



Ordinary Meeting of Council

AGENDA

23 May 2018

Commencing at 5.30pm

**Council Chambers
10 Majara Street
Bungendore**

On-site Inspections - Nil

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Nil

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Confidential - Not for Publication

20 REPORTS FOR CLOSED SESSION

20.1 Compliance Matter

Item 20.1 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.

20.2 Negotiated Settlement - Cannchar PL

Item 20.2 is confidential in accordance with s10(A) (c) (g) 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 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.

LIST OF ATTACHMENTS –

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

Open Attachments

- Item 12.1 Development Application - DA.2017.286 - Child Care Centre - 5 McMahon Drive, Bungendore
- Attachment 1 79C Matters for Consideration - DA.2017.286 - Child Care Centre - 5 McMahon Drive, Bungendore (Under Separate Cover)*
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- Item 12.2 Rezoning and dwelling eligibility requests
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- Item 12.8 QPRC Events Strategy - Community Engagement Report
- Attachment 1 QPRC Events Strategy - Community Engagement Feedback Report (Under Separate Cover)*
 - Attachment 2 QPRC Events Strategy - Online Engagement Report (Under Separate Cover)*
 - Attachment 3 QPRC Events Strategy - Council Final Version - With Changes Marked - May 2019 (Under Separate Cover)*
- Item 12.11 Investment Report - April 2018
- Attachment 1 Investment Report - April 2018 - Attachment 1 - 23 May 2018 (Under Separate Cover)*
- Item 13.1 Submission - Draft Discussion Paper 'Planning for the Future of Retail' - April 2018
- Attachment 1 Draft Submission - Planning for Future of Retail (Under Separate Cover)*
- Item 13.4 Resolution Action Sheet
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**QUEANBEYAN-PALERANG REGIONAL COUNCIL
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- Item 14.1 Queanbeyan-Palerang Sports Council - Minutes of the Meeting Held 7 May 2018
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- Item 14.2 Braidwood Locality Committee minutes 30 May 2018
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- Item 14.3 Bungendore War Memorial s.355 Committee minutes
Attachment 1 Bungendore War Memorial s.355 Committee meeting minutes 1 February 2018 (Under Separate Cover)
Attachment 2 Bungendore War Memorial s.355 Committee meeting minutes 1 March 2018 (Under Separate Cover)
- Item 16.1 Responses to Councillors' Questions
Attachment 1 Responses to Councillors' Questions table (Under Separate Cover)

Closed Attachments

- Item 12.3 Captains Flat Rural Fire Station Design and Construct Tender
Attachment 1 Captains Flat Budget (Under Separate Cover)
Attachment 2 Tender Approval - RFS Stage 1 (Under Separate Cover)
Attachment 3 Captains Flat Shed Tender Evaluation Report (TER) (Under Separate Cover)
- Item 12.4 Queanbeyan CBD Transformation Stage 1 to 3, Head Office and Smart Hub
Attachment 2 CBD Property sites - HoA (Under Separate Cover)
Attachment 3 DQPL Stratum Proposal (Under Separate Cover)
Attachment 6 Comparative Estimate - Rutledge v Lowe (Under Separate Cover)
- Item 12.12 Local Heritage Places Grant Fund Application
Attachment 1 Local Heritage Places Grant Application Form 2017-2018 - 85 Wallace Street Braidwood (Under Separate Cover)
Attachment 2 Julian Laffan and Natasha Fijn - Request for Extension - 7 May 2018 (Under Separate Cover)
- Item 13.3 Bungendore Ambulance Station site
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- Item 20.1 Compliance Matter
Attachment 1 Attachment 1 - Representation and copy of letter from the Operator (Under Separate Cover)
Attachment 2 Attachment 2 - Representation from resident of Capital Country Holiday Park (Under Separate Cover)



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Council Chambers, 10 Majara Street, Bungendore on Thursday, 26 April 2018 commencing at 5.30pm.

1. OPENING

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; P Neil, Portfolio General Manager Organisational Capability and S Taylor, Service Manager Finance.

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

2. APOLOGIES

There were no apologies.

3. DISCLOSURES OF PECUNIARY INTERESTS

116/18

RESOLVED (Taylor/Biscotti)

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 Overall declared a less than significant, non-pecuniary interest in Item S1: Stronger Country Communities Fund Round 2 – Additional Projects, stating that his son is a casual employee of the Queanbeyan Golf Club.

4. CONFIRMATION OF MINUTES**4.1 Minutes of the Ordinary Meeting of Council held on 28 March 2018**

117/18

RESOLVED (Taylor/Schweikert)

That the Minutes of the Ordinary Meeting of Council held in the Bungendore Council Chambers on Wednesday 28 March 2018 be confirmed subject to the following amendment:

Item 12.1 – Modification Application – MOD.2014.029 – 744 Bombay Road Bombay: re mover and seconder for resolution 096/18 – replace “Winchester/Harrison” with “Winchester/Hicks”.

The resolution was carried unanimously.

4.2 Minutes of the Planning and Strategy Committee of the Whole held on 11 April 2018

118/18

RESOLVED (Taylor/Schweikert)

That the Minutes of the Planning and Strategy Committee of the Whole held in the Queanbeyan Council Chambers on Wednesday 11 April 2018 be confirmed subject to the following amendment:

Item 3 - Presentations: re speaker Alastair Cooper - replace “Mr” with “Cmdr”.

The resolution was carried unanimously.

5. PRESENTATION BY DEPARTMENTAL OR OTHER REPRESENTATIVES

There were no presentations.

6. BUSINESS ARISING FROM THE MINUTES

There was no business arising.

7. PRESENTATIONS FROM THE GALLERY RELATING TO LISTED ITEMS ON THE AGENDA AND PETITIONS

That following speakers were heard:

Mr Chris Daly – Item 12.1 - South Jerrabomberra Local Infrastructure Contributions Plan 2018

Mr Hugh Howell – Item 12.8 - Delegation for May 2018 Planning and Strategy Committee Meeting to Determine Tenders

Mr John Stahel – Item 14.3 - Braidwood and Curtilage Heritage Advisory Committee Meeting - 12 April 2018

Ms Kirsty Altenburg – Item 14.3 - Braidwood and Curtilage Heritage Advisory Committee Meeting - 12 April 2018

8. MAYORAL REPORT

There was no Mayoral Report.

9. MAYORAL MINUTE

There was no Mayoral Minute.

10. NOTICES OF MOTIONS OF RESCISSION

There were no Notices of Motions of Rescission.

11. NOTICES OF MOTIONS

There were no Notices of Motions.

12. ITEMS FOR DETERMINATION**12.1 South Jerrabomberra Local Infrastructure Contributions Plan 2018**

119/18

RESOLVED (Hicks/Brown)

That Council:

1. Note the outcomes of the recent public consultation in respect of the draft South Jerrabomberra Local Infrastructure Contributions Plan 2018.
2. Adopt the draft plan with recommended changes.

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

Against: Cr Marshall

12.2 Proposed South Tralee Essential Infrastructure Agreement

120/18

RESOLVED (Marshall/Brown)

That Council:

1. Agree to execute the South Tralee Infrastructure Agreement with any minor amendments that may be necessary.
2. Authorise the General Manager/CEO and the Mayor to execute the final South Tralee Infrastructure Agreement.

The resolution was carried unanimously.

12.3 Draft Integrated Plans 2018-21

121/18

RESOLVED (Marshall/Hicks)

That Council:

1. Place the Draft Operational Plan and the Draft Delivery Program as amended on exhibition until 4 June 2018.
2. Consider draft submissions on the exhibited documents at its Ordinary Meeting on 27 June 2018.

The resolution was carried unanimously.

- 122/18 **12.4 2018/2019 QPRC Revenue Policy - QPRC Fees and Charges**
RESOLVED (Bray/Schweikert)
That:
1. The draft QPRC Revenue Policy as amended be placed on public exhibition for a minimum of 28 days.
2. The draft QPRC Fees and Charges as amended be placed on public exhibition for a minimum of 28 days.

The resolution was carried unanimously.
- 123/18 **12.5 Draft Activity Attribution and Distribution of Governance Costs Policy**
RESOLVED (Harrison/Taylor)
That Council place the draft Policy on exhibition for 28 days.

The resolution was carried unanimously.
- 124/18 **12.6 Community Engagement Services (Contract 20/2017) Award of Contract**
RESOLVED (Schweikert/Taylor)
That Council:
1. Reject both tenders for Community Engagement Services for the Queanbeyan STP Project.
2. Commence negotiations with Tenderer 1, RPS Manidis Roberts Pty Ltd, on the evidence presented in the attached Tender Evaluation Report and in accordance with Clause 178 (4) of the Local Government (General) Regulation 2005.
3. Provide a further report to Council detailing the outcome of these negotiations.

The resolution was carried unanimously.
- 125/18 **12.7 Queanbeyan River Shared Path and Waterfall Drive Path Design and Construction Tender**
RESOLVED (Harrison/Noveska)
That Council award tender 18/2018 to Tenderer number 1 CB Excavations in the amount of \$1,526,884.25 for the design and construction of the Queanbeyan River shared path, Waterfall Drive path and associated works.

The resolution was carried unanimously.

- 126/18 **12.8 Delegation for May 2018 Planning and Strategy Committee Meeting to determine tenders**
RESOLVED (Hicks/Harrison)
That Council delegate to the May 2018 Planning and Strategy Committee meeting the authority to accept a tender for the design and construction of the Captains Flat Rural Fire Station.

The resolution was carried unanimously.
- 127/18 **12.9 Land Classifications: Lot 4 DP 1179941 Googong and Lot 8 DP 1228456 Googong**
RESOLVED (Harrison/Marshall)
That in accordance with Section 31(2) of the *Local Government Act 1993* (NSW) Council resolve that the land classifications below be adopted:
 1. Lot 4 DP 1179941 (36A Googong Road) Googong – Operational Land
 2. Lot 8 DP 1228456 (18 Weatherstone Circuit) Googong – Operational Land
The resolution was carried unanimously.
- 128/18 **12.10 Report on the 6 February 2018 meeting of the Audit, Risk and Improvement Committee**
RESOLVED (Marshall/Winchester)
That Council:
 1. Note the minutes of the Audit, Risk and Improvement Committee meeting of 6 February 2018.
 2. Appoint a second Councillor to the Audit, Risk and Improvement Committee.
For: Crs Biscotti, Brown, Harrison, Hicks, Marshall, Noveska, Overall, Taylor and Winchester
Against: Crs Bray and Schweikert
- 129/18 **RESOLVED (Marshall/Winchester)**
Council appoint Cr Harrison to be the second delegate on the Audit, Risk and Improvement Committee and the Terms of Reference be amended to reflect the change of membership.

The resolution was carried unanimously.

12.11 Investment Report - March 2018

130/18

RESOLVED (Bray/Biscotti)

That Council:

1. Note the investment income for March 2018 was \$265,314 bringing the total return on Cash and Cash Equivalent Investments for the 2017/18 Financial Year to \$3,778,273 which is \$317,118 above the year to date budget within the Operational Plan.
2. Note the investment portfolio has been made in accordance with the *Local Government Act 1993*, and the Local Government (General) Regulation 2005.
3. Adopt the Investment Report for the month of March 2018.

The resolution was carried unanimously.

12.12 Draft Financial Hardship Assistance Policy and Draft Debt Recovery Policy

131/18

RESOLVED (Schweikert/Harrison)

That Council:

1. Place the Financial Hardship Assistance Policy on public exhibition for 14 days prior to adoption subject to submissions.
2. Place the Debt Recovery Policy on public exhibition for 14 days prior to adoption subject to submissions.
3. Note that by adopting these policies, the following policies are rescinded:
 - a) The former Palerang Debt Recovery Policy
 - b) The former Palerang Hardship Policy
 - c) The former QCC Debt Recovery Policy Rates and Charges
 - d) The former QCC Debt Recovery Policy Sundry Debtors

The resolution was carried unanimously.

17. SUPPLEMENTARY REPORTS**12.13 Stronger Country Communities Fund Round 2 - Additional Projects**

132/18

Cr Overall declared an interest in this item and left the Chambers at 6.21pm.

The Deputy Mayor, Cr Hicks, assumed the Chair.

RESOLVED (Harrison/Brown)

That Council endorse the addition of Riverside Sports Field upgrade \$250,000 and Queanbeyan Golf Course Amenities Upgrade \$750,000 to its list of applications for SCCF Round 2 and note it will over subscribe the amount Council is expecting to be allocated.

The resolution was carried unanimously.

Cr Overall returned to the meeting at 6.25pm and assumed the Chair.

13. ITEMS FOR INFORMATION

- 133/18 **13.1 Schools Environmental Education**
RESOLVED (Taylor/Noveska)
That the report be received for information.
The resolution was carried unanimously.

- 134/18 **13.2 Environmental Expos 2017-18**
RESOLVED (Schweikert/Taylor)
That the report be received for information.
The resolution was carried unanimously.

- 135/18 **13.3 Local Government Emissions Baseline Project**
RESOLVED (Marshall/Noveska)
That the report be received for information.
The resolution was carried unanimously.

14. COMMITTEE REPORTS AND RECOMMENDATIONS

- 136/18 **14.1 Local Traffic Committee Meeting - 12 April 2018**
RESOLVED (Schweikert/Harrison)
That Council:
1. Note the minutes of Local Traffic Committee Meeting held on 6 February 2018.
 2. Adopt recommendations LTC 10/18 to LTC 20/18 from the meeting held on 12 April 2018:
 - LTC 10/18 Under the *Roads Act 1993* approve the traffic control plan for the Blacksmiths Lane Food, Art and Beverage – Event in Queanbeyan from 1pm to 10pm Saturday 5 May 2018.
 - LTC 11/18 Under the *Roads Act 1993* approve the traffic control plan for the Seniors Week Bike Display Event in Lowe St Queanbeyan 10am to 1pm 11 April 2018.
 - LTC 12/18 Under the *Roads Act 1993* approve the traffic control plan for the Reconciliation Walk 2018 Event in Queanbeyan 10.15am to 11am 29 May 2018.
 - LTC 13/18 Under the *Roads Act 1993* approve the traffic control plan for the Braidwood Anzac Day Event(s) 5.30am to 7.30am for Dawn Service and 10am to 1pm for Main March, 25 April 2018.
 - LTC 14/18 Under the *Roads Act 1993* approve the traffic control plan for the Queanbeyan Anzac Day Event from 5am to 6.30am for Dawn Service and 9am to 11.30am for Main Service 25 April 2018.

- LTC 15/18 Under the *Roads Transportation Act 2013* approve the replacement of an existing 'No Parking' sign with a "No Stopping' sign at the bus stops on both side of Gorman Drive, Googong as per the design.
- LTC 16/18 Under the *Roads Transportation Act 2013* approve the installation of 'No Stopping' signage on Faunce Street and Australis Place in Queanbeyan as per the design.
- LTC 17/18 Under the *Roads Transportation Act 2013* approve the installation of 'Pick up and Drop off' areas in Donald Road and Alanbar St and implement "no Stopping' signs at intersections in the school zone of Karabar High School as per the design.
- LTC 18/18 Under the *Roads Transportation Act 2013* approve the signage changes as per the design, modified so that the Bus Zone signage in Braidwood on Ryrie St is made consistent with Bus Zone signage on Wilson St (8am – 9.30am and 2.30 - 4.00pm) and that the relocated 45° Parking sign on Wilson St adjacent to resident driveway be installed to ensure no encroachment on resident driveway (Design to show dimension from layback to pole), at Braidwood Central School.
- LTC 19/18 Under the *Road Transport Act 2013* approve the replacement of speed hump (symbolic) sign with 'All traffic turn left' sign and install 'All traffic turn right' sign at the exit intersection of the car park at the Queanbeyan Bus Interchange with the Bus Only area in accordance with the design.
- LTC 20/18 Under the Road Transport Act 2013 approve the installation of new No Parking sign timed from 8.30am – 9.30am on the school side of Gibraltar Street Bungendore west of the school crossing, paint the kerb of the two No Parking areas Blue, install 'Kiss and Ride Area' signs for the No Parking Areas, install four new 'No U-Turn' Signs in the centre median and enhance the kerbside pedestrian blisters as per the Design at Bungendore Public School.

The resolution was carried unanimously.

14.2 QPRC Environment and Sustainability Advisory Committee Minutes - 21 March 2018

137/18

RESOLVED (Marshall/Taylor)

That Council:

1. Note the minutes of QPRC Environment and Sustainability Advisory Committee held on 21 March 2018.
2. Adopt the revised Terms of Reference for the Committee as shown in Attachment 2.
3. Adopt recommendations QPRC ESAC 003/18 to 004/18 from the meeting held on 21 March 2018.

QPRC ESAC 03/18 That QPRC write to the NSW EPA to make them aware of some of the problems associated with the operation of the Container Deposit Scheme in QPRC with a view to resolving them and improving the experience of users and the number and location of outlets with an increased range of containers.

QPRC ESAC 04/18 That QPRC review the Community Climate Change Action Plan.

The resolution was carried unanimously.

14.3 Braidwood and Curtilage Heritage Advisory Committee Meeting - 12 April 2018

MOVED (Marshall/Winchester)

That Council:

1. Note the minutes of the Braidwood and Curtilage Heritage Advisory Committee held on 12 April 2018.
2. Adopt recommendation B&C HAC 003/18 from the meeting held on 12 April 2018.

- B&C HAC 003/18
- a) That Council note the Committee's view that skate elements would not impact on the significant heritage values of Ryrie Park.
 - b) That Council include Ryrie Park in their ongoing investigations for a location for skate elements in Braidwood.

AMENDMENT (Harrison/Schweikert)

That Council:

1. Note the minutes of the Braidwood and Curtilage Heritage Advisory Committee held on 12 April 2018.
2. Note recommendation B&C HAC 003/18 from the meeting held on 12 April 2018.

- B&C HAC 003/18
- a) That Council note the Committee's view that skate elements would not impact on the significant heritage values of Ryrie Park.
 - b) That Council include Ryrie Park in their ongoing investigations for a location for skate elements in Braidwood.

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

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

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

138/18

RESOLVED (Harrison/Schweikert)

That Council:

1. Note the minutes of the Braidwood and Curtilage Heritage Advisory Committee held on 12 April 2018.
2. Note recommendation B&C HAC 003/18 from the meeting held on 12 April 2018.

B&C HAC 003/18 a) That Council note the Committee's view that skate elements would not impact on the significant heritage values of Ryrie Park.

b) That Council include Ryrie Park in their ongoing investigations for a location for skate elements in Braidwood.

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

14.4 Report of the QPRC Consultative Committee on Aboriginal Issues

139/18

RESOLVED (Taylor/Hicks)

That Council:

1. Note the minutes of Consultative Committee on Aboriginal Issues held on 20 March 2018.
2. Note the intention to review the Terms of Reference for the Consultative Committee on Aboriginal Issues.
3. Adopt recommendation CAI 02/18 from the meeting held on 20 March 2018.

CAI 02/18 That the Consultative Committee on Aboriginal Issues supports the review and update of the Reconciliation Action Plan (RAP) as a key plan in the Council's strategic framework, and when complete, will seek the new RAP to be endorsed by Reconciliation Australia.

The resolution was carried unanimously.

14.5 Report of the Youth Advisory Committee

140/18

RESOLVED (Taylor/Biscotti)

That Council:

1. Note the minutes of Youth Advisory Committee held on 19 March 2018.
2. Note recommendations YAC 01/18 and YAC 03/18 from the meeting held on 19 March 2018:

YAC 01/18 That the Youth Advisory Committee explore opportunities for regional music or similar events to engage young people in the QPRC region.

YAC 03/18 That the Youth Advisory Committee plays an active role in future Youth Week planning, participation and promotion across the region, working with Youth Centres, Schools, Libraries and Community groups.

3. Adopt recommendation YAC 02/18 from the meeting held on 19 March 2018:

YAC 02/18 That a Youth Committee Trust Account to be set up in the QPRC finance system with revenue and expenditure capacity.

The resolution was carried unanimously.

14.6 Report of the Access Committee

141/18

RESOLVED (Bray/Marshall)

That:

1. The report of the Access Committee held on Friday 23 March 2018 be received and recommendations considered.
2. Council adopt recommendations DAC 01/18 – DAC 03/18 from the meeting held on 23 March 2018.

Recommendations:

DAC 01/18 That DIAP recommendations as approved by Council resolution 143/17 be progressed through a planned implementation process by Community Development team members. Items recommended for Budget funding to be proposed for inclusion in Council's Delivery Plan and Operational Plan.

DAC 02/18 That options for a pedestrian crossing on Campbell Street Queanbeyan be considered by Council.

DAC 03/18 That the QPRC Communication and Customer Services team promote and educate the community around reporting processes for any issues with accessibility in the QPRC area. This includes via the website, by phone or email, via a smartphone app or in person at Customer Service centres.

The resolution was carried unanimously.

- 142/18 **14.7 The Q Board Meeting - March 2018**
RESOLVED (Harrison/Taylor)
That Council note the minutes of The Q Board held on 26 March 2018.

The resolution was carried unanimously.

15. DELEGATES' REPORTS

Cr Harrison reported he had attended a number of events in his capacity as a Councillor but only the ANZAC service in Braidwood as a formal delegate.

Cr Bray reported on his attendance at the dawn ANZAC service in Jerrabomberra.

Cr Taylor reported on her attendance at the sod turning at the Anglican School in Googong.

Cr Schweikert reported on his attendance at the following:

- Citizenship Ceremony
- Bungendore annual ANZAC dinner
- ANZAC service in Bungendore

Cr Overall reported on his attendance at the various ANZAC services around Queanbeyan:

- Dawn service
- Morning service
- Cemetery service
- George Forbes House service

16. RESPONSES TO COUNCILLORS' QUESTIONS

- 143/18 **16.1 Responses to Councillors' Questions**
RESOLVED (Marshall/Harrison)

That the report be received for information.

The resolution was carried unanimously.

18. MATTERS OF WHICH NOTICE HAS NOT BEEN GIVEN BUT RULED BY THE CHAIR TO BE CONSIDERED

There were no matters.

19. COUNCILLORS' QUESTIONS FOR NEXT MEETING

1. Cr Marshall enquired on the process for residents to report damage that is a result of the construction work on the Ellerton Drive extension.
2. Cr Marshall enquired on the progress of the Councillor Professional Development and the Councillor site visits.

3. Cr Marshall enquired as to when the briefing will be held on the road junctions that RMS are making changes to including Lanyon Drive, Yass Road etc.
4. Cr Schweikert referred to the Elmslea Ponds in Bungendore stating the eastern pond appears to draining rapidly and requested Council investigate this. He also enquired if the ponds could be added to the fishing stocking program.
5. Cr Schweikert enquired about the new furniture for the Bungendore Council Chambers. The CEO/General Manager advised the furniture has been ordered.
6. Cr Schweikert requested a discussion be held on fencing regulations in the LEP when residential land abuts rural land.

20. 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.

PRESENTATIONS

There were no presentations.

144/18

RESOLVED (Harrison/Bray)

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 20.1 Writing Off Water Usage Accounts Due to Undetectable Leaks

".Item 20.1 is confidential in accordance with s10(A) (a) of the Local Government Act 1993 because it contains personnel matters concerning particular individuals (other than councillors) and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Item 20.2 Potential Land Acquisition

".Item 20.2 is confidential in accordance with s10(A) (c) (di) 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 commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Item 20.3 Noise Attenuation

"Item 20.3 is confidential in accordance with s10(A) (f) (g) of the Local Government Act 1993 because it contains details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property; 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.

The resolution was carried unanimously.

The meeting then moved into Closed Session at 7.10pm to discuss the matters listed above.

The meeting returned to Open Session at 7.34pm by virtue of Resolution No. 148/18 made in Closed Session.

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

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

20.1 Writing Off Water Usage Accounts Due to Undetectable Leaks

That Council write off a total of \$4,476.40 in water usage charges for the properties listed in the report.

20.2 Potential Land Acquisition

That Council authorise the CEO/General Manager to progress the land acquisition as outlined in the report.

20.3 Noise Attenuation

That Council agree to the noise attenuation measures proposed in this report.

The time being 7.35 pm, 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, 9 May 2018 commencing at 5:30pm.

ATTENDANCE

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

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

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

1. APOLOGIES

PLA042/18

RESOLVED (Schweikert/Biscotti)

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

The resolution was carried unanimously.

2. DECLARATIONS OF INTEREST

PLA043/18

RESOLVED (Schweikert/Harrison)

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

The resolution was carried unanimously.

There were no disclosures.

3. PRESENTATIONS/DEPUTATIONS/PETITIONS

A presentation of an appreciation certificate was made to Council from the Royal Australian Army Ordnance Corps Vietnam Veterans National ANZAC Reunion Organising Committee. The CEO/General Manager, Peter Tegart, accepted the certificate on behalf of Council and staff.

Mr Derek Payne - Item 4.1 - Development Application - DA.2017.286 - Child Care Centre - 5 McMahon Drive, Bungendore

Mr John Henson - Item 4.1 - Development Application - DA.2017.286 - Child Care Centre - 5 McMahon Drive, Bungendore

Ms Shirley Tsakalos - Item 4.2 - Development Application - DA 31-2018 - Rooftop Garden - 2A Meredith Street, Queanbeyan

Ms Anna Martyn - Item 4.2 - Development Application - DA 31-2018 - Rooftop Garden - 2A Meredith Street, Queanbeyan

PLA044/18

RESOLVED (Winchester/Brown)

That Ms Martyn be given an extension of two minutes to speak.

The resolution was carried unanimously.

Ms Chanelle Moussa - Item 4.2 - Development Application - DA 31-2018 - Rooftop Garden - 2A Meredith Street, Queanbeyan

Prof Michael Dopita - Item 4.3 - Development Application - DA 2-2018 - Variation to the Building Envelope - 7 Staunton Place, Googong

Mr Paul Hubbard - Item 4.3 - Development Application - DA 2-2018 - Variation to the Building Envelope - 7 Staunton Place, Googong and Item 6.1 - Land-Use Planning Projects / Activities - Status Report

Mr Malcolm Leslie - Item 4.6 - Review of Environmental Factors - Part 5 Assessment of Infrastructure Services - Intersection at Old Cooma Road and Googong Road

A petition opposing the proposed memorial park along the Old Cooma Road was tabled through Mr Hubbard.

STAFF REPORTS**4. ENVIRONMENT, PLANNING AND DEVELOPMENT****4.1 Development Application - DA.2017.286 - Child Care Centre - 5 McMahon Drive, Bungendore****MOVED (Schweikert/Biscotti)**

That:

1. Development application DA.2017.286 for the construction a Child Care Centre upon Lot 1362 DP 1154538 and Lot 1338 DP 1112117, 5 McMahon Drive, Bungendore be granted conditional approval with the following amendments.
2. Those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.

Procedural Motion

PLA045/18

RESOLVED (Winchester/Brown)

That this item be deferred to the next Ordinary Council meeting on 23 May 2018, to be held in Bungendore.

For: Crs Biscotti, Brown, Harrison, Hicks, Marshall, Overall,
Schweikert and Winchester

Against: Cr Bray

4.2 Development Application - DA 31-2018 - Rooftop Garden - 2A Meredith Street, Queanbeyan

PLA046/18

RESOLVED (Bray/Winchester)

That:

1. Development application 31-2018 for a rooftop garden at Lot A DP 164541, No. 2A Meredith Street, Queanbeyan be refused for the following reasons.

Reasons for Refusal:

- (a) The proposal does not comply with the Queanbeyan Local Environmental Plan 2012 in the specific areas:
 - (i) Clause 1.2 – Aims of Plan;
 - (ii) Clause 2.2 – Zone Objectives and Land Use;
 - (iii) Clause 4.3 – Height of buildings; and,
 - (iv) Clause 5.10 – Heritage Conservation.
 - (b) The proposed development does not comply with the following parts of the Queanbeyan Development Control Plan 2012:
 - (i) Part 2 – All Zones
Clause 2.3.6 – Noise;
 - (ii) Part 3a - Urban Residential Development
Clause 3.2.1 - External Materials, Patterns, Textures and Decorative Elements;
3.2.2 - Siting and Building; and,
3.5 - Consideration of Views, Shadowing.
 - (iii) Part 4 - Heritage and Conservation
4.4.2 – Garages;
4.4.6 – Decks and patios;
4.5.1 – Character;
4.5.2 – Siting and orientation;
4.5.3 – Form;
4.5.4 – Scale, height and bulk;
4.5.5 – Setbacks;
4.5.7 – Building materials; and
4.8.8 – Roofs.
2. Council commence enforcement action to require the existing garage roof to be restored to its prior condition before the unlawful demolition works occurred.

The resolution was carried unanimously.

4.3 Development Application - DA 2-2018 - Variation to the Building Envelope - 7 Staunton Place, Googong

MOVED (Hicks/Schweikert)

That:

1. Development application 2-2018 for the enlargement of a building envelope on Lot 32 DP 270301, No. 7 Staunton Place, Googong be granted conditional approval.
2. Those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.
3. The Mount Campbell Community Association be advised in writing of the determination of the application and Council's consent in changing the building envelope in the Community Management Statement (CMS). In doing so Council notes that this decision does not affect the Community Association's decision to refuse the proposed variation to the building envelope but Council will not be party to any legal action should the Community Association pursue the matter.
4. The applicant be advised that should any additional structures be constructed on the site regardless of their location with the building envelope, Council may commence enforcement action to have the structure demolished, issue a fine for the unauthorised works or both.

Cr Harrison foreshadowed a CONTRARY motion: ["That this application be refused."]

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

For: Cr Hicks

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

Cr Schweikert did not vote.

The foreshadowed motion (of Cr Harrison) was brought forward in an amended form, PUT and CARRIED.

PLA047/18

RESOLVED (Harrison/Brown)

That Council defer this matter pending a further report setting out reasons for refusal and any potential implications.

The resolution was carried unanimously.

**4.4 Development Application - DA.2017.170 - Dwelling - 6906
Araluen Road, Reidsdale**

PLA048/18

RESOLVED (Marshall/Brown)

1. That development application DA.2017.170 for a dwelling on Lot 5 DP 1125840 No. 6906 Araluen Road, Reidsdale be refused for the following reasons.

Reasons for Refusal:

- (a) The proposed application is integrated development under section 91 of the Environmental Planning and Assessment Act 1979. Concurrence is required by NSW Rural Fire Service under the Rural Fires Act 2000. Insufficient information has been provided to RFS to date and as such, a determination could not be made (Section 91(1) of the Environmental Planning and Assessment Act 1979).
- (b) The proposed application is integrated development under section 91 of the Environmental Planning and Assessment Act 1979. Concurrence is required by Department of Primary Industries – Water under the Water Management Act 2000. Insufficient information has been provided to DPI - Water to date and as such, a determination could not be made (Section 91(1) of the Environmental Planning and Assessment Act 1979).
- (c) The proposed application is integrated development under section 91 of the Environmental Planning and Assessment Act 1979. Concurrence is required by Department of Primary Industries - Fisheries under the Fisheries Management Act 1994. Insufficient information has been provided to DPI – Fisheries to date and as such, a determination could not be made (Section 91(1) of the Environmental Planning and Assessment Act 1979).
- (d) The subject application was accompanied by insufficient information to determine the likely impacts of the development upon the natural and built environment (Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979).
- (e) The subject application was accompanied by insufficient information to determine the suitability of the site for the development (Section 79C(1)(c) of the Environmental Planning and Assessment Act 1979).
- (f) The proposed development contravening development standards as established under the Palerang Local Environmental Plan 2014 is contrary to the public interest (Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979).
- (g) The proposed application was accompanied by insufficient information to satisfactorily determine compliance with the requirements of Clause 6.1 Earthworks of the Palerang Local Environmental Plan

2014. As such, Council is unable to determine the extent of the excavation works of the proposed development (Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979).

- (h) The proposed application fails to comply the requirements of Clause 6.3 Terrestrial Biodiversity of the Palerang Environmental Control Plan 2014 (Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979).
- (i) The proposed application fails to comply with the requirements of Clause 6.5 Riparian Land and Watercourses of the Palerang Local Environmental Plan 2014 (Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979).
- (j) The proposed application was accompanied by insufficient information to adequately determine compliance with B4 Bushfire Prone Land of the Palerang Development Control Plan 2015 (Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act 1979).
- (k) The proposed application was accompanied by insufficient information to adequately determine compliance with B7 Engineering Requirements of the Palerang Development Control Plan 2015 (Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act 1979).
- (l) The proposed application was accompanied by insufficient information to adequately determine compliance with B13 On-site System of Sewage Management of the Palerang Development Control Plan 2015 (Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act 1979).
- (m) The proposed application was accompanied by insufficient information to adequately determine compliance with C2.1.6 Driveways, entrances, access, parking and utilities of the Palerang Development Control Plan 2015 (Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act 1979).

The resolution was carried unanimously.

4.5 Modification of Development Consent 109-2014 - Queanbeyan Bus Interchange - 64-66 Morisset Street Queanbeyan

PLA049/18

RESOLVED (Hicks/Schweikert)

That modified development application 109-2014/B for a Passenger Transport Facility and Associated Works on Lot 2 DP 1062268 & Lot 11 DP 1211402, No.64-66 Morisset Street, Queanbeyan be approved subject to modification of the following existing conditions of consent:

Amend condition 7 as follows:

7. The development must be carried out generally in accordance with all of the documents accompanying the development application and with the plans bearing the Council approval stamp, and any amended plans approved under subsequent modification(s) to the development consent, except where varied by notations made in red ink by Council or conditions of approval.

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.

REASON: To ensure the development is completed in accordance with the approved plans and the development consent. (22.01)

Amend condition 7A as follows:

- 7A. Bus bays 6, 7 and 10 shall only be used between 8.00am and 4.30pm and are to be signposted as such.

REASON: To further minimise potential noise impacts on occupants of adjoining residences.

Impose condition 26A as follows:

WORK IN ACCORDANCE WITH ENGINEERING SPECIFICATIONS

- 26A. All construction and restoration work must be carried out strictly in accordance with the approved drawings and Council's Queanbeyan Design and Construction Specifications.

REASON: To ensure construction and restoration work is in accordance with Council's requirements. (67.05)

The resolution was carried unanimously.

4.6 Review of Environmental Factors - Part 5 Assessment of Infrastructure Services - Intersection at Old Cooma Road and Googong Road

PLA050/18

RESOLVED (Hicks/Bray)

That approval be granted to upgrade works to the intersection of Googong Road and Old Cooma Road subject to the mitigation measures contained in the Review of Environmental Factors prepared by Elton Consulting dated 16 February 2018 being applied as conditions with the amendments and additional conditions detailed in Attachment 2.

The resolution was carried unanimously.

5. ITEMS FOR DETERMINATION

5.1 Strategies for Review Part 2

PLA051/18

RESOLVED (Schweikert/Bray)

That Council endorse the following QPRC strategies and plans within the strategic themes of Character and Connection, that were adopted during the period of administration:

1. Plan of Management – Seiffert Oval 2016
2. Captains Flat Floodplain Risk Management Study and Plan 2016
3. Queanbeyan Sewer Treatment Plant – Master Plan
4. Asset Management Strategy 2017 - 2027

The resolution was carried unanimously.

6. ITEMS FOR INFORMATION

6.1 Land-Use Planning Projects / Activities - Status Report

MOVED (Harrison/Hicks)

The report be received for information.

AMENDMENT (Winchester/Brown)

That:

1. The report be received for information.
2. Council submit an amended planning proposal to the NSW Minister of Planning in relation to Lot 2 DP112382 and Lot 126 DP754881, removing the crematorium as a proposed additional use in Schedule 1.

The amendment (of Crs Winchester and Brown) was PUT and CARRIED and became the motion.

For: Crs Biscotti, Bray, Brown, Marshall, Overall and Winchester

Against: Crs Harrison, Hicks and Schweikert

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

PLA052/18

RESOLVED (Winchester/Brown)

That:

1. The report be received for information.
2. Council submit an amended plan proposal to the NSW Minister of Planning in relation to Lot 2 DP112382 and Lot 126 DP754881, removing the crematorium as a proposed additional use in Schedule 1.

The resolution was carried unanimously.

SUPPLEMENTARY REPORTS**6.2 Site Inspection - DA 31-2018 - 2A Meredith Street, Queanbeyan - Rooftop Garden**

PLA053/18

RESOLVED (Marshall/Bray)

That the report be received for information.

The resolution was carried unanimously.

6.3 Site Inspection - DA.2017.286 - 5 McMahan Drive, Bungendore - Childcare Centre

PLA054/18

RESOLVED (Marshall/Bray)

That the report be received for information.

The resolution was carried unanimously.

Note: Cr Hicks requested the minutes of the site inspection be amended to remove him as an attendee, as he was an apology.

7. 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.

PRESENTATIONS

Ms Sandra Young stated that she objected to having to go outside into the cold and dark when Council moves into Closed Session. The CEO/General Manager advised Ms Young that she could wait in the lounge in the foyer, as is the custom.

PLA055/18

RESOLVED (Winchester/Schweikert)

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

Item 8.1 Progress Report Cannchar Pty Ltd V QPRC

"Item 8.1 is confidential in accordance with s10(A) (c) (g) 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 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 8.2 Addendum Report - Cannchar Pty Ltd v QPRC

"Item 8.2 is confidential in accordance with s10(A) (c) (g) 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 advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

The meeting then moved into Closed Session at 7.08pm to discuss the matters listed above.

The meeting returned to Open Session at 7.37pm by virtue of Resolution No. PLA058/18 made in Closed Session.

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

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

8.1 Progress Report Cannchar Pty Ltd V QPRC

Council authorise the CEO/General Manager to negotiate settlement of the matter in accordance with Item 8.2 Addendum Report – Cannchar Pty Ltd.

8.2 Addendum Report - Cannchar Pty Ltd v QPRC

That the update be noted.

The time being 7.37pm Cr Overall announced that the Agenda for the meeting had now been completed, and closed the meeting.

CR TIM OVERALL**MAYOR****CHAIRPERSON**

ITEM 3 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.

ITEMS FOR DETERMINATION

12.1 Development Application - DA.2017.286 - Child Care Centre - 5 McMahon Drive, Bungendore (Ref: C1863340; Author: Thompson/Perkins)

Summary

At its meeting of 9 May 2018 Council resolved to defer consideration of this matter to allow the matter to be considered at a meeting in Bungendore and to consider suggested improvements to certain conditions.

Proposal:	152 Space Child Care Centre
Applicant/Owner:	Fraish Consulting / Elmslea Land Developments Pty Ltd /Queanbeyan-Palerang Regional Council
Subject Property:	Lot 1362 DP 1154538 and Lot 1338 DP 1112117, 5 McMahon Drive, Bungendore
Zoning and Permissibility:	R2 Low Density Residential and RE1 – Public Recreation under Palerang Local Environmental Plan 2014
Public Submissions:	Nine (9) submissions including one (1) in support
Issues Discussed:	Planning Requirements; Parking; Traffic; Flooding; and Noise
Disclosure of Political Donations and Gifts:	Applicant Declared no Donations or Gifts to any Councillor or Staff have been made

Recommendation**That:**

- 1. Development application DA.2017.286 for the construction a Child Care Centre upon Lot 1362 DP 1154538 and Lot 1338 DP 1112117, 5 McMahon Drive, Bungendore be granted conditional approval.**
 - 2. Those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.**
-

Matters Resulting from Deferring Consideration of the Application

At its meeting of 9 May 2018 Council resolved to defer consideration of this matter. One of the reasons for deferral was to allow more time to consider suggested amendments to the draft conditions of consent that were raised on the night.

The following suggestions were made:

Condition 7 – Modify wording to require deciduous plantings due to concerns over limbs dropping from native trees impacting on play areas. Revised condition to read:

12.1 Development Application - DA.2017.286 - Child Care Centre - 5 McMahon Drive, Bungendore (Ref: C1863340; Author: Thompson/Perkins) (Continued)

7. Car Park Landscaping

The car park design shall be amended to include deciduous canopy tree plantings with a mature height of no less than 8m on each side of the aisle at 10m centres. Amended plans including such arrangements are to be submitted to and approved by the Principal Certifying Authority prior to the issue of any Construction Certificate.

Reason: To ensure compliance with the requirements of the NSW Department of Planning and Environment's Child Care Planning Guidelines.

Condition 17 – It is suggested that lights should be hooded to reduce the impact of light spills on neighbouring premises. While the condition in its current form requires all lighting to comply with AS4282 the condition could be made more explicit. Revised condition to read:

17. Lighting

Any lighting of the premises shall be installed and maintained in accordance with Australian Standard AS 4282-1997: Control of the Obtrusive Effects of Outdoor Lighting so as to avoid annoyance to the occupants of adjoining premises or glare to motorists on nearby roads. Treatment methods may include hooded luminaires or other treatments in accordance with the Standard.

No flashing, moving or intermittent lighting, visible from any public place may be installed on the premises or external signage associated with the development, without the prior approval of Council.

Reason: To protect the amenity of surrounding development and protect public safety.

Additional Condition 18A – Changes could be made to the driveway to improve its functionality in terms of vehicles movements to and from the carpark and pedestrian circulation. A condition requiring further review of the carpark and driveway design to improve safety could be imposed as follows:

18A. Review of Carparking Design

Prior to the issue of a construction certificate (Building) the applicant shall submit revised details of the proposed carpark addressing the following issues:

1. Maximising the width of the entrance driveway to allow additional turning room.
2. Pedestrian treatment of footway over entrance driveway to improve pedestrian safety.
3. Installation of two speed humps.

REASON: To improve impacts on traffic and pedestrian flows in and around the carpark.

Additional Condition 27A – It was suggested that stronger controls should be in place to minimise disruption from dust during the construction phase of the development. This applies to a number of impacts during construction (e.g. noise) and as such a condition requiring the submission of a construction management plan that considers the controls on all these activities and a mechanism for handling any complaints could be included in the consent.

27A. Construction Management Plan

Prior to release of any Construction Certificate (Building) a Construction Management Plan for the management of soil, water, vegetation, waste, noise, vibration, dust, hazards and risk for the construction works must be submitted to, and endorsed by, Council. The plan must:

- (a) describe the proposed construction works and construction program and,

12.1 Development Application - DA.2017.286 - Child Care Centre - 5 McMahon Drive, Bungendore (Ref: C1863340; Author: Thompson/Perkins) (Continued)

- (b) set standards and performance criteria to be met by the construction works and,
- (c) describe the procedures to be implemented to ensure that the works comply with the standards and performance criteria and, See Note.
- (d) identify procedures to receive, register, report and respond to complaints and,
- (e) nominate and provide contact details for the persons responsible for implementing and monitoring compliance with the plan.

REASON: To ensure that satisfactory measures are in place to provide for environmental management of the construction works.

All of the above suggestions related to modifying the draft conditions are supported by assessment staff and have been included in the draft conditions of consent.

Additional Measures not related to the Development Application

A number of suggestions were made at the Council meeting and at the site meeting about improving infrastructure in the Turallo Creek reserve area. While these cannot be attributed to the proposed development, there is nothing preventing Council adding an additional item to the resolution requiring that Council investigate these improvements. As these improvements have not been costed it is recommended that if Council wishes to proceed down this path it should request a further report and costings. A resolution to the following effect would progress the matter:

That Council receive a report on the extent and cost of the following improvement works to the Turallo Creek reserve:

- *The installation of blue parking signs directing traffic to the Council car park along McMahon drive.*
- *Council's CCTV camera network at the skatepark be upgraded to include coverage of the carpark.*
- *The installation of No Parking signs on McCusker drive down to the u turn bay and along the front of the centre (i.e. southern side of road) along McMahon Drive.*
- *The construction of an emergency access gate to the reserve adjacent to the southern side of the entrance driveway.*

The remainder of this report comprises the detail of the report submitted to the meeting of 9 May 2018 and remains unchanged.

Background

This application has been referred to Council as more than six submissions have been lodged in relation to the development.

Proposed Development

The subject application seeks Council approval for the construction of a child care centre and an at-grade off-street car parking area.

The specific elements of the proposal are:

Child Care Centre

- Construction of single storey child care centre consisting of the following:
 - Six (6) children's rooms and associated sanitary facilities;
 - Cot room;

12.1 Development Application - DA.2017.286 - Child Care Centre - 5 McMahon Drive, Bungendore (Ref: C1863340; Author: Thompson/Perkins) (Continued)

- Foyer and reception;
- Staff room;
- Office;
- Laundry;
- Kitchen;
- Four (4) store rooms;
- Piazza;
- Two (2) external storage sheds;
- Outdoor play area;
- Ornamental garden (outdoor staff area); and
- Bin storage area;
- Operation of the centre as follows:
 - Operation between 6:30am and 6:30pm Monday to Friday with no weekend operations;
 - 152 children ranging from 0-5 years in age;
 - 20 staff members.

Carpark

- Earthworks to raise the existing ground level 700mm so as to mitigate flood risk;
- Construction of a carpark comprising (40) spaces including one (1) accessible space.
- Flood mitigation works including the filling of the proposed carpark
- While the proposed carpark is intended to service the childcare centre, the carpark is located upon Council owned land and is to be dedicated to Council as a Council asset following the completion of construction works.

Note: Conditions of consent are recommended limiting child numbers to a maximum of 144 and core hours of operation to between 7:00am and 7:00pm. These matters are discussed in detail throughout the assessment of this proposal.

Subject Property

The subject site is legally described as Lot 1338 of DP 1112117 commonly known as 3 McMahon Drive, Bungendore and Lot 1362 of DP 1154538 commonly known as 5 McMahon Drive, Bungendore.

5 McMahon Drive is located on the south-western corner of the intersection of McMahon Drive and McCusker Drive, has an area of 2422m² and is currently vacant. 3 McMahon Drive is an irregular shaped allotment with frontages to both McMahon Drive and McCusker Drive, has an area of 6410m² and contains the Bungendore skate park and associated facilities and a gravel parking area accessed from McCusker Drive (See Figure 1).

12.1 Development Application - DA.2017.286 - Child Care Centre - 5 McMahon Drive, Bungendore (Ref: C1863340; Author: Thompson/Perkins) (Continued)



Figure 1: Locality plan (site boundaries shown in yellow)

As a result of previous earthworks 5 McMahon Drive is predominantly flat with a steep batter along the site’s southern boundary down to the existing gravel carpark with an approximate 1.8m difference in height between the sites (See Figure 2).

The land to the north and east of the subject site contain single storey dwelling houses, while the land to the south and west site is a Council owned public reserve.



Figure 2: Looking north-west across subject site from the proposed vehicular access point.

12.1 Development Application - DA.2017.286 - Child Care Centre - 5 McMahon Drive, Bungendore (Ref: C1863340; Author: Thompson/Perkins) (Continued)

Site History*Previous Applications*

The subject site was created as part of a 297 lot subdivision approved by Council under 2002/DA-113.

2002/DA-113 included conditions of consent required significant site regrading works as to ensure that ground levels were above the 1 in 100 year flood level and that suitable freeboard were provided to all future development upon allotments.

Pre-lodgement

A draft version of the subject application was referred to Council's Development Coordination and Review Panel (DCR) on 15 June 2017 including the proposed use of adjoining Council owned land to accommodate for a shortfall in off-street parking upon the site. The applicant was advised that the consent of Council would be required for the lodgement of any such application and that a request for the use of Council land should be made prior to any such application proposal progressing any further.

At its meeting of 9 August 2017 Council considered a request to allow for the use of Council's community land on Lot 1338 DP 1112117, commonly known as 3 McMahon Drive, Bungendore, for the purposes of a shared carpark for childcare purposes and community uses. In considering this request Council resolved as follows:

1. *That Council agree in principle to Council's community land on Lot 1338 DP1112117, 3 McMahon Drive, Bungendore being used for the purposes of shared carpark for child care purposes and community use subject to the following:*
 - a) *Any such carpark to be constructed at the full cost of the proponent.*
 - b) *The carpark to be constructed to standards as determined by Council.*
 - c) *On completion the carpark to be handed to Council as a Council asset.*
 - d) *The applicant to enter into an agreement with Council for the shared use of the carpark: such agreement to include provision for a contribution to future maintenance of the carpark based on rejuvenation of the asphalt surface in 15-20 years.*
2. *That the General Manager be authorised to enter into negotiations with the proponent based on the above, including investigating whether Council would benefit from contributing additional Council funds to boost the overall numbers of carparking spaces available in the area.*

Based upon this resolution a revised draft version of the subject application was referred to Council's Development Coordination and Review Panel (DCR) on 5 October 2017. Throughout this meeting Council staff raised concerns in relation to, potential acoustic impacts of the development, the relationship with the proposed car parking arrangements and Council's recreational facility, the compatibility of the development with the flood risk to the site, a need for additional details in relation to how essential services are to be provided to the development and the compliance of the development with the recently gazetted State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017.

The development application as lodged includes a number of amendments from that presented to the DCR and was accompanied by additional information to resolve the issues raised by the DCR.

12.1 Development Application - DA.2017.286 - Child Care Centre - 5 McMahon Drive, Bungendore (Ref: C1863340; Author: Thompson/Perkins) (Continued)

Planning Requirements

Assessment of the application has been undertaken in accordance with Section 79C(1) of the Environmental Planning and Assessment Act (EPAA) 1979, as amended. The matters that are of relevance under Section 79C(1) are summarised in the attached *Section 79C(1) Table – Matters for Consideration*.

Note: *the subject application was lodged prior to the recent amendments to the Environmental Planning and Assessment act 1979 which came into force on 1 March 2018 and as such is subject to savings provision requiring the application to be assessed as if the amendments never came into force.*

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 (Educational Establishments and Child Care Facilities) 2017
3. State Environmental Planning Policy (Infrastructure) 2007
4. Palerang Local Environmental Plan 2014 (LEP).
5. 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:

(a) Compliance with State Environmental Planning Policy No.55 Remediation of Land

The subject application was accompanied by a report prepared by Arcadis Australia Pacific Pty Ltd which identifies the subject site as being suitable in its current state for the purposes of the proposed development. As such, the proposed development satisfies the relevant provisions of the SEPP.

(b) Compliance with State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

SEPP (Educational Establishments and Child Care Facilities) and the associated planning guidelines establish a number of development standards for child care centres such as the subject application. An assessment of the proposed development against the relevant standards (See attached 79C assessment report) found the proposed development to satisfy the relevant provisions of the SEPP subject to conditions of consent in relation to student numbers, boundary fencing and landscaping measures.

Clause 22 and 25(b) of State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 require a minimum of 7m² of unencumbered outdoor space be provided per child. The subject application provides only 6.65m² per child. To resolve this non-compliance a condition of consent is recommended limiting child numbers to a maximum of 144 children as to provide compliant unencumbered outdoor space.

Section 3.7 of the NSW Department of Planning and Environment's Child Care Planning Guideline establishes that where child care centres are located adjacent to residential development hours of operation should be limited to between 7:00am to 7:00pm Monday to Friday with no operations on weekends. The subject application proposes operation between 6:30am to 6:30pm Monday to Friday; however, in recognition of the proximity of the development to residential development a condition of consent is recommended to bring the development into line with the Child Care Planning Guidelines.

12.1 Development Application - DA.2017.286 - Child Care Centre - 5 McMahon Drive, Bungendore (Ref: C1863340; Author: Thompson/Perkins) (Continued)

(c) Compliance with State Environmental Planning Policy (Infrastructure) 2007

Under Clause 65(3)(a)(i) of SEPP (Infrastructure) development on behalf of a public authority for the purposes of a carpark on land zoned RE1 Public Recreation zone such as is proposed under the subject application is permitted without consent.

(d) Compliance with LEP

The subject site is zoned Part R2 Low Density Residential zone and Part RE1 Public Recreation zone under the Palerang Local Environmental 2014. Development for the purposes of child care centre is permissible with consent within the R2 Low Density Residential zone. While development for the purposes of a car park is prohibited within the RE1 Public Recreation zone, the provisions of SEPP Infrastructure (2007) prevail over the LEP 2014 and as such the proposed car park is permissible without consent.

(e) Compliance with DCP

An assessment of the proposed development against the relevant provisions of the Palerang Development Control Plan 2015 found the proposed development to be compliant with the relevant development controls of the DCP (See attached 79C assessment report).

(f) Other Matters

Noise - In recognition of the proposed development's close proximity to surrounding residences and in accordance with the requirements of the NSW Department of Planning and Environment's Child Care Planning Guideline the subject application was accompanied by an Acoustic Report prepared by SLR Consulting Pty Ltd identifying that with the implementation of attenuation measures the proposed development is capable of complying with the relevant emission criteria at surrounding sensitive receivers. As such, the proposed development is considered unlikely to result in any significant acoustic impacts upon surrounding residents.

Traffic - In recognition of the additional traffic volumes generated by the proposed development the subject application was accompanied by a Traffic Impact and Parking Assessment Report prepared by Sketch Consulting on behalf of Fraish Consulting. This report identifies the proposed development as resulting in 122 additional vehicle movements in the AM peak. In considering the impact of such additional traffic movements upon the surrounding road network the report finds that an acceptable level of service will be retained and as such concludes that the proposed development will have minimal impact on the overall performance of the surrounding road network.

Flooding - The subject site is identified upon Council's Flood Prone Land Mapping as being entirely below the predicted maximum flood level, however through prior earthworks undertaken on the site as a part of the subdivision the entirety of Lot 1362 DP1154538 containing the proposed Child Care Centre was raised approximately 1.5m to be above the predicted maximum flood level. As such there are no flood impacts on the Child Care Centre.

Nonetheless, the entirety of the proposed carpark site is currently below the Flood Planning Level. In recognition of the flood risk to the carpark the applicant has submitted a Flood Assessment identifying that with the implementation of certain mitigation measures including the raising of the carpark by approximately 700mm above existing ground level the proposed development is compatible with the flood hazard on the site and that the proposed development would not result in any significant adverse effects

12.1 Development Application - DA.2017.286 - Child Care Centre - 5 McMahon Drive, Bungendore (Ref: C1863340; Author: Thompson/Perkins) (Continued)

upon flood water behaviour within the locality as to increase flood risk to surrounding properties.

Streetscape - Existing development within the streetscape includes single storey dwellings treated with face brick, painted render, and colorbond in a range of neutral colours. Fencing consists of predominantly 1.8m high sheet metal fencing though timber paling and masonry fencing elements are present in the broader streetscape. While the proposed structure being single storey and finished in timber look cladding, stained timber, render and metal cladding in a pallet of neutral colours suitably integrates with existing development within the streetscape the proposed western boundary fence presents a large blank span and the proposed oversized eastern eave encroaches approximately 1.3m into the road reserve as a result of the sites curved boundary. To resolve these issues a condition of consent is recommended requiring the western boundary fence be treated in the same manner as the proposed northern boundary fence to provide improved connectivity to the adjoining recreation area and requiring that the eastern eave be reduced in width as to be located entirely within the bounds of the site.

Accessibility - In its current form the proposed car park fails to provide pedestrian connectivity to the adjoining park facilities and is physically separated by a retaining wall topped by a timber paling fence. Conditions of consent are recommended to replace the proposed paling fence with an open steel safety barrier style fence and requiring that a pedestrian access ramp and footpath be provided from the western end of the new path adjoining the proposed car park to the existing amenities building in the adjoining public recreation area.

Other Comments The subject application was referred to several internal officers for comment. A summary of the responses receive to these referrals follows:

(a) Building Surveyor's Comments

No objection subject to implementation of recommendations contained within the Acoustic Report prepared by SLR Consulting Pty Ltd and the inclusion of recommended conditions of consent.

(b) Development Engineer's Comments

No objection subject to conditions of consent including the provision of appropriate lighting within the proposed car park.

(c) Environmental Health Comments

No objection subject to conditions of consent regarding the implementation and validation of proposed acoustic mitigation measures.

Financial Implications

Section 64 of the Local Government Act 1993 allows contributions to be levied towards the provision of water, sewerage and stormwater infrastructure. Section 64 Contributions are applicable to the proposed development as follows:

- \$82,215.00 towards water supply provision.
- \$172,956.00 towards sewerage provision.

Section 94 of the *Environmental Planning & Assessment Act 1979* permits councils to require as a condition of development consent, the reasonable dedication of land or the payment of monies, or both, for development that is likely to require the provision of, or increase the demand for public amenities and public services within the area. Section 94 contributions are payable in the amount of \$63,774.00 towards the provision of street upgrading in Bungendore, in accordance with Palerang Section 94 Plan No. 9.

12.1 Development Application - DA.2017.286 - Child Care Centre - 5 McMahon Drive, Bungendore (Ref: C1863340; Author: Thompson/Perkins) (Continued)

Engagement

The proposal required notification under Part E of the Palerang Development Control Plan 2015. Nine (9) submissions were received including one (1) in support of the application. The relevant issues raised are as follows:

Issue: Flooding

Concern was raised that the proposed development is not compatible with the flood risk to the site and may result in adverse impacts upon surrounding residences.

Comment: The Child Care site was filled during construction of the subdivision and is no longer affected by flooding. However, the carpark site is flood affected so the applicant has submitted a Flood Assessment identifying that with the implementation of certain mitigation measures the proposed development is compatible with the flood hazard on the site and that the proposed development would not result in any significant adverse effects upon flood water behaviour within the locality as to increase flood risk to surrounding properties

Issue: Traffic

Concern was raised that the proposed development would result in traffic congestion upon the surrounding road network.

Comment: While the proposed development will result in additional traffic movements within the local road network, the proposed development was found to retain an acceptable level of service. As such the proposed development will have minimal impact on the overall performance of the surrounding road network.

Issue: Parking

Concern was raised that the proposed (40) spaces are insufficient for the purposes of the proposed development particularly during peak pick up/ drop off periods.

Comment: The proposed development providing 40 off street car parking spaces exceeds the minimum 38 spaces required for the development under the NSW RTA Guide to Traffic Generating Development. As such, the proposed development is considered to provide sufficient parking for the purposes of the proposed development. Further, the street frontages adjoining the site are signposted "no parking" and as such will not allow for additional congestion as a result of on street parking.

Issue: Streetscape

Concern was raised that the proposed structure was incompatible with the existing streetscape which consists predominantly of single storey dwellings and public open space.

Comment: The proposed development is comprised of a single storey structure featuring several skillion roof forms with a maximum building height of 5.46m. It is proposed that the structure be finished in timber look cladding, stained timber, render and metal cladding in a pallet of neutral colours. The proposed built form is considered to suitably integrate with existing development within the streetscape which includes single storey dwellings treated with face brick, painted render, and colorbond in a range of neutral colours.

Issue: Loss of views

Concern was raised over the loss of views from surrounding residences as a result of the proposed development.

Comment: The subject site is located adjacent to existing public recreation structures in an urbanised residential area. As such, the proposed development does not obstruct any significant view corridor or landmark and is of consistent height with surrounding development.

12.1 Development Application - DA.2017.286 - Child Care Centre - 5 McMahon Drive, Bungendore (Ref: C1863340; Author: Thompson/Perkins) (Continued)

Accordingly, the proposed development is not considered to result in any significant loss of views.

Issue: Skate Park

Concern was raised over the compatibility of the proposed use of the site as a Child Care Centre with the adjoining skate park.

Comment: The proposed development involves no actions considered to be incompatible with the use of the adjoining site for recreational purposes. Further, the proposed development provides additional opportunities for passive surveillance of the adjoining skate park as to deter potential for antisocial behaviour.

Conclusion

The subject application seeks development consent for the construction of a Child Care Centre upon Lot 1362 DP 1154538 and Lot 1338 DP 1112117, 5 McMahon Drive, Bungendore. The proposal was notified to adjoining owner/occupiers and nine (9) submissions were received including one (1) in support of the application.

The proposal has been assessed under Section 79C *Environmental Planning & Assessment Act 1979* including the relevant provisions of Palerang *Local Environmental Plan 2014* and Palerang Development Control Plan 2015.

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

The proposed development is considered suitable for the site, is compatible with the neighbourhood and can be conditioned to mitigate any potential impacts. As such, it is recommended that DA.2018.286 be approved subject to conditions of consent.

Attachments

- | | |
|--------------|---|
| Attachment 1 | 79C Matters for Consideration - DA.2017.286 - Child Care Centre - 5 McMahon Drive, Bungendore (<i>Under Separate Cover</i>) |
| Attachment 2 | Plans - DA.2017.286 - Child Care Centre - 5 McMahon Drive, Bungendore (<i>Under Separate Cover</i>) |
| Attachment 3 | Submissions - DA.2017.286 - Child Care Centre - 5 McMahon Drive, Bungendore (<i>Under Separate Cover</i>) |
| Attachment 4 | Draft Conditions - DA.2017.286 - Child Care Centre - 5 McMahon Drive, Bungendore (<i>Under Separate Cover</i>) |

12.2 Rezoning and dwelling eligibility requests (Ref: C1851132; Author: Tegart/Robb)

Summary

The purpose of this report is twofold.

Firstly, it is to consider three of the requests being assessed within the context of the Rural Lands Study for the former Palerang local government area. These requests relate to the following lots:

- Lot 1154 DP 136392, Tarago Road
- Lot 13 DP 727614 and Lot 1 DP 219747, Urila Road, Urila
- Lot 56 DP 754915, Cherry Tree Lane

During the preparation of the draft *Palerang Local Environmental Plan 2014* and the Palerang Rural Lands Strategy 2016-2036, Council received numerous requests for amendments to the local environmental plan land use planning provisions. Most commonly the requests were for the lowering of minimum lot sizes to allow the subdivision of dual occupancies and the rezoning of land. This report considers three of the requests and makes a recommendation for each, following a recent workshop with Councillors. The remaining requests will be considered and reported to Council in mid-2018 following a further workshop.

Secondly, it is to consider a more recent request for the subdivision of land zoned E3 Environmental Management in the former Queanbeyan local government area, being Lot 3 DP 777829, 417 Captains Flat Road, Carwoola. The owners of the property have recently approached Council seeking to amend *Queanbeyan Local Environmental Plan 2012* in order to allow the subject land to be subdivided.

Recommendation

That:

- 1. The request to allow a dwelling on Lot 1154 DP 136392, Tarago Road not be progressed.**
 - 2. Lot 13 DP 727614 and Lot 1 DP 219747, Urila Road, Urila not be rezoned E4 Environmental Living.**
 - 3. Lot 56 DP 754915, Cherry Tree Lane not be wholly zoned E4 Environmental Living.**
 - 4. The request to amend *Queanbeyan Local Environmental Plan 2012* to allow for the subdivision of land at Lot 3 DP 777829, 417 Captains Flat Road, Carwoola, into two lots, not be progressed.**
-

Background

Former Palerang Rural Lands Requests

The *Palerang Local Environmental Plan 2014* (PLEP) was gazetted in late 2014. The preparation of it was a substantial project which took ten years and included the amalgamation of six local environmental plans (LEPs) and extensive community consultation. During this time, there were numerous policy issues and requests for the rezoning of land or the ability to erect a dwelling with development consent in the rural area. As it was not possible to encompass this work and progress the draft PLEP in a timely manner, Council resolved to undertake a Rural Lands Study. Recommendations were adopted by Council in both reports

**12.2 Rezoning and dwelling eligibility requests (Ref: C1851132; Author: Tegart/Robb)
(Continued)**

on the draft PLEP exhibition to include requests in the Study. On 6 February 2014, Council resolved to commence the Palerang Rural Lands Study. Further requests were received in the period between the gazettal of the PLEP and the adoption of the Rural Lands Strategy in February 2017. The Rural Lands Study Committee and later Council agreed that the requests would be considered once the Rural Lands Strategy had been adopted by Council.

The Rural Lands Strategy was adopted by Council in early 2017. It contains criteria against which each of the requests will be considered. The Rural Lands Study, Strategy and associated reports is available on the Council website.

The PLEP applies to the whole of the former Palerang local government area. The need to amalgamate six LEPs was as a result of the local government amalgamations in 2004. The former (now repealed) LEPs were:

- *Cooma-Monaro Local Environmental Plan 1999 - (Rural)*
- *Goulburn Mulwaree Local Environmental Plan 2009*
- *Gunning Local Environmental Plan 1997*
- *Mulwaree Local Environmental Plan 1995*
- *Tallaganda Local Environmental Plan 1991*
- *Yarrowlunla Local Environmental Plan 2002 (YLEP 2002).*

The objectives of the Rural Lands Study were:

- To identify and examine the strategic and legislative context, key trends and the social, economic (including agriculture), infrastructure and environmental issues affecting rural, rural residential and environmental land in the Palerang LGA.
- To work with the community in the development of the study in order to gain an understanding of the study findings.
- To prepare a strategy for rural and rural residential and environmental land in the Palerang LGA based on the analysis of data (including community consultation).
- To recommend an appropriate minimum lot size for dwellings on rural, rural residential and environmental land.
- To consider the benefits and disadvantages associated with rural lot size averaging.
- To recommend the location and amount (if any) of land that could be zoned from rural to rural residential. This will also address the individual rezoning requests deferred following the exhibition of the draft local environment plan.
- To consider whether individual requests for a dwelling to be permitted on certain land.

**12.2 Rezoning and dwelling eligibility requests (Ref: C1851132; Author: Tegart/Robb)
(Continued)**

Rural land requests

Following the report to the Council meeting of 13 December 2017 (Item No. 12.4), the following are the remaining requests pertaining to rural land:

1. Lot 1154 DP 136392, Tarago Road
2. Lot 162 DP 754873 and Lot 97 DP 754915, Lake Road
3. Lot 13 DP 727614 and Lot 1 DP 219747, Urila Road, Urila
4. Lot 56 DP 754915, Cherry Tree Lane
5. Lot 9 DP 754867, Boro Road
6. Lot 1 DP 1171081, Hector McIntosh Road, Sutton
7. Lot 4 DP 583957, Tarago Road
8. Lot 15 DP 1044797, Little River Road
9. Lot 1 DP 48576, Wirreandra Road, Wamboin
10. Lot 1 DP 669141, Lot 2 DP 821751, Lot 82 DP 754922 and Lot 83 DP 54992
11. Lot 5 DP 846794
12. Lot 16 DP 846996, Williamsdale
13. Lot 21 DP 1018890.

Outside of the rural area

14. Lot 11 DP 1058499, Llewellyn Drive, Braidwood

The following requests have been included in this report, the remainder will be addressed in subsequent reports:

- Lot 1154 DP 136392, Tarago Road (Attachments 1 and 2)
- Lot 13 DP 727614 and Lot 1 DP 219747, Urila Road, Urila (Attachments 3 and 4)
- Lot 56 DP 754915, Cherry Tree Lane (Attachment 5).

Method for assessing the requests in the eastern part of the LGA (formerly Palerang)

1. Gain an understanding of the request by reviewing the land use planning and property history of the land that is the subject of the request
2. Consider the land use planning policy and legislative background
3. Consider the attributes of the land in association with the nature of the request, for example public road access, significant native vegetation known to be on the land or whether there is an existing dwelling

**12.2 Rezoning and dwelling eligibility requests (Ref: C1851132; Author: Tegart/Robb)
(Continued)**

4. Consider the request against the Rural Lands Study criteria (p37).

The Rural Lands Study criteria are:

- Is the land an anomaly with regard to the current land use or are there other factors that warrant one-off support?
- If the proposal is not an anomaly or justified on special grounds as an ad hoc rezoning, the proposal must fit a broader pattern of logical extension of development. For example, fit a logical extension of an existing small properties zone or form part of a potential new zone.
- If it is possible to support the proposal, what ranking and timeline should be set for the particular proposal? Is there sufficient data from the applicant or should more be supplied to finalise a decision?
- Will the development of the land be self-funding with regard to adequate road access, power and bushfire protection measures?
- Does the proposal add benefit to the Queanbeyan-Palerang LGA i.e. not just a commuter satellite for Canberra?

It is also noted that one of the principles in the Rural Lands Study is:

No. 8 “Efficient use of hard and soft infrastructure, general principle, new rural residential development should cover its own cost of infrastructure,”

8C “limit supply of additional rural and environmental land uses in areas where the increase may generate demands for infrastructure improvements beyond what the development can fund” (p35)

Additional documents to be considered

In addition to the Rural Lands Study, it is necessary to take the following documents into account in considering each of the requests:

1) *South-East and Tablelands Regional Plan 2036.*

Relevant to these requests is Direction 8 of the plan which is to ‘Protect important agricultural land’.

2) *Section 117 Ministerial Directions.*

These include Direction 1.2 Rural Zones which states:

(4) A planning proposal must:

- a) Not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.
- b) Not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).

Additionally, Direction 1.5 Rural Lands at (5) states:

A planning proposal to which clause 3(b) applies must be consistent with the Rural Subdivision Principles listed in *State Environmental Planning Policy (Rural Lands) 2008*.

**12.2 Rezoning and dwelling eligibility requests (Ref: C1851132; Author: Tegart/Robb)
(Continued)**

3) State Environmental Planning Policy (Rural Lands) 2008.

The SEPP at clause 7 includes the following rural planning principles:

- (a) The promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas.
- (b) Recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State.
- (c) Recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development.
- (d) In planning for rural lands, to balance the social, economic and environmental interests of the community.
- (e) The identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land.
- (f) The provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities.
- (g) The consideration of impacts on services and infrastructure and appropriate location when providing for rural housing.
- (h) Ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General.

If the LEP amendment is to result in an amendment to the minimum lot size in the LEP the following Rural Subdivision Principles must be applied:

- (a) The minimisation of rural land fragmentation.
- (b) The minimisation of rural land use conflicts, particularly between residential land uses and other rural land uses.
- (c) The consideration of the nature of existing agricultural holdings and the existing and planned future supply of rural residential land when considering lot sizes for rural lands.
- (d) The consideration of the natural and physical constraints and opportunities of land.
- (e) Ensuring that planning for dwelling opportunities takes account of those constraints.

4) Draft State Environmental Planning Policy (Primary Production and Rural Development)

The draft SEPP will contain similar principles and provisions to the *State Environmental Planning Policy (Rural Lands) 2008* and the other SEPPs that it will replace. These are likely to include the following or similar:

- Be consistent with any applicable regional plans of the Department of Planning and Environment or any applicable local strategy endorsed by the Secretary.
- Recognise the significance of agriculture and primary production to the State and rural communities, including the social and economic benefits of rural land use and development.
- Aim to protect environmental values, having regard to maintaining biodiversity, the protection of native vegetation, cultural heritage, and the importance of water resources.
- Consider the natural and physical constraints of the land.
- Promote and protect opportunities for investment in productive, diversified, innovative and sustainable rural economic activities.
- Support farmers in exercising their right to farm.
- Prioritise efforts to minimise the fragmentation of rural land and reduce the risk of land use conflict, particularly between residential land uses and other rural land uses.
- Consider the social, economic and environmental interests of the community.

**12.2 Rezoning and dwelling eligibility requests (Ref: C1851132; Author: Tegart/Robb)
(Continued)**

In addition to the above, a planning proposal seeking to change minimum lot sizes should also demonstrate that it:

- Is consistent with the priority of minimising rural land fragmentation and land use conflict.
- Will not adversely affect the operation and viability of existing and future rural land uses and related enterprises, including supporting infrastructure and facilities that are essential to rural industries or supply chains.
- Where it is for rural residential purposes:
 - is appropriately located taking account of the availability of human services, utility infrastructure, transport and proximity to existing centres
 - is necessary taking account of existing and future demand and supply of rural residential land.

The following summarises the landowners request, findings and recommendations. Detail of the assessments for the sites are attached:

Lot 1154 DP 136392, Tarago Road

The property owners of Lot 1154 DP 136392 are seeking the ability to erect a dwelling on the lot (Attachment 2).

The consideration and assessment of this request is detailed in Attachment 1. Also attached is a submission and supporting documents (Attachment 2).

Amongst other things Attachment 1 provides a description of the land, its background, property history and a discussion of the implications of supporting the request. This includes submission of a development application and variation under *State Environmental Planning Policy No 1—Development Standards* to Council in December 2012 to erect a dwelling on Lot 1154 DP 136392 and a refusal for this application on 2 May 2013 (Minute No.102/2013). It also includes submission of a request for consideration of the matter in the preparation of the draft PLEP in March 2013 (Attachment 2).

An assessment in terms of the Rural Lands Study criteria is also included in Attachment 1 and as a result it is recommended that the request not be progressed.

Lot 13 DP 727614 and Lot 1 DP 219747, Urila Road, Urila

The property owners have requested that Lot 13 DP 727614 and Lot 1 DP 219747 be zoned E4 Environmental Living (Attachment 3). This request is also accompanied by a submission (Attachment 4). The lots are shown in Attachment 3 and this also contains a description of the land, its background, property history and a discussion of the implications of supporting the request.

Amongst other things this Attachment observes that both lots are accessed from Urila Road, approximately 35 kilometres from Queanbeyan. They are zoned RU1 Primary Production under the PLEP with a minimum lot size of 80 hectares and they have a total area of 30.66 hectares.

An assessment in terms of the Rural Lands Study criteria is included in Attachment 3 and as a result it is recommended that Lot 13 DP 727614 and Lot 1 DP 219747 not be rezoned E4 Environmental Living.

**12.2 Rezoning and dwelling eligibility requests (Ref: C1851132; Author: Tegart/Robb)
(Continued)**

Lot 56 DP 754915, Cherry Tree Lane

The property owner has requested that all Lot 56 DP 754915 be zoned E4 Environmental Living so that the land can be subdivided into three lots. The lot is shown on the map in Attachment 5.

As in the previous cases Attachment 5 contains a description of the land, its background, property history and a discussion of the implications of supporting the request.

Matters noted in Attachment 5 include that the lot is zoned both E3 Environmental Management and E4 Environmental Living under the PLEP. The minimum lot size for E3 Environmental Management is 80 hectares and for E4 Environmental Living 6 hectares. The land is accessed from Cherry Tree Lane and is 20.24 hectares.

Attachment 5 also includes an assessment in terms of the Rural Lands Study criteria and as a result it is recommended that Lot 56 DP 754915 not be wholly zoned E4 Environmental Living.

Lot 3 DP 777829, 417 Captains Flat Road

This is slightly different situation to the preceding requests as it is a more recent request for the subdivision of land zoned E3 Environmental Management in the former Queanbeyan local government area, being Lot 3 DP 777829, 417 Captains Flat Road, Carwoola (Attachment 6).

In this case the property owners have requested that Lot 3 DP 777829 be subdivided into two lots, in order to allow two existing dwellings on the land (dual occupancy) to have separate title (Attachment 6).

Like the other requests Attachment 6 provides a description of the land, a background, a summary of previous contact with Council and a discussion of the implications of supporting the request. Amongst other things this notes that the lot is probably a "residual lot" resulting from the application of averaging provisions and although it meets the minimum lot requirements this lot cannot be resub divided. It also notes that the amendments to the LEP requested by the owners of the land represent a significant policy change and potentially have implications for the future management of settlement and subdivision in existing rural residential communities throughout the LGA. As a result it is recommended that the request not be progressed.

Implications***Legal***

The decision to amend a local environmental planning provision generally rests with Council. However, it is possible for property owners to request a review of Council's decision concerning a proposed rezoning. In regard to a planning proposal an applicant such as a developer or landowner may ask for a Rezoning Review if:

- A council has notified them that it does not support their plans
- A council has failed to indicate its support 90 days after the proponent has submitted a request
- A council has failed to submit a planning proposal for a Gateway determination within a reasonable time after it has indicated its support.

**12.2 Rezoning and dwelling eligibility requests (Ref: C1851132; Author: Tegart/Robb)
(Continued)**

A Rezoning Review would be subject to a fee payable to the Department and if granted a Rezoning Review would be carried out independently by: the Southern Regional Joint Regional Planning Panel for this Region. Council has sound reasons for refusing these requests and nothing in the assessments appears likely to lend weight to overturning Council's determination.

Policy

The assessment of each request has involved the consideration of it against the Palerang Rural Lands Strategy 2016-2036, *the South-East and Tablelands Regional Plan 2036*, Ministerial Directions and SEPPs and draft SEPP. The assessment of the requests has found that a departure from the principles and requirements of these documents does not have merit.

Environmental

The assessment of each request has considered each of the environments; social, economic, infrastructure and natural. Whilst there is likely to be minimal impact on the natural environment there will be a long term impact on the social, economic and infrastructure environments as the demand for services and infrastructure increases.

Sustainability

It is suggested that the creation of additional small lots in rural areas is not sustainable as it will not only fragment rural land but it will also create a precedent which will lead to further requests for small lots in the rural zone. This will increase the demand for both hard and soft infrastructure in addition to the need to manage natural hazards such as bushfire on the community.

Asset

As stated in the report, it is anticipated that the creation of further small lots for residential purposes in a rural area will increase the pressure placed on Council and state government assets such as the roads and primary health care.

Strategic

Allowing the requests to proceed and the likely increase in further requests for small lots will create a circumstance where it will be difficult to plan for hard and soft infrastructure. Strategic land use and infrastructure planning allows for the co-ordinated planning of services and infrastructure. For instance the cost of constructing and maintaining rural roads is substantial and a large portion of the Council funds spent outside of urban areas.

Engagement

There has been no specific community or government agency consultation on these requests. However, as stated above three were included in the report to Council on the exhibition of the draft PLEP or in a later Council report. Additionally, the draft Rural Lands Strategy was exhibited and an overview and other documents associated with the draft *SEPP (Primary Production and Rural Development)* has also been exhibited.

**12.2 Rezoning and dwelling eligibility requests (Ref: C1851132; Author: Tegart/Robb)
(Continued)**

Financial

Whilst there would be some development contributions payable to Council if the proposals were progressed, it is suggested that they, and income from rates, would not adequately fund the provision of hard and soft infrastructure particularly if further requests were agreed to.

Resources (including staff)

The cost to Council in staff time assessing the requests is included in the current Land-Use Planning budget.

Integrated Plan

The final recommendations relevant to each of the requests considered in this report will feed into the new comprehensive Queanbeyan-Palerang Local Environmental Plan. This is a major project for the Land-Use Planning Branch in the 2017 – 18 Operational Plan.

Conclusion

It is acknowledged that some of the rural land surrounding the lots which are the subject of this report have been fragmented over time and that in some cases the lot sizes are similar to that found in a rural residential area that is not adjacent to an urban area. However, the precedent that is likely to be set by allowing the proposed amendments would probably result in the further fragmentation of land resulting in a loss of agricultural land and the creation of unplanned rural residential areas. The externalities of this such as the demand for hard and soft infrastructure and possible land use conflicts does not warrant an amendment to the current planning instrument provisions and land use zones or variations in the draft local environmental plan currently being prepared by Council. Other than providing an economic benefit to the individuals requesting the LEP amendments there is little from a planning perspective to support these applications.

Attachments

Attachment 1	Lot 1154 DP 136392 Tarago Road (<i>Under Separate Cover</i>)
Attachment 2	Submission and supporting documents - Lot 1154, DP 136392, Tarago Road Bungendore (<i>Under Separate Cover</i>)
Attachment 3	Lot 13 DP 727614 and Lot 1 DP 219747 Urila Road (<i>Under Separate Cover</i>)
Attachment 4	Submission Lot 13 DP 727614 and Lot 1 DP 219747, Urila Road, Urila (<i>Under Separate Cover</i>)
Attachment 5	Lot 56 DP 754915 Cherry Tree Lane (<i>Under Separate Cover</i>)
Attachment 6	Lot 3 DP 777829, 417 Captains Flat Road (<i>Under Separate Cover</i>)

**12.3 Captains Flat Rural Fire Station Design and Construct Tender (Ref: C1856055;
Author: Hansen/Hogg)**

Summary

Council sought tender submissions from suitably qualified and experienced builders for the provision of design and construction services for the design and construction of the Captains Flat RFS shed and attached demountable. Several tender processes have led to prices that exceed budget allocated by RFS.

On this occasion, two tender submissions were received for each tender. Each submission was evaluated for conformance against mandatory and weighted assessment criteria.

It is intended to split the project into 2 parts and proceed with Stage 1 being the construction of the shed only. A tenderer has been selected for the stage 1 work.

Resolution 126/18 of Council's 26 April 2018 meeting determined that Council delegate to the May 2018 Planning and Strategy Committee meeting the authority to accept a tender for the design and construction of the Captains Flat Rural Fire Station however budget constraints were identified after tenders were received and a revised schedule of works is now proposed.

Recommendation

That Council:

- 1. Award tender 17/2018 for the design and construction of the Captains Flat Rural Fire Station to Tenderer 1 <name to be inserted> for the amount of <Price to be inserted> subject to tenderer negotiations.**
 - 2. Delay the award of tender 18/2018 until adequate funding from the Rural Fire Service becomes available to complete the Captains Flat Rural Fire Station project.**
-

Background

The existing Captains Flat Rural Fire Brigade station is located at another location in Captains Flat. The structure has reached the end of its life and is no longer fit for purpose.

The NSW Rural Fire Service propose a new fire station to be constructed at 11 Foxlow Street Captains Flat. The facility will house 3 fire trucks, equipment and provide training and logistics facilities for the Captains Flat Rural Fire Brigade. Council has agreed to manage the design and construction of the new Rural Fire Station on behalf of the Brigade.

The Captains Flat Rural Fire Brigade are the primary combat agency for fire suppression within the Captains Flat area. They also provide operational and support roles to other brigades and agencies including (but not limited to) NSW State Emergency Service, NSW Police, NSW Ambulance and Fire and Rescue NSW.

Two tenders were received from tenderers. Tender 17/2018 was for the design and construction of the shed structure, shed fitout, carpark, water tank, concrete slabs and associated works. Tender 18/2018 was for the attached demountable and associated fitout. After tenders closed, it was identified that budget constraints would not permit the station to be constructed as per the approved Development Application.

12.3 Captains Flat Rural Fire Station Design and Construct Tender (Ref: C1856055; Author: Hansen/Hogg) (Continued)

It is proposed that the Captains Flat Rural Fire Station project be split into 2 stages:

- Stage 1 is for the shed, shed fitout, carpark, basic amenities and associated works. This aligns with Tender 17/2018 with the addition of basic amenities required to seek an interim occupation certificate
- Stage 2 is design and construction of the demountable including fitout and associated works. This stage aligns with Tender 18/2018.

Negotiations are currently underway with the preferred tenderer to include the basic amenities into Tender 17/2018 required to obtain an interim occupation certificate.

Implications

Sustainability

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

Asset

The building will be constructed on Council owned land Lot 63 DP 754870. Council will retain ownership of the building. Ongoing maintenance of the building will be the responsibility of the NSW Rural Fire Service. The structure will be completed in two stages. An interim occupancy certificate will be sought for RFS to use the facility in between stage 1 and 2 of construction.

Engagement

The local community are aware of the project. They have been informed during the development application public notification period. Members of the Captains Flat Rural Fire Brigade are also aware of the project.

The contractor will advise local residents in advance of work commencing on site.

Financial

Program Code	Expense Type	Funding source	Amount
		NSW Rural Fire Service	\$ 361,726.00 ex GST

Please refer to attachments from NSW Rural Fire Service confirming available budget and acceptance of proposed works (Stage 1).

Resources (including staff)

Council will allocate resources from the Contracts and Projects branch with supplementary supervision from time to time from Transport and Facilities staff located at Bungendore. An allocation to cover staff time has been made in the proposed project budget.

Conclusion

Council sought tenders from suitably qualified and experienced builders for the design and construction of the Captains Flat Rural Fire Service Shed and Demountable. The new facilities are essential for the satisfactory operation of Rural Fire Service operations in the area. Two

**12.3 Captains Flat Rural Fire Station Design and Construct Tender (Ref: C1856055;
Author: Hansen/Hogg) (Continued)**

tenders were received which have been assessed by Council staff and a recommendation to award the Captains Flat Rural Fire Service Station to Tenderer 1 has been made. Please refer to the report in Attachment 1 for further details.

Attachments

- | | |
|--------------|---|
| Attachment 1 | Captains Flat Budget (<i>Under Separate Cover</i>) - CONFIDENTIAL |
| Attachment 2 | Tender Approval - RFS Stage 1 (<i>Under Separate Cover</i>) -
CONFIDENTIAL |
| Attachment 3 | Captains Flat Shed Tender Evaluation Report (TER) (<i>Under Separate
Cover</i>) - CONFIDENTIAL |

12.4 Queanbeyan CBD Transformation Stage 1 to 3, Head Office and Smart Hub (Ref: C1831161; Author: Tegart/Tegart)

Summary

Presenting report on Stage 2 and 3 of the civil works proposed to activate the Queanbeyan CBD as listed in the draft Delivery Program (DP). The construction of public domain and carparking is contemplated in the QCBD Transformation Strategy, Digital Economy and Smart Community Strategy and the draft Carparking Strategy. The concepts for the proposed public domain and pedestrian access corridors will inform the QCBD masterplan refresh, which in turn will guide the design elements for that infrastructure.

Following further assessment, it is proposed the scale, sequencing and timing of those works be varied in the draft DP to accommodate likely grants and borrowing schedules. The report also advises the outcome of investigations and negotiations to facilitate construction of the proposed QPRC head office and smart hub in Queanbeyan CBD (QCBD). The head office and smart hub is put forward as the catalyst for the QCBD transformation, freeing up sites vacated by staff, for potential sale and redevelopment to increase workers and residents in the CBD.

Councillors considered location and construction options at a workshop on 7 March, together with a presentation of a joint construction option from DowntownQ (DQPL), and a further workshop on 9 May. Any proposition to engage with DQPL on a site nominated in the Heads of Agreement (HoA) executed with that consortium, triggers a number of steps and legal agreements under the HoA.

The original concept designs prepared by Cox Architects may be utilised and modified appropriately for the sites, in terms of render, office layout and public domain features, and associated estimates.

This report proposes the initial Stages in the QCBD transformation on Council's CBD sites, to which the CBD masterplan refresh (titled the CBD spatial business plan) will guide concepts, elevations and design palletes. A smart city spatial plan and lighting plan will be prepared to underpin the CBD masterplan. The Stages may cross more than one financial year (FY). The Stages are:

1 – Smart City Pilot and River Walk (FY19)

- Smart lighting, sensing and Wifi: Crawford lifestyle precinct; 3D planning software
- Smart parking: Morisset carpark
- Low level pedestrian bridge
- Paved shared pathway, both sides, from low level bridge to Thorpe Ave

2 – Lowe carpark (FY20)

- Mixed use redevelopment, commercial and residential
- Office/s and smart hub
- Smart public domain

3 – Morisset carpark (FY21)

- Multi-level smart carpark, with some commercial
- Smart public domain
- Laneway connectors

12.4 Queanbeyan CBD Transformation Stage 1 to 3, Head Office and Smart Hub (Ref: C1831161; Author: Tegart/Tegart) (Continued)

4 – Rutledge carpark (FY22)

- Mixed use redevelopment, commercial and residential
- Smart public domain
- Laneway connectors

5 – Monaro corridor (FY23)

- Widening and refurbishment of footpaths
- Expansion of lighting, seating and plantings
- Reduction of median
- Addition of cycleway
- Modifying pedestrian refuges
- Refurbishment of pavement
- Re-phasing traffic controls
- Slowing CBD to 40kph

6 – Crawford carpark (FY25)

- Multi-level smart carpark

The commencement and completion of those Stages are subject to further consideration and scheduling in the Financial Plan once the CBD masterplan is finalised.

The final sites examined for Stage 2 - the head office and smart hub components - included:

1. 50 Lowe St (carpark area behind Q Theatre) as standalone office and smart hub, constructed by Council
2. part 257 Crawford and 10-16 Rutledge Street site (cottages) by acquisition of an office and parking stratum within a commercial and residential mixed development undertaken by private developers

The scenarios explored in those options included:

- a. Initial 6000m² office and smart hub
- b. Further 3000m² office for future lease and growth
- c. Basement, at grade, or deck carparking
- d. Public domain/civic plaza space
- e. Laneway connectors

The financial elements considered to support those options included:

- I. Capital
 - QCBD land sales
 - Borrowings
 - Grants
 - Planning agreement
 - Reserves
- II. Operating
 - Lease income
 - S94/A contributions
 - Reduction in building/s operating costs
 - Post-merger savings

This report suggests the proposed QCBD civil works and head office/smart hub be re-cast in the capital schedules in the draft Delivery Program, for adoption in June.

12.4 Queanbeyan CBD Transformation Stage 1 to 3, Head Office and Smart Hub (Ref: C1831161; Author: Tegart/Tegart) (Continued)

Recommendation

That Council:

- 1. Receive and note the report on Queanbeyan CBD transformation stages, and the proposed Queanbeyan Head Office and Smart Hub.**
 - 2. Consider progressing Stages 2 and 3 of the Queanbeyan CBD transformation, as outlined in the report.**
 - 3. Consider which office site option (Rutledge or Lowe) it prefers, and which procurement scenario (stratum or construction).**
 - 4. Determine the scale of the option preferred (smart hub and/or extra office level).**
 - 5. Consider raising debt for the CBD Stages 2 and 3, nett of capital grants, in the financial plan.**
 - 6. If 5 is supported, receive a report to consider a special rate variation (SRV) from 2020/21 to service the debt for the CBD civil works components, following a review of the rating structures and Revenue Policy to be undertaken in 2018/19, and subsequent inclusion in the Delivery Program and Financial Plan.**
 - 7. As an alternative to a SRV, Council receive a report to consider a dividend from the Queanbeyan water and sewer utilities, to partly service the debt for the CBD civil works components, following adoption of the integrated water cycle management plan and associated strategic business plan.**
 - 8. If 5 is supported, service debt for the head office component from post-merger savings, building operational savings and service reviews.**
 - 9. Subject to 5, consider seeking expressions of interest to construct and operate a multi-level parking facility in Morisset carpark; OR council seek expressions of interest for a design and construct parking facility in Morisset carpark, with design elements as outlined in the report.**
 - 10. Vary the scale, sequencing and timing of those works in the draft DP as outlined in attachment 5, to accommodate likely grants and borrowing schedules, to be adopted at the June meeting.**
 - 11. Continue to seek grants to assist the construction of the smart hub, smart infrastructure, parking and public domain to activate the CBD.**
 - 12. If preferring the Rutledge site for the office, then consider progressing the Heads of Agreement with DowntownQ PL to facilitate the sale of subdivided part 257 Crawford (being 265-267 Crawford Street) and 10-16 Rutledge Street, at valuation reported previously, subject to:**
 - a. the acquisition of a stratum of 9000m2 office space, built to Class A standard, and subject to independent assessment and determination of relevant development applications**
 - b. Council forward funding the design and application costs, for reimbursement by DQPL of the residential portions following determination of DA by JRPP**
 - c. the preparation of a planning agreement to enable construction of civil works (such as public domain and parking)**
 - 13. Then prepare appropriate legal agreements to progress 12.**
-

12.4 Queanbeyan CBD Transformation Stage 1 to 3, Head Office and Smart Hub (Ref: C1831161; Author: Tegart/Tegart) (Continued)

14. Undertake community engagement on the Queanbeyan CBD transformation proposal in conjunction with the CBD masterplan review (spatial business plan).

15. Receive further reports when Queanbeyan CBD transformation civil works and office design and estimates are prepared.

Background

A number of reports and workshops have been presented in late 2016 and 2017, exploring options to transform the Queanbeyan CBD and consider the construction of the proposed new council head office in Queanbeyan to accommodate over 200 staff. That development could then become a catalyst for activation through the sale and redevelopment of the 11 vacated council cottages and other buildings located in the CBD. Those propositions were guided by the QCBD Transformation Strategy, Digital Economy and Smart Community Strategy and the draft Carparking Strategy. The concepts for the proposed public domain and pedestrian access corridors will inform the QCBD masterplan refresh (retitled as CBD spatial business plan), which in turn will guide the design elements for that infrastructure. The draft Transport Strategy and draft Retail Growth Strategy should also guide the shape of connections, places and civil infrastructure.

Council entered a Heads of Agreement in 2017 with a NSW agency as a major tenant within the Queanbeyan Head Office and Smart Hub proposed on the 50 Lowe Street site, which as a consequence, sought to acquire property fronting Lowe Street to provide frontage for that tenant. At its September 2017 meeting, Council resolved to formally enter the Agreement to Lease with the tenant. Unfortunately, that tenancy did not proceed. Subsequently, Council has licenced the use of 30 carspaces in the Morisset carpark for 18 months for that agency, while their own purpose built premises are constructed over 2018-19.

A number of other CBD sites, options and estimates were then presented to Council in workshops for the proposed Council-only office. Attachment 1 illustrates the final preferred sites being 50 Lowe and part 257 Crawford and 10-16 Rutledge Street (site E and Z).

Council separately entered a Heads of Agreement with DowntownQ PL in 2017 to enable consideration of the potential sale and redevelopment of a number of CBD sites owned by Council, in a structured way and stage by stage, with a number of gateways and legal agreements to follow for each stage. Council resolved to decline DQPL's original proposal to acquire 257 Crawford Street (site B) to construct a new office complex, with lease back by Council.

DQPL have nominated the part 257 Crawford and 10-16 Rutledge Street properties (Site E and Z) as Stage 1 (see Councillor Attachment 2). A valuation was obtained for that site, endorsed by Council and presented to DQPL.

An alternate proposal has since been received by DQPL in May 2018 (see Councillor Attachment 3), suggesting a mixed use development on the approx 3900m² consolidated Rutledge site, comprising a 6000m² or 9000m² Class A office cold shell over 3 levels, with 5 levels of up to 70 one, two and three bedroom apartments above, and basement carparking for the residential and office uses below ground. That proposition suggested the development of the site by DQPL and sale of the office and associated parking stratum to Council, with subsequent fitout at Council's expense. The proposal also lists how DQPL proposes to address the relevant terms of the HoA for that Stage.

12.4 Queanbeyan CBD Transformation Stage 1 to 3, Head Office and Smart Hub (Ref: C1831161; Author: Tegart/Tegart) (Continued)

The proposal has been re-worked by staff to suggest:

- acquisition of 9000m2 (3 levels) Class A office stratum from DQPL
- fitout by Council of 6000m2 initially, for the council office, chambers, meetings rooms, smart hub, tenancy, and potentially, an emergency operations centre co-use
- removal of requirement to build in-situ basement carpark for office purposes; instead assigning those to the proposed multi-level (~400csp) facility at Morisset carpark (to be constructed by council or other party), with say the top level of that facility assigned as all day office parking
- expand the subdivided footprint to include public domain, to enable FSR requirements to be achieved
- the civil works with the Rutledge development incorporate the proposed public domain and pedestrian connections

Staff have been working with the NSW Government to secure agency tenancy/ies within the head office, and capital grants to assist the CBD transformation and activation.

Implications***Strategic***

The ambitions of the QCBD Transformation Strategy, Digital Economy and Smart Community Strategy and the draft Carparking Strategy merge into the following key aims:

- A diversified retail mix and shopping offer
- More people visiting, living and working in the CBD
- Connected CBD facilitating pedestrian access to different precincts
- Vibrant cultural and entertainment public domain
- An activated riverfront and connected green spaces
- Improving public safety with smart technology (e.g. CCTV)
- Making space for flexible working
- Smart renewal of Queanbeyan CBD (including parking, wifi, cctv)
- Support sustainable transport choices, encourage travel behaviour change, respond to emerging trends and to make best use of new technology, and containing the provision of off-street parking.

Attachment 4 illustrates the proposed QCBD civil works and stages.

While Stage 2 and 3 propose recycling part of the Lowe and Morisset carparks into smart public domain and centralised multilevel smart parking, it is the connecting laneways proposed between those carparks, and the landscaped pedestrian corridors from Queanbeyan Showground and Park towards the River, that gets people out of cars, walking to and past the

12.4 Queanbeyan CBD Transformation Stage 1 to 3, Head Office and Smart Hub (Ref: C1831161; Author: Tegart/Tegart) (Continued)

shopfronts and cafes, and inviting their gathering in well-designed spaces for social, cultural and event activity. Those laneways and public domain create the opportunity for existing shops to provide double frontages and increase the mix of retail offer and rental space.

In addition, the Smart Hub (and potential additional lettable office space) proposed for construction with the head office, provides flexible co-working space and incubator and start-up space for small business supported by central administration and ICT, as well as lettable space for government agencies – all aimed at increasing workers and retail/lifestyle foot traffic in the CBD.

The DQPL proposal assists bringing the QCBD ambitions of more workers and residents into the CBD to fruition – in turn activating the retail and lifestyle/café strips. The proposition to transform the CBD to activate the retail sector has been reinforced by the draft Retail Growth Strategy and experience in other regional centres.

Council may also choose to continue to build a standalone 6000-9000m² office, chambers and smart hub at the 50 Lowe site. Acquisition of adjacent property would be required, as previously reported. If Council choose that option, the Rutledge precinct remains open to DQPL to progress a standalone mixed-use development, or in the absence of an agreement, Council may place the 3860m² site onto the open market to achieve the anticipated return.

In both cases, it may be opportune to use the DQPL proposal or Council option as a catalyst to reduce the scale of parking at the Rutledge/Lowe development site to primarily residential purposes, and aggregate commercial and retail parking into the proposed Morisset carpark facility, transforming it into a 4-5 level 400+ carspace site with a mix of all-day office (say 100) and the remainder in timed spaces to offset carspace reductions to the Lowe carpark and Morisset carpark that are proposed to include around 11,000m² of public domain. Some commercial spaces at ground level may also be useful, as well as providing undercover market space.

Should Council contemplate that proposition, the render of the facility may be clad to enable vertical gardens or a façade to screen outdoor images or movies for events in the public domain area. A lighting plan is proposed for the CBD for the main street tree medians, and CBD laneways, public domain, bridge and civic buildings.

Council had previously determined that, in conjunction with the community engagement on the CBD masterplan, the update of the Carparking Strategy be included in that engagement for feedback, including:

- Redevelopment of Morisset Street carpark into mixed use commercial development, with 4-5 decks of carparking including provision for leased/purchased parking from other CBD sites; retained vehicular movement for loading and access to private carparking; shared public domain including piazza; and vehicular/pedestrian connections from carpark to Monaro, Crawford, Lowe and Morisset Streets.
- Replacement of part Lowe at-grade carpark around The Q to enable development of a public domain 'town square' in conjunction with development of Queanbeyan head office and smart hub.
- Review the carparking code to enable the dual use of car spaces (e.g. office/commercial use during business hours, and entertainment uses after hours, such as restaurants, theatre), and reduction of carspace requirements for residential apartments close to public transport nodes

12.4 Queanbeyan CBD Transformation Stage 1 to 3, Head Office and Smart Hub (Ref: C1831161; Author: Tegart/Tegart) (Continued)

Policy

The CBD transformation proposes to borrow for the civil works. Council's Financial Strategy states (in part) to:

- Borrow sufficiently between now and 2026/27 to help fund infrastructure renewal under the 'Responsible Scenario';
- Use debt and movements in cash reserves to help 'smooth' large injections of assets renewal or upgrades across several years;
- Rundown in cash reserves (in lieu of borrowings) may be used in part to renew assets that are coming to the end of their useful life and expand the infrastructure stock in line with Council plans.

The Strategy notes on inter-generational equity grounds, additional borrowings will be used to fund both:

- enhancement capex, as such capex gives rise to infrastructure services benefiting future (as well as current) residents and ratepayers; and
- rehabilitation capex, the need for which arises mainly because depreciation has been under-funded in the past and the renewal and replacement of existing assets has been deferred when it fell due because of the lack of finance

Economic

The early suggestions of the draft Retail Growth Strategy, and the actions of the QCBD Transformation and the Digital Economy and Smart Community Strategy, point to the activation of the CBD - through easing traffic congestion and improving parking convenience, enhancing pedestrian access and improving amenity - as mechanisms to increase foot traffic to the retail and lifestyle precincts.

Guided by the draft Transport and Carparking Strategies that rethink movement to and through the CBD and propose timed centralised parking near the retail core, the QCBD transformation aims to improve the amenity for residents, visitors and workers, and the perception of the town centre as a place to reside, shop, recreate and invest. There has been little private sector investment in the CBD for a decade. Council holds several contiguous CBD sites capable of redevelopment, in Rutledge and Crawford Streets.

Asset

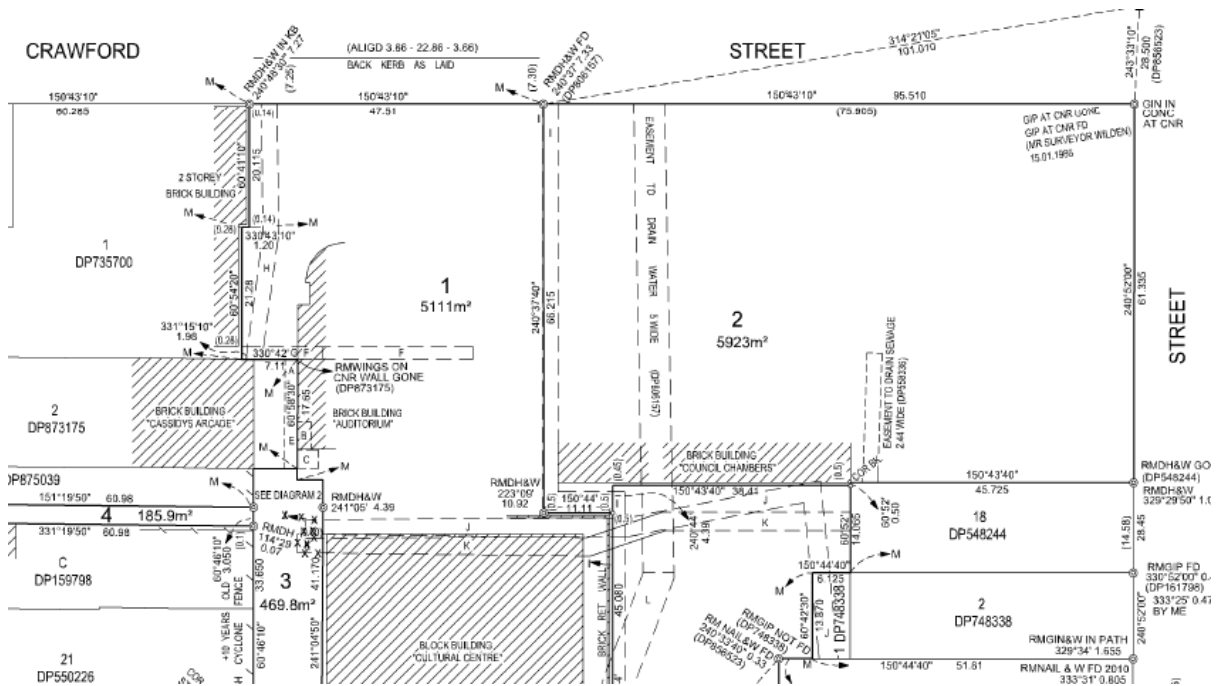
The council offices and carparks are in a condition requiring renewal or replacement in accord with normal asset management. A substantial portion of the proposed capex would be dedicated to that renewal, with the balance assigned to upgrade (multi-level carpark and laneway) or new asset (public domain).

Redevelopment and expansion of public domain and carparks and other uses would be included in the assets register and increase the asset maintenance and renewal profiles and costs. In line with current discussions and grants approved with government, the design of the upgraded carparking facilities would include 'smart parking' initiatives to ease traffic congestion and access to available spaces.

12.4 Queanbeyan CBD Transformation Stage 1 to 3, Head Office and Smart Hub (Ref: C1831161; Author: Tegart/Tegart) (Continued)

An option to seek market interest in construction and operation of multi-level parking facility, with Council leasing say 100 spaces, then making those available for tenancy and staff salary packaging purposes, may also be explored.

The 3860m² Rutledge site remains subject to survey through a subdivision of: part 257 Crawford Street (Lot 2 in DP117998) (Lot 2 in DP748338); (Lot 18 in DP548244) - being 265-267 Crawford Street, and 10-16 Rutledge Street zoned as B3 Commercial Core – with an FSR of 3.0:1 and a height limit of 30 metres. That subdivided site may require expansion into the proposed public domain area, to enable a 3:1 FSR for the potential office/residential redevelopment.



Engagement

As outlined earlier, it is proposed community engagement be incorporated in the CBD masterplan schedule in the coming months, and prepare an online 'story-book' of the project. Council is acquiring 3D modelling planning software, which may also be utilised to provide visual 'what if' content to assist that engagement.

It is noted the community engagement associated with the CBD masterplan and carparking strategy will provide further opportunity for input and feedback. The masterplan will provide more detail on the CBD concepts and proposed palettes.

The Economic Advisory Panel has broadly supported the QCBD transformation, suggesting Council consider the use of tools to promote the visualisation of the new CBD Spatial Business Plan - including 3D model, use of virtual reality goggles, and use of a shopfront premises or public venue to promote the new CBD vision.

Financial

Stages 2 and 3 are estimated to cost over \$63m, subject to design and contingencies. The features, estimated cost and funding per component is summarised at Attachment 5.

The table illustrates savings to capital works in FY19 and FY20, from that suggested in the draft DP, and deferral of some works into later years. Below is a summary of the components:

12.4 Queanbeyan CBD Transformation Stage 1 to 3, Head Office and Smart Hub (Ref: C1831161; Author: Tegart/Tegart) (Continued)

Capital

- centralised undercover smart carparking at Morisset carpark (preliminary est \$14m)
 - ~ 400 carspace five-level carpark
 - ~ 100 all day carspaces generated by the head office and tenancy;
 - replaces the 100 timed carspaces removed from Lowe carpark by the construction of public domain;
 - offsets the 80 timed carspaces removed from Morisset carpark by the construction of public domain
 - vehicular access from Morisset and Lowe Streets is retained;
 - delivery access to rear of Monaro and Crawford premises is retained;
 - new pedestrian access to be established.
 - capital funded by
 - loans
- ~11000 m2 public domain and pedestrian access at Lowe and Morisset carparks (preliminary est \$7m)
 - designs to be formed through QCBD masterplan review
 - supported by planning agreement/s
 - capital funded by
 - loans
 - potential grants (CBD activation)
- head office (\$25m), additional office level (\$10m) and smart hub (\$7m); and associated temporary accommodation costs
 - design and DA costs, utilising existing plans from former proposal
 - capital funded by
 - loans
 - potential grants (CBD activation)

A comparative estimate of both office construction options is attached for councillors (6).

Council may wish to explore the appetite of the private sector for the construction and operation of the multi-level undercover smart carpark, rather than raise debt and maintain that facility itself. However, that brings with it the prospect of pay parking.

In addition, separate examination and reports will be presented on the potential re-purposing on the old fire station and Duttons cottage into a café and gallery for example. The old chambers may then be utilised for community meeting and other purposes, such as senior citizens.

The Schedule at Attachment 5 suggests the re-phasing of civil works in the CBD and construction of the head office and smart hub, for publication with the final Delivery Program and consideration with the Financial Plan to be presented in coming months.

Staff will continue to work with the NSW Government to secure additional tenancies and grants for the CBD transformation and activation.

12.4 Queanbeyan CBD Transformation Stage 1 to 3, Head Office and Smart Hub (Ref: C1831161; Author: Tegart/Tegart) (Continued)

Debt

Council can borrow from NSW TCorp at interest rates (currently ~ 4%) fixed for 20 years. Raising \$63m as outlined in Attachment 5, would require estimated P&I payments of \$4.6m/year, \$1.8m of which could be met by ongoing annual savings as outlined below.

Council may consider a dividend from its utilities and/or a special general rate variation (SRV) from 2020/21 to service the balance of the debt raised for the QCBD civil works, following conclusion of the rate path pricing freeze imposed on merged councils.

A rate structure review, together with the finalisation of integrated water cycle management plan will be reported in 2018/19. Any potential SRV should then be considered with the benefit of those reports. An SRV may apply to any rate category, a mix, or all categories, for all or any component of the CBD Stages. In this case, it is appropriate the civil works be met from Queanbeyan rate categories. Any potential SRV should be flagged in IPR documents.

Grants

Staff have been working with Government preparing proposals and advocating the case for grants towards the proposed CBD smart hub, South Jerra innovation hub and QCBD activation. Should capital grants be received, they may be used to reduce the amount of debt raised, or expand the project to include additional works.

Recurrent

An examination of recent costs to operate and maintain the current buildings, compared to a green star modern office indicates around \$50k pa savings, as well as efficiencies generated by consolidation of 200 staff from 11 buildings into one, bringing with it other productivity improvements.

Post-merger savings to employment, procurement and technology costs, together with those building savings, s94/A contributions and attributions from the utilities, are expected to meet the debt servicing costs of the \$25m office component.

The fitted out Smart Hub and cold-shell additional office level, present opportunities to generate ongoing lease revenues.

Financial Ratios

Should Council choose to proceed with the civil works and office, and raise debt of \$63m to enable the construction/acquisition, would see the debt service cover ratio increase to 1.8x, within the benchmark of 2.0x.

The reduction of capital works of \$1m and \$4m in FY19 and FY20 respectively, will also assist Council's ratios in the Delivery Program.

A review of infrastructure capital works will be undertaken with the Financial Plan, re-mapping the schedule of maintenance, renewal, upgrade and new capital to accord with the 10 year average ratios sought by the Office of Local Government (OLG).

Integrated Plan

The revised schedule of works at Attachment 5 will be included for adoption with the Delivery Program at the June meeting, then progressed for consideration in the financial plan.

Conclusion

There are benefits, costs and risks associated with the transformation and office works.

Should Council proceed with the CBD civil works, the head office and smart office project becomes the catalyst to start the transformation of QCBD – a process replicated at many regional centres to activate retail and its mix; reduce vacancies; improve the pedestrianisation

12.4 Queanbeyan CBD Transformation Stage 1 to 3, Head Office and Smart Hub (Ref: C1831161; Author: Tegart/Tegart) (Continued)

of town centres; and connect the green spaces – then in turn, increase the number of residents and workers in the CBD accessing the retail and lifestyle precincts.

The QCBD works is part of the ‘repositioning’ of Queanbeyan as a smart, accessible and activated regional centre.

Part of the pedestrianisation has commenced with the thinking in the draft Transport Strategy and the construction of the River Walk. Smart parking is to be trialled in CBD carparks further to the decision of Council at its March meeting.

The civil works have been staged by precinct across several years to enable the CBD to continue to function, albeit with disruption brought about by that construction activity. The buildings construction and civil works will require close engagement with business and property owners. Nonetheless when completed, the resident and visitor perception of the QCBD is expected to change and with it, retail and business confidence.

The report suggests the vacating of 11 CBD sites currently occupied by staff into a single office and smart hub/office for tenancies, is the catalyst to activate the redevelopment of those sites into mixed use developments.

The construction of Stages 2 and 3 QCBD civil works, and acquisition of a 9000m² cold shell office stratum on the subdivided part 257 Crawford and 10-16 Rutledge Street site:

- defers debt-funded capital works for the CBD until FY20
- defers payment for the office and smart hub until 2020 (assumes 2 year period for private developers to obtain sale, development consent, contracts and construction)
- defers any borrowings to the period after the general rate path freeze concludes
- enables provision for smart hub to initially accommodate agency tenancy and small business from FY20
- enables provision for further office space to be fitted out in future for tenancy or head office growth
- enables planned government agency staff to occupy that hub/office space from FY20
- retains the head office, chambers, meeting rooms and potential emergency operations centre in the civic precinct in the QCBD, with street level access
- retains at grade carparking behind the Q Theatre, and vehicular access from Lowe St
- recycles the former QCC administration building and part of the Lowe carpark into smart public domain
- centralises the office and retail parking through the construction of multi-level undercover smart carpark at Morisset carpark, increasing CBD timed and employee parking spaces overall; the timing of construction to align with NSWPF vacating the current leased spaces
- recycles part of the Lowe and Morisset carparks into public domain
- connects Morisset to Lowe carparks via constructed pedestrian laneways

Alternatively, Council can continue to build a standalone office on the Rutledge site, the 50 Lowe site or sell the Rutledge site. If so, it still enables the CBD civil works, but alters the timing of some of the above elements, in particular:

- defers debt-funded capital works for the CBD until FY21
- delays construction for the office and smart hub until FY22
- puts at risk government agency tenancy
- removes parking behind the Q Theatre
- puts at risk the redevelopment of the Rutledge site

12.4 Queanbeyan CBD Transformation Stage 1 to 3, Head Office and Smart Hub (Ref: C1831161; Author: Tegart/Tegart) (Continued)

Council has been working with the NSW Government to facilitate tenancies for the building, and a grant to assist the QCBD works designed to activate the retail space and community places.

There are risks with HoA not being progressed, contract for sale, procurement, and constructed delivery of the building, reliant on the financial and building prowess of a third party. The various legal agreements will require careful crafting to minimise those risks. In both cases, independent assessment and determination of the DA is required.

Attachment 5 outlines the preliminary estimates of the components of the QCBD civil works (walkway, smart infrastructure, carparking, public domain, laneways) and building works (office, smart hub, extra office level).

The DQPL proposal would enable the occupation of office and smart hub facilities from 2020, rather than wait till that time for Council to commence construction – as an opportunity to raise an SRV to service that debt would not become available until the rate pricing path freeze concludes.

By delaying commencement of construction to that period, also puts at risk the agency tenancy of initially 50 personnel scheduled for Queanbeyan. A Class A office is required to accommodate government tenants. Lease income (at valuation or negotiation) may offset debt servicing costs, or enable that income to be used for other purposes.

Council may also choose to continue to build a standalone 6000-9000m² office, chambers and smart hub at the 50 Lowe site. Acquisition of adjacent property would be required, as previously reported. If Council choose that option, the Rutledge precinct remains open to DQPL to progress a standalone mixed-use development, or in the absence of an agreement, Council may place the 3860m² site onto the open market to achieve the anticipated return.

To service the debt raised for the civil works, smart hub and office tenancy would require a special general rate variation to be considered from 2020/21, following conclusion of the rate path freeze imposed on merged councils.

The debt proposed to be raised (and SRV or dividend to service that debt), assumes no grants are received to reduce that cost of \$63m for Stages 2-3.

Should Council support that proposition (in full or in part), it is proposed the community be engaged for their views in conjunction with the CBD masterplan review. If supported, a more comprehensive stakeholder and business engagement on the plans and during construction is required.

A review of the general rating structure by respective category and locality will be undertaken during 2018/19. Should Council support a general rate SRV, further community and business engagement in conjunction with an application to IPART would be required by 2019/20 to enable commencement from 2020/21.

Attachments

Attachment 1	Office Site Options (<i>Under Separate Cover</i>)
Attachment 2	CBD Property sites - HoA (<i>Under Separate Cover</i>) - CONFIDENTIAL
Attachment 3	DQPL Stratum Proposal (<i>Under Separate Cover</i>) - CONFIDENTIAL
Attachment 4	QCBD Stages (<i>Under Separate Cover</i>)
Attachment 5	QCBD Financials (<i>Under Separate Cover</i>)
Attachment 6	Comparative Estimate - Rutledge v Lowe (<i>Under Separate Cover</i>) - CONFIDENTIAL

12.5 Public Exhibition of Jumping Creek Planning Proposal (Ref: C1862195; Author: Tegart/Carswell)

Summary

The purpose of this report is to obtain Council's support to commence the next step of this planning proposal. It is also to advise Council on actions taken on this project since it was last reported on to Council's Planning and Strategy meeting of 14 February 2018 (Minute No. PLA007/18).

The February report advised that both the developers and Council had agreed to the deferred areas of Jumping Creek not being rezoned for further residential development. Instead they would now be proposed to be rezoned to E2 Environmental Conservation. In addition Jumping Creek lands to the north that are currently zone RE2 Private Recreation are proposed to be rezoned to partly RE1 Public Recreation land and partly to E2 Environmental Conservation.

This report also seeks the endorsement of Council to exhibit this amended planning proposal for Jumping Creek.

Recommendation

That Council:

- 1. Agree to the public exhibition of an amended planning proposal for Jumping Creek as set out in this report.**
 - 2. Receive and note the information on the continuing discussions with the developers of Jumping Creek about the short term and long term management of the environmental and recreational zoned land of the site.**
-

Background

Council has been considering a planning proposal for two portions of Jumping Creek identified as deferred since November 2016.

Jumping Creek was rezoned with the adoption of the *Queanbeyan Local Environmental Plan (LEP) 2012* but two smaller portions of land (shown white in Figure 1 below) were 'deferred' due to concerns about the suitability of the land for residential development. It was agreed at the time that further studies would be undertaken prior to making any final decision as to how those deferred lands would finally be zoned. The 'deferred' lands currently remain zoned 1(A) Rural under *Queanbeyan Local Environmental Plan (LEP) 1991*.

12.5 Public Exhibition of Jumping Creek Planning Proposal (Ref: C1862195; Author: Tegart/Carswell) (Continued)

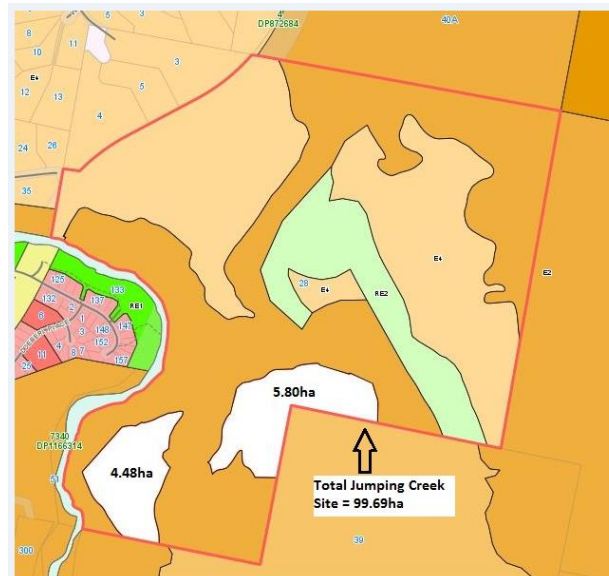


Figure 1 – Jumping Creek Area

After a revised proposal from the developer in December 2017, Council agreed to an amended planning proposal to preclude residential development on the deferred lands (Item 5.2, 14 February 2018). Council also agreed to continue of discussions with the developer on the long term management of environmental and recreation zoned land at the site.

The details of the current amended planning proposal are:

- The 'deferred matters' lands are proposed to be zoned E2 Environmental Conservation. This zone effectively prohibits residential development other than a bed and breakfast which has to be in an existing dwelling. An amendment to the *Queanbeyan Local Environmental Plan 2012* is required.
- The lands currently zoned RE2 Private Recreation are now proposed to be rezoned to partly RE1 Public Recreation land (prohibits residential development) and partly E2 Environmental Conservation (only allows bed and breakfast – which has to be within an existing dwelling with council consent). An amendment to the *Queanbeyan Local Environmental Plan 2012* is required and the nett effect is that the area zoned E2 Environmental Conservation within Jumping Creek increases.
- Amend *Queanbeyan Local Environmental Plan 2012* Lot Size Maps (LSZ_005, 009, 006 and 010) to enable the proposed subdivision of the existing E4 Environmental Living zoned land at the site.
- Amend *Queanbeyan Local Environmental Plan 2012* Height of Buildings Maps (HOB_005, 009, 006 and 010) to apply only to the E4 Environmental Living zoned land at the site.
- Remove the Jumping Creek yellow shaded area from the *Queanbeyan Local Environmental Plan 2012* Urban Release Area Map (URA_001). It is unlikely to be any State infrastructure requirements for the site. This was a request from the Department of Planning and Environment.

Current stage of making planning changes

In March 2018, the NSW Department of Planning and Environment issued an alteration of the Gateway determination. It required consultation with three NSW Government agencies. These consultations have been completed and two agencies support the amended proposal and no response was received from RFS.

12.5 Public Exhibition of Jumping Creek Planning Proposal (Ref: C1862195; Author: Tegart/Carswell) (Continued)

Short term and long term management of balance of Jumping Creek Site

Should the amended planning proposal proceed, consideration needs to be given as to how the balance of the Jumping Creek site (i.e. that portion that is not proposed for residential uses) will be managed into the future.

The NSW Office of Environment and Heritage is particularly concerned about the long term management of the Jumping Creek site. These concerns include conserving platypus habitat; reducing the significant sediment loads into the Queanbeyan River; and the control of considerable infestations of blackberry and tree-of-heaven weeds.

The developer has now written to the Council seeking advice in respect of the land potentially being dedicated to Council for future ownership and control in the future. Council is generally reluctant to take over the management of residual land from development proposals due to the maintenance liability this can create. In this instance, whilst much of the land has significant environmental values, much of the land is also degraded as a consequence of previous uses of the site. In particular weed management, erosion, water quality and contamination all require significant investment if these problems are to adequately addressed on the site.

The site has a frontage of approximately 1km to the Queanbeyan River and contains significant environmental, heritage and cultural values that could be of significant interest to the broader community. The potential area to be dedicated to Council could exceed 50ha. It would also give Council long-term ownership of the Jumping Creek tributary itself and the capacity to better manage existing sediment run-off into the Queanbeyan River. There are opportunities for low-impact recreational such for walking and cycling trails, picnic facilities and the interpretation of its history including mining and lime kilns.

Implications***Legal***

The proposed approach amending the existing planning proposal is consistent with the legislative requirements of the State Government in respect of progressing draft LEPs.

Policy

The planning proposal has been amended and a new Gateway determination has been received from the Department of Planning and Environment. The current draft maps will need to be upgraded to the mapping standards required for Local Environmental Plans.

Environmental

This amended planning proposal removes the potential for any further residential development of the deferred lands and reduces any potential impacts on the environment.

Future ownership of the site by Council may represent a better long term environmental outcome for the site rather than being held in private ownership into the future.

Asset

Further consideration will be given to the environmental, social and economic benefits of agreeing to the dedication of the remainder of the site to Council in the future.

Social / Cultural

The proposal in this instance is to significantly scale back the previous proposal and so any impacts on social/cultural values have been lessened. There may be social/cultural benefits

12.5 Public Exhibition of Jumping Creek Planning Proposal (Ref: C1862195; Author: Tegart/Carswell) (Continued)

in respect of the Council agreeing to dedication of the site in the future however, this is yet to be determined.

Strategic

The amended proposal is not considered to be inconsistent with any strategic planning considerations of the Council.

Engagement

Numerous State agencies were consulted in respect of the draft plan. The NSW Rural Fire Service (RFS) had raised significant concerns in respect of bushfire risk at Jumping Creek in the context of the deferred areas being zoned for residential purposes. Further engagement with NSW Rural Fire Service is expected at the stage of the development application for subdivision. The amended planning proposal is likely to be exhibited for a period of 28 days during May to July 2018.

Financial

Future management of the land if dedicated may have a financial impact. However, this is yet to be agreed or determined.

Finalisation of an amended planning proposal is provided for under the relevant project budget.

Integrated Plan

Processing this planning proposal is one of the Branch's projects/actions in the Operational Plan 2017-18.

Conclusion

The proposed amendments to the planning proposal are considered appropriate and consistent with good planning practice. They will facilitate a different planning outcome for the site than previously proposed.

Further discussions outside of this process are required to determine the suitability of Council agreeing to dedication of the site in the future and these should continue.

In conclusion it is recommended that Council agree to the public exhibition of the amended planning proposal. Any final draft proposal for dedication of the land by the developer will be put to the Council for information and determination prior to any final decisions being made.

Attachments

Nil

12.6 Road Naming Proposal - New Subdivision - Burrabella Estate - 107 Burra Road - Googong (Ref: C1860932; Author: Thompson/Thompson)

Summary

Peet Pty Limited has lodged a request for the naming of two new roads that will be created in a new rural residential subdivision off Burra Road in Googong. The applicant has submitted two names for consideration. In accordance with the Geographical Names Board's (GNB) guidelines for the naming of roads, the request is referred to Council for resolution.

Recommendation

That Council:

- 1. Adopt in principle the names "Bigga Place" and "Binda Place" as the proposed names for two new roads created within the subject subdivision subject to concurrence from the Geographical Names Board.**
 - 2. Advertise the names for public comment for 30 days.**
 - 3. Publish a notice in the NSW Government Gazette adopting the new road names, if no objections are received.**
-

Background

The applicant has requested consideration of two names for cul-de-sacs within the new Burrabella Estate, a rural residential subdivision near the corner of Old Cooma Road and Burra Road. The locality of the new subdivision is shown in Figure 1 below.

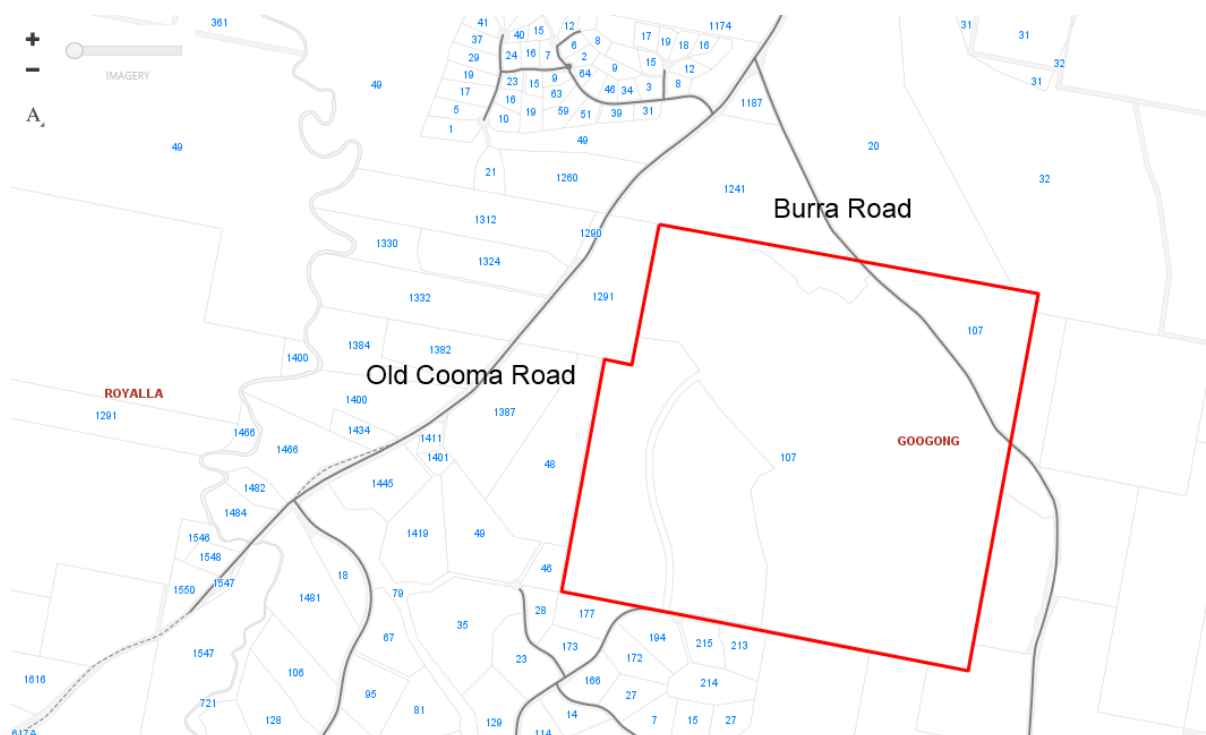


Figure 1 – Location of new subdivision.

12.6 Road Naming Proposal - New Subdivision - Burrabella Estate - 107 Burra Road - Googong (Ref: C1860932; Author: Thompson/Thompson) (Continued)

The main road servicing the subdivision (Road No.1) will be called Mt Pleasant Drive, a name that has already been approved for use. The two new cul-de-sacs off the main road (Road No. 2 and 3) require the new names (see Figure 2 below).

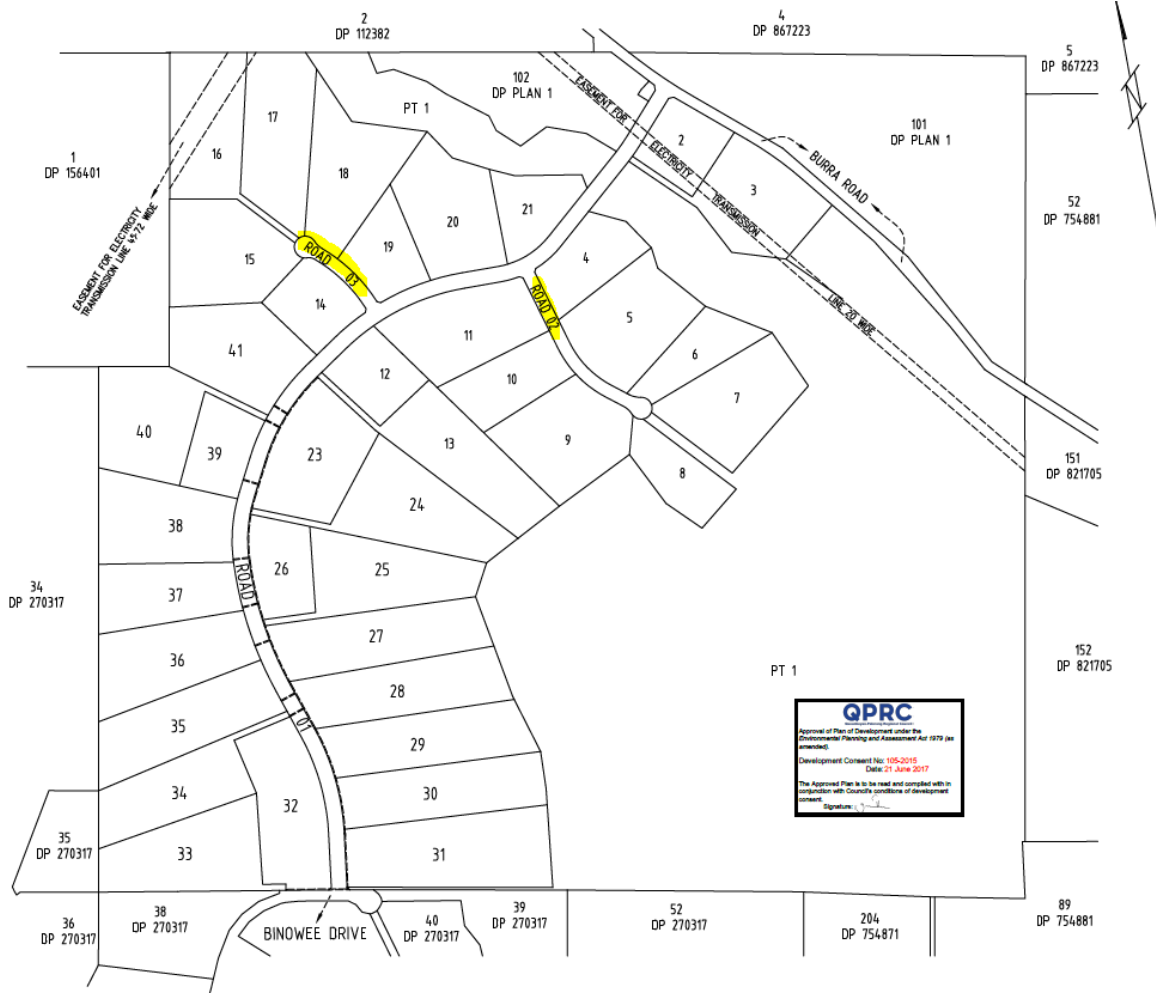


Figure 2 – Subdivision Showing Roads to be Named (highlighted yellow)

The applicant has suggested names associated with the Wells family who have owned land in the Googong area since early last century. The proposed names are:

Bigga Place (Road No.2)

Citation – This name reflects the early history of the Wells family when they first started grazing in country NSW. **BIGGA** comes from the name of a village in south east NSW where early descendants of the Wells family originally settled in Australia. John Wells was the first of the Wells family to arrive in Australia in 1833. John Wells married Elizabeth Glennan at Mulgoa NSW in 1842 (sister of Mary McTernan nee Glennan wife of Hugh McTernan whose McTernan name is also used as a street name in Googong) and brought up their family at “Mount Wells”, Bigga. John Wells was granted a Land Grant of 40 acres at Bigga in around 1857 and built a homestead at “Mount Wells”, Bigga eventually having control of 12,000 acres in this area including 2,000 acres in the area south west of the Bigga township. William Joseph Wells and Edward John Wells subsequently purchased “Wellsvale”, Googong in around 1911 and “Mount Pleasant” Googong in 1930 and owned approximately 6,000 acres in the Googong area including the site of this street.

12.6 Road Naming Proposal - New Subdivision - Burrabella Estate - 107 Burra Road - Googong (Ref: C1860932; Author: Thompson/Thompson) (Continued)

Binda Place (Road No.3)

Citation - This name reflects the early history of the Wells family when they first started grazing in country NSW. Edward John Wells son of John and Elizabeth Wells married Julia Fahey in 1877 and purchased land near the south eastern NSW village of **BINDA** in 1880 as well as "Markdale", Binda in 1886, where they brought up their two daughters and son. He was a successful sheep and cattle grazier in his own right. William Joseph Wells and Edward John Wells purchased "Wellsvale" Googong in around 1911 and "Mount Pleasant" Googong in 1930 and owned approximately 6,000 acres in the Googong area including the site of this street.

Several other family names were suggested but all would have resulted in duplication of names elsewhere in the local government area.

Implications***Policy***

New road names need to be reported to Council and then advertised for public comment. If supported by Council and the Geographical Names Board and there are no objections received from notifications, then a notice will be published in the NSW Government Gazette. If any objections are received then a further report will be brought back to Council.

Consultation

The proposed name will be exhibited for 30 days for public comment.

Financial

Council bears the costs associated with advertising of the road names but the supply of road name plates is borne by the applicant in accordance with Council's adopted fees and charges and the conditions of the development consent issued for the subdivision.

Conclusion

The names chosen are unique and interesting names appropriate to the local history of the area concerned.

Attachments

Nil

12.7 Establishment of Alcohol Prohibited Area - Ernie Beaver Park - 6-10 Gilmore Place, Queanbeyan West (Ref: C1863304; Author: Tegart/Abbott)

Summary

Council has received a request to declare Ernie Beaver Park on Gilmore Place an Alcohol Prohibited Area (APA).

This park is directly across from a store selling alcohol and there is a tendency for people to purchase their alcohol and consume it in the park. Council has received complaints about persons becoming inebriated resulting in unacceptable language and behaviour and congregating at a nearby laneway where passers-by may feel intimidated.

The proposal would make it unlawful to consume alcohol at any time within the signposted area and enforcement may then be undertaken by Queanbeyan Police.

Recommendation

- 1. That a new Alcohol Prohibited Area be established for a four year period in Ernie Beaver Park on Gilmore Road.**
 - 2. That the Council publish a notice of the proposed establishment of the alcohol prohibited area for an exhibition period of 30 days.**
 - 3. That a copy of the proposal be provided to the local Police Commander, affected liquor licensees, registered clubs in the area and other organisations required to be notified by the Ministerial Guidelines allowing them 30 days to make representation.**
-

Background

A proposal to establish an alcohol prohibited area at Ernie Beaver Park in Gilmore Place has been made. The resident making the claim has suggested that a case can be supported by evidence that the public's use of the park has been compromised by street drinkers with instances of malicious damage to property, littering and offensive behaviour. The safety of the area is a problem and Council is requested to make it safer for children, adults and homeowners alike.

In an effort to tackle the growing problem of anti-social behaviour and alcohol-related violence in our community, Council has previously placed Alcohol Free Zones (APZ's) in public places that are public roads, footpaths or public carparks and Alcohol Prohibited Areas (APA's) in parks and reserves.

Queanbeyan Police generally provide strong support for the continued use and extension of Alcohol Free Zones and Alcohol Prohibited Areas within the Queanbeyan urban area.

12.7 Establishment of Alcohol Prohibited Area - Ernie Beaver Park - 6-10 Gilmore Place, Queanbeyan West (Ref: C1863304; Author: Tegart/Abbott) (Continued)

The location of Ernie Beaver Park is shown in Figure 1 below.

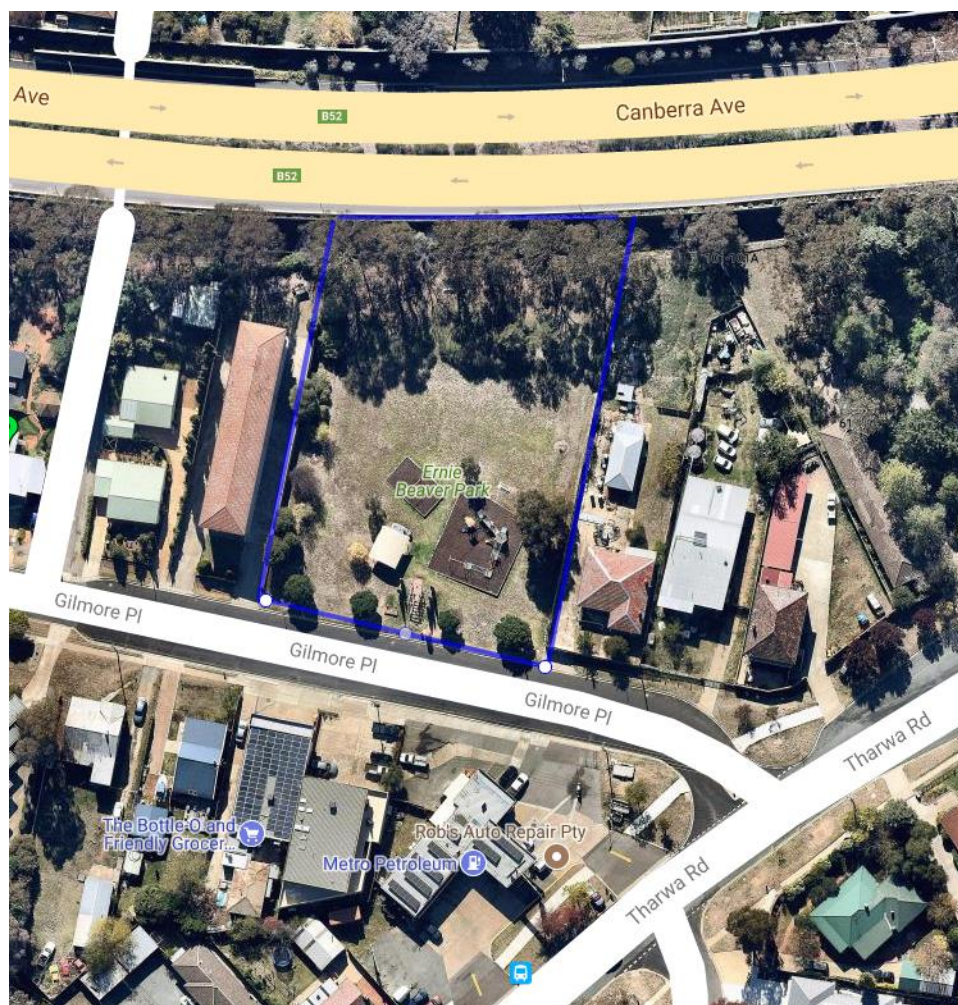


Figure 1 – Ernie Beaver park shown outlined in Blue (Source: Nearmaps)

Implications

Legal

The Ministerial Guidelines provide Council with detailed procedures which must be followed in the establishment of an alcohol-free zone and alcohol prohibited areas. They supplement the relevant provisions of the Local Government Act 1993.

Section 632A(4) of the Act enables Council to declare any public place or part of a place to be an Alcohol Prohibited Area.

Section 632A(8) provides that “an Alcohol Prohibited Area cannot be established without the approval of the Local Area Commander of Police for the area in which the proposed Alcohol Prohibited Area is situated”. Councils must seek and obtain this approval prior to establishing a new Alcohol Prohibited Area.

Alcohol Prohibited Areas are enforced by the Police or by council enforcement officers where the Commissioner of Police gives written authorisation. Consistent with Alcohol-Free Zones, monetary penalties no longer apply in relation to the consumption of alcohol in an Alcohol Prohibited Area. Instead, any person observed to be drinking in an alcohol-free zone may have the alcohol in their possession immediately seized and tipped out or otherwise disposed of under section 632 of the Local Government Act 1993.

12.7 Establishment of Alcohol Prohibited Area - Ernie Beaver Park - 6-10 Gilmore Place, Queanbeyan West (Ref: C1863304; Author: Tegart/Abbott) (Continued)

Engagement

Council must undertake a consultation process to decide if an alcohol prohibited area is appropriate. Specific notification is to be made to the local Police Commander, affected liquor licensees, (including the nearby bottle shop), registered clubs in the area and other organisations originally advised of the Council's proposed alcohol-free zones and alcohol prohibited areas allowing them 30 days to make representation.

Once established by Council resolution, the park must be signposted and notice of the zone must appear in the local paper. The maximum duration of an alcohol-free zone is four years, although it may be re-established at the conclusion of the original period, following a review by Council of its continuing applicability.

Conclusion

That Council commence the process of making Ernie Beaver Park an Alcohol Prohibit Area (APA).

Attachments

Nil

**12.8 QPRC Events Strategy - Community Engagement Report (Ref: C1861766;
Author: Richards/Fulton)**

Summary

The draft QPRC Events Strategy was presented to Council on 28 February 2018, and was placed on public exhibition for 28 days.

The exhibition period was from 6 March 2018 to 4 April 2018. The draft Strategy was promoted via Your Voice, Queanbeyan Age, Bungendore Weekly, Braidwood Times and Council's Facebook account.

The document received 93 online visits, was download 47 times and received eight submissions.

Recommendation

That Council:

- 1. Note the community feedback received.**
 - 2. Endorse the QPRC Events Strategy.**
-

Background

The draft QPRC Events Strategy was presented to Council on 28 February 2018. Council resolved the strategy be placed on public exhibition for 28 days.

Attached is the 'community engagement feedback report' and 'online engagement summary'. The final Strategy document is marked up with edits following that feedback.

Conclusion

The majority of feedback will be realised or addressed through the actions and associated projects identified in the outlined Events Strategy objectives. There is a desire for more events to be delivered in the rural towns, however, this can only be feasibly achieved through ownership and delivery by external event providers. The events team is not equipped or resourced to extend the current level of service through internally managed events.

Additional feedback has been distributed to the appropriate Council Branch for consideration.

Attachments

- | | |
|--------------|---|
| Attachment 1 | QPRC Events Strategy - Community Engagement Feedback Report
<i>(Under Separate Cover)</i> |
| Attachment 2 | QPRC Events Strategy - Online Engagement Report <i>(Under Separate Cover)</i> |
| Attachment 3 | QPRC Events Strategy - Council Final Version - With Changes Marked - May 2019 <i>(Under Separate Cover)</i> |

12.9 Outdoor Dining Trial Extension (Ref: C1862531; Author: Richards/Darcy)

Summary

The Small Business Commissioner is seeking Council's support to extend the Outdoor Dining Trial for another six months to 31st December 2018. This extension will enable further departmental evaluation of the success of the trial with participating Councils, conduct an early assessment of the customer experience improvements and test an online application form developed by Service NSW through its digital platform.

Recommendation

That Council continue to participate in the NSW Outdoor Dining Trial until 31 December 2018.

Background

Council resolved at the Planning and Strategy Committee Meeting on 9 August 2017 to participate in the Outdoor Dining Trial and the Easy to Do Business Trial.

Developed by the NSW Small Business Commissioner (OSBC) the Outdoor Dining Trial provides a fast, streamlined, self-assessment application process to allow restaurants, cafes and other food based businesses to provide outdoor dining. Businesses with an on-premises (restaurant) liquor licence are also able to serve alcohol in their new outdoor dining area through a provisional approval process.

The OSBC is seeking Council's support to extend the trial for a further six months to 31 December 2018. The OSBC seeks this extension to enable their office to evaluate the success of the trial with participating Councils, conduct an early assessment of the customer experience improvements and test an online application form developed by Service NSW through its digital platform.

The Outdoor Dining Trial commenced on 4 September 2017 with a planned end date of 30 June 2018, initially involving six local government areas (of which QPRC is one) and has since been expanded to an additional two councils (Maitland and Port Stephens). With feedback received from councils, the OSBC are currently seeking a final position on the remaining complex policy issues below:

- **Roads:** Currently, businesses adjoining a state managed road must secure a separate approval from Roads & Maritime Services for outdoor dining. The OSBC is consulting with Roads & Maritime Services to streamline this process.
- **Crown lands:** Currently, a business located on crown land that seeks to provide outdoor dining must secure approval from the Crown Lands & Water Division. Recent changes to the *Crown Lands Management Act 2016* (NSW) appear to enable Councils to have greater decision-making power over crown lands. The OSBC is working with the Office of Local Government to assess the impact of the changes and will then engage with Councils to devise a solution.
- **Fees:** The OSBC will consult with all Councils to develop a consistent approach to fees that takes into account differences between Local Government Areas.

**12.9 Outdoor Dining Trial Extension (Ref: C1862531; Author: Richards/Darcy)
(Continued)**

The OSBC is requesting Council continue to participate in the trial for a further 6 months in order to address and include the issues mentioned above in planned evaluation.

The results of the Trial evaluation and a policy consultation will inform development of a state-wide Outdoor Dining Policy, which councils will have the option to adopt.

Implications***Policy***

The NSW Government is committed to supporting small business. The Outdoor Dining Trial is part of the Easy to Do Business Initiative which seeks to make it easier to do business in NSW through reducing red tape, regulatory reform and policy harmonisation. It resulted from research undertaken with small business and councils. Currently there are nine pieces of legislation that relate to outdoor dining. For many businesses it can be a complex and lengthy process to put a few chairs and tables outside their business, involving different applications and several months.

The Outdoor Dining Trial extension will require Council participation from 30 June 2018 to 31 December 2018. It will require Councils to agree to continue participating in the NSW Outdoor Dining trial for a further 6 months to 31 December 2018

The trial is free to all business applicants that are located in Trial areas. This requires participating councils to waive fees for their Trial area for the period of the Trial. Service NSW, Liquor and Gaming NSW have also waived all fees for the duration of the trial. Following the trial, the participating Councils will be able to adopt the final State-wide Outdoor Dining Policy and broaden the Outdoor Dining Trial to the entire LGA.

A digital application process is currently being development by Service NSW.

Economic

The NSW Outdoor Dining Trial benefits Council in the following ways:

- The streamlined application process will significantly improve efficiencies, reduce staff time and costs. It will ensure resources can be allocated in a more productive and effective manner;
- Local businesses as rate payers will find it faster and easier to create outdoor dining spaces when they decide to do so, providing them with opportunities to expand their business and employ more staff;
- Added vibrancy and vitality of the local community and economy; and
- More outdoor dining will improve the amenity of the commercial centre adding to its sense of place and support the local economy.

Engagement

Businesses that have accessed the services to date have provided feedback that they were very satisfied with the results.

Integrated Plan

The Outdoor Dining Trial meets objectives under the Community Choice strategic pillar and the Queanbeyan CBD Transformation Strategy.

12.9 Outdoor Dining Trial Extension (Ref: C1862531; Author: Richards/Darcy)
(Continued)

Conclusion

Queanbeyan-Palerang Regional Council is a current participant in the Outdoor Dining Trail that was scheduled to run until 30 June 2018. The Small Business Commissioner is seeking Council support to extend the trail for a further six months until 31 December 2018.

Attachments

Nil

**12.10 Quarterly Budget Review Statement for the Quarter Ending 31st March 2018
(Ref: C1862043; Author: Tegart/Taylor)**

Summary

Presenting the March 2018 Quarterly Budget Review Statement (QBRs) for the information of Council and the community.

The Quarterly Budget Review Statement has been prepared in consultation with all Branches and Portfolios within Council. It is submitted for consideration by Council.

Council's Quarterly Budget Review Statement result is a consolidated deficit of \$2,549,683. This deficit is the accrued result, calculated in the Office of Local Government format, taking into account non-cash depreciation charges of \$22.6m.

As the Responsible Accounting Officer it is my view that the financial reports below indicate the financial position of Council is satisfactory, having regard to the original estimates of income and expenditure.

Recommendation

That Council:

- 1. Adopt the March 2018 Quarterly Budget Review Statement and variations as outlined in this report.**
 - 2. Note the predicted consolidated deficit of \$2,549,683.**
-

Background

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

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

As part of the amalgamation process, the formats of financial reporting were revised as required by the OLG. Previous quarterly financial reports reported the net cash movement as a surplus/deficit. The revised formats now match the Office of Local Government's requirements of accrued results.

The overall consolidated result has improved from an accrued operational deficit position of \$13,126 from the December Quarterly budget review, to an operational deficit of \$2,550 for the March Quarterly budget review (before capital income). Result is an improvement from the Original budgeted deficit of \$6,834.

**12.10 Quarterly Budget Review Statement for the Quarter Ending 31st March 2018
(Ref: C1862043; Author: Tegart/Taylor) (Continued)**

The key movements in the March Quarterly Budget review resulted in:

- Improvement in the accrued operational deficit of \$2.53 million, a turnaround of \$10.5 million, in turn reducing cash required to support operations and projects.
- An improved uplift by \$40 million to the forecast operational surplus after capital from the Original Budget.
- Reduction in operational materials and contracts expenditure of \$4 million.
- Savings in employee costs of \$1.3 million.
- Additional \$1.5 million operational income.
- Additional \$7.7 million capital income.
- Reduction \$27 million capital program.

Where Council has separately resolved to fund additional projects, they are recorded in the March Quarterly budget review.

Thresholds of 10% or \$100,000 are applied in relation to variance reporting. This is considered appropriate for the size of the amalgamated organisation.

Significant Variations

The main variations and issues impacting on the funded result are discussed below with favourable changes identified as (F) and unfavourable as (U).

Operating Income adjustments:

Improvement

- Council fleet and plant trades \$1.2 million. (F)
- Domestic waste levy \$230k. (F)
- Lease Income \$181k. (F)
- RMS contract income \$260k. (F)
- Performing Arts Ticket Sales \$653k. (F)
- Water Meter Connections income \$143k. (F)
- Debt Recovery Fees \$159k. (F)

Deterioration

- Reduction in Venue Hire Income \$215k. (U)
- Reduction Construction Certificate income \$100k. (U)
- Reduction Insurance Claim Recoveries \$830k. (U)
- Reduction Noxious Weeds Grant \$130k (U)

Operating Expense adjustments:

Improvement

- Savings from staff vacancies \$1 million. (F)
- Reduction Staff Training \$520k. (F)
- Reduction in Depreciation estimates \$2.3 million (F)
- Capitalisation of staff costs employed on capital projects \$1.8 million. (F)
- Queanbeyan Sewer Contractors \$2.3 million. (F)
- Queanbeyan Sewer Contractors \$864k. (F)
- Capitalisation of ERP staff and project costs \$100k (F)
- Corporate Applications licences \$255k (F)
- Legal costs – town planning \$267k. (F)
- WAMI Contract services \$102k (F)
- Regional Roads contracts \$209k. (F)
- Stormwater contracts \$135k. (F)

**12.10 Quarterly Budget Review Statement for the Quarter Ending 31st March 2018
(Ref: C1862043; Author: Tegart/Taylor) (Continued)**

- Sportsgrounds/reserves and parks materials \$191k. (F)
- Merger project not required \$300k. (F)
- Marketing \$110k (F)
- Electricity \$131k. (F)
- Other savings \$300k. (F)

Deterioration

- Staffing Aquatic Centres \$234k (U)
- IT Contractor services \$115k. (U)
- Performance Contracts \$240k. (U) - *Offset by increased income.*
- Contract services Palerang Waste \$360k (U)
- Contract local roads \$406k. (U)
- Contract state roads \$259k. (U)
- Integrated Water Cycle Plan contract \$190k. (U)

Capital Income adjustments:

- Development Contributions \$7.7 million. (F).

Capital Expense adjustments:

Improvement

- Deferred part Sewerage Treatment Plant to future years \$4 million. (F)
- Sewer Mains Rehabilitation work \$1.9 million. (U)
- Deferred Rusten House Arts Centre to future years \$250k (F)
- Storm water Improvement Program \$335k. (F)
- Captains Flat STP Augmentation program \$1.2 million. (F)
- Deferred Administration Building to future years \$24.4 million. (F)

Deterioration

- Additional work Old Cooma Road stage 2 \$480k. (U)
- Additional Telemetry Program for Water & Sewer \$206k. (U)

Financing Fund Flows adjustments:

Reduction in Loan Borrowings

- Administration Building \$25 million. (U)
- Indoor Sports Centre \$2.250 million funded from unrestricted cash. (U)
- Braidwood Waste Transfer \$2.750 million moved to future years. (U)
- Wallace Street Drainage \$500k. (U)
- Bungendore Drainage \$250k. (U)

Some projects earmarked for borrowings (such as indoor sports centre) have initially been funded from reserves, and will be replenished once the loans are received.

Implications

Legal

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

Financial

The tables below summarise the Funds and Consolidated results as at 31 March 2018.

**12.10 Quarterly Budget Review Statement for the Quarter Ending 31st March 2018
(Ref: C1862043; Author: Tegart/Taylor) (Continued)**

The receipt of grants has boosted capital income by \$36m from the Original Budget, some of which will be carried forward into next FY when revotes are considered during audit of the FY18 financial statements.

The consolidated Operating Result has improved to \$2.550m from the Original \$6.834m, while General Fund has deteriorated on the back of increased depreciation non-cash expense of \$2.8m from Original Budget. The utility funds remain balanced, even though operating surpluses have improved, with movements within reserves used to fund infrastructure works, or store away for future years.

Conclusion

Council's financial outlook for FY18 results (\$,000) in:

- Operational deficit of \$2,550 improved from original budget deficit \$6,834,
- Favourable operational adjustments of \$10,577.
- Capital grants and contributions \$61,450.
- Total capital works and asset purchases \$77,961.
- No additional borrowings this financial year.
- Drawdown of reserves \$16,044
- Decrease in unrestricted cash \$2,264

12.10 Quarterly Budget Review Statement for the Quarter Ending 31st March 2018
(Ref: C1862043; Author: Tegart/Taylor) (Continued)

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	(66,730)	0	(57)	(66,787)	(66,873)	(213)	(67,000)
User Charges & Fees	(28,994)	(78)	(727)	(29,799)	(17,014)	(684)	(30,483)
Interest & Investment Revenue	(4,315)	(107)	(480)	(4,902)	(3,863)	0	(4,902)
Other Income	(2,532)	(10)	(68)	(2,609)	(2,333)	464	(2,145)
Operating Grants & Contributions	(11,578)	2,424	(108)	(9,262)	(6,053)	137	(9,124)
Profit or Loss on Disposal	(3)	0	(45)	(48)	(63)	(1,202)	(1,250)
Total Income	(114,151)	2,229	(1,484)	(113,407)	(96,199)	(1,498)	(114,904)
Expense							
Employee Costs	42,859	(84)	(39)	42,736	30,575	(1,307)	41,429
Borrowing Costs	2,525	0	0	2,525	1,127	0	2,525
Materials & Contracts	45,461	361	776	46,599	25,664	(3,996)	42,603
Depreciation & Impairment	20,960	0	3,971	24,931	16,700	(2,315)	22,616
Other Expenses	10,925	246	122	11,293	8,672	405	11,698
Internal Expenses	(1,744)	372	(178)	(1,550)	(400)	(1,866)	(3,416)
Total Expense	120,985	895	4,653	126,533	82,338	(9,079)	117,454
Operating (Surplus)/Deficit before Capital	6,834	3,124	3,168	13,126	(13,861)	(10,577)	2,550
Capital Income							
Capital Grants & Contributions	(25,406)	(26,324)	(2,020)	(53,751)	(19,179)	(7,699)	(61,450)
Operating (Surplus)/Deficit after Capital	(18,572)	(23,200)	1,148	(40,624)	(33,040)	(18,276)	(58,900)
Non Cash							
Capital Grants & Contributions	20,509	0	0	20,509	2,740	0	20,509
Depreciation & Impairment	(20,960)	0	(3,971)	(24,931)	(16,700)	2,315	(22,616)
Profit or Loss on Disposal	3	0	45	48	63	1,202	1,250
Total Non Cash	(448)	0	(3,927)	(4,374)	(13,897)	3,517	(857)
Investing Fund Flows							
Capital Works Program	71,017	33,749	(4,782)	99,984	18,176	(26,974)	73,010
Asset Purchases	3,103	375	76	3,555	8,901	1,396	4,951
Loan Principal Repayments	1,354	0	0	1,354	0	0	1,354
Total Investing Fund Flows	75,474	34,124	(4,706)	104,893	27,078	(25,578)	79,315
Financing Fund Flows							
Sale of Assets	(3)	0	(45)	(48)	(54)	(1,202)	(1,250)
Proceeds from Borrowings	(27,750)	(3,000)	0	(30,750)	0	30,750	0
Total Financing Fund Flows	(27,753)	(3,000)	(45)	(30,798)	(54)	29,548	(1,250)
Net (Inc)/Dec in Funds before Transfers	28,701	7,924	(7,528)	29,097	(19,913)	(10,789)	18,308
Reserve Movements							
Transfers to Internal Reserves	5,322	(942)	41	4,421	351	307	4,728
Transfers to Developer Contributions	1,423	0	0	1,423	0	7,595	9,019
Transfers to Other External Reserves	8,692	748	113	9,553	0	3,965	13,518
Transfers from Internal Reserves	(6,754)	(5,373)	(1,053)	(13,180)	(3,275)	(352)	(13,532)
Transfers from Developer Contributions	(18,781)	(255)	8,321	(10,715)	0	2,282	(8,433)
Transfers from Other External Reserves	(18,608)	(2,157)	230	(20,535)	(38)	(809)	(21,344)
Total Reserve Movements	(28,705)	(7,980)	7,652	(29,033)	(2,962)	12,988	(16,044)
Net (Inc)/Dec in Unrestricted Funds	(4)	(55)	124	64	(22,875)	2,199	2,264

12.10 Quarterly Budget Review Statement for the Quarter Ending 31st March 2018
(Ref: C1862043; Author: Tegart/Taylor) (Continued)

1 - General Fund

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	(44,640)	0	0	(44,640)	(44,842)	(216)	(44,856)
User Charges & Fees	(12,309)	0	(658)	(12,968)	(8,446)	(417)	(13,385)
Interest & Investment Revenue	(2,643)	(107)	(480)	(3,230)	(3,863)	0	(3,230)
Other Income	(2,432)	(10)	(68)	(2,509)	(2,046)	550	(1,959)
Operating Grants & Contributions	(11,384)	2,424	(108)	(9,068)	(6,053)	52	(9,016)
Profit or Loss on Disposal	(3)	0	(45)	(48)	(58)	(1,202)	(1,250)
Total Income	(73,411)	2,307	(1,358)	(72,462)	(65,307)	(1,233)	(73,696)
Expense							
Employee Costs	39,245	300	(120)	39,425	28,066	(1,307)	38,118
Borrowing Costs	1,423	0	0	1,423	941	0	1,423
Materials & Contracts	24,796	546	891	26,233	16,144	(785)	25,448
Depreciation & Impairment	13,405	(105)	4,779	18,078	11,992	(1,855)	16,223
Other Expenses	10,028	237	122	10,387	7,922	422	10,809
Internal Expenses	(10,774)	314	(133)	(10,593)	(4,375)	(1,380)	(11,973)
Total Expense	78,122	1,291	5,539	84,952	60,690	(4,905)	80,048
Operating (Surplus)/Deficit before Capital	4,711	3,598	4,182	12,490	(4,617)	(6,138)	6,352
Capital Income							
Capital Grants & Contributions	(16,952)	(26,324)	(2,020)	(45,296)	(19,023)	(7,565)	(52,861)
Operating (Surplus)/Deficit after Capital	(12,241)	(22,726)	2,162	(32,806)	(23,640)	(13,703)	(46,509)
Non Cash							
Capital Grants & Contributions	12,552	0	0	12,552	2,740	0	12,552
Depreciation & Impairment	(13,405)	105	(4,779)	(18,078)	(11,992)	1,855	(16,223)
Profit or Loss on Disposal	3	0	45	48	58	1,202	1,250
Total Non Cash	(850)	105	(4,735)	(5,479)	(9,195)	3,057	(2,422)
Investing Fund Flows							
Capital Works Program	56,648	34,358	(4,557)	86,448	14,088	(24,200)	62,248
Asset Purchases	3,103	375	76	3,555	8,901	1,396	4,951
Loan Principal Repayments	898	0	0	898	0	0	898
Total Investing Fund Flows	60,649	34,733	(4,481)	90,901	22,989	(22,804)	68,097
Financing Fund Flows							
Sale of Assets	(3)	0	(45)	(48)	(49)	(1,202)	(1,250)
Proceeds from Borrowings	(27,750)	(3,000)	0	(30,750)	0	30,750	0
Total Financing Fund Flows	(27,753)	(3,000)	(45)	(30,798)	(49)	29,548	(1,250)
Net (Inc)/Dec in Funds before Transfers	19,805	9,112	(7,099)	21,818	(9,895)	(3,902)	17,916
Reserve Movements							
Transfers to Internal Reserves	5,322	(942)	41	4,421	351	307	4,728
Transfers to Developer Contributions	926	0	0	926	0	7,595	8,521
Transfers to Other External Reserves	964	484	11	1,458	0	472	1,930
Transfers from Internal Reserves	(6,320)	(5,366)	(1,406)	(13,092)	(3,275)	(352)	(13,444)
Transfers from Developer Contributions	(8,276)	(394)	8,347	(323)	0	(34)	(357)
Transfers from Other External Reserves	(12,424)	(2,949)	229	(15,144)	(38)	(1,887)	(17,031)
Total Reserve Movements	(19,809)	(9,168)	7,223	(21,754)	(2,962)	6,101	(15,653)
Net (Inc)/Dec in Unrestricted Funds	(4)	(55)	124	64	(12,857)	2,199	2,264

12.10 Quarterly Budget Review Statement for the Quarter Ending 31st March 2018
(Ref: C1862043; Author: Tegart/Taylor) (Continued)

2 - Water Funds

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	(6,256)	0	0	(6,256)	(6,353)	0	(6,256)
User Charges & Fees	(16,117)	(30)	(88)	(16,235)	(7,849)	20	(16,215)
Interest & Investment Revenue	(297)	0	0	(297)	0	0	(297)
Other Income	0	0	0	0	(128)	(7)	(7)
Operating Grants & Contributions	(97)	0	0	(97)	0	85	(12)
Profit or Loss on Disposal	0	0	0	0	(5)	0	0
Total Income	(22,767)	(30)	(88)	(22,885)	(14,335)	98	(22,787)
Expense							
Employee Costs	1,789	(343)	0	1,445	687	0	1,445
Borrowing Costs	610	0	0	610	40	0	610
Materials & Contracts	15,415	(208)	(100)	15,108	7,328	(690)	14,417
Depreciation & Impairment	3,190	0	(1,078)	2,112	1,404	(194)	1,918
Other Expenses	216	0	0	216	172	(34)	182
Internal Expenses	4,483	(2)	(45)	4,436	2,184	(349)	4,087
Total Expense	25,702	(553)	(1,223)	23,927	11,815	(1,267)	22,660
Operating (Surplus)/Deficit before Capital	2,935	(583)	(1,311)	1,042	(2,521)	(1,169)	(127)
Capital Income							
Capital Grants & Contributions	(1,198)	0	0	(1,198)	(172)	(15)	(1,213)
Operating (Surplus)/Deficit after Capital	1,737	(583)	(1,311)	(156)	(2,693)	(1,183)	(1,339)
Non Cash							
Capital Grants & Contributions	865	0	0	865	0	0	865
Depreciation & Impairment	(3,190)	0	1,078	(2,112)	(1,404)	194	(1,918)
Profit or Loss on Disposal	0	0	0	0	5	0	0
Total Non Cash	(2,325)	0	1,078	(1,247)	(1,398)	194	(1,053)
Investing Fund Flows							
Capital Works Program	3,103	(979)	85	2,208	312	258	2,466
Loan Principal Repayments	229	0	0	229	0	0	229
Total Investing Fund Flows	3,331	(979)	85	2,437	312	258	2,695
Financing Fund Flows							
Sale of Assets	0	0	0	0	(5)	0	0
Total Financing Fund Flows	0	0	0	0	(5)	0	0
Net (Inc)/Dec in Funds before Transfers	2,744	(1,562)	(148)	1,034	(3,784)	(731)	303
Reserve Movements							
Transfers to Internal Reserves	0	0	0	0	0	0	0
Transfers to Developer Contributions	333	0	0	333	0	0	333
Transfers to Other External Reserves	991	322	45	1,358	0	771	2,129
Transfers from Internal Reserves	(434)	(7)	434	(7)	0	0	(7)
Transfers from Developer Contributions	(989)	139	(26)	(876)	0	(0)	(876)
Transfers from Other External Reserves	(2,645)	1,107	(305)	(1,842)	0	(39)	(1,882)
Total Reserve Movements	(2,744)	1,562	148	(1,034)	0	731	(303)
Net (Inc)/Dec in Unrestricted Funds	(0)	0	0	(0)	(3,784)	0	0

12.10 Quarterly Budget Review Statement for the Quarter Ending 31st March 2018
(Ref: C1862043; Author: Tegart/Taylor) (Continued)

3 - Sewer Funds

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	(15,835)	0	(57)	(15,892)	(15,678)	3	(15,889)
User Charges & Fees	(567)	(48)	19	(596)	(719)	(287)	(883)
Interest & Investment Revenue	(1,375)	0	0	(1,375)	0	0	(1,375)
Other Income	(100)	0	0	(100)	(159)	(79)	(179)
Operating Grants & Contributions	(96)	0	0	(96)	0	0	(96)
Total Income	(17,973)	(48)	(39)	(18,059)	(16,556)	(363)	(18,422)
Expense							
Employee Costs	1,825	(40)	81	1,866	1,823	0	1,866
Borrowing Costs	492	0	0	492	146	0	492
Materials & Contracts	5,250	23	(15)	5,258	2,192	(2,521)	2,738
Depreciation & Impairment	4,365	105	270	4,740	3,304	(266)	4,474
Other Expenses	682	9	0	691	578	17	707
Internal Expenses	4,547	60	0	4,607	1,791	(137)	4,470
Total Expense	17,161	157	336	17,654	9,833	(2,907)	14,746
Operating (Surplus)/Deficit before Capital	(812)	109	297	(406)	(6,723)	(3,270)	(3,676)
Capital Income							
Capital Grants & Contributions	(7,256)	0	0	(7,256)	15	(120)	(7,376)
Operating (Surplus)/Deficit after Capital	(8,068)	109	297	(7,662)	(6,707)	(3,390)	(11,052)
Non Cash							
Capital Grants & Contributions	7,092	0	0	7,092	0	0	7,092
Depreciation & Impairment	(4,365)	(105)	(270)	(4,740)	(3,304)	266	(4,474)
Total Non Cash	2,727	(105)	(270)	2,352	(3,304)	266	2,618
Investing Fund Flows							
Capital Works Program	11,267	370	(309)	11,328	3,777	(3,032)	8,295
Loan Principal Repayments	228	0	0	228	0	0	228
Total Investing Fund Flows	11,494	370	(309)	11,555	3,777	(3,032)	8,523
Financing Fund Flows							
	0	0	0	0	0	0	0
Total Financing Fund Flows	0	0	0	0	0	0	0
Net (Inc)/Dec in Funds before Transfers	6,153	374	(281)	6,245	(6,234)	(6,156)	89
Reserve Movements							
Transfers to Developer Contributions	164	0	0	164	0	0	164
Transfers to Other External Reserves	6,738	(59)	57	6,736	0	2,723	9,459
Transfers from Internal Reserves	0	0	(81)	(81)	0	0	(81)
Transfers from Developer Contributions	(9,516)	0	0	(9,516)	0	2,316	(7,200)
Transfers from Other External Reserves	(3,539)	(315)	305	(3,549)	0	1,118	(2,431)
Total Reserve Movements	(6,153)	(374)	281	(6,245)	0	6,156	(89)
Net (Inc)/Dec in Unrestricted Funds	0	(0)	(0)	0	(6,234)	0	0

Attachments

Nil

12.11 Investment Report - April 2018 (Ref: C1862996; Author: Taylor/Drayton)

Summary

In accordance with the *Local Government (General) Regulation 2005*, the Investment Report is to be presented to Council on a monthly basis.

This report presents the investment result for April 2018.

Recommendation

That Council:

- 1. Note the investment income for April 2018 was \$594,928 bringing the total return on Cash and Cash Equivalent Investments for the 2017/18 Financial Year to \$4,373,201 which is \$470,216 above the budget within the adopted Operational Plan Quarter 2 revision.**
 - 2. Note the investment portfolio has been made in accordance with the *Local Government Act 1993*, and the *Local Government (General) Regulation 2005*.**
 - 3. Adopt the Investment Report for the month of April 2018.**
-

Background

Cash and Cash Equivalent Investments

The principal amount invested as at 30 April 2018 was \$169,593,984.

Refer to Attachment 1 for the following supporting information:

- 1 Actual return against budget;
- 2 Investment portfolio return against the benchmark AusBond Bank Bill Index (BBI);
- 3 Listing of Council's Cash and Cash Equivalent Investments;
- 4 Strategic placement limits for individual institutions or counterparties;
- 5 Placement with individual institutions as a percentage of Council's total portfolio;
- 6 Market values of Council's tradeable investments;
- 7 Budgeted interest allocation by Entity.

Market Update

The average 30 day BBSW rate for April 2018 was 1.87%.

The Reserve Bank (RBA) decided to leave the cash rate unchanged at the record low of 1.50% at its May 2018 meeting.

The Bank reiterated their forecast for Australian economic growth to accelerate throughout 2018, supported by positive business conditions, strong employment growth, higher public infrastructure investment, and increasing mining investment. Household consumption remains a key source of uncertainty, with slowed household income growth and high debt levels being a continuing concern.

The Bank noted a slowdown in Sydney and Melbourne housing markets with little change in nationwide measures of housing prices over the past six months. APRA's supervisory

**12.11 Investment Report - April 2018 (Ref: C1862996; Author: Taylor/Drayton)
(Continued)**

measures and tighter credit standards have aided in containing the build-up of risk in household balance sheets, despite high continuing levels of household debt.

Inflation is expected to remain low, with both CPI and underlying inflation marginally below 2%, reflecting low growth in labour costs and strong retail competition. A gradual pickup in inflation is expected as the economy strengthens, with the central forecast for CPI inflation to be a "bit above 2% in 2018".

Overall, the RBA's 'patient approach' ensures policy will remain on hold over the first half of 2018 as low interest rates continue to support the Australian economy. The board expects that a reduction in unemployment and a return to the 2-3% target range for inflation will be gradual throughout 2018. It remains increasingly difficult to keep rates unchanged as the US moves towards 3% rates. Current market pricing has factored a Q4 rate increase.

The TCorpIM Long-Term Growth Fund experienced a positive return this month following the recovery in global markets. The weaker \$A again boosted returns. The Fund invests across major listed asset classes, with around 70% directed to growth assets and 30% to defensive assets. *Source: CPG Research and Advisory*

Implications***Policy***

I hereby certify that Queanbeyan-Palerang Regional Council investments listed in Table 1 attached to this report have been made in accordance with section 625 of the Local Government Act 1993, and clause 212 of the Local Government General Regulations 2005. During May 2017, Queanbeyan-Palerang Regional Council became noncompliant with its Investment Policy due to an overexposure to the Bank of Queensland counterparty (10.02%).

Shane Taylor
Chief Financial Officer

On 22 May 2017, ratings agency Standard & Poor's announced a downgrade of the senior long-term ratings of 23 Australian financial institutions including Bank of Queensland (BOQ).

At the current investment portfolio level, Council has a negligible 0.02% over-exposure to the Bank of Queensland, meaning non-compliance with Council's Investment Policy.

Refer to Attachment 1 - Tables 2 and 3.

Council's Policy states:

"The portfolio credit guidelines to be adopted will reference the Standard & Poor's (S&P) ratings system criteria and format – however, references to the Minister's order also recognised Moody's and Fitch ratings and any of the three ratings may be used where available."

"Standard and Poor's ratings attributed to each individual institution will be used to determine maximum holdings. In the event of a disagreement between agencies as to the rating band ("split ratings") Council shall use the higher in assessing compliance with portfolio limits, but for conservatism shall apply the lower in assessing new purchases."

This will halt any new investment with BOQ until December 2018.

**12.11 Investment Report - April 2018 (Ref: C1862996; Author: Taylor/Drayton)
(Continued)**

Financial

Investment income for the 2017/18 Financial Year as at 30 April 2018 amounted to \$4,373,201. This return was \$470,216 above the year to date adopted revised Quarter 2 budget. The investment returns are added to the associated restricted funds (i.e. development contributions) that form Council's investment portfolio.

Refer to Attachment 1 - Graph 1 and Table 5.

Attachments

Attachment 1 Investment Report - April 2018 - Attachment 1 - 23 May 2018 (*Under Separate Cover*)

12.12 Local Heritage Places Grant Fund Application (Ref: C1859393; Author: Carswell/Carswell)

Summary

This report seeks direction and makes recommendations in regard to two Local Heritage Places Grants applications.

These were last considered by Council at its meeting of 22 November 2017 (Minute No. 371/17).

Recommendation

That Council:

- 1. Agree to a grant of a maximum of \$2000 in relation to the application for 85 Wallace Street, Braidwood, and the grant be subject to the standard terms and conditions for local heritage places grants.**
 - 2. Agree that an extension be granted in relation to the application for 39 Wallace Street, Braidwood, subject to the work being completed in 2018/19 financial year.**
-

Background

Application One

This is an application in relation to 85 Wallace Street Braidwood for restoration of the roof, replacement of guttering etc. and painting where necessary. The estimated cost of work is \$4,000 to \$12,000 (plus GST) (Attachment 1).

The application was received by the deadline but due to an administrative error was not considered by the Appraisal Panel and consequently by Council at its meeting of 22 November 2017. A representation on this has been received and an apology conveyed to the applicants.

The Heritage Advisor for the eastern part of the local government area has also reviewed the application and is supportive of funding being made available for the project.

All local heritage places grant applications have to be reported on and reconciled with the Heritage branch of the Office Environment and Heritage this month. Council has secured funding for the 2018/19 financial year of up to \$10,000 with matching funding being required from Council. Given the above this essentially leaves two options:

1. Deem the application to be an application for the 2018/19 financial year and provide a grant of \$2,000 (half of the minimum amount applied for).

This would reduce the total funds available in 2018/19 by \$2,000 and may cause some difficulties when reconciling with the Office of Environment and Heritage in May 2019 if work is commenced this financial year. However it has the potential advantage of being able to claim \$1,000 from that office.

2. Agree to a one off grant of \$2,000 and fund it from revenue subject to the same conditions in regard to inspection and completion of work as required by other grantees.

12.12 Local Heritage Places Grant Fund Application (Ref: C1859393; Author: Carswell/Carswell) (Continued)

In this case under the Heritage Conservation General Ledger there are some surplus funds which could be used to fund this grant. However if this course of action is pursued, Council wouldn't be able to claim the \$1,000.

Application Two

This is an application for 39 Wallace Street, Braidwood which was approved for funding of up to \$2,475. The works to be undertaken included plastering and painting the exterior fascia and the repair of the front door and window. Council has received a representation which indicates a delay outside the control of the applicants and the strong likelihood that the work won't be finalised in time to reconcile this grant as part of the report to the Office of Environment and Heritage.

In this case it considered that an extension of time be given and that this application be deemed an application for the financial year 2018/19.

Implications***Policy***

In both circumstances there are unusual circumstances which would distinguish them from other cases.

Environmental

Action as recommended would enable work with positive environmental impacts.

Sustainability

These grants would enable work which is consistent with a sustainable approach.

Social / Cultural

Local heritage places grants promote heritage as being a positive approach.

Strategic

These grants are consistent with a strategic approach of promoting heritage conservation.

Financial

Grants up to an amount of \$1,000 - \$2,000 for Application 1.

Integrated Plan

Local heritage places grants are part of Activity 26.5.1 for the Branch in the current Operational Plan.

Conclusion

It is considered that Application One should be funded up to a maximum of \$2000 and subject to the same terms and conditions as other grantees.

An extension should also be granted to Application Two and this application be deemed to be an application for the financial year 2018/19.

Attachments

- Attachment 1 Local Heritage Places Grant Application Form 2017-2018 - 85 Wallace
Street Braidwood (*Under Separate Cover*) - **CONFIDENTIAL**
- Attachment 2 Julian Laffan and Natasha Fijn - Request for Extension - 7 May 2018
(*Under Separate Cover*) - **CONFIDENTIAL**

13.1 Submission - Draft Discussion Paper 'Planning for the Future of Retail' - April 2018 (Ref: C1863738); Author: Tegart/Brown

Report

The NSW Department of Planning and Environment (DPE) has released a discussion paper for comment titled 'Planning for the Future of Retail'. Council staff intend to make a submission on the draft paper. A copy of that submission is attached.

The discussion paper sets out the context of Australia's existing retail sector and how this is evolving over time, particularly with the influence of other retail opportunities such as on-line shopping. Feedback on the discussion paper is intended to be used to inform a NSW Retail Strategy.

The paper identifies 3 potential directions that the NSW Planning System can take to respond to changing trends and create the environment for both retailers and local councils to respond and adapt to future requirements. These are:

- better local strategic planning for retail – identify the retail narrative for centres to facilitate and plan for a retail sector that responds to customer requirements, while also meeting strategic objectives for liveability and productivity,
- a modern approach to retail development that reflects a range of retail formats in centres – understanding the strengths and role of local retail to develop suitable planning outcomes, and
- providing adaptability and certainty for retail – developing a planning system that has the flexibility yet certainty to allow for innovative, contemporary retail solutions that match consumer need, while bringing wider benefits to local areas.

The Discussion Paper also introduces and updates a number of definitions for planning purposes and these include 'artisan premises', 'garden centre', 'local distribution premises' and 'neighbourhood supermarket'. The previous definition 'bulky goods premises' has also been replaced with a new definition 'specialised retail premise'.

Whilst Council supports the work undertaken by DPE, Council has noted in its submission that a number of the proposed actions to plan for better retail are already routinely undertaken by Council during its planning activities around business and commercial activities.

Recommendation

That the report be received for information.

Attachments

Attachment 1 Draft Submission - Planning for Future of Retail (*Under Separate Cover*)

**13.2 Proclamation of Joint Organisations (Ref: C1864212); Author: Tegart/Ferguson
Report**

On Friday, 11 May 2018, the proclamation to create 11 joint organisations and the supporting regulation was published on the NSW Legislation website.

Following the proclamation, the joint organisations formally exist as entities. They are now encouraged to plan their first meeting and proceed to establish the foundational governance arrangements that are required for the joint organisations to be operational.

Joint organisations will elevate the shared priorities of member councils' strategic plans, programs, priorities and policies to perform three principal functions in their region:

- strategic planning and priority setting
- intergovernmental collaboration
- shared leadership and advocacy.

They may also choose to carry out additional functions, such as shared services.

The Office of Local Government (OLG) has provided a "Joint Organisation Implementation Guidance" booklet, which may be accessed here:

https://www.olg.nsw.gov.au/sites/default/files/OLG_Joint_Organisation_Implementation_Guide_May_2018.pdf.

The OLG has assigned an officer to each joint organisation to provide direct support and has established an online portal to share information between joint organisations. The OLG will also be scheduling regular teleconferences with the executive officers of joint organisation.

Council had resolved to join the Canberra Region Joint Organisation (CBRJO) in January, and is now mandated as a member by proclamation.

Council will work with the parties to enable the wind up of the current entity, and transition to the new entity, which is expected to become effective from 1 July 2018. While a new chair and executive officer are to be engaged from that date, the mayors of the member councils form the Board.

Recommendation

That the report be received for information.

Attachments

Nil

13.3 Bungendore Ambulance Station site (Ref: C1865110); Author: Tegart/Tegart

Report

Further to Council's resolution at its meeting on 28 March, potential Council, private and Crown sites suitable for an ambulance station proposed for Bungendore have been identified for consideration in the draft Structure Plan and for discussion with NSW Ambulance.

NSW Ambulance have certain size, servicing, access and locality criteria to determine a site, while the development on that site may be determined under either Part 4 or 5 of the EP&A Act.

Options to co-locate near the existing RFS and SES sites, or co-locate with Council existing or proposed facilities may be examined, as suggested on the councillor attachment.

Recommendation

That the report be received for information.

Attachments

Attachment 1 Potential Sites (*Under Separate Cover*) - **CONFIDENTIAL**

13.4 Resolution Action Sheet (Ref: C1863038); Author: Ferguson/Ison

Report

The Resolution Action Sheet provides Council with information on action taken or proposed to be taken as a result of resolutions carried at Ordinary Council meetings and Planning & Strategy Committee of the Whole meetings.

The Resolution Action Sheet is an ongoing document, updated progressively by staff. As items are completed and presented to Council, they will be removed from the document.

Recommendation

That the report be received for information.

Attachments

Attachment 1 Resolution Action Sheet (*Under Separate Cover*)

14.1 Queanbeyan-Palerang Sports Council - Minutes of the Meeting Held 7 May 2018
(Ref: C1863108; Author: Thompson/Penman)

Present:

The Queanbeyan-Palerang Sports Council has submitted the minutes of its meeting held on 7 May 2018 for Council's information.

Recommendation

That Council note the minutes of the Queanbeyan-Palerang Sports Council meeting held on 7 May 2018.

Attachments

Attachment 1 Minutes of the QPRC Sports Council - 7 May 2018 (*Under Separate Cover*)

14.2 Braidwood Locality Committee minutes 30 May 2018 (Ref: C1863627; Author: Tegart/Ferguson)

Report

The inaugural meeting of the Braidwood Locality Committee was held on 30 April 2018. The minutes of the meeting are attached.

The Braidwood Locality Committee membership includes Crs Overall and Noveska, and representatives from the:

- Nerriga Progress and Sporting Association Inc
- Braidwood National Theatre Community Centre s.355 Committee
- Braidwood Showground Reserve Trust s.355 Committee
- Braidwood Recreation Ground s.355 Committee
- Mongarlowe RFS

The alternate nominees were also invited to attend the inaugural meeting.

Following a presentation by Council's Service Manager Urban Landscapes, the Committee provided feedback about the Braidwood CBD and Ryrie Park plans.

Recommendation

That Council:

1. **Note the minutes of Braidwood Locality Committee meeting held on 30 April 2018;**
2. **Adopt recommendations BDLC01/2018 and BDLC02/2018 from the meeting held on 30 April 2018:**

BDLC01/2018 RECOMMENDATION That Council undertake an assessment with a view to upgrading the usability of the Charleys Forest Hall and grounds.

BDLC02/2018 RECOMMENDATION That Council staff meet with the Braidwood Gymnasium s.355 Committee representatives to discuss the options for renewing the agreement for the Braidwood Central School gymnasium.

Attachments

Attachment 1 Braidwood Locality Committee meeting minutes 30 April 2018 (*Under Separate Cover*)

14.3 Bungendore War Memorial s.355 Committee minutes (Ref: C1863634; Author: Tegart/Ferguson)

Report

The Bungendore War Memorial s.355 Committee has submitted for Council's information the minutes of its Committee meetings held on 1 February and 1 March 2018.

The Bungendore War Memorial s.355 Committee is responsible for the preservation of the Bungendore War Memorial and the organisation of ANZAC Day, Remembrance Day and other commemorations in Bungendore.

There are no recommendations within the minutes for Council's determination.

Recommendation

That Council note the minutes of Bungendore War Memorial s.355 Committee meetings held on 1 February and 1 March 2018.

Attachments

- | | |
|--------------|---|
| Attachment 1 | Bungendore War Memorial s.355 Committee meeting minutes 1 February 2018 (<i>Under Separate Cover</i>) |
| Attachment 2 | Bungendore War Memorial s.355 Committee meeting minutes 1 March 2018 (<i>Under Separate Cover</i>) |

16.1 Responses to Councillors' Questions (Ref: C1851428); Author: Ferguson/Ison
Report

This report provides responses to Councillors' questions taken at Council meetings and subsequently.

Where a response has been given by staff in a meeting at the time the question was asked, the response will be recorded in the minutes.

As discussed at the Council meeting on 24 January 2018, those questions from Councillors that are classified as service requests will be dealt with through Council's Customer Action Request System (CARS) rather than included in the Councillors' Questions 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 table (<i>Under Separate Cover</i>)
Attachment 2	Responses to Councillors' Questions table - with CIC (<i>Under Separate Cover</i>) - CONFIDENTIAL

19 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 20.1 Compliance Matter

Item 20.1 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 20.2 Negotiated Settlement - Cannchar PL

Item 20.2 is confidential in accordance with s10(A) (c) (g) 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 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.