

**PUBLIC FORUM
QUESTIONS/ANSWERS
22 February 2017**



Questions – Katrina Willis

Ellerton Drive Extension – acquisition of road reserve

1. Has council acquired all of the land that forms the alignment for the proposed Ellerton Drive Extension? If not, what sections remain to be acquired?

Response - Assets and Projects

Council is in the process of acquiring a small triangle of Crown Land. The remaining corridor is already in Council ownership.

Ellerton Drive Extension – finalising business case

2. Has council been advised whether the NSW Government has finalised the business case for funding the proposed Ellerton Drive Extension? If so, has the Council received a copy of the business case?

Response - Assets and Projects

Council has assisted RMS in the development of the final business case with the provision of information and understands that the benefit/cost ratio is comfortably over the required BCR of 1. It is unlikely Council will receive a copy of the final business case as the document is a NSW Government document and would be cabinet in confidence.

Ellerton Drive Extension – final road design

3. Has council finalised the design for the proposed Ellerton Drive Extension?

Response - Assets and Projects

Council is currently finalising the set of drawings that RMS will take out to tender.

4. Does the design include an intersection or access point to Jumping Creek Estate?

Response - Assets and Projects

The design that will go to tender will not include the intersection to Jumping Creek Estate. The EDE design has been developed in a way to minimise the impacts on existing EDE traffic if the Jumping Creek intersection is built in the future.

Jumping Creek Estate

A section of land in Jumping Creek Estate has been fenced off using orange plastic cordon fencing. A sign has been erected that states: "QPRC Environmentally Sensitive Area KEEP OUT."

5. What is the environmental significance of the area that has been fenced off?

Response - Assets and Projects

The fencing was installed to protect areas which were recorded as containing sensitive features during Council's assessment of Ellerton Drive Extension. To further protect these areas, Council will not be identifying the nature of the sensitivity to the public.

6. Why has the area been fenced off and for how long will it be fenced off?

Response - Assets and Projects

NSW Office of Environment and Heritage required Council to fence these areas to protect the sensitive features contained within them from construction and public activities. These areas will be fenced off until the end of the construction phase of Ellerton Drive Extension.

7. Why hasn't the council also fenced off the critically endangered Box Gum Woodland in the same vicinity?

Response - Assets and Projects

A clearing limit fence will be installed as part of the main construction of Ellerton Drive Extension. This fence will highlight the limit of clearing works for the contractor and protect the vegetation beyond them from construction activities.

8. Please provide an update on the council's request to the NSW government to commence a Gateway Determination process for the proposed housing at Jumping Creek Estate.

Response – Environment Planning and Development

Council received a Gateway determination to begin the rezoning process for the deferred lands at Jumping Creek on 10 November 2016. In accordance with that determination Council has recently completed consultation with various government authorities in respect of the planning proposal and is likely to publicly exhibit a draft plan the near future. Members of the public will have an opportunity to make formal submissions in respect of the draft plan at that time. If the draft plan is made, any proposal to then subdivide the land for residential purposes will require a separate development application which will be notified under the relevant legislation and/or policy as required.

9. When will the community have an opportunity to comment on the proposal to build 280 houses at Jumping Creek Estate?

Response - Environment Planning and Development

See response to Question 8 above.

Queanbeyan Central Business District redevelopment

10. What was the impetus for the adoption of the "Unsolicited proposals procedure for submission and assessment" council adopted on 24 August 2016?

Response – General Manager

Council had authorised the General Manager to explore options to dispose or redevelop some of its CBD sites earlier in 2016. That was supported by the adopted Property Strategy and Policy. To provide a governance framework for that activity, an unsolicited proposals guide and probity plan framework were presented for adoption.

11. The administrator resolved on 23 November 2016 to deal with item 15.1 – Queanbeyan CBD property proposal and Queanbeyan Office - in a closed session, citing Section 10A of the Local Government Act 1993 arguing that the matter was confidential because “it contains information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest”.

The matter concerned an unsolicited proposal from a single business consortium. Therefore, who is the competitor to council in this case?

Response - General Manager

There were other parties with an interest in developing Council's CBD properties or adjacent properties.

12. What discussions (whether by email, telephone, letter or face-to-face) about this matter did council staff or the Administrator have with members or representatives of the consortium before and after 24 August 2016?

Response - General Manager

Council receives a number of enquiries on uses or development of its sites during any year. Should a formal proposal be received, then council reports and probity controls are put in place.

13. Why has council chosen to deal exclusively with the consortium that put an unsolicited proposal to the council?

Response - General Manager

Council may consider unsolicited proposals or place properties on the market. As previous attempts to activate or develop council's properties had been unsuccessful, the unsolicited approach was considered appropriate to explore. The value of any property that may be sold for redevelopment is subject to feasibilities and other assessments in accord with the Guide. An independent market valuation is obtained to guide any sale (or purchase) of properties.

14. Did council conduct an evaluation of the unsolicited bid to assess:
1) the risks associated with agreeing to the proposal, through a Heads of Agreement, rather than testing the market through an open tender, and
2) the capacity of the proponents to undertake the work?

Response - General Manager

The Heads of Agreement provides a number of phases to conduct assessments before proceeding.

15. If so, when was the evaluation undertaken? If not, why not?

Response - General Manager

See 14.

16. Why has council agreed to the unsolicited proposal before it finalises its economic development strategy and the review of the CBD masterplan?

Response - General Manager

Council has only agreed to enter a Heads of Agreement. The Unsolicited Proposals Guide provides the framework and steps to follow before any decision to sell/develop. It was considered appropriate to publish the unsolicited proposal concept with the CBD

Transformation Strategy to give the community context to some possible redevelopments to accommodate more workers and residents into the CBD, to activate the CBD streets and potentially providing funding sources to construct the public domain identified through the revision of the CBD masterplan.

- 17. Why is council agreeing to an arrangement by which the private sector, rather than council, is effectively directing the redevelopment of the Queanbeyan CBD through an unsolicited proposal?**

Response - General Manager

Council is redeveloping its headquarters in Crawford Street, which through its subsequent vacating of several other buildings in the CBD, becomes the catalyst for the proposed redevelopments by the private sector. The redevelopments are subject to existing development controls and will be determined independently through the JRPP.

- 18. Having cancelled a tender process for redevelopment of the Morisset St carpark including a proposed cinema, has council been required to pay any fee, reimbursement or compensation to the applicants of that tender process? If so, please provide details.**

Response – General Manager

No.

Queanbeyan transport plan

- 19. Please provide an update on the development of the Queanbeyan transport plan as per a resolution of council last year.**

Response - Assets and Projects

Council has recently gone out to tender to seek a suitable consultant to undertake the Integrated Transport Strategy work. Tenders close on 6 March 2017.

- 20. When will the community have an opportunity to provide input on the plan?**

Response - Assets and Projects

The successful consultant is required to undertake a community engagement process. Details of this engagement process will not be known until the Contract is awarded to a consultant.

Queanbeyan environment and sustainability report 2016

- 21. When does council expect to release the Queanbeyan environment and sustainability report for 2016?**

Response - Environment Planning and Development

The Office of Local Government advised in August 2016 that as a new Council there is no requirement to prepare an end of term report including a state of environment report for the 2015-2016 year. However, a State of Environment Report will be prepared for the 2013-2017 period in November this year.

Queanbeyan Community Climate Change Action Plan 2013-17

22. Has council commenced an evaluation of the Queanbeyan Community Climate Change Action Plan 2013-17? If not, when will this work commence?

Response – Environment Planning and Development

Council has not committed any resources to evaluating or reviewing the Action Plan in the present Delivery Plan period. Council may choose to include such resources in the 2018-2020 Delivery Plan process.

Climate Change Action Plan 2013-17

23. Has council commenced an evaluation of the Climate Change Action Plan 2013-17 that covers council's operations? If not, when will this work commence?

Response - Environment Planning and Development

Council has not committed any resources to evaluating or reviewing the Action Plan in the present Delivery Plan period. Council may choose to include such resources in the 2018-2020 Delivery Plan process.