\$,000	\$,000	\$,000	\$,000	\$,000	\$,000
Income							
Rates, Levies & Annual Charges	(71,784)	(718)	0	(72,502)	(72,290)	(117)	(72,618)
User Charges & Fees	(30,181)	(626)	(767)	(31,574)	(20,456)	(2,849)	(34,424)
Interest & Investment Revenue	(3,780)	(500)	0	(4,280)	(2,351)	606	(3,675)
Other Income	(2,566)	243	(244)	(2,567)	(1,417)	(1,069)	(3,637)
Operating Contributions	(2,064)	(35)	1,114	(985)	(805)	(168)	(1,152)
Operating Grants	(12,376)	229	(1,807)	(13,953)	(9,757)	(11,532)	(25,485)
Profit or Loss on Disposal	(1,037)	(605)	758	(884)	(409)	230	(654)
Total Income	(123,789)	(2,011)	(945)	(126,745)	(107,486)	(14,900)	(141,645)
Expense							
Employee Costs	44,835	63	(316)	44,582	32,878	(37)	44,545
Borrowing Costs	3,540	0	0	3,540	2,043	0	3,540
Materials & Contracts	45,764	1,254	(112)	47,407	33,966	12,274	59,682
Depreciation & Impairment	24,153	1,082	0	25,235	19,549	(0)	25,234

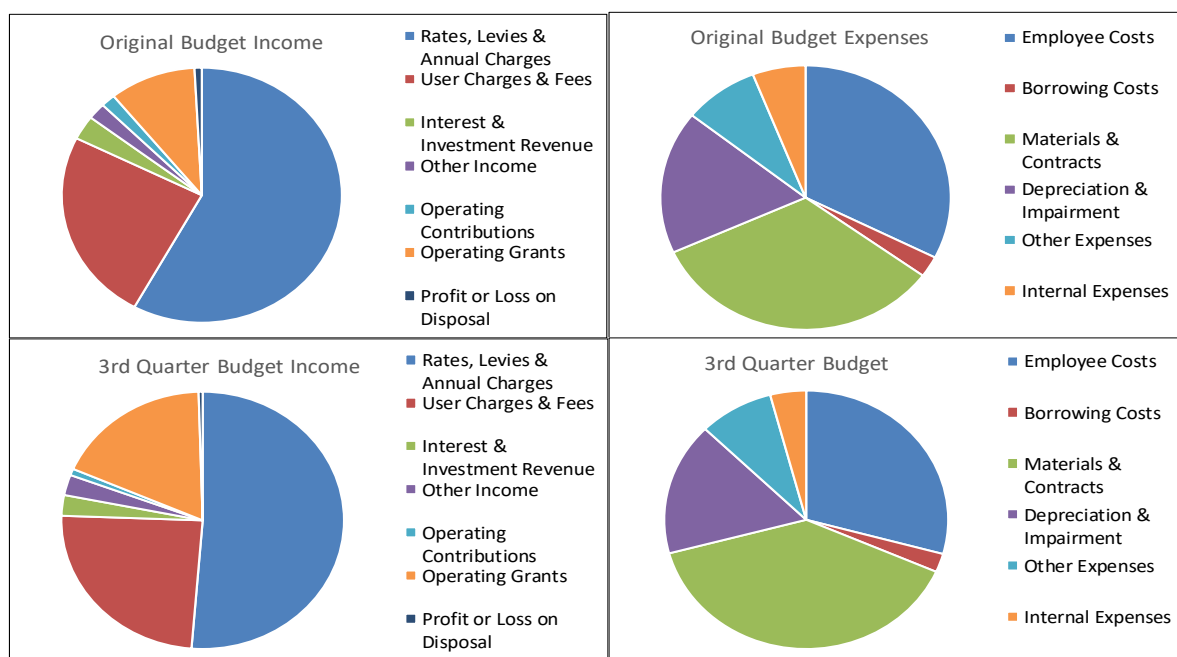
9.17 Quarterly Budget Review Statement for the Quarter Ending 31st March 2020

(Ref: ; Author: Knight/Marmont) (Continued)

Total Council Summary

Description	Original	Approved Changes		Current	Actual	Proposed	Forecast
	Budget	QBRs - Sept	QBRs - Dec	Budget	YTD	Adjustments	Budget
Other Expenses	11,571	48	329	11,974	8,627	983	12,957
Internal Expenses	(8,153)	(2,465)	96	(10,522)	(2,089)	4,302	(6,220)
Total Expense	121,709	(18)	(3)	122,216	94,973	17,522	139,738
Operating (Surplus)/Deficit before Capital	(2,080)	(2,029)	(948)	(4,530)	(12,513)	2,622	(1,907)
Capital Income							
Capital Contributions	(78,312)	(802)	0	(79,114)	(36,140)	22	(79,092)
Capital Grants	(75,751)	614	9,947	(67,162)	(24,668)	16,901	(50,262)
Operating (Surplus)/Deficit after Capital	(156,143)	(2,218)	8,999	(150,806)	(73,321)	19,545	(131,261)
Non Cash							
Capital Contributions	70,960	0	0	70,960	31,003	0	70,960
Depreciation & Impairment	(24,153)	(1,082)	0	(25,235)	(19,549)	0	(25,234)
Profit or Loss on Disposal	1,037	605	(758)	884	409	(230)	654
Total Non Cash	47,844	(477)	(758)	46,609	11,863	(230)	46,380
Investing Fund Flows							
Capital Works Program	145,956	7,131	(7,639)	165,863	41,625	(72,004)	93,860
Asset Purchases	3,460	(166)	32	3,492	3,074	(36)	3,455
Loan Principal Repayments	5,426	0	0	5,426	4,081	0	5,426
Total Investing Fund Flows	154,842	6,965	(7,607)	174,781	48,779	(72,040)	102,741
Financing Fund Flows							
Sale of Assets	(1,037)	(605)	(100)	(1,742)	(1,388)	209	(1,532)
Proceeds from Borrowings	(4,884)	0	0	(4,884)	0	250	(4,634)
Total Financing Fund Flows	(5,921)	(605)	(100)	(6,626)	(1,388)	459	(6,167)
Net (Inc)/Dec in Funds before Transfers	40,622	3,666	535	63,958	(14,067)	(52,265)	11,693
Reserve Movements							
Transfers to Internal Reserves	4,232	1,446	216	5,893	230	5,910	11,803
Transfers to Developer Contributions	7,564	165	0	7,729	0	497	8,226
Transfers to Other External Reserves	11,705	789	(83)	12,412	0	20,573	32,985
Transfers from Internal Reserves	(16,064)	(1,403)	1	(25,162)	(72)	3,199	(21,963)
Transfers from Developer Contributions	(13,864)	(163)	(362)	(14,389)	(211)	7,515	(6,874)
Transfers from Other External Reserves	(32,415)	(5,332)	(400)	(49,586)	0	16,626	(32,961)
Total Reserve Movements	(38,842)	(4,498)	(627)	(63,103)	(53)	54,319	(8,784)
Net (Inc)/Dec in Unrestricted Funds	1,780	(833)	(92)	855	(14,119)	2,054	2,909

9.17 Quarterly Budget Review Statement for the Quarter Ending 31st March 2020
(Ref: ; Author: Knight/Marmont) (Continued)



Integrated Plan

The QBRS is a tool to monitor Council’s progress against the operational plan and the ongoing management of Council’s budget.

Conclusion

Revision of the budget at the March QBRS has reduced the operational surplus position by \$2,622K before capital amendments. A detailed listing of variations is included in the attached report.

The recent Flood and Bushfire disaster expenses budgeted to 30 June 2020 amount to \$11.8m of which \$11.5m is budgeted to be recouped through the Disaster Recovery Funding Arrangements.

Attachments

Attachment 1 QBRS for 31st March 2020 (*Under Separate Cover*)



9.18 Investment Report - April 2020 (Ref: ; Author: Monaghan/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 April 2020.

Recommendation

That Council:

1. **Note the investment return for April 2020 was \$876,108.**
 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 April 2020.**
-

Background

Cash and Cash Equivalent Investments

A list of Council's cash and investments as at 30 April 2020 is detailed in the attached Investment Report Pack.

Over the last 12 months, Council's portfolio produced an annualised rate of return of 1.68%, outperforming the benchmark Bank Bill Index by 0.56%.

As at 30 April 2020, the principal amount invested was \$191,950,191 and the year to date return was \$2,554,815 which is 60% of Council's revised annual budget.

Market Update

The average 30 day BBSW rate for April 2020 was 0.16%.

At their May 2020 meeting, the Reserve Bank (RBA) board chose to maintain the cash rate at the record low of 0.25%. In the accompanying statement, Governor Lowe said the Board will not increase the cash rate target until progress is being made towards full employment and it is confident that inflation will be sustainably within the 2-3% target.

Equity markets rallied strongly in April through a combination of monetary and fiscal stimulus. As a result, the TCorp Cash Fund produced a strong, well above benchmark, performance in April, with the Medium Term and Long Term Funds also delivering positive April returns.

Of the total investment portfolio of \$192 million, Council holds \$24.1 million in TCorpIM long and medium term funds.

Attached is the latest TCorp market update providing information on the Australian and Global economies and how TCorp is managing their funds during this period of instability.

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, 15/05/2020.

Policy

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

Financial

As at 30 April 2020, the 2019/20 Financial Year investment return amounted to \$2,554,815. The investment returns are added to the associated restricted funds (e.g. development contributions) that form Council's investment portfolio.

The TCorpIM Long Term Growth and Medium Term Growth Funds both regained positive growth (\$427,605 and \$183,534 respectively) in April 2020 following heavy losses in February and March 2020.

While these funds are exposed to additional investment risk in order to generate higher potential returns, they are structured with longer term time horizons. The minimum advised investment time frame for the MTGF is 3-7 years and 7+ years for the LTGF.

Council's investment portfolio is well diversified with cash assets classes to offset these growth assets.

Despite the expectation of economic volatility continuing until the COVID-19 crisis abates, Council's independent investment adviser, Laminar Capital maintains its recommendation to retain these funds in keeping with the long term nature of these products, and to allow for market correction over time.

Attachments

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



Attachment 2 TCorp Market Update 7 May 2020 (*Under Separate Cover*)



9.19 Review of QPRC Donations Policy (Ref: ; Author: Tegart/Ferguson)

File Reference: 52.5.4 and 52.5.2-01

Summary

The QPRC Donations Policy was adopted on 12 April 2017. Council resolved at its meeting held on 22 January 2020 that the Donations Policy be reviewed for the 2020/2021 financial year. Accordingly, a review has been undertaken of the Policy resulting in some proposed amendments. Council is invited to incorporate these proposed amendments into the revised Policy and adopt.

Recommendation

That, following a review of the QPRC Donations Policy 2017, Council incorporate the proposed amendments in the attachment into the QPRC Donations Policy 2020.

Background

The QPRC Donations Policy (for donations under s.356 of the *Local Government Act 1993*) was adopted at the Planning & Strategy Committee meeting held on 12 April 2017 (Resolution No. PLA036/17). A copy of the current Policy is at **Attachment 1**.

Under the Policy, Council provides various forms of assistance to the community through grants, donations, rental rebates, rate relief, non-financial contributions, in-kind donations and sponsorships. This assistance is known collectively as “donations”, many of which are allocated through the Annual Community Grants Program upon application, while others are provided automatically as rate relief for community assets that meet specific criteria.

The purpose of the donations is to assist not-for-profit community groups deliver programs and projects that align with Council’s Community Strategic Plan and Delivery Program.

Council resolved on 22 January 2020 (Resolution 011/20), in part, to review the Policy, including Schedule 1, for the 2020/21 financial year.

The review focused mainly on clarifying the eligibility criteria for Council’s financial support and addressing some issues that have arisen during the last three years’ application of the Policy, particularly due to the very high level of demand for Council’s limited financial resources. Accordingly, Schedule 1 has been substantially rewritten.

Attachment 2 lists the proposed amendments to the Policy.

Implications

Policy

The Donations Policy provides financial and other assistance to organisations to deliver positive and beneficial projects for the community.

Financial

Council’s budget includes an allocation of \$60,000 for donations under its Annual Community Grants Program to eligible not-for-profit community groups. Other funding assistance programs such as the Cultural Arts Assistance Scheme, the Special Heritage Grants Program,

9.19 Review of QPRC Donations Policy (Ref: ; Author: Tegart/Ferguson) (Continued)

the Local Heritage Grants Program and the Sports Assistance Scheme have separate allocations.

Council must ensure that the expenditure of public funds is directed to community groups that meet eligibility criteria.

Conclusion

The Donations Policy for assistance under s.356 of the *Local Government Act 1993*, was adopted on 12 April 2017. A review has been undertaken of the policy to clarify eligibility criteria and address other issues that have arisen during the application of the Policy. It is recommended that Council incorporate the proposed amendments as set out and adopt the QPRC Donations Policy 2020 as amended.

It was considered not appropriate at this time to merge the objectives and administration of the Cultural Arts Assistance Scheme, the Special Heritage Grants Program, the Local Heritage Grants Program and the Sports Assistance Scheme with the Donations Policy.

Attachments

Attachment 1 QPRC Donations Policy 2017 (*Under Separate Cover*)



Attachment 2 Donations Policy - 2020 Amendments (*Under Separate Cover*)



9.20 Councillor Superannuation Inquiry (Ref: ; Author: Tegart/Ferguson)

File Reference: 52.7.1

Summary

The NSW Office of Local Government (OLG) has issued a discussion paper to seek the views of councils and their local communities on whether councillors should receive superannuation payments.

Recommendation

That Councillors be encouraged to lodge their personal views on the Office of Local Government's superannuation discussion paper by 7 August 2020.

Background

Under the *Commonwealth Superannuation Guarantee (Administration) Act 1993*, councils across Australia are not required to make superannuation contributions in relation to the fees they pay to mayors and councillors. This is because mayors and councillors are elected to a civic office in a council and are not employees of the council.

The OLG has issued a discussion paper to seek the views of councils and their local communities on whether councillors should receive superannuation payments. The deadline for submissions is 7 August 2020.

The release of the discussion paper has been prompted by concerns raised within the local government sector that the ineligibility of councillors to receive superannuation payments is inequitable and is a deterrent to more women and younger people standing as candidates at council elections.

The discussion paper:

- provides information on the current system for setting councillor remuneration and the legislation governing superannuation contributions for elected officials
- sets out the arguments for and against the payment of superannuation contributions for mayors and councillors, and
- provides different options and legislative models.

Full details about the discussion paper are available at <https://www.olg.nsw.gov.au/programs-and-initiatives/councillor-superannuation-discussion-paper/>

Implications

Financial

No provision has been made in the draft budget for superannuation contributions to be made for Councillors.

Conclusion

The OLG is seeking the views of councils and their local communities on whether councillors should receive superannuation payments. Councillors are encouraged to respond to the OLG's discussion paper by the closing date of 7 August 2020.

Attachments

Nil

File Reference: 45.4.1-02

Report

Since the report to the Planning and Strategy meeting on 13 May, the Government has continued to relax COVID restrictions. New Public Health Orders included the Public Health (COVID-19 Restrictions on Gathering and Movement) Order (No 2) 2020 (the new Public Health Order) on 14 May 2020 which enabled from 1 June:

- Travel into regional NSW
- 10 patrons in cafes, clubs and bars

It is intended to reopen Council libraries and customer centres next week.

The Office of Local Government (OLG) has released several Circulars advising:

- The *Local Government Act 1993* has been amended to make a number of changes to support councils and ratepayers during the COVID-19 pandemic These changes:
 - enable a council that does not apply the full percentage increase of the rate peg (or any applicable Special Variation) this year or in any future year to set rates in any one or more of the next 10 years to return it to the original rating trajectory;
 - prevent councils from commencing legal action to recover rates and charges for six months unless the specific matters have been considered:
- Amendments have also been made to the Annual Holidays Act 1944 to clarify that annual leave continues to accrue while an employee is stood down
- It is now permissible for councillors and council staff to leave their homes for the purposes of attending council and committee meetings and to attend meetings in person.
- Councils should continue to allow councillors and staff to attend and participate in council and committee meetings by audio visual links where it is reasonably practicable to do so.
- Members of the public are not permitted to attend meetings (other than for the purposes of work) if this means that the total number of people attending meetings (including councillors and staff) exceed 10.
- Where councils exclude members of the public from meetings, they must livestream their meetings using audio-visual links to satisfy the requirement under section 10 of the *Local Government Act 1993* for members of the public to be permitted to “attend” meetings.
- Councils must not allow persons to attend meetings if the size of the meeting venue is insufficient to ensure there is 4 square metres of space for each person attending the meeting.

10.1 COVID Recovery (Author: Tegart/Tegart) (Continued)

Meetings

In line with the revised Order, it is proposed:

- From the Planning and Strategy Meeting 10 June, councillors may attend Council meetings in person, or continue to utilise remote attendance by Zoom
- Meetings will continue to be livestreamed
- Members of the public can continue to submit electronically to Public Forum
- Workshops will be delivered by Zoom

Re-Opening

Further to the new Public Orders and advice from Government:

- Museums, galleries and libraries across NSW will be allowed to reopen from June 1
- Customer service centres at Bungendore and Braidwood will reopen
- Customer service centre at Queanbeyan will relocate to the foyer of the Q Theatre to accommodate distancing and customer numbers during COVID restrictions
- Development enquiries will be based at Queanbeyan office
- Animal pound will reopen

Controls

To operate in a safe way, Councils COVID-Safe Plans have been updated to accord with Safe Work Australia guidance. The following measures will apply to re-opening facilities:

- Returning staff to be inducted into COVID safe office environment
- Exclusion of staff and visitors who are unwell
- Limiting the number of guests to allow for 4 square metres per person
- All meeting rooms and office spaces have been assessed to calibrate maximum persons permissible to accommodate the distancing restrictions
- Providing distance markers for people queuing at service points
- Ensuring adequate handwashing facilities and/or sanitiser
- No groups and tours
- Enhanced cleaning, and
- 24 hour quarantine of returns for libraries.

Remaining Closed

Due to unviability of opening some facilities due to distancing, and cancellation of hires and programs, the following facilities and services will remain closed:

- Q Theatre
- Indoor and outdoor aquatic
- Events
- Museums

























10.1 COVID Recovery (Author: Tegart/Tegart) (Continued)

The pool exemptions in the Public Health Order are restricted to squad training only with one swimmer per lane meaning only six in the pool at any one time.

Travel restrictions for staff to attend face to face meetings and training continue to apply.

Communications

Council's website and social media channels will continue to provide updates on facilities and services and links to COVID safety, and utilise infographics to inform what services continue to operate (sample below)

Service	Status	More Information
 Council meetings and public forums		more info
 Gymnasiums		more info
 Indoor recreation facilities		more info
 Land use planning		more info
 Libraries		more info
 Outdoor fitness equipment		more info
 Parks		more info
 Playgrounds		more info
 Roads construction and maintenance		more info
 Sewerage		more info
 Skate parks		more info
 Sport playing fields and grounds		more info

Recommendation

That the report be received for information.

Attachments

Nil

11.1 Local Traffic Committee 7 April 2020 (Ref: ; Author: Hansen/Stewart)

File Reference: 31.4.4

Summary

The Local Traffic Committee has submitted the minutes and recommendations of its meeting held on 7 April 2020 for Council's information and consideration.

That Council:

- 1. Note the minutes of Local Traffic Committee Meeting on 7 April 2020.**
- 2. Adopt recommendations LTC 12/2020 to LTC 18/2020 from the meeting held on 7 April 2020.**

12/2020 Subject to conditions, approve the traffic control plan for the Ellerton Drive Extension Opening.

13/2020 Subject to conditions, approve the Traffic Control Plans for the Christmas In July Event 2020.

14/2020 Under the Road *Transport Act* install the 'Keep Clear' zone on Atkinson Street as per the design.

15/2020 Under *Road Transport Act* install 'No Stopping' signs on Wilkins Way as per design.

16/2020 Under *Road Transport Act* implement changes as per design for Majors Creek Road.

17/2020 Under *Road Transport Act* approve upgrade of the pedestrian signage at Cooma St pedestrian crossing to LED Pedestrian signs.

18/2020 Under *Road Transport Act* approve the upgrades to Barracks Flat Drive and the intersection with River Drive as per the design.

Attachments

Attachment 1 Local Traffic Committee minutes 7 April 2020 (*Under Separate Cover*)



11.2 Minutes Audit, Risk and Improvement Committee (Ref: ; Author:
Warne/Cakalic)

File Reference: 45.3.1

Summary

This report provides the draft minutes of the Audit, Risk and Improvement Committee (ARIC) meeting of 14 February 2020, as approved by the Committee Chair.

The objective of the ARIC, as stated in its charter, is to provide independent assurance and assistance to Council in relation to risk management, internal control, external accountability, legislative compliance, internal audit, external audit and process improvement.

One of the meeting resolutions was for the ARIC Chair to prepare general meeting notes for circulation to Councillors to assist with providing context around the key points discussed and resolutions made. These notes, along with the draft minutes, were circulated to Councillors for information on 28 April 2020.

The following provides a summary of the reports received by the ARIC at its meeting of 14 February 2020:

- Strategic planning of cemeteries as provided by the Service Manager Urban Landscapes.
- Update on the Bicentennial Hall upgrade as provided by the Portfolio General Manager Community Choice.
- Verbal update on external audit activities by the Audit Office of NSW.
- Internal Audit Activity report by O'Connor Marsden.
- Report against items included in the ARIC Work Plan.
- Update on the process related to issuing of delegations and authorisations.
- Report by the Financial Statements Sub-Committee.
- Update on the progress on the review of policies.
- Update on financial matters provided by the CFO.
- Actions arising from the ARIC work plan.
- Results of the ARIC maturity self-assessment conducted by ARIC members.
- Report on Cyber Risk and ICT Disaster Recovery Plan.
- Status of outstanding audit recommendations.

The ARIC's consideration of and resolution on the above matters were as outlined in the attached minutes.

Recommendation

That Council note the minutes of Audit Risk and Improvement Committee held on 14 February 2020.

Attachments

Attachment 1 ARIC 14 February 2020 Draft Minutes (*Under Separate Cover*)



11.3 Fernleigh Park s.355 Committee (Ref: ; Author: Tegart/Ferguson)

File Reference: 52.3.3-21


Summary

Fernleigh Park s.355 Committee has submitted for Council's information the minutes of its Committee meeting held on 26 February 2020.

Recommendation

That Council note the minutes of the Fernleigh Park s.355 Committee's meeting held on 26 February 2020.

Attachments

Attachment 1  Fernleigh Park s.355 Committee minutes 26 February 2020 (*Under Separate Cover*)

NOTICE OF MOTIONS

12.1 Election Signs (Ref: ; Author: Marshall/Marshall)

File Reference: 27 May 2020 meeting - motions

Notice

Councillor Peter Marshall will move the following motion:

Motion

That, in the light of the imminent federal by-election, Council request an urgent report for the next meeting of its Planning and Strategy Committee, on measures that can be taken to improve compliance with rules governing electoral signage and obstruction of public thoroughfares.

Background

Councillors will be aware of the poor level of compliance with electoral signage rules for the 2019 NSW election and the 2019 federal election. A “response to councillors’ questions” report is attached for information.

It was clear that signs being removed from public places were quickly replaced with signs from the same party, showing contempt for council’s enforcement. In the absence of fines being issued, ratepayers were incurring costs to clean up the mess created by the parties and candidates. Signs were being returned to the parties, and the same signs were being reused. There was no incentive for offenders to comply with the regulations.

Similarly, signs were placed on private land with no regard to the planning rules. There were clearly “repeat offenders” in relation to both the parties and the landowners, either within a single election campaign period or across the two election campaign periods. Compliance measures used were clearly ineffective, as the same landholders seem to engage in the same behaviour from election to election.

Councillors will note from the attachment the limited information that was recorded. As well as considering enhanced enforcement, council may wish to consider better recording so as to document the problem and identify repeat offenders amongst candidates/parties and landholders.

It also seems that enforcement is complaint-driven, and not proactive. A sign from the March 2019 NSW election is still attached to a council road sign near Captains Flat.

It is clear that existing enforcement action is ineffective, and costs ratepayers for no benefit. This motion seeks an urgent review, in the light of the forthcoming Eden-Monaro by-election, hopefully so that any changes can be put in place in time for it. If successful they can be retained for the next election, expected to be the local government elections of 2021.

In addition, councillors may recall the extreme number of obstructive a-frame and other signage outside prepoll polling booths when they have a street frontage location, and may wish to consider arrangements to improve this situation.

12.1 Election Signs (Ref: ; Author: Marshall/Marshall) (Continued)

CEO comment

Electoral signage requires development consent unless it meets the following requirements for exempt development specified in the NSW *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

13 Election signs**2.106 Specified development**

(1) The display of any poster that contains electoral matter in relation to an election held under the *Commonwealth Electoral Act 1918* of the Commonwealth, the *Parliamentary Electorates and Elections Act 1912* or the *Local Government Act 1993* is development specified for the purposes of this code.

(2) In this clause, **electoral matter** means:

(a) any matter that is intended or calculated or likely to affect or is capable of affecting the result of an election or that is intended or calculated or likely to influence or is capable of influencing an elector in relation to the casting of his or her vote at an election, or

(b) the name of a candidate at an election, the name of the party of any such candidate and the picture of any such candidate (including any photograph of the candidate and any drawing or printed matter that purports to depict any such candidate or to be a likeness or representation of any such candidate).

2.107 Development standards

The standards specified for that development are that the development must:

(a) not be more than 0.8m² in area, and

(b) if on the site of a heritage item or draft heritage item—not be attached to a building, and

(c) be displayed by or on behalf of a candidate at an election referred to in clause 2.106 or the party (if any) of any such candidate, and

(d) be displayed in accordance with any relevant requirements of the Act under which the election is held, and

(e) be displayed only during the following periods:

(i) 5 weeks immediately preceding the day on which the election is held,


(ii) the day on which the election is held,


(iii) 1 week immediately following the day on which the election is held.

Any election signage placed on public lands or road reserves are not permissible and will be removed. Please also note corflute signs that relate to electoral material are also not permitted. Corflutes may be used to promote a specific community or non-profit event such as fetes, council community events and charity fund raising events for example.

The typical AO poster signs erected on private land and fences do not require approval.

Attachments

Attachment 1  From 28 August 2019 meeting - Responses to Councillors' Questions
(Under Separate Cover)

Attachment 2  From 28 August 2019 meeting - Responses to Councillors' Questions
with confidential information (Under Separate Cover) - **CONFIDENTIAL**

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

File reference: 27 May 2020 reports

Summary

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

Attendances at meetings by Councillors as delegates and representatives on Council committees, organisational committees, statutory committees, locality committees and advisory committees will be published in the QPRC Annual Report as per Resolution No. 322/18 of 26 September 2018.

Recommendation

That Council note the Delegates' Report.

Cr Tim Overall		
No.	Meeting/Function/Event Attended	Summary of Key Points
1	Regional Cities NSW Meeting, 7 May 2020	<ul style="list-style-type: none"> • Policy and Advocacy – Consideration of Pre Budget Submission to NSW Government. (Including priorities for investment opportunities). Recommendations included: <ul style="list-style-type: none"> – NSW Government contribute \$2.25mill over three years to a RCNSW campaign to promote regional city living – NSW Government create a \$10mill Regional City Business Ready Fund to establish a network of Activation Precincts – Use Snowy Hydro Legacy Fund to establish freight route and undertake feasibility study for E-W rail and also an assessment of commuter rail connections to better connect regional cities with Sydney – Allocate \$100mill toward improving digital connectivity in regional NSW – New rounds of funding be established from Fixing Country Roads Round 3, Fixing Local Roads Round 3 and Fixing Country Bridges Round 1. – Re-establishment of liveability funds that can support sporting and cultural aspirations of those living in regional NSW.

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

		<ul style="list-style-type: none"> • Presentations: <ul style="list-style-type: none"> – Mr Brendan Nelson, CEO Regional Growth NSW Development Corporation. – Mr Chris Hangar, Dep Sec Public Works Advisory & Regional Development. “Overview Department of Regional NSW” – Mr Brendan Cook Director Snowy Hydro Legacy Fund. “Regional Digital Connectivity”. Reference made to “Gig State”, the first investment stream under the RDC Program to progress to the market to deliver metro-grade connectivity services to regional businesses and residents (Dubbo, Wagga, Parkes, Narromine, Nyngan, Trangie, Cobar, Wamboin-Sutton-Bywong). EOI released April 22. • COVID-19 Impact Statement and Strategies. • Other Business. Representation to NSW Government re Capital Expenditure on planned Council Administrative Buildings and Community/Civic projects.
2	Canberra Region Joint Organisation Board Meeting, 13-14 May 2020.	<ul style="list-style-type: none"> • Regional Infrastructure Priorities. Discussed and noted the Shovel Ready Stimulus Projects as requested by Deputy Prime Ministers Office (Roads and Infrastructure, Water and Wastewater projects). • Emergency Services Levy. Resolved to request the NSW Government to: <ul style="list-style-type: none"> – Allow the ESL increases to be added to the rate cap in 2021/22. – Allow councils to separate out on rate notices. – Discontinue ESL contributions and transfer all emergency services assets from Councils back to Government. • CRJO Operational Report. <ul style="list-style-type: none"> – Regional Workforce Strategy – Shared Services – Regional Best Practice in Aggregated Procurement – Canberra Region Economic Development Strategy – Regional Waste and Resource Recovery – Disaster Resilience Program

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

		<ul style="list-style-type: none"> • Finance Report & Draft Budget 2020-21 Draft budget adopted, noting a small surplus for 2020-21 and that there may be potential risks to the budget due to current economic impacts of COVID19 • Ministerial Meetings <ul style="list-style-type: none"> – Mr Shane Fitzsimmons, Commissioner Resilience NSW – The Hon Melinda Pavey, Minister for Water, Minister for Property & Housing – The Hon Damian Tudehope, Minister for Finance, Minister for Small Business – The Hon Andrew Constance, Minister for Transport & Roads – The Hon Shelley Hancock, Minister for Local Government – The Hon Adam Marshall, Minister for Agriculture – The Hon Bronnie Taylor Minister for Mental Health, Regional Youth and Women – NSW Department of Regional NSW (DS Public Works Advisory, ED Regional Development, A/ED Regional Programs, Director SE NSW.)
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Attachments

Nil

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

File reference: 52.3.2

Report

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

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

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

Recommendation

That the report be received for information.

Attachments

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 Quarterly Legal Report - March 2020

Item 16.1 is confidential in accordance with s10(A) (g) of the Local Government Act 1993 because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Item 16.2 Notice of Motion - Queanbeyan CBD Property

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

Item 16.3 Confidential - Industrial Relations Matter

Item 16.3 is confidential in accordance with s10(A) (a) (g) of the Local Government Act 1993 because it contains personnel matters concerning particular individuals (other than councillors); AND 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.