



Ordinary Meeting of Council

AGENDA

27 November 2019

Commencing at 5.30pm

Bungendore Council Chambers

On-site Inspections - Nil

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Confidential - Not for Publication

16 REPORTS FOR CLOSED SESSION

- 16.1 Southern Phone Company Ltd
Item 16.1 is confidential in accordance with s10(A) (di) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.
- 16.2 Payment Arrangement Agreement - Property ID 160842
Item 16.2 is confidential in accordance with s10(A) (a) of the Local Government Act 1993 because it contains personnel matters concerning particular individuals (other than

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

17 CONCLUSION OF THE MEETING

LIST OF ATTACHMENTS *(Copies available from General Manager's Office on request)*

Open Attachments

- Item 9.1 Community Consultation Results on Skate Park Concept and Location - Braidwood
Attachment 1 Braidwood Skate Park - Consultation Responses (Under Separate Cover)
- Item 9.2 DA Modification 66-2018.A - Two Lot Subdivision - 419 Captains Flat Road, Carwoola
Attachment 1 66-2018.A - 419 Captains Flat Road - Section 4.55 Matters for Consideration (Under Separate Cover)
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- Item 9.5 Outcome of Noise Monitoring from Security Awareness Training at Goolabri Country Resort
Attachment 1 6 June 2019 Noise Report by AECOM (Under Separate Cover)
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- Item 9.11 Bungendore Carpark - Community Consultation
Attachment 1 Bungendore Carpark Community Consultation Report (Under Separate Cover)
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- Item 9.13 QPRC Directional Signage Policy
Attachment 1 QPRC Directional Signage Policy 2019 (Under Separate Cover)
- Item 9.14 Community Engagement and Participation Plan
Attachment 1 Community Engagement and Participation Plan with changes noted (Under Separate Cover)
Attachment 2 Complete Engagement Summary report (Under Separate Cover)
Attachment 3 Complete submission from the Braidwood Community Association (under separate cover)
- Item 9.15 Closure of part of Brown St Queanbeyan
Attachment 1 Brown St Closure Information Sheet. (Under Separate Cover)
- Item 9.18 Queanbeyan CBD Spatial Master Plan
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- Item 9.20 Annual Report 2018-19
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- Item 9.21 Merger Report - 2016-19
Attachment 1 Merger Report 2016-19 (Under Separate Cover)
- Item 9.23 Presentation of 2018-19 Audited Financial Statements
Attachment 1 2018-19 Financial Statements (Under Separate Cover)
- Item 9.24 Quarterly Budget Review Statement for the Quarter Ending 30th September 2019
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- Item 9.25 Investment Report - October 2019
Attachment 1 October 2019 - Investment Report Pack (Under Separate Cover)
- Item 9.26 Rates Harmonisation Community Engagement Plan
Attachment 1 Community Reference Panel Terms of Reference (Under Separate Cover)
- Item 11.1 Local Traffic Committee - 16th October 2019
Attachment 1 Local Traffic Committee Minutes - 16th October 2019 (Under Separate Cover)
- Item 11.2 Minutes of the Environment and Sustainability Advisory Committee meeting held 4 September 2019
Attachment 1 Minutes of Environment and Sustainability Advisory Committee - 4 September 2019 (Under Separate Cover)
- Item 11.3 Audit, Risk and Improvement Annual Report 2018/19
Attachment 1 Audit, Risk and Improvement Committee Annual Report 2018/19 (Under Separate Cover)
- Item 11.4 Minutes of Audit, Risk and Improvement Committee Meeting of 18 September 2019
Attachment 1 Approved Minutes of Audit, Risk and Improvement Committee Meeting of 18 September 2019 (Under Separate Cover)
- Item 11.5 Wamboin Hall Management s.355 Committee
Attachment 1 Wamboin Hall Management s.355 Committee meeting minutes 10 September 2019 (Under Separate Cover)
- Item 12.1 Constitutional Referendum
Attachment 1 NSW Councils which have a directly elected Mayor (Under Separate Cover)
- Item 13.1 Delegates' Reports
Attachment 1 Cr Harrison's Delegates Report (Under Separate Cover)
Attachment 2 RMS SEATS Report - November 2019 (Under Separate Cover)
- Item 14.1 Responses to Councillors' Questions
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- Item 9.5 Outcome of Noise Monitoring from Security Awareness Training at Goolabri Country Resort
Attachment 4 Goolabrai Response to Council Action (Under Separate Cover)
Attachment 5 Chronology of Gunfire Noise Complaint at Goolabri (Under Separate Cover)

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- Item 9.6 Tender Recommendation for Refurbishment of Braidwood Pool
 Attachment 1 Tender Recommendation - Refurbishment of Braidwood Pool (Under Separate Cover)
- Item 9.7 Tender Recommendation - Refurbishment of Rusten House
 Attachment 1 Tender Recommendation - Refurbishment of Rusten House CN 2019-35 (Under Separate Cover)
- Item 9.8 Award Contract RFT 2019-52 - Supply and Installation of Road Safety Barrier Systems
 Attachment 1 RFT 2019-52 Tender Recommendation Report (Under Separate Cover)
- Item 9.9 Award Panel Contract RFT 2019-51 - Supply and Delivery of Bridge Componentry
 Attachment 1 Bridge Componentry Tender Recommendation (Under Separate Cover)
- Item 9.10 Award Panel Contract 2019-53 - Wet & Dry Plant Hire Tender
 Attachment 1 2019-53 Wet & Dry Panel Recommendation Report (Under Separate Cover)
- Item 9.15 Closure of part of Brown St Queanbeyan
 Attachment 2 Submissions received regarding Proposed Brown St Closure Sept 2019 (Under Separate Cover)
- Item 14.1 Responses to Councillors' Questions
 Attachment 2 Responses to Councillors' Questions with confidential information (Under Separate Cover)
- Item 16.1 Southern Phone Company Ltd
 Attachment 1 Ernst & Young report (Under Separate Cover)
 Attachment 2 Shareholder Information Pack (Under Separate Cover)
 Attachment 3 Buy-Back Agreement proposal (Under Separate Cover)
- Item 16.2 Payment Arrangement Agreement - Property ID 160842
 Attachment 1 Request for Payment Arrangement (Under Separate Cover)



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Bungendore Council Chambers on Wednesday, 23 October 2019 commencing at 5.30pm.

ATTENDANCE

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

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

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

1. OPENING

The meeting opened at 5.30pm.

2. ACKNOWLEDGEMENT OF COUNTRY

The Mayor acknowledged the traditional custodians of the land upon which the meeting was held.

3. APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

338/19

RESOLVED (Taylor/Noveska)

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

The resolution was carried unanimously.

4. CONFIRMATION OF MINUTES

4.1 Minutes of the Ordinary Meeting of Council held on 25 September 2019

339/19

RESOLVED (Hicks/Taylor)

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 25 September 2019 be confirmed.

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

340/19

RESOLVED (Taylor/Bray)

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

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

Against: Cr Schweikert

There were no disclosures.

6. ADJOURNMENT FOR PUBLIC FORUM

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

341/19

RESOLVED (Overall/Taylor)

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

ADJOURNMENT:

The meeting adjourned for the Public Forum at 5.31pm and resumed at 5.45pm.

7. MAYORAL MINUTE

There was no Mayoral Minute.

8. NOTICES OF MOTION OF RESCISSION

There were no Notices of Motion of Rescission.

9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.1 Development Application DA.2019.1053 - Tennis Court and Flood Lighting - 67 Daniel Lane, Forbes Creek

342/19

RESOLVED (Schweikert/Harrison)

That:

1. Development application DA.2019.1053 for a Tennis Court with Floodlighting on Lot 1 DP 507778, No. 67 Daniel Lane, Forbes Creek be granted conditional approval.

2. Condition 11 be amended to:

11. Submission of Landscaping Plan

Prior to the issue of any construction certificate the applicant shall submit to, and have approved by Council, a landscaping plan incorporating the following elements:

- Provide a landscaped buffer to the southwest and southeast of the tennis court;
- Landscape buffer is to be planted with advanced stock (2-3 years old) and incorporate native species including trees capable of achieving mature heights of at least 5m and understorey vegetation capable of achieving heights of 1.5-2.0m.

Reason: To ensure privacy to adjoining development by planting a visual vegetative screening.

3. Those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.

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

Against: Crs Brown and Noveska

9.2 Googong Urban Development Local Planning Agreement Review

343/19

RESOLVED (Taylor/Harrison)

That Council:

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

The resolution was carried unanimously.

9.3 Road Naming Proposals - Aubrey Close, Braidwood and Sparrow Close, Bungendore

344/19

RESOLVED (Schweikert/Noveska)

That Council:

1. Adopt in principle the names 'Aubrey Close' and 'Sparrow Close' the proposed names in conjunction with new subdivisions created in Braidwood and Bungendore respectively.
2. Advertise the names for public comment for 28 days.
3. Publish a notice in the NSW Government Gazette if no objections are received.

The resolution was carried unanimously.

9.4 Review of the Protection of the Environment (Clean Air) Regulation - Control of Open Burning

345/19

RESOLVED (Schweikert/Taylor)

That:

1. Council place the Draft Open Burning Policy on public exhibition for a period of 28 days.
2. A report considering all submissions and Policy amendments be brought back to Council following exhibition.

The resolution was carried unanimously.

9.5 Queanbeyan Riverside Tourist Park - Renewable Energy & Energy Efficiency Project

346/19

RESOLVED (Taylor/Bray)

That Council transfer an amount of \$100,000 from the Revolving Energy Reserve for energy efficiency upgrades and renewable energy projects at the Queanbeyan Riverside Tourist Park.

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

Against: Cr Schweikert

9.6 Northern Entry Road Tender - Tender No 2019/54

347/19

RESOLVED (Harrison/Bray)

That Council delegate to the Planning and Strategy Committee of the Whole the authority to award the contract for the Construction of the Northern Entry Road.

The resolution was carried unanimously.

9.7 Australian Wind Symphony

348/19

RESOLVED (Hicks/Harrison)

That Council:

1. Support in principle the agreement with the Australian Wind Symphony to have the Bicentennial Hall as its base.
2. Endorse the preparation of a formal written agreement with the Australian Wind Symphony for a trial period for the 2020 calendar year.

The resolution was carried unanimously.

9.8 Queanbeyan Junior Brass Application for Funding - Cultural Arts Assistance Scheme

349/19

RESOLVED (Noveska/Overall)

That Council approve a grant of \$1,500 to Queanbeyan Junior Brass Band under the Cultural Arts Assistance Scheme (CAAS).

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

Against: Cr Harrison

9.9 Draft QPRC Community Engagement Plan

350/19

RESOLVED (Hicks/Taylor)

That Council place the draft QPRC Community Engagement and Participation Plan on public exhibition for a period of 28 days.

The resolution was carried unanimously.

9.10 Model Code of Conduct Consultation - Gifts and Benefits

351/19

RESOLVED (Schweikert/Harrison)

That:

1. Council note the NSW Minister for Local Government's request for submissions on the monetary threshold on the value of gifts that may be accepted by council officials.
2. Councillors be encouraged to lodge their personal views on the threshold to the Office of Local Government by 8 November 2019.

The resolution was carried unanimously.

9.11 Register of Declarations of Pecuniary Interests and Other Matters

352/19

RESOLVED (Taylor/Winchester)

That, in accordance with s.440AAB of the *Local Government Act 1993*, the register of annual returns of disclosures of pecuniary interest and other matters by Councillors and designated staff for the period ending 30 June 2019, be tabled.

The resolution was carried unanimously.

9.12 Queanbeyan Showground Advisory Committee Representative

353/19

RESOLVED (Taylor/Winchester)

That Council endorse the appointment of Mr David Loft to fill a casual vacancy as a representative of the Queanbeyan Heritage Advisory Committee on the Queanbeyan Showground Advisory Committee.

The resolution was carried unanimously.

9.13 Extension of Licence Agreement

354/19

RESOLVED (Schweikert/Taylor)

That:

1. Council agree to the request from NSW Police to extend the Licence Agreement to use the Morisset Street Carpark for a police compound until 16 April 2021.
2. An Addendum to the Licence Agreement be prepared and executed by the parties.
3. Council seek a further contribution of \$3,000 per car space pro rata for the period of the extension.

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

Against: Cr Bray

9.14 Renewal of Licence to Airservices Aust. - Noise Monitoring Equipment - Jerrabomberra

355/19

RESOLVED (Schweikert/Taylor)

That:

1. Council agree in principle to enter into a 5 year Licence Agreement with Air Services Australia for the location of an aircraft noise monitoring station at the Jerrabomberra Tennis Club, 4 Coral Drive Jerrabomberra.
2. The Licence Agreement proposal be advertised in accordance with s47 of the *Local Government Act 1993*.
3. If no objection to the proposal is received that the Licence Agreement be executed.
4. Council approve the CEO to execute the Licence Agreement on the Council's behalf.

The resolution was carried unanimously.

9.15 Annual Native Title Manager Notification to Minister

356/19

RESOLVED (Harrison/Hicks)

That Council:

1. Confirm the appointment of David Carswell, Kristina Micallef and Simon Holloway as the native title managers employed by Council.
2. Authorise the CEO to give written notice to the Minister for Water, Property and Housing the names and contact details of Council's Native Title Managers.

The resolution was carried unanimously.

9.16 Investment Report - September 2019

357/19

RESOLVED (Bray/Harrison)

That Council:

1. Note the 2019/20 investment income for September 2019 was \$553,244.
2. Note the investment portfolio has been made in accordance with the *Local Government Act 1993*, the *Local Government (General) Regulation 2005* and Queanbeyan-Palerang Regional Council's Investment Policy.
3. Adopt the Investment Report for the month of September 2019.

The resolution was carried unanimously.

SUPPLEMENTARY REPORT

9.17 Queanbeyan Civic and Cultural Precinct

358/19

RESOLVED (Winchester/Taylor)

That Council:

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

The resolution was carried unanimously.

10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

10.1 Local Government General Elections September 2020

359/19

RESOLVED (Taylor/Schweikert)

That the report be received for information.

The resolution was carried unanimously.

10.2 Resolution Action Sheet

360/19

RESOLVED (Schweikert/Taylor)

That the report be received for information.

The resolution was carried unanimously.

10.3 Site Inspection – DA.2019.1053 – Tennis Court and Flood Lighting – 67 Daniel Lane, Forbes Creek

361/19

RESOLVED (Harrison/Hicks)

That the report be received for information.

The resolution was carried unanimously.

11. REPORTS OF COMMITTEES

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

362/19

RESOLVED (Schweikert/Overall)

That Council note the minutes of QPRC Heritage Advisory Committee Meeting held on 19 September 2019.

The resolution was carried unanimously.

11.2 Consultative Committee on Aboriginal Issues

363/19

RESOLVED (Taylor/Harrison)

That Council:

1. Note the minutes of Consultative Committee held on 20 August 2019.
2. Adopt recommendation CAI 01/19 from the meeting held on 20 August 2019.

CAI 01/19 That Council accept the change in Terms of Reference that Ngunnawal and Walbunga peoples can live outside of the QPRC region and still be a member of the Committee.

The resolution was carried unanimously.

11.3 New Youth Committee Members

364/19

RESOLVED (Taylor/Bray)

That Council endorse Recommendation YAC 4/19 of the Youth Committee to appoint the following members to the Committee for 2020:

Martin Peel, Tia Gray, Ruby Gurling, Liam O'Grady, Jayden Pappas, Jenna Ross, Jane-Maree Carvolth, Jesse Munslow, Elia Biscotti, Jay Madden, Lani Bevan, Imogen Philp-Reid, and Taylor Clift.

The resolution was carried unanimously.

11.4 Greenways s.355 Committee Meetings Minutes

365/19

RESOLVED (Harrison/Schweikert)

That Council note the minutes of the Greenways s.355 Committee's Annual General Meeting and Committee meeting held on 10 September 2019, and the assessment of Greenways major works.

The resolution was carried unanimously.

11.5 Bungendore Locality Committee Meeting Minutes 12 August 2019

366/19

RESOLVED (Schweikert/Harrison)

That Council note the minutes of the meeting of the Bungendore Locality Committee held on 12 August 2019.

The resolution was carried unanimously.

11.6 Royalla Common s.355 Committee Meeting Minutes

367/19

RESOLVED (Taylor/Hicks)

That Council note the minutes of the Royalla Common s.355 Committee's meeting held on 31 July 2019.

The resolution was carried unanimously.

12. NOTICES OF MOTIONS

12.1 Drought Relief

368/19

RESOLVED (Schweikert/Hicks)

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

The resolution was carried unanimously.

13. REPORTS TO COUNCIL - DELEGATES REPORTS

13.1 Delegates' Reports

369/19

RESOLVED (Schweikert/Harrison)

That Council note the Delegates' Reports.

The resolution was carried unanimously.

14. QUESTIONS WITH NOTICE

14.1 Responses to Councillors' Questions

370/19

RESOLVED (Taylor/Schweikert)

That the report be received for information.

The resolution was carried unanimously.

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

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

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

There were no presentations.

16. REPORTS FOR CLOSED SESSION

371/19

RESOLVED (Overall/Taylor)

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

Item 16.1 Receipt of Land and Environment Court Appeal - 121 Wallace Street, Braidwood

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

Item 16.2 Report of Unauthorised Fill

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

Item 16.3 Update on Potential Legal Matter

Item 16.3 is confidential in accordance with s10(A) (g) of the Local Government Act 1993 because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Item 16.4 Nominations for Environment and Sustainability Advisory Committee

Item 16.4 is confidential in accordance with s10(A) (a) of the Local Government Act 1993 because it contains personnel matters concerning particular individuals (other than councillors) and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Item 16.5 AGL Purchase Offer to Southern Phone

Item 16.5 is confidential in accordance with s10(A) (di) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

The resolution was carried unanimously.

The meeting then moved into Closed Session at 7.18pm to discuss the matters listed above.

16.1 Receipt of Land and Environment Court Appeal - 121 Wallace Street, Braidwood

372/19

RESOLVED (Harrison/Schweikert)

That the report be received for information.

The resolution was carried unanimously.

16.2 Report of Unauthorised Fill

373/19

RESOLVED (Hicks/Harrison)

That the report be received for information.

The resolution was carried unanimously.

16.3 Update on Potential Legal Matter

374/19

RESOLVED (Taylor/Schweikert)

That the report be received for information.

The resolution was carried unanimously.

16.4 Nominations for Environment and Sustainability Advisory Committee

375/19

RESOLVED (Schweikert/Taylor)

That Council appoint Ms Meagan Cousins to the Environment and Sustainability Advisory Committee.

The resolution was carried unanimously.

16.5 AGL Purchase Offer to Southern Phone

376/19

RESOLVED (Schweikert/Winchester)

That Council note the report for information.

The resolution was carried unanimously.

377/19

RESOLVED (Overall/Taylor)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 7.29pm.

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.

17. CONCLUSION OF THE MEETING

The time being 7.30pm Cr Overall announced that the agenda for the meeting had now been completed.

CR TIM OVERALL

MAYOR

CHAIRPERSON



PLANNING AND STRATEGY COMMITTEE OF THE WHOLE MEETING

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

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

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

MINUTES OF THE PLANNING AND STRATEGY COMMITTEE OF THE WHOLE OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Council Chambers, 253 Crawford St, Queanbeyan on Wednesday, 13 November 2019 commencing at 5.30pm.

ATTENDANCE

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

Staff: M Thompson, A/CEO/General Manager; P Hansen, Portfolio General Manager Community Connections and J Richards, Portfolio General Manager Community Choice.

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

1. OPENING

The meeting opened at 5.30pm.

2. ACKNOWLEDGEMENT OF COUNTRY

The Mayor acknowledged the traditional custodians of the land upon which the meeting was held.

3. APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

PLA104/19

RESOLVED (Taylor/Bray)

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

The resolution was carried unanimously.

4. DISCLOSURES OF INTEREST

PLA105/19

RESOLVED (Taylor/Hicks)

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

The resolution was carried unanimously.

Cr Winchester declared a significant non-pecuniary interest in Item 7.5 – Re-categorisation of Land - Plan of Management - 16 Agnes Avenue, Crestwood, stating he is a Board member of the Respite Care for Queanbeyan Foundation that plans to utilise the land discussed in the report.

Procedural Motion

PLA106/19

RESOLVED (Taylor/Schweikert)

That Item 7.5 be brought forward and dealt with as the first item of business in 'Items for Determination'.

The resolution was carried unanimously.

5. ADJOURNMENT FOR PUBLIC FORUM

At this stage of the proceedings, the time being 5.34pm, Cr Overall advised that the meeting should now adjourn for the Public Forum.

PLA107/19

RESOLVED (Overall/Taylor)

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

ADJOURNMENT:

The meeting adjourned for the Public Forum at 5.34pm and resumed at 6.04pm.

Item 7.5 was brought forward at this juncture.

Cr Winchester declared an interest in the following item of business and left the Chambers at 6.05pm.

7.5 Re-categorisation of Land - Plan of Management - 16 Agnes Avenue, Crestwood

PLA108/19

RESOLVED (Hicks/Schweikert)

That Council:

1. Adopt and action the recommendations of the report on the Independent Public Hearing being:
 - a. That in concert with the on-going re-categorisation process the Council provide to the local community an undertaking to review the area to be categorised as Park and to develop within the Plan of Management a program of planting and landscaping;
 - b. That Council consider establishing in the park some selection of pieces of children's playground equipment or external fitness regime equipment;
 - c. That together with any future development on Ross Road frontage land (Lots 33, 34 & 35) that such future development integrate through block access to connect Ross Road pedestrian access through to Agnes Avenue.
2. Adopt the following new and amended Plans of Management (PoM) with any required minor changes:
 - a. PoM – General Community Use – 16 Agnes Avenue, Crestwood;
 - b. PoM – Parks – Amendment No. 6;
 - c. PoM – Sportsgrounds – Amendment No. 5.
3. Give public notice regarding the adoption of the new and amended Plans of Management in the local newspaper and place the amended documents on Council's website once amendments have been completed.

The resolution was carried unanimously.

PLA109/19

RESOLVED (Overall/Brown)

That Council receive estimates for the development of the park as part of the draft 20/21 budgetary process.

The resolution was carried unanimously.

Cr Winchester returned to the Chambers at 6.15pm.

6. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

6.1 Modification Application 298-2016.A - Queanbeyan Distance Education Centre - 42 Surveyor Street, Crestwood

PLA110/19

RESOLVED (Hicks/Schweikert)

That:

1. In relation to the modification of Development Application 298-2016.A on Lots 12-13, 1-8, 91-96 & 26, Section 16, DP 1892, 365881, 13341, 1042890, No. 42 Surveyor Street, Crestwood Council grant conditional approval subject to the NSW Department of Education supporting revised condition of consent no.4 as follows:
 4. **SCREENING OF WINDOWS**
Glazing to the first, second, and third stories of the southern elevation of the building to be fitted with opaque glass or opaque film to a height of:
 - 1.5 metres in the case of the first storey; and
 - 1.8 metres in the case of the second and third storeys;above floor level to the inside of the glazing, to mitigate overlooking to adjoining neighbours on Early Street
2. In the event that the NSW Department of Education does not support the revised condition of consent, Council submit the matter to the NSW Minister for Planning seeking support for Council's determination.
3. Those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.

The resolution was carried unanimously.

6.2 DA.2019.006 - 71 Macdiarmid Road, Burra - Three (3) Lot Community Title Subdivision (Subdivision Simpliciter)

PLA111/19

RESOLVED (Harrison/Marshall)

That:

1. Development application DA.2019.006 for a three (3) lot, Community Title subdivision on Lot 4 DP285984, 71 MacDiarmid Road, Burra be refused for the following reasons:
 - (a) Council has no ability to consent to the subject application in accordance with Clause 4.1B(5) of the Palerang Local Environmental Plan 2014 as Lot 4 DP 285984 having been created under Clause 20 of the Yarrawlumla Local Environmental Plan 2002 forms a resulting lot as defined under Clause 4.1B(6) of the Palerang Local Environmental Plan 2014 (4.15(1)(a)(i) *Environmental Planning and Assessment Act 1979*).
 - (b) The proposed development resulting in an average lot size of 3.286ha fails to achieve the 6ha average lot size applicable to the subject site and therefore fails to satisfy

the requirements of Clause 4.1(b)(4)(a) of the Palerang Local Environmental Plan 2014 (4.15(1)(a)(i) *Environmental Planning and Assessment Act 1979*).

- (c) The proposed development fails to satisfy the provisions of Clause 6.4 – Drinking Water Catchments of the Palerang Local Environmental Plan 2014 as insufficient information accompanied the application to satisfactorily establish that the development is designed, sited and will be managed in such a way as to avoid any significant adverse impact on water quality within the Googong Drinking Water Catchment (4.15(1)(a)(i) *Environmental Planning and Assessment Act 1979*).
 - (d) The subject site is burdened by a number of environmental constraints that significantly inhibit potential for future development and associated infrastructure upon the proposed lots. As such, the subject site is considered to be unsuitable for the purposes of the proposed development. (4.15(1)(c) *Environmental Planning and Assessment Act 1979*).
 - (e) Throughout the public notification period a number of submissions were received raising valid planning concerns in relation to the proposed development (4.15(1)(d) *Environmental Planning and Assessment Act 1979*).
 - (f) The proposed development by way of contravening development standards established under the Palerang Local Environmental Plan 2014 is considered to be contrary to the public interest (4.15(1)(e) *Environmental Planning and Assessment Act 1979*).
 - (g) NSW Rural Fire Service confirmed that approval was required under Section 100b of Rural Fires Act 1997 and that insufficient information was supplied to allow concurrence to be granted.
- 2. Those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.
 - 3. The NSW Rural Fire Service be forwarded a copy of Council's Notice of Determination.

The resolution was carried unanimously.

6.3 DA.2019.065 - 71 Macdiarmid Road, Burra - Concept Proposal - Three Lot Community Title Subdivision and Two (2) Single Dwellings

PLA112/19

RESOLVED (Harrison/Marshall)

That:

1. Development application DA.20198.065 for a Concept development approval including a Three (3) lot Community title subdivision and two (2) dwelling houses on Lot 4 DP285984, 71 MacDiarmid Road, Burra be refused for the following reasons.

Reasons for Refusal:

- (a) Council has no ability to consent to the subject application in accordance with Clause 4.1B(5) of the Palerang Local Environmental Plan 2014 as Lot 4 DP 285984 having been created under Clause 20 of the Yarrowlumla Local Environmental Plan 2002 forms a resulting lot as defined under Clause 4.1B(6) of the Palerang Local Environmental Plan 2014 (4.15(1)(a)(i) *Environmental Planning and Assessment Act 1979*).
- (b) The proposed development resulting in an average lot size of 3.286ha fails to achieve the 6ha average lot size applicable to the subject site and therefore fails to satisfy the requirements of Clause 4.1(b)(4)(a) of the Palerang Local Environmental Plan 2014 (4.15(1)(a)(i) *Environmental Planning and Assessment Act 1979*).
- (c) Council is unable to utilise the provisions of Clause 4.6 of the Palerang Local Environmental Plan 2014 to consent to the subject application as the proposed development results in more than two (2) lots of less than the minimum area specified for such lots by a development standard with the E4 Environmental Living Zone fails to satisfy the requirements of Clause 4.6(6)(a) of the Palerang Local Environmental Plan 2014 (4.15(1)(a)(i) *Environmental Planning and Assessment Act 1979*).
- (d) The proposed development fails to satisfy the provisions of Clause 6.4 – Drinking Water Catchments of the Palerang Local Environmental Plan 2014 as insufficient information accompanied the application as to satisfactorily establish that the development is designed, sited and will be managed in such a way as to avoid any significant adverse impact on water quality within the Googong Drinking Water Catchment (4.15(1)(a)(i) *Environmental Planning and Assessment Act 1979*).
- (e) The proposed building envelopes upon proposed lots 31 and 32 contain insufficient unconstrained area to accommodate onsite effluent disposal and as such the proposal fails to satisfy the requirements of Section C1.2.7 of the Palerang Development Control Plan 2015 (4.15(1)(a)(iii) *Environmental Planning and Assessment Act 1979*).

- (f) The subject site is burdened by a number of environmental constraints that significantly inhibit potential for future residential development and associated infrastructure upon the proposed lots. As such, the subject site is considered to be unsuitable for the purposes of the proposed development. (4.15(1)(c) *Environmental Planning and Assessment Act 1979*).
 - (g) Throughout the public notification period a number of submissions were received raising valid planning concerns in relation to the proposed development (4.15(1)(d) *Environmental Planning and Assessment Act 1979*).
 - (h) The proposed development by way of contravening development standards established under the Palerang Local Environmental Plan 2014 and Palerang Development Control Plan 2015 is considered to be contrary to the public interest (4.15(1)(e) *Environmental Planning and Assessment Act 1979*).
2. Those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.

The resolution was carried unanimously.

6.4 Request for Early Lodgement of Development Applications

PLA113/19

RESOLVED (Taylor/Biscotti)

That Council allow the early lodgement and determination of development applications for the developments listed below subject to the following provisos:

- a) The developments must be carried out by the respective developers i.e. GTPL or VBC.
- b) Occupation and use of the developments is not permitted until the new allotments on which the developments are proposed to be located have their titles formally registered;
- c) That the applicants be advised that in lodging applications prior to registration of the subdivision they do so at their own risk, recognising that changes to subdivision designs can occur during the construction phase and that such changes may need to be reflected in development applications lodged.

Proposed developments:

GTPL - New Sales Office – Neighbourhood 2, Googong

VBC - Eight Lot display village and Car Park, South Jerrabomberra

- Terrace development on proposed Lot A2, South Jerrabomberra (Seed Homes)

The resolution was carried unanimously.

- PLA114/19 **6.5 Amendments to South Jerrabomberra Local Infrastructure Contributions Plan 2018**
- RESOLVED (Taylor/Harrison)**
- That Council:
1. Note the report.
 2. Adopt the amended South Jerrabomberra Local Contributions Infrastructure 2018.
- The resolution was carried unanimously.
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- PLA115/19 **6.6 Queanbeyan Section 7.12 Fixed Levy Development Contributions Plan 2019**
- RESOLVED (Harrison/Taylor)**
- That Council endorse the draft Queanbeyan Section 7.12 Fixed Levy Development Contributions Plan 2019 and that the plan be placed on public exhibition for a period of 28 days.
- The resolution was carried unanimously.
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- PLA116/19 **6.7 Update on Planning proposal at Goolabri Drive, Sutton**
- RESOLVED (Hicks/Schweikert)**
- That:
1. Council place the amended planning proposal, dated October 2019, to permit subdivision of Lot 3 DP 1074706 (Goolabri Drive, Sutton) on public exhibition for a minimum period of 28 days.
 2. Where submissions are received during the public exhibition period, a report considering the issues raised in submissions be bought back to Council prior to progressing the planning proposal.
 3. That the following items and matters are submitted and dealt with as part of any development application lodged for the subdivision of Lot 3 DP 1074706 Goolabri Drive, Sutton:
 - (a) A Vegetation Management Plan, addressing the concerns raised by the NSW Biodiversity and Conservation Branch;
 - (b) A revised Aboriginal Cultural Heritage Impact Assessment; and
 - (c) How and when future purchasers of lots containing Aboriginal objects shall be advised of the requirement to obtain an Aboriginal Heritage Impact Permit (AHIP) prior to any ground disturbance.
- The resolution was carried unanimously.

6.8 Determination of Applications for Special Heritage Fund Grant 2019-20

PLA117/19

RESOLVED (Taylor/Schweikert)

That Council endorse the recommended funding for the 2019-20 financial year as set out in Attachment 1 of this report.

The resolution was carried unanimously.

6.9 Determination of Applications for the Local Heritage Grants 2019-20

PLA118/19

RESOLVED (Schweikert/Hicks)

That Council adopt the recommendations to provide funding to the applications as listed in Attachment 1 with grant funding for Application No. 4 being conditional on the installation of timber windows in the front of the house rather than aluminium ones.

The resolution was carried unanimously.

6.10 Heritage Advisory Service 2019-2020 to 2020-21

MOVED (Schweikert/Taylor)

That:

1. Council appoint Consultant 3 as the QPRC Heritage Advisor for the period 2019/20 to 2020/21.
2. In the event that Consultant 3 declines Council appoint Consultant 2 as the QPRC Heritage Advisor for the period 2019/20 to 2020/21.
3. Council notify the unsuccessful consultants of the above and thank them for their Expression of Interest.

Procedural Motion

PLA119/19

RESOLVED (Marshall/Harrison)

That Item 6.10 be deferred to Closed Session.

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

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

With the vote being five-all, the Mayor declared the motion carried.

6.11 Draft Parking Policy

PLA120/19

RESOLVED (Taylor/Biscotti)

That Council:

1. Consider the draft QPRC Parking Policy.
2. Publicly exhibit the draft Parking Policy for 28 days and invited written submissions during the exhibition period.
3. Consider all submissions received prior to adopting the Policy or, if no submissions are received, formally adopt the Policy.

The resolution was carried unanimously.

7. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

7.1 Land-Use Planning Projects / Activities - Status Report

PLA121/19

RESOLVED (Marshall/Harrison)

That the report be received for information.

The resolution was carried unanimously.

7.2 North Elmslea

PLA122/19

RESOLVED (Harrison/Hicks)

That:

1. The report be received for information.
2. Council hold a public meeting during the exhibition period to provide information on the planning proposal.

The resolution was carried unanimously.

7.3 Local Strategic Planning Statement

PLA123/19

RESOLVED (Harrison/Overall)

That the report be received for information.

The resolution was carried unanimously.

7.4 Bush Fire Prone Land Map

PLA124/19

RESOLVED (Harrison/Taylor)

That the report be received for information.

The resolution was carried unanimously.

7.5 Re-categorisation of Land - Plan of Management - 16 Agnes Avenue, Crestwood

This item was dealt with in earlier business.

SUPPLEMENTARY REPORT

- PLA125/19 **7.6 Site Inspection - DA 298-2016.A - Erection of an Educational Establishment (Distance Education Facility) - Three Storey; Modification: External Changes- 42 Surveyor Street, Crestwood**
RESOLVED (Harrison/Overall)
That the report be received for information.

The resolution was carried unanimously.

8. REPORTS OF COMMITTEES

- PLA126/19 **8.1 Minutes of the Braidwood and Curtilage Heritage Advisory Committee held 10 October 2019**
RESOLVED (Marshall/Taylor)
That Council note the Minutes of Braidwood and Curtilage Heritage Advisory Committee Meeting held on 10 October 2019.

The resolution was carried unanimously.

- PLA127/19 **8.2 Minutes of the Special QPRC Heritage Advisory Committee Meeting held 24 October 2019**
RESOLVED (Overall/Winchester)
That Council note the minutes of the Special QPRC Heritage Advisory Committee held on 24 October 2019 and in particular QPRC HAC 11/19 (supporting the recommended distribution of funds for the Local Heritage Grant applications) and QPRC HAC 12/19 (supporting the recommended distribution of funds for the Special Heritage Grant applications).

The resolution was carried unanimously.

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

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

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

There were no presentations.

10. REPORTS FOR CLOSED SESSION

PLA128/19

RESOLVED (Overall/Winchester)

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 10.1 Lease Renewal - Westpac Bank

Item 10.1 is confidential in accordance with s10(A) (c) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Item 6.10 Heritage Advisory Service 2019-2020 to 2020-21

Item 6.10 is confidential in accordance with s10(A) (a) of the Local Government Act 1993 because it contains personnel matters concerning particular individuals (other than councillors) and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

The resolution was carried unanimously.

The meeting then moved into Closed Session at 6.47 pm to discuss the matters listed above.

Cr Brown left the meeting at 6.47pm.

10.1 Lease Renewal - Westpac Bank

PLA129/19

RESOLVED (Biscotti/Winchester)

That Council support the renewal of the lease for Premises 1, 98 - 104 Monaro St Queanbeyan as outlined in the report.

The resolution was carried unanimously.

6.10 Heritage Advisory Service 2019-2020 to 2020-21

PLA130/19

RESOLVED (Schweikert/Taylor)

That:

1. Council appoint Consultant 3 as the QPRC Heritage Advisor for the period 2019/20 to 2020/21.
2. In the event that Consultant 3 declines Council appoint Consultant 2 as the QPRC Heritage Advisor for the period 2019/20 to 2020/21.
3. Council notify the unsuccessful consultants of the above and thank them for their Expression of Interest.
4. Council consider increasing its Heritage Advisory budget in the 2020-2021 budget.

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

Against: Cr Harrison

PLA131/19

RESOLVED (Overall/Taylor)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 6.59pm.

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.

12. CONCLUSION OF THE MEETING

The time being 7.01pm, Cr Overall announced that the Agenda for the meeting had now been completed.

**CR TIM OVERALL
MAYOR
CHAIRPERSON**

ITEM 5 DECLARATION OF CONFLICTS/PECUNIARY INTERESTS

The provisions of Chapter 14 of the *Local Government Act, 1993* regulate the way in which Councillors and nominated staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public trust.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest must be disclosed as soon as practicable after the start of the meeting and the reasons for declaring such interest.

As members are aware, the provisions of the *Local Government Act* restrict any member who has declared a pecuniary interest in any matter from participating in the discussions, voting on that matter, and require that member to vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code also provides for a number of ways in which a member may manage non pecuniary conflicts of interest

Recommendation

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

9.1 Community Consultation Results on Skate Park Concept and Location - Braidwood (Ref: ; Author: Thompson/Sibbick)

File Reference: PJT0059 (100977-03)

Summary

At its meeting of 28 August 2019 Council resolved to place the Braidwood Skate Park concept designs on public exhibition for community comment. This report details the submissions received on the two potential location options for a skate park, being the Recreation Ground and Bicentennial Park on McKellar Street. It also reviews feedback on the skate park concept designs by designers, Convic. The consultation period closed on 17 October 2019.

Recommendation

That Council:

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

From 17 January to 14 February 2018 Council consulted with the Braidwood community on a proposed location for a skate park should funds become available for its construction. A report was presented to Council's meeting of Wednesday 28 February 2018. As a result of that meeting Council allocated \$50,000 for design work and further consultation in the 2018-2019 Operational Plan.

Council subsequently engaged skate park designers Convic, to work with the community and develop a skate park design that will be appreciated by the local Braidwood skaters. The development of a concept design was included in the current financial year delivery program.

Convic held two community workshops at Braidwood that were very well attended to help develop a vision of a "multi-discipline low level transition style facility with some fundamental street style obstacles".

As a result of the workshops two locations were put forward by participants that were accompanied by a skate park concept design for each. The locations are the Recreation Ground at Braidwood and Bicentennial Park in McKellar Street Braidwood. A report was presented to Council at its meeting on 28 August 2019 with a resolution to place the concept designs on exhibition for community consultation.

The locations and accompanying concepts were put on exhibition from 9 September 2019 until 17 October 2019. There were 284 submissions received by Council that included web based submissions via Your Voice and emailed submissions. All submissions are attached to this report. In many instances comments in the report are repeated as a pro-forma template was used and signed and submitted by respondents.

The results of this current round of consultation with the Braidwood community again indicate a preference for a skate park to be constructed at the Recreation Ground in Braidwood.

9.1 Community Consultation Results on Skate Park Concept and Location - Braidwood (Ref: ; Author: Thompson/Sibbick) (Continued)

Below in Table 1 and Table 2 is a brief summary of comments received in a “for” and “against” format applied to each of the two locations.

Table 1: Braidwood Recreation Ground – Summary of Community Feedback

<i>For</i>	<i>Against</i>
<ul style="list-style-type: none"> • Co-locating recreational and sporting infrastructure at the Recreation Ground, complements existing services, toilets and water • More space for construction of a skate park • Close to existing DIY skate park in the nearby drainage system • Further away from high vehicle traffic areas • Close to housing development creating safer environment for young people • Provides a strong sense of inclusion • Sufficient parking • Not hidden away or out of sight • Good central location, away from the main street • The area is becoming busier and safer due to recent recreational infrastructure installations • New Braidwood Ridge development closer geographically to Rec Ground than to Bicentennial Park • Opportunities for parental supervision for all family members using the Recreation Ground for various activities and sports • Has night lighting • Reduced incidence of pedestrian-vehicle impacts whilst using wheeled devices • Site is closer to the current and future demographic centre of Braidwood • Easy reach for local residents 	<ul style="list-style-type: none"> • Recreation Ground is already too congested / overdeveloped • Too far away from shops. Should have a linked cycle/walkway to the CBD • No pedestrian crossing at the Kings Highway • Toilets mostly closed at this site

9.1 Community Consultation Results on Skate Park Concept and Location - Braidwood (Ref: ; Author: Thompson/Sibbick) (Continued)

Table 2: Bicentennial Park – Summary of Community Feedback

FOR	AGAINST
<ul style="list-style-type: none"> • Elevated position, no highways to cross • Central location • Less noise for residents • Close to amenities, services and schools • Public location, therefore less likely to cause antisocial behaviour • Passive surveillance due to visibility and proximity to main road and police station • More space • Preferred site by Convic • Will be used by visitors, due to higher visibility • Easy reach for local residents 	<ul style="list-style-type: none"> • Passive recreational activities only at Bicentennial Park due to ecological and environmental constraints • Designated sculpture park; land care area; dog walking area; platypus viewing area. • No heritage impact studies. Impact on the nearby heritage listed Police paddock • Existing work carried out by Braidwood residents to support passive recreation including plantings and walkways • Absence of toilet facilities for skaters • Busy area, close to high vehicle traffic areas • Park is too isolated • Impact on existing users will disrupt the peace and quiet: tai chi; dog walkers; passive walking activities; waterways and resident platypus; other wildlife; negative environmental and ecological impact on existing flora and fauna • Too out of the way • Noise from skateboards and user activity affecting existing neighbours • Take up too much room and take away from the existing ambient activities • Lobbying by minority group • No footpaths to this location • Sewer “Drop Point” for caravans • Flawed and biased site assessment by Convic (skate park designer) • No cultural heritage impact assessment • No environmental impact assessment • No waterways impact assessment

Following on from the locational comments above is the feedback received regarding the actual proposed skate park designs.

Skate Park Design Comments

The summary below indicates the main comments that have been received regarding the elements included in the skate park design. The full report including comments are included in the attachment to this report.

- Inclusive design to accommodate all ages
- Redesign the Recreation Ground design to avoid the overland flood path
- Good design at the Recreation Ground for all skill levels and good viewing areas
- Shade required either by formalised structures or trees

9.1 Community Consultation Results on Skate Park Concept and Location - Braidwood (Ref: ; Author: Thompson/Sibbick) (Continued)

- Don't build a skate park, put the money to other projects
- Build a modular pump track instead of a skate park
- Don't mind the location as long as a skate park is built
- Better transition and skate elements in the Bicentennial Park design
- Should be in Ryrie Park
- Design the Park for children to encourage active outdoor activities. Do not design it for adults.
- Incorporate use for scooters in the design
- Incorporate community programs and courses to encourage skating
- Investigate proposals from other skate park designers

Whilst a number of comments on the skate park design at the Recreation Ground were concerned with flooding issues and overland flow paths through the skate park, it is not envisaged this will occur. It is envisaged the skate park at the Recreation Ground would be constructed above the water line with the piped section of the creek extending out under the skate park. Detailed design of the skate park, including engineering designs, and costings will take this into consideration prior to grant applications being lodged.

Implications***Legal***

The location of a skate park at the Braidwood Recreation ground is in keeping with the dedication of the reserve. Consultation with the NSW Heritage Office will be required.

Policy

The consultation process is in keeping with Council's Stakeholder and Community Engagement Policy.

Social / Cultural

Growing concerns about rising rates of physical inactivity and obesity among young people has created a need to provide community facilities that encourage young people to be active and therefore healthier. Skate parks provide this opportunity for physical activity for young people and encourages participation in a sport or activity for those not interested in traditional team sports. Community skate parks provide a safe and challenging place for skaters of all levels to develop challenging and creative behaviour because it constantly encourages skaters to learn tricks and manoeuvres with their skates, boards and scooters.

Whilst there are negative perceptions associated with skate parks, research indicates that skate parks provide a forum for social interaction and social integration, fostering development of social skills, self-esteem and social competence. Research also suggests the most successful skate parks are those located within a recreational precinct with passive and active zones and include facilities that cater for the entire family, e.g. playgrounds, toilet facilities and picnic facilities.

Engagement

The consultation period was open between 9 September 2019 and 17 October 2019. The consultation was widely advertised via:

- Council's fortnightly advertisement in the Braidwood Times
- Council's Your Voice engagement website
- Social media

9.1 Community Consultation Results on Skate Park Concept and Location - Braidwood (Ref: ; Author: Thompson/Sibbick) (Continued)

- The Mayor's Column in the Braidwood Times
- Council's weekly e-newsletter

The community were asked to vote on a design and location for a skate park by selecting either the Braidwood Recreation Ground site or the Bicentennial Park site. Responses were received via email and via the "Have Your Say" section of Council's web site. The data received was collected and compiled by Council staff and is now attached to this report. The data collected included: preferred location; respondents profile data; and respondent's gender. Data collected on the age of the respondents has not been graphed, however is included beside each comment in the attached report.

A full summary of the results from the "Have your say on Braidwood Skate Park concept designs" is attached to this report, with the key findings below.

- 228 respondents selected the Braidwood Recreation Area, with 43 respondents selecting the Bicentennial Park site
- 298 individuals visited the web site
- 142 individuals contributed to the "Have Your Say" survey
- 284 submissions were received

When Councillors review the submissions in the attachment they will notice that many of the submissions are identical. The Communications Team has confirmed that, while a pro-forma letter, they were sent in by individual residents.

Table 3: Site selection votes received

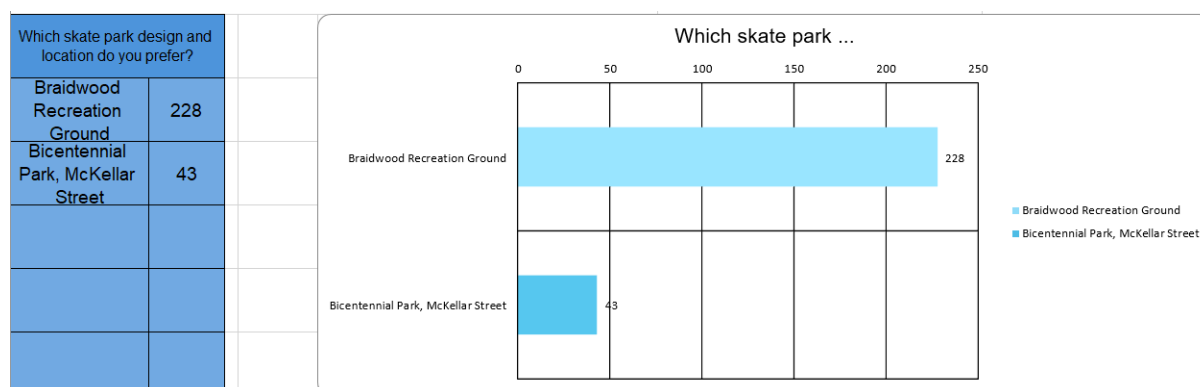
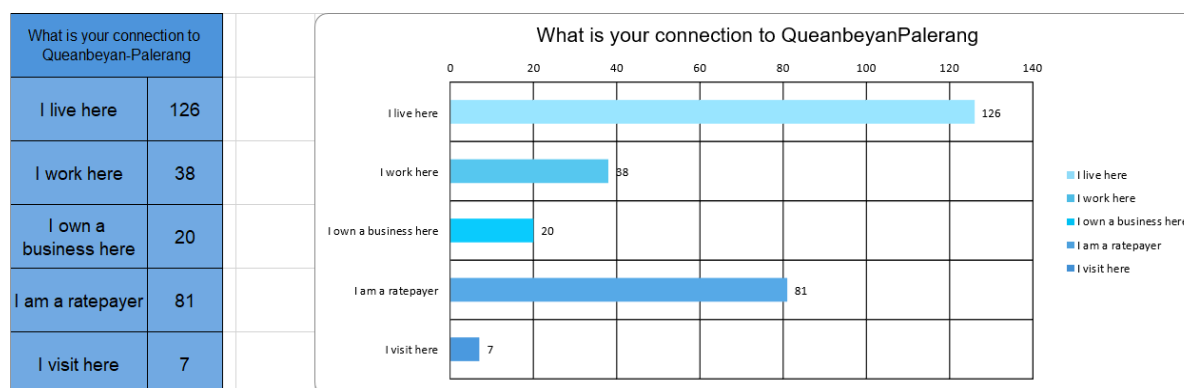
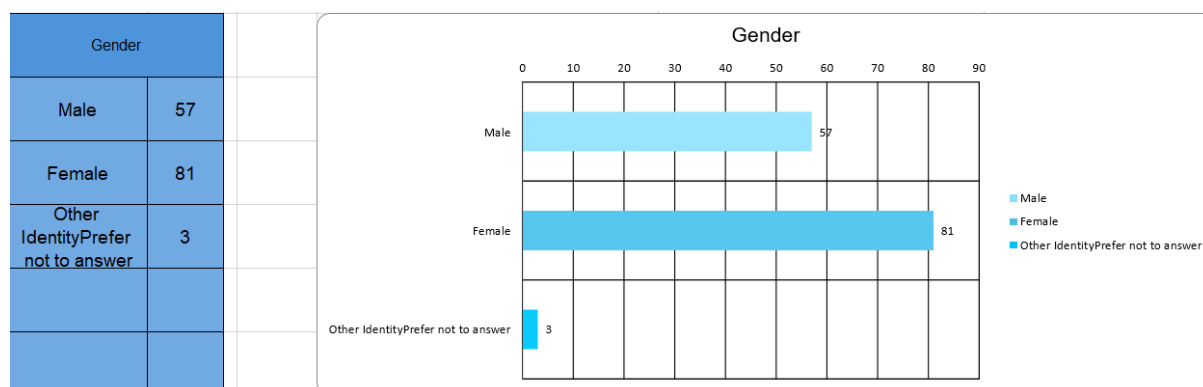


Table 4: Demographic Analysis - Respondent connections



9.1 Community Consultation Results on Skate Park Concept and Location - Braidwood (Ref: ; Author: Thompson/Sibbick) (Continued)

Table 5: Demographic Analysis - Respondent gender



Financial

The budget for the development of a concept design was included in the current financial year delivery program whereby \$50,000 was allocated.

Convic were given an indicative sum of \$400,000 to design around when producing the skate park concept. In addition a further \$200,000 will be required to pipe the remainder of the creek on the Recreation Ground and provide safe access paths from Lascelles Street to the site. There is currently no budget for the construction of the skate park.

There will be \$7.11 funding from the Big Island Mining Pty Ltd for the Dargues Reef Gold Mine, 13km south of Braidwood of \$375,000 being a “community benefit payment” to support the “upgrading of facilities at the Braidwood Recreation Ground”, along with local road works. Therefore construction of a skate park at the Braidwood Recreation Ground would fit into the criteria of the \$7.11 agreement. Should the funds become available they could be used to match grant funds, should a dollar for dollar contribution be required.

Integrated Plan

Council’s current Delivery Program includes the development of detailed designs of the skate park, to allow for future construction as funds become available.

Conclusion

The feedback and comments received from this consultation has overwhelmingly indicated that the Braidwood community favour the Recreation Ground as a site for a future skate park.

Given the recent developmental changes to the Recreation Ground over the past few years that complement the existing facilities, e.g. new playground with shelters and seating; the recent construction of the netball / basketball court; the forthcoming extension of the sports fields to 2 full sized playing surfaces; the installation of sports field lighting; and the recent construction of the sports facility building to provide toilet amenities, it is prudent that a skate park, when funds permit, be located at the Recreation Ground. By all accounts the Recreation Ground is gaining popularity since the installation of the new playground, with families now visiting on a daily basis, and this has been commented on numerous times in the feedback received from this consultation.

Attachments

Attachment 1



Braidwood Skate Park - Consultation Responses (*Under Separate Cover*)

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.2 DA Modification 66-2018.A - Two Lot Subdivision - 419 Captains Flat Road, Carwoola (Author: Thompson/Dixon)

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

This application has been referred to Council because the application involves a variation to a requirement in a development control plan and that variation has potential policy implications.

Proposal:	Two Lot Subdivision: Modification to amend conditions 18, 20 and 23 relating to the provision of alternative electricity supply requirements and erection of twenty, ground mounted solar panels and shipping container.
Applicant/Owner:	Timothy Booth and Lachlan Whitford/ Timothy Booth
Subject Property:	Lot 4 DP 777829, No. 419 Captains Flat Road, Carwoola
Zoning and Permissibility:	E3 - Environmental Management under Queanbeyan Local Environmental Plan 2012
Public Submissions:	Nil
Issues Discussed:	Planning Requirements Electricity Supply to Proposed Lot
Disclosure of Political Donations and Gifts:	Applicant Declared no Donations or Gifts to any Councillor or Staff have been made

Recommendation

That:

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

9.2 DA Modification 66-2018.A - Two Lot Subdivision - 419 Captains Flat Road, Carwoola (Author: Thompson/Dixon) (Continued)

Modified Conditions of Consent**Condition 18**

Prior to the Issue of Subdivision Certificate (Torrens), a Notice of Arrangement (NOA) shall be requested from Essential Energy which states that satisfactory supply arrangements have been made for the provision of electricity to the proposed development.

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

Condition 20

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

Condition 23

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

New Condition 23A

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

Background***Proposed Development***

The modification to the development application is for:

1. The erection of twenty ground mounted solar panels to supply electricity to proposed Lot 1 and installation of a shed (shipping container) to house batteries and associated equipment; and
2. Amendments to conditions 18, 20 and 23.

The applicant understands electricity must be supplied at subdivision stage and is proposing to erect the ground mounted solar panels to ensure this is done. For the purposes of the subdivision, the applicant will provide solar panels prior to issue of subdivision certificate to meet Queanbeyan Local Environmental Plan 2012 (QLEP) requirements.

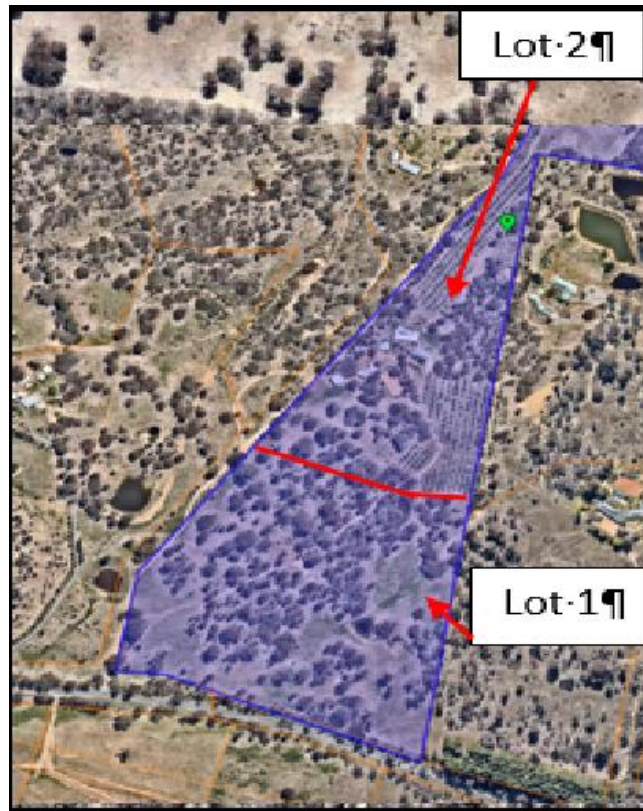
9.2 DA Modification 66-2018.A - Two Lot Subdivision - 419 Captains Flat Road, Carwoola (Author: Thompson/Dixon) (Continued)***Subject Property***

The subject site lies to the north of Captains Flat Road and currently contains one existing dwelling house which is connected to Essential Energy's Services. The lot is semi-rural and contains a large proportion of vegetation. See Figures 1 and 2 below.



Figure 1 – Existing Lot 4 DP777829 to be Subdivided

9.2 DA Modification 66-2018.A - Two Lot Subdivision - 419 Captains Flat Road,
Carwoola (Author: Thompson/Dixon) (Continued)



**Figure 2 – Inset Showing Boundaries of Proposed Lots 1 and 2 -
Existing Dwelling on Proposed Lot 2**

Planning Requirements

Assessment of the application has been undertaken in accordance with Section 4.55 of the *Environmental Planning and Assessment Act (EPAA) 1979*, as amended. The matters that are of relevance under Section 4.55 are summarised in the attached *Section 4.55 Table – Matters for Consideration*.

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

1. Queanbeyan Local Environmental Plan 2012 (QLEP).
2. Queanbeyan Development Control Plan 2012 (QDCP)

The development generally satisfies the requirements and achieves the objectives of these planning instruments. The significant issue relating to the proposal for the Council's consideration relates to the supply of electricity to the site.

(a) Compliance with QLEP

7.9 – Essential Services

Clause 7.9 of the QLEP 2012 relevantly states that:

Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required—

(b) the supply of electricity.

Initially, the proposed application did not propose to provide electricity supply at subdivision stage but relied on electricity being provided as part of a development

9.2 DA Modification 66-2018.A - Two Lot Subdivision - 419 Captains Flat Road, Carwoola (Author: Thompson/Dixon) (Continued)

application for a future dwelling house on the proposed allotment. This would have meant it could not comply with this clause 7.9(b) or be supported within this application by Council.

However, the applicant now proposes to install a photovoltaic solar power system to supply electricity to proposed Lot 1 as part of the subdivision works. The system will be ground mounted which will form part of this modification. The applicant has supplied documentation for a solar infrastructure system that can supply proposed Lot 1 with 7.5 kW of power. The application states that:

This type of system is equivalent to a grid supply of 7.5KW but would be more reliable given its battery storage with generator backup capabilities.

Essential Energy states within the 'Connecting to Network Information Pack' that a rural block would require 3kW of power meaning the solar system would actually produce and store more than Essential Energy's requirements. As such, the Council is satisfied that this solar system would be able to make adequate arrangements for power for the new proposed lot with the existing buildings on proposed Lot 2 remaining connected to the grid.

Clause 7.9 does not specify that the lot must be connected to Essential Energy's grid, just that a suitable supply must be available to the lot. By constructing the solar system up front the electricity supply can be implemented at subdivision stage and, as such is considered to meet the requirements of the clause.

If the recommendation for approval is accepted by Council, existing conditions will be amended requiring the ground mounted solar system to be installed and operational prior to the issue of the subdivision certificate.

(b) Compliance with QDCP**Part 2 – All Zones**

Part 2 of the QDCP 2012 falls silent on what type of electricity is to be provided to a subdivision lot. Under Clause 2.10.4 it states an environmental review is required and must include:

The environmental review must give a clear understanding of the development and its likely environmental impact, describe the proposal, the location, the local topography, adjacent development, adjacent land uses, lot size and layout pattern, land ownership and available services such as roads, electricity, transport, education facilities and emergency services. Layout of subdivisions should be based on an appreciation of the capability of the land to support the development.

On 24 January 2018 Council refused a proposed six lot subdivision at 64 Molonglo Place (DA.2014.253) where it was proposed that the developer would not provide electricity to each site, but rather rely on the new owners of each individual site to provide an off grid power supply when they eventually decided to build.

The reasons for refusal were as follows:

- (a) Clause 6.11 of the PLEP 2014 that requires essential services, including the supply of electricity be available, had not been met.
- (b) Section 13.1 of the Yarrowlumla DCP 2002, that requires high tension power lines be provided by the developer to the boundary of all additional lots created in accordance with the requirements of the electricity supply body, had not been met.
- (c) Approval of the proposed modification request would place an unreasonable burden upon future owners of the proposed lots should they chose to connect to the electricity supply at any time and as such was considered to be contrary to the public interest.

9.2 DA Modification 66-2018.A - Two Lot Subdivision - 419 Captains Flat Road, Carwoola (Author: Thompson/Dixon) (Continued)

- (d) Approval of the modification would have set an undesirable precedent for development of residential subdivision allowing costs that should be borne by the developer to be avoided and transferred to individual lot owners.

In the instance of 64 Molonglo Place, no electrical services were to be provided to the new lots and this would be left to the future owner's, transferring a large financial burden from the developer to the future owners.

In the case of the modification application at Captains Flat Road, the applicant has agreed to provide the electrical services up front and thus bears the cost of providing electricity to the site. In fact it would be cheaper for the applicant to provide an on-grid connection to proposed Lot 1 but they are committed to providing a sustainable off-grid supply. In addition, the applicant has advised that he has pre-sold the lot to a family member who already have a dwelling design drafted.

Summary of Assessment

There are a number of factors supporting proposed Lot 1 being provided with solar power:

1. Solar powered systems are a sustainable source of power compared to finite resources that provide power to the grid;
2. Ground mounted panels at subdivision stage can provide electricity supply at subdivision stage ensuring compliance with the *QLEP*;
3. The lot has been pre-sold to a family member and draft dwelling plans have already been created for this lot based on sustainable design; and
4. The application is small scale compared to 64 Molonglo Place in that proposed Lot 2 is already connected to the grid and as such the solar supply is for one lot only.

There are also negative aspects to the proposal being:

1. The lifecycle (15-25 years) of the panels does not last as long as the grid in the short term and may impose financial burdens onto future land owners. However, given Essential Energy's grid is powered by a combination of natural finite resources such as gas and coal and more sustainable sources like wind and solar farms, this system is more sustainable long term; and,
2. The disposal of solar panels and the associated parts is not sustainable.

This application needs to be carefully considered. The use of sustainable energy resources is always preferred however, setting a precedence for future large subdivisions should be avoided unless a developer is willing to propose a suitable alternative system upfront that, at a minimum, equals Essential Energy's kW output. Where there is more than one new lot being created this will be difficult because the off grid power source would have to be created under some sort of community title ownership.

In this instance the applicant has shown that a solar system can do this. Given the application is for one lot only, can provide adequate power to supply the lot and future dwelling and proposes a suitable energy source, the application can be approved.

Modification of Conditions of Consent

As a consequence of the modification proposal the applicant has requested changes to conditions 18, 20 and 23. In addition the assessment recommends that a new condition be added.

9.2 DA Modification 66-2018.A - Two Lot Subdivision - 419 Captains Flat Road, Carwoola (Author: Thompson/Dixon) (Continued)

The table below shows the amended conditions composed by the assessing officer. No new Conditions are required.

Condition Number	Approved Wording	Proposed Modified Wording
18	Prior to the Issue of Subdivision Certificate (Torrens), a Notice of Arrangement (NOA) shall be requested from Essential Energy which states that satisfactory supply arrangements have been made for the provision of electricity to the proposed development.	<p>Prior to the Issue of Subdivision Certificate (Torrens), a Notice of Arrangement (NOA) shall be requested from Essential Energy which states that satisfactory supply arrangements have been made for the provision of electricity to the proposed development.</p> <p>Alternatively, an off-grid ground mounted solar system complying with the approved specifications provided by Gasniers Electrical Pty Ltd, Ref No: Booth 2 may be installed to provide power to any future dwelling. Prior to the issue of Subdivision Certificate (Torrens) a statement from a suitably qualified solar supplier must be obtained which states that the solar electricity supply has generally been installed to satisfactorily allow for the provision of electricity to sustain the lot and any proposed dwelling house.</p>
20	Prior to the issue of any Subdivision Certificate written evidence from the relevant service authority or a suitably accredited person that satisfactory arrangements have been made for the supply of reticulated electricity, telephone services and fibre-ready facilities to each lot must be submitted to Council.	Prior to the issue of any Subdivision Certificate written evidence from the relevant service authority or a suitably accredited person that satisfactory arrangements have been made for the supply of reticulated electricity, telephone services and fibre-ready facilities if available to each lot must be submitted to Council. If servicing for telephone and fibre ready facilities is not available, evidence from the relevant body is required to be submitted to Council.
23	An easement for provision of electricity supply must be created across proposed Lot 2 in favour of proposed Lot 1. The easement must be created to Essential Energy's requirements and where the creation of this easement affects adjoining properties, written permission must be obtained from affected land owners for the creation of this easement.	Remains the same. While no electrical services will be constructed in the easement under this approval, the easement needs to be in place should a future owner wish to connect to the grid at their own cost.

9.2 DA Modification 66-2018.A - Two Lot Subdivision - 419 Captains Flat Road, Carwoola (Author: Thompson/Dixon) (Continued)

New 23A	New condition to ensure future prospective purchasers are aware that the premises is serviced by an off grid solar electricity supply.	A section 88B legal instrument burdening proposed Lot 1 is to be created prior to issue of a subdivision certificate. It is to specify that the on-going maintenance and replacement of any panels, batteries, inverters and any parts that form part of the operation of the solar electricity supply system for the life of the dwelling must be maintained in good order and condition. Prior to any sale, evidence as to the age of the system and its maintenance status is to be provided to any potential purchasers.
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Engagement

The proposal did not require notification under the Queanbeyan DCP 2012.

Conclusion

Modification application 66-2018.A to amend conditions 18, 20 and 23 relating to the provision of electrical services and erection of twenty ground mounted solar panels and shipping container on Lot 4 DP 777829, No. 419 Captains Flat Road, Carwoola is a local development and is supported by a Statement of Environmental Effects.

The proposal has been assessed under Section 4.55 *Environmental Planning & Assessment Act 1979* including the relevant provisions of *Queanbeyan Local Environmental Plan 2012* and *Queanbeyan Development Control Plan 2012*.

The development satisfies the requirements and with the modification of existing conditions and inclusion of a new condition achieves the objectives of these instruments.

Attachments

- | | |
|--|---|
| Attachment 1 | 66-2018.A - 419 Captains Flat Road - Section 4.55 Matters for Consideration (<i>Under Separate Cover</i>) |
|  Attachment 2 | 66-2018.A - 419 Captains Flat Road, Carwoola - Proposed Modified Plans (<i>Under Separate Cover</i>) |
|  Attachment 3 | 66-2018.A - 419 Captains Flat Road, Carwoola - Proposed Solar Panel Specs (<i>Under Separate Cover</i>) |

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.3 Request for Use of Section 94 Funds - RFS Improvement (Author: Thompson/Carswell)

File Reference: 26.1.7-02 Doc ID 473838

Summary

Council has received an invoice to pay for a recently constructed truck hardstand area and paving works at the Nerriga RFS station. This has been spent on the assumption that the work would be paid for and authorised by the *Tallaganda Shire Council Section 94 Contributions Plan No.4 – Bushfire Control and Suppression*. Consequently this report seeks authorisation to pay for this invoice from the relevant contribution account, collected under that contribution plan.

Recommendation**That Council:**

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

Background

Council has received an invoice for a recently constructed concrete fire truck hardstand area and other paving at the Nerriga RFS station with an area of approximately 190m².

The invoice is for \$22,990 (incl GST) and has been spent on the assumption that the work would be paid for and authorised by the *Tallaganda Shire Council Section 94 Contributions Plan No.4 Bushfire Control and Suppression*. This report seeks authorisation to pay for this invoice from the relevant contribution account.

In the normal course of events funds sought from the *Bushfire Control and Suppression Fund* should be approved prior to the expenditure being made. It is important that expenditure from the fund is planned to ensure that funds are being spent where most needed and that the funds are actually available.

To that end this report recommends that the RFS liaise with staff to identify future projects over the next 10 years that the RFS are likely to request assistance for from developer contribution funds. This would enable the current section 94 plan, which is nearly 30 years old, to be updated to reflect current projects so that there is no ambiguity of whether they are included in the relevant plan or not.

In addition to the above the hardstand area would normally have required the submission and assessment of a development application. This is the case for all works unless they fall within the exempt category under a *State Environmental Planning Policy* such as *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* or *State Environmental Planning Policy (Infrastructure) 2007*. As such, it is recommended that a

9.3 Request for Use of Section 94 Funds - RFS Improvement (Author: Thompson/Carswell) (Continued)

building information certificate be applied for by the RFS to regularise the construction of the hardstand area.

Implications***Policy***

The relevant policy is the *Tallaganda Shire Council Section 94 Contributions Plan No. 4 Bushfire Control and Suppression* and this report recommends that contributions be authorised for expenditures considered to be generally consistent with the type of work to be funded from this plan.

Financial

There are sufficient funds in the relevant account to cover the invoiced amount. Contributions can be expended in accordance with this section 94 contribution plan and this is what is recommended.

Conclusion

Having considered the nature of the request and the purpose and the type of works that contributions collected under the *Tallaganda Shire Council Section 94 Contributions Plan No. 4 Bushfire Control and Suppression* are to be used for, it is recommended that the requested amount be authorised from the relevant contribution account.

It is further recommended that in order to be better positioned for future requests for use of contribution funds by the RFS that the RFS be requested to liaise with staff to identify future projects over the next 10 years that the RFS is likely to request assistance for from developer contribution funds. This would also enable the modernisation of this plan.

Attachments

Nil

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.4 Appointment of Technical Representative to Southern Regional Planning Panel (Ref: ; Author: Thompson/Thompson)

File Reference: 21.1.3S

Summary

Council has received the resignation of Lorena Blacklock as Council's expert representative on the Southern Regional Planning Panel (SRPP). Ms Blacklock has taken up a position with QPRC and the Regional Planning Panel Guidelines recommend that employed planning staff should not be appointed to this role.

Recommendation

That:

- 1. Consultant Planner, Ms Chelsea Newman, be nominated as the second Council appointed member and planning expert on the Southern Region Planning Panel.**
- 2. The Minister for Planning be notified accordingly.**
- 3. The remuneration level be set as follows:**

A flat minimum of \$600 per meeting plus \$120 per hour of meeting time up to a maximum total of \$1440 per meeting (inclusive of the base \$600 payment). This is inclusive of all incidental costs including travel and accommodation. The \$120 per hour would be paid in relation to any briefing meetings or site visits held as well as the main JRPP meeting. All fees are exclusive of GST.

Background

In 2009 the NSW Government established Regional Planning Panels (RPPs) to determine regionally significant development applications and to advise on regionally significant planning or development matters or environmental planning instruments. Through the RPPs the NSW Government aims to provide greater transparency, objectivity, independence and expertise for regional planning issues.

The core functions of RPPs are -

1. To exercise certain consent authority functions in regard to regional development applications; and
2. Where requested, advise the NSW Minister for Planning on planning or development matters or environmental planning instruments in respect to the RPP's region.

Development applications for projects classed as regional development are assessed by Council officers. The Council officer's assessment and recommendations are then referred to the Southern RPP (SRPP) for determination.

The SRPP consists of three state members who are appointed by the Minister and two local members who are appointed by the Council. The term of the appointment for local members of the SRPP is three years except where a Council election intervenes, in which case new appointments need to be made. The RPPs have a Code of Conduct that sets out standards of conduct expected of all RPP members.

One of Council's appointed members is generally an elected Councillor. Presently Council's representative is Cr Harrison with Cr Marshall as the alternate.

**9.4 Appointment of Technical Representative to Southern Regional Planning Panel
(Ref: ; Author: Thompson/Thompson) (Continued)**

The other Council nominee is a technical professional (or expert) with experience in the planning and/or development field. The guidelines recommend that Council's technical representative not be a staff member given that staff are involved in the preparation of SRPP reports. Until recently this member was Ms Lorena Blacklock who held a senior strategic planning role with Hilltops Council. However, Ms Blacklock has joined QPRC in a similar role and as such is no longer eligible to act as Council's SRPP representative. Consequently she has resigned her SRPP role.

Council Nominees for JRPP - Expert Planner

Ms Chelsea Newman has been approached to replace Ms Blacklock on the Panel as Council's expert planner. Ms Newman was the Senior Town Planner at Council holding various Town Planning roles over a period of more than 8 years. Ms Newman resigned in February 2018 to begin her own planning consultancy business. She is well known to Council and her previous experience preparing reports for, and liaising with the RPPs means she has had considerable experience with many larger and more complex developments in both urban and rural settings. Ms Newman is more than adequately qualified and experienced to undertake the expert planning role on the SRPP.

Implications***Legal***

Council must appoint two members to sit on the JRPP.

Financial

The NSW Government covers the costs of State members and the Panel Secretariat. Individual councils cover the cost of their council nominated representatives and other council costs from the development application fees received and retained by councils.

Previous advice from the Minister for Planning outlining payments to members appointed by Council to the JRPP indicated the following:

"Remuneration

Community members: Each council may determine an appropriate level of remuneration for that person, by arrangement with that member, but that a meeting fee not exceeding \$1400 should be considered as a guide when determining appropriate remuneration rates. This is commensurate with the fee proposed for State appointed members."

The Council therefore makes the following payments to representatives appointed to the RPP. A flat minimum of \$600 per meeting plus \$120 per hour of meeting time up to a maximum total of \$1440 per meeting (inclusive of the base \$600 minimum). The additional \$40 is to make the overall amount a multiple of \$120. This is inclusive of all incidental costs including travel and accommodation. The \$120 per hour would be paid in relation to any briefing meetings or site visits held as well as the main SRPP meeting. All fees stated are GST exclusive.

Conclusion

It is recommended that Council's 'expert' appointee to the SRPP be Ms Chelsea Newman as she has extensive planning experience and meets the expert selection criteria.

Once adopted by Council the nomination will then be notified to the Minister.

Attachments

Nil

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.5 Outcome of Noise Monitoring from Security Awareness Training at Goolabri Country Resort (Ref: ; Author: Thompson/Abbott)

File Reference: 345616

Summary

At its meeting of 27 March 2019, Council considered a report in regard to offensive noise from simulated gunfire training at Goolabri Country Resort. It was resolved not to proceed with the issue of a Prevention Notice and instead:

1. *That the training operator provide to Council an assessment of the noise impacts of the gunfire training activity on the surrounding area by providing an Acoustic Assessment Report from an independent qualified acoustic consultant within three months.*
2. *That a further report be presented to Council following the acoustic report.*

This report considers the outcomes from the acoustic assessment reports.

Recommendation

That:

1. **Council issue a Prevention Notice under the *Protection of the Environment Operations Act 1997* on the owners of Goolabrai Country Resort, 202 Goolabrai Drive, Sutton, and the operators of the simulated live fire training activity conducted at that address, restricting that activity as follows:**
 - a) **No more than two events to be carried out each calendar month.**
 - b) **All neighbours within 1000m of the conference centre are to be advised of the time and date that training will take place, preferably as soon as dates are set, but no later than two days before the training takes place.**
 - c) **Blank rounds to be used should be “half loaded”.**
 2. **The complainant be advised of Council’s determination.**
-

Background

A training provider currently operates security awareness training at 202 Goolabri Drive, Sutton. The activities comprise simulated scenarios involving a shooter and number of other people. The ‘Security Awareness in Vulnerable Environments’ training is provided to Australian Government staff and contractors travelling to a variety of hostile environments overseas. Simulated gunfire is part of the training exercise. These training events have been taking place generally every fortnight and sometimes weekly for over 18 months. The security awareness training includes two main activities per day, one in the morning and one in the afternoon.

The training provider states that the use of realistic weapons (AK47 rifle) and blank fire provides trainees with a much more realistic training experience to prepare them for potential critical incidents in hostile environments and is seen as a key element of the training. The training sessions incorporating simulated explosions and gunfire occur during the middle of a weekday, once or twice a month and go intermittently for approximately 4 hours.

A resident from a neighbouring property has made several complaints about the noise resulting from these training activities and claims that it is placing unreasonable stress on the family and pets. The complainant states that *quasi multiple military style explosions and rapid*

9.5 Outcome of Noise Monitoring from Security Awareness Training at Goolabri Country Resort (Ref: ; Author: Thompson/Abbott) (Continued)

machine gunfire do not support the planning controls identified. The address of the site falls under the E4 Environmental Living zone and it is suggested that activities currently undertaken at the site are inconsistent with the objectives of that zone.

At its meeting of 27 March 2019, Council resolved not to proceed with the issue of a Prevention Notice and instead require the submission of an acoustic assessment of the activities. In the interim activities could continue with the engagement of an acoustic consultant to undertake noise monitoring of the “normal” operating conditions in accordance with the Noise Policy for Industry (NPI) (2017).

An initial acoustic report was received in June 2019. It compared the results against the NSW EPA Target Shooting Range Guideline. Staff considered the results should have been compared to the NPI given that there is no approval for a target shooting range at this site and as such did not agree with the conclusion provided by the consultant that noise levels were acceptable at the nearest receivers.

The training provider was requested to revise and submit a new report with regard to the NPI at the receiver's property boundary. A second report was provided in October 2019.

This report made an assessment by way of modelling, that the L_{Aeq} (15min) level at the nearest residential receiver was calculated to be 36dB(A), complying with the NPI criterion of 40dB(A). They determined that noise mitigation measures to attenuate gunshot noise to the neighbouring receivers are not required.

On balance, it is considered that providing the activity is limited in its frequency and that residents are notified when the event occurs, the activity is acceptable. However, there is no suggestion that this should allow for the number of events to be increased.

In order to control frequency and other aspects of the activity it is proposed that Council issue the owners and training company with a Prevention Notice under the *Protection of the Environment Operations Act 1997*.

Council may issue a Prevention Notice when it reasonably suspects that an activity has been or is being carried out in an 'environmentally unsatisfactory manner' as defined in s96 of the POEO Act and for any activity carried on in contravention of, or in a manner that is likely to lead to a contravention of, the Act. There is a fee of \$563 for issue of a Prevention Notice, however, an application may be made for an extension of time to pay the fee, or waive the fee should it be made in writing to Council.

The Prevention Notice will allow the training activity to continue subject to the following conditions:

- a) No more than two events to be carried out each calendar month.
- b) All neighbours within 1000m of the conference centre are to be advised of the time and date that training will take place, preferably as soon as dates are set, but no later than two days before the training takes place.
- c) Blank rounds to be used should be “half loaded”.

Other options available to Council are to take no further action on the matter or issue a Prevention Notice prohibiting the activity taking place on the basis that it creates an offensive noise which is out of character with the quiet surrounds of the neighbouring rural residential development.

9.5 Outcome of Noise Monitoring from Security Awareness Training at Goolabri Country Resort (Ref: ; Author: Thompson/Abbott) (Continued)

Implications

Legal

Goolabri has historical consent as a 'Conference Centre'. The building was approved in 1994 under DA No.205. As such they can run typical corporate training events without further assessment. This could incorporate theatrical gunfire, as use of blanks does not warrant a change of use to a shooting range. The activity must however, meet reasonable noise criteria by way of nature, occurrence and suitability to the area.

A question was raised with NSW Police to determine if a Firing Range Permit is required for the simulated fire training process occurring at Goolabri. The Goolabri facility is used by DFAT to provide training to staff travelling overseas and the type of ammunition that the training provider is using is a blank and theatrical in nature and does not require a Firing Range permit.

The training provider may appeal the issue of a Prevention Notice. The deadline for lodging an appeal with the land and Environment Court is 21 days after being served with the notice. This seems unlikely as the conditions in the Prevention Notice more or less formalise the current operational arrangements being undertaken by the training company.

Social

Acoustic Consultant's Assessment of Activities

Two simulated activities are undertaken during security awareness training. These are described below:

Activity 1 - starts at 11:30am and lasts approximately 10 to 15 minutes. A shooter moves from behind some bushes close to the central dam on the site and "chases" trainees southwards toward the function centre. Around 30-40 blank shots (half-loads) are generally fired from an AK47 rifle. The sessions are normally held between the hours of 10.30am and 4.00pm. Notification of all surrounding residents is conducted via letterbox drop with precise times and dates prior to each session.

Activity 2 - starts at 1:30pm and lasts approximately 1 to 1.5 hours. A shooter shoots from two locations. The shots are fired in four bursts and repeated for two groups of trainees. Around 100 blank shots (half load) in total are generally fired from an AK47 rifle.

On Tuesday 14 May 2019, AECOM Australia Pty Ltd (AECOM) undertook a noise impact assessment of the security awareness training activities on existing neighbouring residential properties. During Activity 1, 27 gunshots were measured, and during Activity 2, 73 gunshots were measured. Results of the measurements are summarised as follows:

Measured $L_{Z\text{ peak}}$ and $L_{Aeq\text{ (15 min)}}$ levels during Activity 1

Distance (m)	Number of gunshots	Average $L_{Z\text{ peak}}$	Minimum $L_{Z\text{ peak}}$	Maximum $L_{Z\text{ peak}}$	$L_{Aeq, 15\text{ min}}$
75-150	27	113 dB	108 dB	122 dB	54

Measured $L_{Z\text{ peak}}$ and $L_{Aeq\text{ (15 min)}}$ levels during Activity 2

Distance (m)	Number of gunshots	Average $L_{Z\text{ peak}}$	Minimum $L_{Z\text{ peak}}$	Maximum $L_{Z\text{ peak}}$	$L_{Aeq, 15\text{ min}}$
250	37	98 dB	97 dB	100 dB	46
350	36	95 dB	92 dB	98 dB	44

9.5 Outcome of Noise Monitoring from Security Awareness Training at Goolabri Country Resort (Ref: ; Author: Thompson/Abbott) (Continued)

The absolute noise level of a gunshot is typically high however its duration is very short. Because of this the “L_{peak}” noise descriptor is often used to define the level of a gunshot as it describes the maximum instantaneous level measured. By comparison the “L_{Aeq}” descriptor defines a level where the sound energy is averaged over a particular time period, usually 15 minutes. Therefore a L_{Aeq(15 min)} level is generally much lower than an L_{zpeak}, particularly for gunshot noise.

The consultants compared these results with the *NSW Environment Protection Authority's Guideline Target Shooting Ranges: Application Note for Assessing Noise Compliance*. The NSW EPA *Environmental Noise Control Manual* (ENCM) 1994 presents a guideline for established shooting ranges during the day (10am to 5pm) and the evening (5 pm to 10 pm) in terms of a linear peak level.

Table 1 NSW EPA existing shooting range criteria

	Residential Level dB L _{zpeak}										
	60	65	70	75	80	85	90	95	100	105	>105
	Maximum usage days(nights) per week										
Day	7	7	7	7	7	7	5	4	3	2	1
Evening	3	3	2	2	2	1	-	-	-	-	-

The table basically says that if you have an L_{zpeak} greater than 105dB then you can operate one day per week. The consultant therefore concluded that the activity complied with the applicable guidelines.

However, Council did not agree with the consultant's conclusion noting that the assessment was carried out against guidelines for Target Shooting Ranges and that no such activity was approved for the site. Council therefore requested that a further assessment be undertaken against the Noise Policy for Industry (NPI) which was considered to be the applicable guideline for the activity.

The NPI provides guidance in relation to acceptable noise limits for industrial noise emissions. The assessment procedure has two components:

- controlling *intrusive* noise impacts in the short term for residences
- maintaining noise level *amenity* for residences and other land uses.

Both components are assessed at the boundary of the site with the nearest sensitive receive (i.e. a dwelling), or if the site boundary is more than 30 metres from the noise sensitive building, a distance of 30 metres from the noise sensitive building. This did not occur. Instead the consultant modelled the likely impacts based on the measurements already taken.

The NPI states that the noise from any single noise source should not be greatly above the prevailing background noise level. Industrial noise sources are generally considered acceptable if the L_{Aeq15} does not exceed the Rating Background Level (RBL) by more than 5dB(A) for the period under consideration. This is termed the Intrusiveness Criterion.

In this case the actual RBL was not measured but minimum values were assumed in line with the NPI. The RBL and the respective intrusive criteria for the day, is provided as follows.

Location	Period	RBL (L _{A90}), dB(A)	Intrusive criteria (RBL+5), dB(A)
Residential receivers	Day	35	40

So based on the table the noise generated by the activity should not exceed 40dB(A).

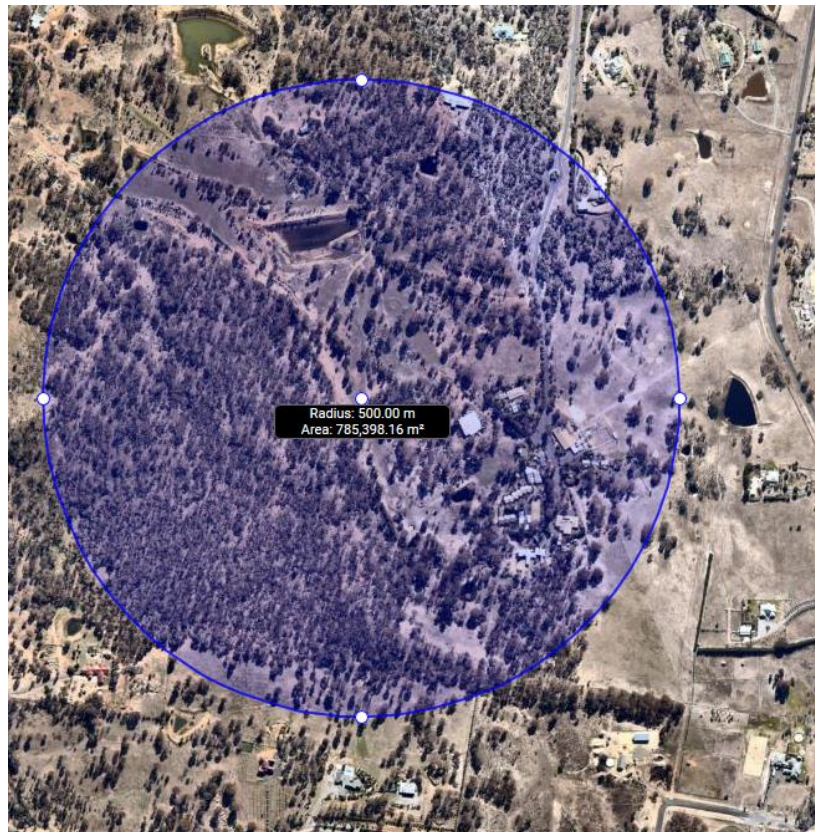
9.5 Outcome of Noise Monitoring from Security Awareness Training at Goolabri Country Resort (Ref: ; Author: Thompson/Abbott) (Continued)

The consultant concluded that when distance to the nearest receiver is taken into account, the $LA_{eq}(15 \text{ min})$ would be 36dB(A). As this is below the recommended 40dB(A) the consultant concluded that no further noise mitigation measures were warranted.

Staff Comment

Although the noise consultant has found that the average noise level when measured in accordance with the NPI does not trigger the intrusive noise levels, it is clear that it is the impulsive nature of the individual shots which are the primary source of concern.

The peak level of 'shot' noise at 98dB is very high. Looking at the distance assessed it can be identified that a map showing a distance of 500m (below) would take in several residential properties. There are some 'Rules of Thumb' when assessing noise. Doubling the distance between the noise source and a receiver results in an approximate 6dB decrease from the point source. So it could be assumed that at 500m the level is 98dB-6dB or 92dB.



The impulsive character of gunshot noise can also be more annoying to some people than others. In this case only one complainant has voiced their concerns despite a number of dwellings potentially being affected.

Certainly one hundred random impulse 'shot' noises per event with a peak of 98dB each shot, is considered a justifiable concern. The characteristic of sporadic 'shots' is likely to be considered startling to residents and also affect pets. This noise is not typical of the residential peace and quiet of the E4 zone. Set against this is the infrequent conduct of the activity and the potential impacts the loss of business would have on the event venue.

When assessing whether the activity should be allowed to continue it is recommended that consideration of the following criteria might assist in coming to a conclusion:

- a) the level of the noise;
- b) the character of the noise
- c) the number of events each year;

9.5 Outcome of Noise Monitoring from Security Awareness Training at Goolabri Country Resort (Ref: ; Author: Thompson/Abbott) (Continued)

- d) the time and duration at which the event takes place;
- e) the spread of events during the year;
- f) the number of people affected and
- g) the amount of warning ('prior notification') provided to residents about upcoming events.

Clearly the level and character of the noise (items a) and b) above) are of some concern. However, the number, duration and spread of the activities during the year (items c) to e) above) means that the impacts are infrequent. Only a limited number of people are affected (item f) and the training host always notifies adjoining residents (item g).

Financial

Goolabri management advice is that over the winter months, Goolabri is extremely dependent on the training courses as a steady reliable source of income that keeps them going until the warmer months. Additionally, their name as a business in the local area is important. Action to cease the security training events may lead to hardship of the business.

Conclusion




Noise measurements were made by AECOM on site on Tuesday 14 May 2019 during typical training activities with 100 shots fired and measured at a number of distances. The acoustic report indicates that individual shots are likely to be heard at neighbouring residential receivers. Notwithstanding this the average noise levels were predicted to meet the guidelines set down in the Noise Policy for Industry.

Council has the options of:

- i. Taking no further action;
- ii. Issuing a Prevention Notice that would allow the activity to continue under certain conditions;
- iii. Issuing a Prevention Notice that would prohibit the activity.

In considering the various aspects of the activity that contribute to noise impacts, it is recommended that the activity should be allowed to continue subject to certain conditions.

Attachments

- | | |
|--|---|
| Attachment 1 | 6 June 2019 Noise Report by AECOM (<i>Under Separate Cover</i>) |
|  Attachment 2 | 4 October 2019 Noise Report by AECOM (<i>Under Separate Cover</i>) |
|  Attachment 3 | Community Notification Flyer of Events (<i>Under Separate Cover</i>) |
|  Attachment 4 | Goolabrai Response to Council Action (<i>Under Separate Cover</i>) -
CONFIDENTIAL |
| Attachment 5 | Chronology of Gunfire Noise Complaint at Goolabri (<i>Under Separate Cover</i>) - CONFIDENTIAL |

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.6 Tender Recommendation for Refurbishment of Braidwood Pool (Ref: ; Author: Hansen/Stewart)

File Reference: 468096

Summary

Tenders were called via Tenderlink for refurbishment works at Braidwood Memorial Pool for a second time. Two submissions. The evaluation panel have completed the tender review process and recommended that the contract be awarded.

While it was previously indicated that this work would be divided up and project managed in house, a capable contractor expressed interest and provided a quotation. The dollar value of the quote was appropriate to warrant a second tender for the work. In addition to this, there are many specialized aspects to the work which a dedicated pool specialist would be best placed to manage with the benefit of associated warranties.

The tendered price is greater than remaining grant funds for this project. Additional funds are also required to cover installation of a UV sanitizer, site visits during works by the consultant and contingency to deal with possible latent site conditions.

Recommendation

That:

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

Background

Braidwood Memorial Pool is the most popular pool complex in the LGA outside the city of Queanbeyan. It is located in Ryrie Park on Wallace St Braidwood NSW. It was built in 1967 and constructed of reinforced concrete.

It has been many years since major refurbishment work has been done. The tiling has delaminated from the pool body in many areas and cracked in others creating sharp edges. The pool body has developed minor cracks and it is believed that the expansion joint waterproofing has failed resulting in significant water loss.

The purpose of this work is to freshen up the pool visually with new tiles and waterproof the pool body to reduce or eliminate water loss. Installation of new inlet jets and replacement of the supply pipe to the wading pool will improve flow and distribution of filtered water throughout both lap and wading pools. The addition of a UV filter will reduce the risk of Cryptosporidium outbreak.

Funding for this project is via the Stronger Communities Grant with \$400,000 allocated to the Eastern Pools. Of this, \$43,000 have been spent procuring tiles and architectural drawings/specifications leaving \$357,000. Taking in to account the tendered price, UV sanitizer, consultant services and contingency, there is a shortfall of \$105,000. It is intended to fund the additional expense from reserves to enable this work to be completed.

9.6 Tender Recommendation for Refurbishment of Braidwood Pool (Ref: ; Author: Hansen/Stewart) (Continued)

Specifications and drawings for this work have been provided by Colarc Architects who specialise in commercial swimming pool design and specification.

Implications***Legal***

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

Policy

The Tenders have been assessed as per QPRC procurement policies and the Tender Evaluation Plan for the project.

Engagement

The Braidwood Pool Committee have been consulted in regards to this project. Heritage and planning advice have also been sought.

Financial

The proposed project will be mostly funded by NSW State Government Grant. QPRC will need to provide additional funds from reserves in order to complete the project.

Funding requirements outlined below (GST Inclusive):

Tender value	\$376,000
UV sanitizer	\$44,000
Architect site inspections	\$6,600
Contingency	\$44,000
Total (ex GST)	\$470,600
Remaining grant funds	\$357,000
Reserves	\$113,600

Resources (including staff)

The project will be overseen by Council staff. All works are to be undertaken by contractors. A specialist consultant will be engaged for assistance during construction, testing and commissioning.

9.6 Tender Recommendation for Refurbishment of Braidwood Pool (Ref: ; Author: Hansen/Stewart) (Continued)

Conclusion

The tenderer who best satisfied the selection criteria for refurbishment works at Braidwood Memorial Pool, was found to be tenderer 1. It is recommended that tenderer 1 be awarded the contract to undertake this work. It is also recommended that allocation of funds be approved to cover the funding shortfall.

Attachments

Attachment 1 Tender Recommendation - Refurbishment of Braidwood Pool (*Under Separate Cover*) - **CONFIDENTIAL**

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.7 Tender Recommendation - Refurbishment of Rusten House (Ref: ; Author: Hansen/Stewart)

File Reference: 469648

Summary

Tenders have been called for the refurbishment of historically listed Rusten House, located at Collett Street, Queanbeyan, which will see the building converted into an Art Gallery with workshop facilities. This contract follows several smaller packages of work which involved asbestos removal, selective demolition, electrical work and roof replacement to ready the building for the final refurbishment.

The scope of this contract, CN 2019-35 included demolition of a verandah, refurbishment and decoration internally and externally, joinery items, electrical, hydraulic, mechanical and security services and included optional sections of work for construction of a sealed carpark and reinforced concrete retaining wall in the road reserve.

Tenders were called on 27th August 2019 via Tenderlink via an open tender method. Two tenders were received and were evaluated in accordance with the approved Tender Evaluation Plan (TEP).

Due to the relatively low scoring of non-price criteria and high tender price it is recommended not to accept any tender and Council manage the remaining works in-house with a combination of internal staff labour and suitable sub-contractors sourced from Council's trades and Services panel.

Recommendation

That Council:

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

Background

Rusten House is a historically listed building that was handed over to Council in 2014 from the State Government for ownership, on-going care and operation. The building was formerly part of the Queanbeyan hospital and used for a variety of uses over the years but became disused and fell into a dilapidated state and required significant work to restore the building to a usable condition.

Over the past several years council has been working towards repurposing the building into an Art Gallery with workshop provisions. The project included obtaining necessary design approvals from the Heritage Council of NSW and NSW Office of Environment and Heritage, who finally granted design approval on 1 March 2019 for the overall works.

Council has to this date completed significant preliminary works on the building including demolition, asbestos removal, roof replacement and provisions for incoming communications

9.7 Tender Recommendation - Refurbishment of Rusten House (Ref: ; Author: Hansen/Stewart) (Continued)

and power to the site. Contract 2019/35 for the final refurbishment works were called with a view to award a single contract for the completion of the remaining works.

Specifications and design for the refurbishment has been undertaken by Eric Martin and Associates who has also been engaged for oversight and input during the work.

Implications***Legal***

Section 55 Of the *Local Government Act 1993* requires that a Council invite open tenders before entering into contracts for projects over \$250,000. Council is not bound to accept any tenders received.

Policy

The Tenders have been assessed as per QPRC procurement policies and the approved Tender Evaluation Plan for the project.

Social / Cultural

The project will deliver a social and cultural benefit to the local community with provision of a new Art Gallery and arts workshop.

Engagement

The design has been developed and approved in conjunction with Council's Community and Education branch who will be the key user of the site following the buildings conversion to an Arts Gallery. Heritage and planning advice and related approvals have also been sought and gained from the Heritage Council of NSW and Office of Environment and Heritage with required S60 approval and Integrated Development consent now in hand.

Financial

The project is funded through several sources including:

- \$250k Department of Liquor and Gaming grant
- \$250K Matching funds from Council
- \$550K Stronger Communities Infrastructure Grant
- \$30K from Council (to fund failed retaining wall in road reserve)

To date a total expenditure on this project is \$214,374 which has been fully funded from the \$550K Stronger Communities Infrastructure Grant.

9.7 Tender Recommendation - Refurbishment of Rusten House (Ref: ; Author: Hansen/Stewart) (Continued)

Funding requirements outlined below (GST Inclusive):

Project Estimate to Complete	\$772,200
Architect site inspections	\$12,000
Contingency	\$77,000
Total (ex GST)	\$861,000
Remaining funds	\$865,626

Following the tender review process the most advantageous tender was identified as tender 2 (refer attached Tender Recommendation report). However after consideration given the low non-price score and high price of the preferred tender, which exceeds the funds available it is recommended to not accept any tender, with the view to Council coordinate the remaining works with suitable resources. It is concluded that due to the low completion (2 tenders received only) and the nature of the work whereby tenderers have placed a significant allowance for risk, that council considers it is best to accept and manage those risks to obtain best value for the works.

Resources (including staff)

The project delivery is proposed to be overseen by Council staff in conjunction with the appointed heritage advisor (Eric Martin and Associates). All works are to be undertaken by suitable contractors engaged from established QPRC Trades and Services Panels and internal staff resources.

Integrated Plan

The refurbishment of Rusten House has been identified in the Delivery Program 2018-21.

Conclusion

That no tender for Contract 2019/35 be accepted and council manage the remaining works as the Principal Contractor.

Attachments

Attachment 1 Tender Recommendation - Refurbishment of Rusten House CN 2019-35
(Under Separate Cover) - **CONFIDENTIAL**

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.8 Award Contract RFT 2019-52 - Supply and Installation of Road Safety Barrier Systems (Ref: ; Author: Fulton/Reczek)

File Reference: 43.4.4-01

Summary

Council is seeking to establish a contract for the supply and installation of road safety barrier systems.

An open request for tender (2019-52) was called on 23 July 2019 for the supply and installation of road safety barrier systems for a contract term of 3 years, with two one year extension options.

The tender and evaluation process was facilitated by Local Government Procurement on behalf of Council. The tender was advertised in the Sydney Morning Herald as well as newspapers within the local region. 19 suppliers downloaded the tender documents and 6 tender responses were received and evaluated.

Based on the evaluation process, the evaluation panel decided that Tenderer 4 meets the relevant selection and evaluation criteria and demonstrates the best value for money.

Recommendation

That:

- 1. Council award contract 52-2019 for the Supply and Installation of Road Safety Barrier Systems to Tenderer 4 for the estimated contract price of (*insert \$*) including GST. The exact contract value will depend on quantity and unit price quoted in the Part K Pricing Schedule.**
 - 2. The term of agreement be for a period of three (3) years commencing in November 2019, with an option to extend the contract for two (2) additional periods of 12 months each.**
-

Background

The purpose of the tender is to establish a contract for the supply and installation of road safety barrier systems with a contract to be awarded to a single contractor for the entirety of works over a three year initial term, with an option to extend for two additional years.

The RFT was advertised as follows:

- The Braidwood Times – Wednesday 24th July 2019
- The Canberra Times – Saturday 20th July 2019
- Sydney Morning Herald – Tuesday 23rd July 2019
- Bungendore Weekly – Wednesday 24th July 2019
- QPRC Website – www.qprc.nsw.gov.au
- QPRC Tenderlink – www.tenderlink.com/qprc

9.8 Award Contract RFT 2019-52 - Supply and Installation of Road Safety Barrier Systems (Ref: ; Author: Fulton/Reczek) (Continued)

All tenders were assessed against qualitative and pricing criteria. Specific criteria were weighted according to their importance as specified in the Evaluation and Probity plan and shown in the table below:

Technical (Qualitative) Criteria	Weighting
Demonstrated Ability and Experience	20%
Quality Assurance	20%
Local Content	10%
Pricing	50%
Total Weighting	100%

The qualitative criteria assessment was carried out by the evaluation panel scoring the responses according to the evaluation matrix with a scoring scale of 0-10.

Based on the assessment, Western Safety Barriers Pty Ltd received the highest score and is the preferred tenderer.

Local Government referees returned positive feedback for the supplier and a company financial assessment report indicates low risks for credit failure and late payment with probability assessments of 1.73% and 2.98% respectively.

Implications

Legal

LGP has been 'prescribed' by the NSW State Parliament to carry out tenders on behalf of NSW local government. This open tender process has been carried out in accordance with section 55 of the Local Government Act, which sets out the requirements for tendering.

Policy

This report has been prepared in accordance with Council's Procurement Policy and Procedure.

Environmental

Compliance with Environmental Management Systems requirements was evaluated as part of the quality assurance tender assessment criteria.

Conclusion

Based on the evaluation process the panel decided that Tender 4 meets the relevant selection and evaluation criteria and demonstrates the best value for money.

Attachments

- Attachment 1 RFT 2019-52 Tender Recommendation Report (*Under Separate Cover*) -
CONFIDENTIAL

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.9 Award Panel Contract RFT 2019-51 - Supply and Delivery of Bridge Componentry (Ref: ; Author: Fulton/Reczek)

File Reference: 43.4.1-01

Summary

Council is seeking to establish a panel of contractors for the supply and delivery of bridge componentry.

An open request for tender (2019-51) was called on 8th October 2019 for the supply & delivery of bridge componentry for a contract term of 3 years, with two one year extension options.

The tender and evaluation process was facilitated by Local Government Procurement on behalf of Council. The tender was advertised in the Sydney Morning Herald as well as newspapers within the local region. 23 suppliers downloaded the tender documents and two tender responses were received and evaluated.

Based on the evaluation process, the evaluation panel decided that both meet the selection and evaluation criteria and demonstrate value for money.

Recommendation

That:

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

Background

Council is budgeting to spend approximately \$7.5 million on bridge componentry over the next 5 years as part of its transport budget. Due to the size of the budget spend, staff are recommending the establishment of a panel contract to ensure a competitive process and an efficient procurement process over the contract period.

The term of contract is three (3) years commencing December 2019 with two (2) x one (1) years option to extend the contract subject to performance.

The RFT was advertised as follows:

- The Braidwood Times – Wednesday 09th October 2019
- The Canberra Times – Saturday 05th October 2019
- Sydney Morning Herald – Tuesday 08th October 2019
- Bungendore Weekly – Wednesday 09th October 2019
- QPRC Website – www.qprc.nsw.gov.au
- QPRC Tenderlink – www.tenderlink.com/qprc

9.9 Award Panel Contract RFT 2019-51 - Supply and Delivery of Bridge Componentry (Ref: ; Author: Fulton/Reczek) (Continued)

All tenders were assessed against qualitative and pricing criteria. Specific criteria were weighted according to their importance as specified in the Evaluation and Probity Plan and shown in the table below:

Technical (Qualitative) Criteria	Weighting
Demonstrated Ability and Experience	20%
Quality Assurance	20%
Local Content	10%
Pricing	50%
Total Weighting	100%

The qualitative criteria assessment was carried out by the evaluation panel scoring the responses according to the evaluation matrix with a scoring scale of 0-10.

Both tenderers have been recommended for inclusion on the Council's panel contract.

Referees contacted for both companies returned positive feedback from local government clients. Financial credit checks were conducted for both companies, showing that there are no legal actions, collections or commercial defaults recorded against either.

Implications

Legal

LGP has been 'prescribed' by the NSW State Parliament to carry out tenders on behalf of NSW local government. This open tender process has been carried out in accordance with section 55 of the *Local Government Act*, which sets out the requirements for tendering.

Policy

This report has been prepared in accordance with Council's Procurement Policy and Procedure.

Environmental

Compliance with Environmental Management Systems requirements was evaluated as part of the quality assurance tender assessment criteria.

Conclusion

Based on the evaluation process, the evaluation panel is of the view that both two (2) tenderers meet the selection and evaluation criteria and demonstrate value for money.

Attachments

- Attachment 1 Bridge Componentry Tender Recommendation (*Under Separate Cover*) -
CONFIDENTIAL

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.10 Award Panel Contract 2019-53 - Wet & Dry Plant Hire Tender (Ref: ; Author: Fulton/Reczek)

File Reference: 43.4.1-01

Summary

Council is seeking to establish a panel of contractors for supply of Wet & Dry Plant Hire.

An open request for tender (2019-53) was called on 2 July 2019 for the establishment of pre-qualified approved contractors for establishment of a Wet & Dry Plant Hire Panel for a contract term of 3 years, with two one year extension options.

The tender and evaluation process was facilitated by Local Government Procurement on behalf of Council. The RFT documents were released via QPRC Tenderlink e-tendering web portal and tenderers were asked to lodge their responses electronically or via hardcopy.

The Tender was advertised in the Sydney Morning Herald as well as newspapers within the local region. Through the portal, tender alert notices were sent electronically, 83 organisations downloaded the tender documents and on close at 2pm on 31 July 2019, 50 tender responses were received.

Based on the evaluation process, the evaluation panel has recommended that all fifty tenderers meet selection and evaluation criteria and demonstrate value for money.

Recommendation**That Council:**

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

Background

The purpose of the Tender is to establish a panel of pre-qualified approved Wet & Dry Plant Hire service contractors. Council will select from the panel depending on the services required, with council requiring all or part of the following services from the successful tenderers:

WET Category	DRY Category
Skid Steer	Skid Steer
Scraper	Roller
Loader	Car/Ute
Roller	Message Board
Excavator	Grader
Bulldozer	Excavator

9.10 Award Panel Contract 2019-53 - Wet & Dry Plant Hire Tender (Ref: ; Author: Fulton/Reczek) (Continued)

Tipper Truck	Side Loader Garbage Compactors
Dump Truck	Rear Loader Garbage Compactors
Float	Street Sweepers
Water Truck	
Profiler	ATTACHMENTS
Backhoe	Rock Hammer
Tractor	Mulcher
Wood Grinder	GPS
Side Loader Garbage Compactors	
Rear Loader Garbage Compactors	
Street Sweepers	
Grader	

Council estimates expenditure over a 5 year contract term to be between \$12 to \$15 million on Wet & Dry Plant Hire. Due to the size of the budget, staff are recommending the establishment of a panel of contractors to maintain efficient and competitive procurement processes.

The RFT was advertised as follows:

- The Braidwood Times – Wednesday, 3 July 2019
- The Canberra Times – Tuesday, 2 July 2019
- Sydney Morning Herald – Tuesday, 2 July 2019
- Bungendore Weekly – Wednesday, 3 July 2019
- QPRC Website – www.qprc.nsw.gov.au
- QPRC Tenderlink – www.tenderlink.com/qprc

A non-mandatory tender briefing session was held at 4pm on Wednesday 10 July 2019 at QPRC, 10 Majura Street, Bungendore NSW 2621 to highlight key requirements of the tender.

Submissions were received from fifty tenderers.

Tenderers were asked to indicate “other” items as part of their submissions, with companies listing additional items in table 5.2.4 of the Evaluation and Recommendation Report.

9.10 Award Panel Contract 2019-53 - Wet & Dry Plant Hire Tender (Ref: ; Author: Fulton/Reczek) (Continued)

All tenderers were assessed against the qualitative and price criteria. Specific criteria were weighted according to their importance as specified in the Evaluation and Probity Plan and shown in the table below:

Technical (Qualitative) Criteria	Weighting
Company Profile	30%
Operator Competency	30%
Local Content	5%
Location of Plant and Equipment	15%
Service and Maintenance Structure	10%
Work Health and Safety (WH&S)	10%
Total Weighting	100%

Reference checks for all tenderers were conducted with positive responses received. Additionally, all companies passed financial checks.

Implications

Legal

LGP has been 'prescribed' by the NSW State Parliament to carry out tenders on behalf of NSW local government. This open tender process has been carried out in accordance with section 55 of the *Local Government Act*, which sets out the requirements for tendering.

Policy

This report has been prepared in accordance with Council's Procurement Policy and Procedures.

Environmental

Compliance with Environmental Management Systems requirements was evaluated as part of the quality assurance tender assessment criteria.

Conclusion

Based on the Panel's evaluation, the panel is of the view that all fifty tenderers meet selection and evaluation criteria and demonstrate value for money, and are all recommended for inclusion on the panel to allow effective service delivery.

Attachments

- Attachment 1 2019-53 Wet & Dry Panel Recommendation Report (*Under Separate Cover*) - **CONFIDENTIAL**

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.11 Bungendore Carpark - Community Consultation (Ref: ; Author: Hansen/Hogg)

File Reference: 100861

Summary

The Bungendore Carpark design was placed on public exhibition during July and August. Public feedback has highlighted potential changes to the design which will increase the usability of the carpark.

These changes include (but aren't limited to):

- Additional Access
 - Smart infrastructure
 - Public Amenities
 - Additional vegetation
-

Recommendation

That Council:

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

Background

Council engaged Opus to complete designs of an off-street carpark at Bungendore. The carpark is to be in the block bounded by Molonglo Street, Gibraltar Street, Ellendon Street and Malbon Street. The design provided by Opus provided 142 standard car spaces and 3 disabled car spaces.

Initial feedback indicated that changes were required to better meet public requirements.

The design was formally put on public exhibition between 15 July and 12 August 2019. A public consultation report has been prepared with recommendations to include public toilets, electric vehicle charging, additional trees for shade and provisions for markets/community events.

The preparation of a detailed design that reflects the changes recommended by the community is now required.

It should be noted that the design will show a final design that may not be able to be constructed within the current budget. The work will be staged to match the funds available at the time of construction.

It is intended that stage 1 will include:

- electrical vehicle infrastructure
- public toilets
- accessible parking
- access lanes and
- smart infrastructure

Future stages will expand the carpark area to the north.

9.11 Bungendore Carpark - Community Consultation (Ref: ; Author: Hansen/Hogg) (Continued)

Implications

Legal

Council will seek relevant planning and other approvals of the carpark in accordance with the *State Environmental Planning Policy (Infrastructure) 2007*.

Once detailed design is completed, staff will seek tenders in accordance with the *Local Government Act 1993* and *Local Government (General) Regulation 2005*.

Environmental

The proposed carpark site is to be constructed on previously developed land. This significantly reduces the environmental impact as only disturbed land will be used.

Council also proposes to install infrastructure consistent with reducing the impact on the local environment. This includes additional trees, electric vehicle charging points and water usage reduction measures.

Asset

Council will be required to maintain the carpark and associated infrastructure post construction.

Strategic

The land is zoned as SP2 - Infrastructure under the Palerang Local Environmental Plan 2014. This permits Community Facilities and Roads, including ancillary development for that purpose.

Engagement

A public consultation report has been attached. Feedback from the formal exhibition period has been assessed and where feasible has been included as a recommendation for the updated design. Attached is a concept plan incorporating the updates proposed.

Council has also liaised with ACT Government in how best to implement electric vehicle charging. It is expected that where feasible, Council will ensure that any future electric vehicle charging network is compatible with the ACT Government infrastructure.

Financial

Funding has been allocated for the 2019/20 financial year as outlined in the table below. This funding will include all designs, approvals, construction and commissioning of the works.



Program Code	Expense Type	Funding source	Amount
		External Loan funding	\$ 2,500,000

**9.11 Bungendore Carpark - Community Consultation (Ref: ; Author: Hansen/Hogg)
(Continued)**

Resources (including staff)

Council's Contracts and Projects staff will project manage this project. A design consultant will update the design and contractors will complete the works.

Attachments

- | | |
|--|--|
| Attachment 1 | Bungendore Carpark Community Consultation Report (<i>Under Separate Cover</i>) |
|  Attachment 2 | Bungendore Carpark Concept Design V2 - post consultation (<i>Under Separate Cover</i>) |
|  | |

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.12 Proposed Changes to Queanbeyan Waste Minimisation Centre Opening Hours (Ref: ; Author: Hansen/Belcher)

File Reference:**Summary**

To effectively manage operations and risk, it is recommended that Council reduce the public opening hours at the Queanbeyan Waste Minimisation Centre to the following periods:

- Monday to Friday: 9:15 am to 4:15 pm
 - Saturday to Sunday: 7:15 am to 4:15 pm (no change)
-

Recommendation

That Council amend the public opening hours of the Queanbeyan Waste Minimisation Centre to 9:15 am to 4:15pm Monday to Friday, and 7:15 am to 4:15 pm Saturday and Sunday.

Background

Following concerns raised by site staff at the Queanbeyan Waste Minimisation Centre (WaMi), an industrial noise assessment was undertaken to determine if noise levels are being appropriately managed at the site. The assessment found that currently implemented controls for noise are effectively managing the risk to site staff.

However the investigation has prompted further discussion within the Utilities Branch and with Council's WHS section regarding potential wider risks to the public. Both parties agree that an unacceptable level of risk exists. The risks generally relate to:

- Injury to members of the public and/or damage to private property from:
 - exposure to high noise levels
 - projectiles from the mulcher
 - small and heavy plant moving on the site
 - general site operations
- Injury to Council staff and/or damage to Council property from:
 - Interaction of public and Council operations

Estimating the level of risk

In considering how to appropriately determine consequences and likelihood and thereafter how to manage these risks, Council's HSEQ documentation has been used.

The likelihood of incidents ranges between Rare (may happen in exceptional circumstances) to Possible (may occur occasionally). These risks therefore need to be controlled.

9.12 Proposed Changes to Queanbeyan Waste Minimisation Centre Opening Hours (Ref: ; Author: Hansen/Belcher) (Continued)

The hierarchy of controls from the HSEQ documentation is reproduced below (reformatted for ease of reading in this report). Controls at the top of the table are the most preferred management technique. Discussion about the appropriateness of the control level is contained below.

Eliminate the Hazard	Remove from the workplace
Minimise Hazard/Risk	Substitute with something safer (e.g. Replace telephone headset) Modify the plant (e.g. Redesign equipment to reduce noise) Isolate the hazardous item/aspect (e.g. move noisy equipment) Engineering controls (e.g. machine guarding)
Implement Controls	Administrative controls (e.g. limiting exposure) Personal Protective Equipment (e.g. Goggles/hearing protection)

Eliminate the Hazard

Each individual piece of equipment is designed and operated to effectively manage risk. Therefore, the substantive hazard in this environment is the interaction between the public and Council operational staff/equipment. To eliminate this risk, either the site needs to be closed to the public, or operational equipment removed from the site. Both of these actions would result in the facility being effectively non-functional. Elimination of the hazard is therefore considered not practicable.

Minimise the Hazard

Substitution and/or modification of the plant is not considered practicable or effective as it does not address the substantive risk (i.e. interaction of the public and Council operations). Such changes would also significantly impact on effective operation of the facility.

Spatial isolation of the plant has been considered. The site is constrained and there is limited opportunity to spatially separate the public from Council operations.

While spatial isolation is not considered effective, temporal isolation is considered to be effective at managing the risk. Temporal isolation involves undertaking higher risk activities at times when the public will not be present on the site. To achieve this, a modest change to the public opening hours will be required. Temporal isolation is considered a practicable solution that effectively manages the risk.

Implement Controls

As a higher level control is considered practicable, it is not appropriate to implement controls from a lower level of the hierarchy.

Time required to undertake higher risk activities

Council staff have determined that higher risk activities can be undertaken in a two-hour window each weekday. For operational reasons, and to reduce potential confusion for residents, reduced public opening hours at the start or end of each day is preferred.

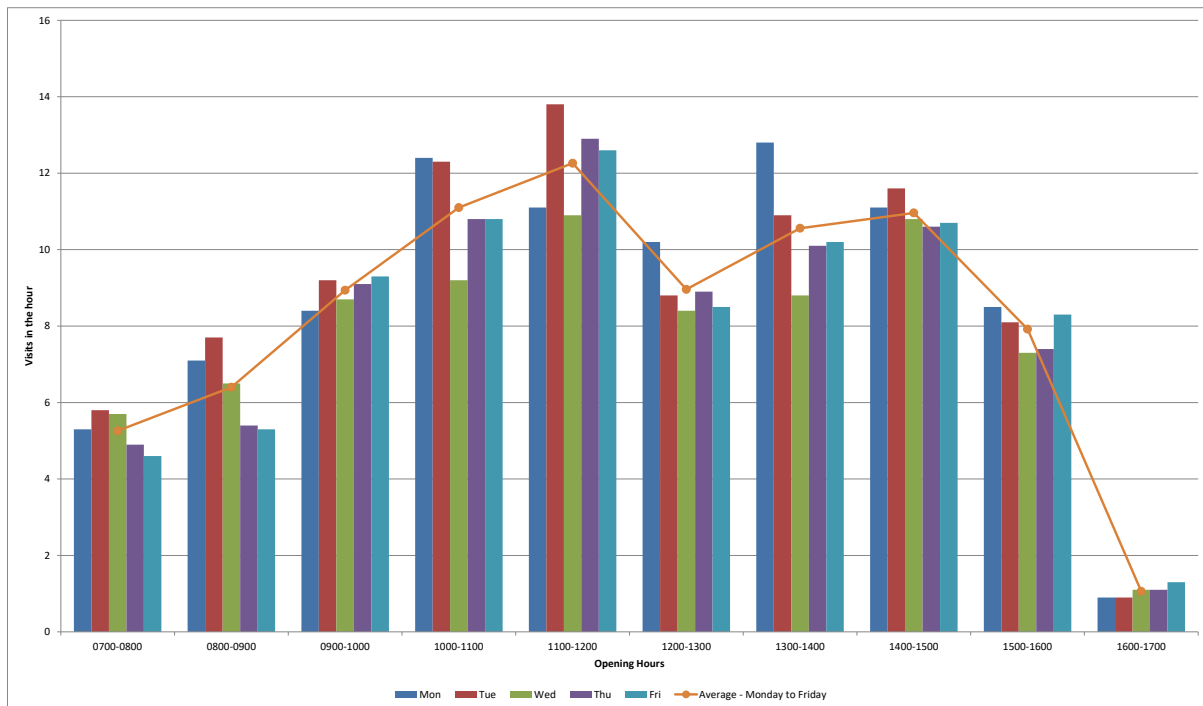
As the mulcher is not used on weekends, and therefore heavy plant movements are also reduced, risk is lower and therefore no changes to weekend hours are envisaged at this time.

Impact on the Public

To minimise the impact on the public, data from traffic counters has been reviewed to determine when the facility is most used. The graph below contains the hourly visits to the

9.12 Proposed Changes to Queanbeyan Waste Minimisation Centre Opening Hours (Ref: ; Author: Hansen/Belcher) (Continued)

facility during the week, and an average of the visits across the five days in hourly bins. From the graph, the least busy time is from 7:15am to 9:00am.



As two hours is required to undertake the higher risk activities, changing the opening times to 9:15 am to 4:15 pm is the preferred option.

Impact on Staff

No changes to staffing or staff hours are proposed. The time will be used to conduct the following activities:

- High risk activities on site such as mulching and heavy plant movements
- Loading and transporting of shredded greenwaste to the Oaks Estate processing site
- Transporting and unloading of processed mulch and compost from the Oaks Estate processing site
- Site maintenance
- Cleaning and tidying of the site
- Other activities best conducted when the public are not on-site

Implications

Legal

Reducing the public opening hours will reduce the risk of injury to the public and/or damage to private property. This will reduce Council's exposure to potential claims resulting from such incidents.

**9.12 Proposed Changes to Queanbeyan Waste Minimisation Centre Opening Hours
(Ref: ; Author: Hansen/Belcher) (Continued)**

Engagement

Following a decision by Council, the community will be informed through our normal communications processes of the adopted changes (if any).

Financial

No financial impacts are expected.

Resources (including staff)

Changes to the opening hours will not adversely impact resources including staff.

Conclusion

To effectively manage risk to the public and staff, it is recommended that Council amend the public opening hours to the following periods:

- Monday to Friday: 9:15 am to 4:15 pm
- Saturday to Sunday: 7:15 am to 4:15 pm (no change)

Attachments

Nil

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.13 QPRC Directional Signage Policy (Ref: ; Author: Tegart/Ferguson)

File Reference: 52.5.4

Summary

Council received two submissions during the public exhibition of the draft QPRC Directional Signage Policy. Minor amendments have been made to the draft policy. Council is invited to consider these submissions, and the recommended amendments, prior to formally adopting the Policy.

Recommendation

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

Background

Council considered the draft Directional Signage Policy at its meeting on 25 September 2019 and resolved to place it on public exhibition for 28 days. The exhibition period closed on 1 November 2019.

Two submissions were received during the exhibition period and they are discussed below:

Submission 1

Submission	Comment
Why would you permit generic private commercial winery business' have international signage? They are hardly of significant recreation and cultural interest and no more established tourist attractions than other business. What about other business' such as: Hotels, Cafes, Fast Food Outlets, Pubs, Independent Supermarkets? You could be opening the door of a swath of future visual clutter	Not agreed. Section 5.7 – Tourist Attraction Signage lists examples of commercial and non-commercial tourist establishments and features of significant recreation and cultural interest to tourists, including “boutique businesses catering for tourists” and “wineries catering for tourists”. There are a number of areas throughout Australia that are well-known wine regions, e.g. Barossa Valley, Margaret River, Hunter Valley. These are of significant interest to tourists in contrast to fast-food outlets, cafes, hotels and independent supermarkets that do not provide significant recreation and cultural interest to tourists.

Submission 2

Submission	Comment
Section 5.8 - Suggest we make it very clear that we will not accept street banners and sails that are of a commercial nature.	Agreed; recommend including additional s.5.8.7 in policy.

9.13 QPRC Directional Signage Policy (Ref: ; Author: Tegart/Ferguson) (Continued)

<p>Section 5.10.1 - The following signs are prohibited:</p> <p>(b) Any sign on a trailer, whether registered or not, which is used principally as an advertisement rather than as a vehicle or trailer.</p> <p>Does this mean trailers ... are prohibited, both in transit or when parked on side of the road? If that's the case, question would be around how do we police <i>[this]</i>.</p>	<p>Yes, trailers with advertising signs are prohibited both in transit and when parked. The method of policing these will be determined by staff.</p>
<p>(c) any sign or bill poster placed within the road reserve (e.g power or tele-communications poles, existing signage poles etc).</p> <p>Suggest adding – “nature strip/verge (1.2m from kerb/gutter as shown in Council's Street Verge Management Policy)”</p>	<p>Agreed; additional words included in s.5.10.1(c).</p>

Implications***Policy***

The QPRC Directional Signage Policy has been amended, subject to Council's agreement, following the submissions received. The policy provides clear guidelines on the installation and standardisation of tourist, promotional and other types of signage.

Engagement

The draft policy was publicly exhibited for 28 days from 2 October to 1 November 2019, on Council's Your Voice site, the website, social media and other channels. On the Your Voice site alone, there were 85 visits and 27 downloads of the policy.

Conclusion

Two submissions were received during the public exhibition period of the draft QPRC Directional Signage Policy. Minor amendments have been made to the policy resulting from those submissions. Following Council's consideration of these submissions and the amendments, it is recommended that Council formally adopt the Directional Signage Policy 2019 as amended.

Attachments

Attachment 1 QPRC Directional Signage Policy 2019 (*Under Separate Cover*)



REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.14 Community Engagement and Participation Plan (Ref: ; Author: Richards/de Hoog)

File Reference: 51.6

Summary

The draft QPRC Community Engagement Plan was put on public exhibition following the October meeting of Council. This report provides the result of the community consultation and outlines any recommended changes to the Plan.

Council is committed to actively engaging the community to improve decision making and meet its legislative requirements. The QPRC Community Engagement and Participation Plan has been developed to outline the processes Council will undertake to seek the community's views and opinions. It also outlines how the community can participate when Council is exercising its planning functions.

Recommendation

That Council:

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

Background

Council adopted the Stakeholder and Community Engagement Framework Policy at its meeting on 27 March 2019. The Community Engagement and Participation Plan sets out the practical application of Council's engagement processes. The plan also serves to meet the legislative requirements of Section 2.23 of the *Environmental Planning and Assessment Act 1979* for a Community Participation Plan (CPP) that outlines to the community how and when Council will undertake community participation when exercising planning functions.

The draft Community Engagement and Participation plan was put on public exhibition following the October Council meeting and a number of submissions were received (as shown in the attached Summary Engagement Report).

Implications***Legal***

The *NSW Local Government Act 1993* states that: "The council must establish and implement a strategy (its community engagement strategy), based on social justice principles, for engagement with the local community when developing the community strategic plan."

As mentioned above, the Plan also serves to meet the legislative requirements of the *Environmental Planning and Assessment Act 1979* for a Community Participation Plan (CPP).

Policy

The Community Engagement Plan has been developed after Council adopted the Stakeholder and Community Engagement Framework Policy.

9.14 Community Engagement and Participation Plan (Ref: ; Author: Richards/de Hoog) (Continued)

In the event that it is adopted, the Community Engagement Plan will become the plan that contains the requirements for community engagement involving development applications. Consequently the public notification clauses of Queanbeyan Development Control Plan 2012, Googong DCP and Palerang Development Control Plan 2014 will need to be reviewed and repealed as a separate exercise.

Strategic

The Community Engagement and Participation Plan is intended to meet the legislative requirements under the *Environmental and Assessment Act 1979* for a Community Participation Plan (CPP). The purpose of a CPP is to provide a single document that sets out all of Council's community participation requirements under the planning legislation.

Section 2.23(4) of the Act gives councils the option to prepare a standalone CPP or include the requirements in a community engagement plan/strategy prepared under section 402 of the *Local Government Act 1993*.

Engagement

The draft QPRC Community Engagement and Participation Plan was on public exhibition from 24 October – 21 November. The public exhibition period was advertised in newspaper advertising, via email to subscribers on Council's Your Voice engagement platform and in Council's weekly eNewsletter.

A summary of the submissions received and responses is included as an attachment. Changes and refinements to the draft plan were made as a result of submissions, notably an acknowledgment of the need to ensure engagement methods and venues for community meetings are fully accessible.

Resources (including staff)

The Community Engagement and Participation Plan has been developed by staff.

Integrated Plan

Council's approach to community engagement supports Strategic Pillar 5 – Capability in Council's adopted Delivery Program and in particular, key goal 5.7 – we have a well informed and engaged community.

Conclusion

The Draft Community Engagement and Participation Plan has recently undergone community consultation. This report seeks endorsement for the recommended changes and approval of the final plan. It has been developed to outline the processes Council will undertake to engage with the community and outline how the community can participate when Council is exercising its planning functions.

Attachments

Attachment 1	Community Engagement and Participation Plan with changes noted (<i>Under Separate Cover</i>)
Attachment 2	Community Engagement Summary report (<i>Under Separate Cover</i>)
Attachment 3	Complete submission from the Braidwood Community Association (<i>Under Separate Cover</i>)

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.15 Closure of part of Brown St Queanbeyan (Ref: ; Author: Fulton/Warne)

File Reference: 400906

Summary

The Council has been approached by the Queanbeyan Golf club to close Brown Street. A legal and community consultation process has been completed and it is considered on balance that the proposal should be supported.

An alternative arrangement for pedestrians to walk safely through the golf course is outlined.

In addition, the Council should approve the commencement of a process for the renewal of the Licence agreement for the Golf club for the "front nine holes" that are located on crown land under the management of the Council.

Recommendation

That:

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

OR

That:

- A. The Council after consideration of submissions and public comment not support the partial closure of Brown St, Queanbeyan.
 - B. The Council support in principle the renewal of a five year licence agreement for the Queanbeyan Golf Club and undertake the procedures required in accordance with s 47A of the *Local Government Act 1993* and if no objections to the proposal are received the agreement be executed.
-

**9.15 Closure of part of Brown St Queanbeyan (Ref: ; Author: Fulton/Warne)
(Continued)**

Background

At its meeting on 24 July 2019 the Council considered a report on the proposed closure of Brown Street and resolved:

That Council commence procedures in accordance with Part 4 Division 3 of the Roads Act 1993 to close Brown Street Queanbeyan and the Queanbeyan Golf Club be advised of this decision.

The section of road to be closed is show hereunder noting that only part of Brown St is proposed to be closed as practical legal access is required for the Golf Club land where the Clubhouse is located.



The rationale for the closure of part of Brown Street is:

- (a) the road is not reasonably required as a road for public use.
- (b) the road is not required to provide continuity of the existing road network.
- (c) other public roads exist that provide practical vehicular access to properties that may have previously used Brown Street namely Booth Street, Atkinson St, Carwoola Street and Dodsworth Avenue.

Once closed it is proposed that the land would form part of the Queanbeyan Golf Course.

The processes in accordance with Part 4 Division 3 of the *Roads Act 1993* have been undertaken including;

- Advertisement in the Queanbeyan Age newspaper on 13 & 20 August 2019
- Advice to all adjoining and surrounding property owners (*in addition to statutory requires property owners in Brown St, Booth St, Atkinson St, Carwoola St and Dodsworth Avenue were advised of the proposal; 36 letters of Advice were forwarded*)
- Advice to all notifiable authorities (*14 Authorities*)

9.15 Closure of part of Brown St Queanbeyan (Ref: ; Author: Fulton/Warne) (Continued)

In addition, the public notice and an information sheet (*copy attached*) regarding the proposed road closure was on the Council web site from 8 August to 10 September 2019. The analytics of this posting are outlined later in the report.

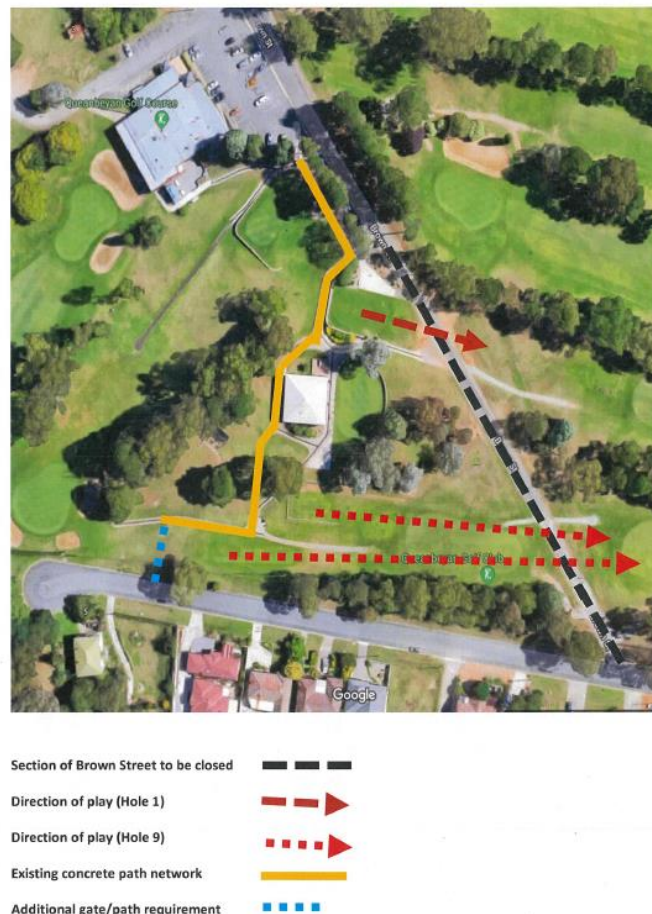
Generally the feedback from written submissions has been against the closure whilst the on-line comments have been supportive.

The challenge will be for the Council as to whether the significance of the objections will be sufficient to offset the benefits to be achieved by the road closure.

Walkway

One of the themes that have arisen from the community consultation has been the need to enable access from Dodsworth St to the Golf Clubhouse if Brown St is closed.

In discussions with the Golf Club it has suggested that the under-listed track could be designated for access purposes if Brown St was closed.



A gate would be installed and a small section of path would need to be built to connect with an existing concrete path that leads to the Clubhouse and the unclosed section of Brown St.

This proposed path is located on Crown Land so it could be the condition of the Licence Agreement that the path be provided. This would be a safer option as there is currently vehicular access on Brown St and two of the Golf Course fairways hit over the road.

**9.15 Closure of part of Brown St Queanbeyan (Ref: ; Author: Fulton/Warne)
(Continued)**

Implications

Legal

The procedures for closing a road are outlined in Part 4 Division 3 (Sections 38A -38F) of the *Roads Act 1993*.

S 38D (1) DECISION ON PROPOSAL provides: *After considering any submissions that have been duly made with respect to the proposal, the council may, by notice published in the Gazette, close the public road concerned.*

If the Council supports the closure then upon the publication of the notice in the Government Gazette the road ceases to be a public road, and the rights of passage and access that previously existed are extinguished.

The land will then vest in the Council and will need to be classified in accordance with the *Local Government Act 1993*.

If the Council does support the closure, there is an option for owners of property **adjoining** the closed road or a notifiable authority to appeal against the closure to the Land and Environment Court.

As the proposed road closure is adjoined by Crown Land under the management of the Council to the north and south and is licenced to the Queanbeyan Golf Club. If the Council completes the closure it would wise to include the land area of the closed road in any future licencing arrangement.

Current Licence Agreement

The current Licence Agreement expires on 31 December 2019 so procedures for the Licence renewal should now be commenced with the additional area if approved.

**9.15 Closure of part of Brown St Queanbeyan (Ref: ; Author: Fulton/Warne)
(Continued)**

The crown land area that is licenced to the Club is shown hereunder:



The provision of the walking path as outlined could be incorporated into the new Licence Agreement.

It is now a Government requirement that any use proposal for Crown Land be assessment for *Native Title (New South Wales) Act 1994* implications and this assessment will be completed as part of the licence renewal process.

Whilst the Golf club is a community organisation as it is licenced and also has poker machines community rental arrangements do not apply. A market Rent determined by valuation is to be paid. Currently the rent is \$11,150 but a legislated rebate up to 50% may be allowed, depending upon the level of poker machine revenue. A new valuation is being arranged.

Insurance

As a public road Brown Street can be legitimately used by anyone for vehicular or pedestrian traffic. Two of the Golf Course fairways “hit” across the public road. Because of this hazard, there is a notation on the Council’s insurance of these circumstances. Similarly, the Golf Club’s insurance should cover an incidents that may arise from these circumstances.

Asset

The closed road would become an asset of the Council and would be valued and capitalised in the Council balance sheet.

As part of the LRS registration process the road that is closed will need to be surveyed. There is a water main located in Brown Street that would require an easement and would need to be created as part of this survey.

**9.15 Closure of part of Brown St Queanbeyan (Ref: ; Author: Fulton/Warne)
(Continued)**

Any Licencing Agreement with the Golf Club would cover the removal of the asphalt road surface, landscaping and grassing of the land.

Social / Cultural/Economic

The Club has developed a five-year course plan, which amongst many recommendations for improvement, will have safety and environmental concerns at its core with a feature the closure of Brown St.

The Club recently hosted the NSW Women's Open which was a great success and has bid for more major events including 2020 National Junior Championships.

If successful, these events will be beneficial for the community with increased tourism and business activity.

Engagement

In total 13 submissions were received with 8 parties objecting to the closure, a submission was received from the Golf Club suggesting an alternative walking path to compensate for the loss of access along Brown St, and four Government Authorities offering no objection to the proposed closure. Copies of the submissions are attached for councillors.

In summary, the grounds of objection to the closure were:

- General opposition to the closure.
- Brown St is used by the locals for pedestrian access in particular to the Golf Clubhouse and Restaurant.
- Brown Street is an alternative route for safety purposes.
- Some residents consider that there has not been a change in circumstances since 2006 when the matter was last considered.
- Brown St can be temporarily closed for major golf tournaments.

In addition, there were 211 visits to the council webpage and 31 downloads of the Information sheet. Some of those comments received included the following:

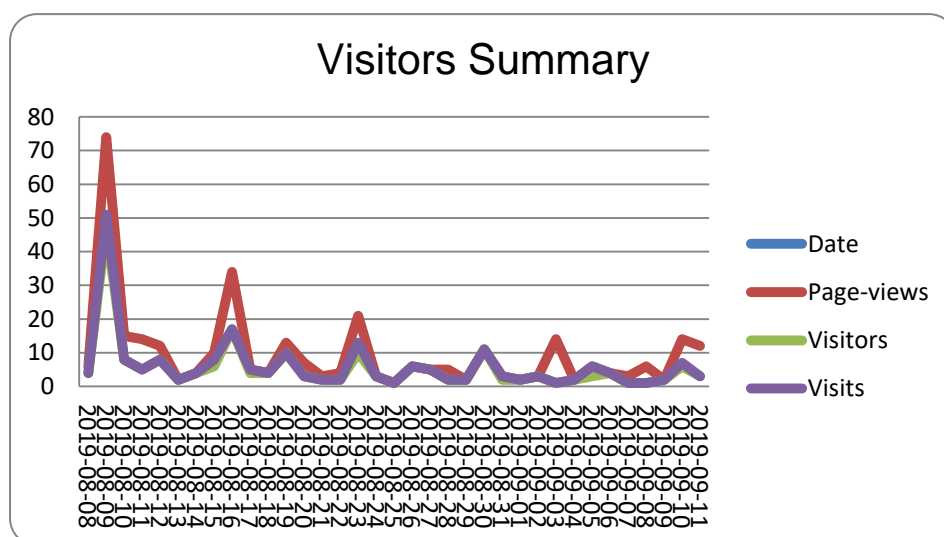
- *The proposal to close Brown Street has some road safety benefits. The Queanbeyan Golf Course is known to attract wildlife, especially kangaroos and Council has received reports from residents from surrounding streets that kangaroos around the streets in this area can be a road safety hazard. It's closure would also see the removal of this speed risk from the road network.*
- *We live in Dodsworth Street and am wondering why as the residents we were never informed about the proposed road closure. My main concern is that our walking access on this road will be taken away, so many people use this road not only for driving but for walking. IF the road closure goes ahead I would really like to know if we'll still have walking access, if not then I really oppose the road closure.*
- *While the closure of Brown Street can be offset by alternative vehicular access, those alternatives would add significant distance and loss of amenity for pedestrians. Can*

9.15 Closure of part of Brown St Queanbeyan (Ref: ; Author: Fulton/Warne) (Continued)

the Council please ensure suitable pedestrian access remains along the full existing stretch of Brown Street.

- Glad to hear that the road will be closed. Last weekend we had a couple (that was out for a Saturday stroll) that didn't realise that there where golfers teeing off, and didn't even look and before they knew it where right in the middle of the 9th play. Dangerous for all. Will be significantly safer for locals (pedestrians and motorists) with the road closed.*
- As a resident of Dodsworth street I have no problems with this*
- This is a great idea and long overdue that will help the golf course improve for members and community.*
- As a long term resident of Dodsworth St I feel Brown St should be closed. As there is another main street access it be feasible to close Brown St. This would assist the golf club in maintaining a better safety issue regarding cross traffic on two of its holes.*

A graphic from the web page traffic is as follows:



Financial

As previously advised there is not significant cost in processing a Council public road closure application and it can be accommodated within existing budgets.

If the matter was appealed to the Land and Environment Court there would be a major cost in defending the Council decision but the risk of this occurrence is not high.

Program Code	Expense Type	Funding source	Amount
	Public advertising expense	\$	2,000
	Survey and lodgement fees		5,000

**9.15 Closure of part of Brown St Queanbeyan (Ref: ; Author: Fulton/Warne)
(Continued)**


If the road closure progressed there would be additional costs associated with survey, Land Registry processing and legal fees. It is estimated that this would be approx. \$5K and it is expected that the Golf Club would be responsible for these costs.

Processes can be handled in house by the legal team.

Conclusion

It appears that there are divided community views on the road closure but on balance it is considered it should be supported.

Attachments

- | | |
|--|---|
| Attachment 1 | Brown St Closure Information Sheet. (<i>Under Separate Cover</i>) |
|  Attachment 2 | Submissions received regarding Proposed Brown St Closure Sept 2019
(<i>Under Separate Cover</i>) - CONFIDENTIAL |

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.16 Summer Activation Events 2019/2020 (Ref: ; Author: Richards/Duncan)

File Reference: 4.4.1

Summary

QPRC Aquatics is planning to host the fourth year of Summer Activation events at three of our aquatic venues. The report seeks approval to waive entry fees at Braidwood, Bungendore and Queanbeyan Pools and seek a recommendation for distribution of funds received from gold coin donations.

Recommendation

That Council approve:

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

Background

Summer Activation is about enlivening the Local Government Area, primarily through its aquatic facilities, bringing the community together for an afternoon and evening of fun and connection. The events are planned to feature pool activities, a free barbeque dinner and conclude with a family movie on the giant inflatable outdoor screen.

The 2019/2020 Summer Activation events are scheduled for:

- Braidwood – Thursday, 19 December 2019
- Bungendore – Saturday, 7 December 2019 – in conjunction with the Bungendore Community Christmas Party
- Queanbeyan – Saturday, 1 February 2020

Coles Queanbeyan have again agreed to sponsor the barbeque dinner for the Braidwood and Queanbeyan events. Bungendore IGA has again agreed to sponsor the Bungendore event.

This report is seeking Council's endorsement to waive the usual aquatic entry fee for the Braidwood, Bungendore and Queanbeyan events. It is also suggested that the events seek gold coin donations, with proceeds going to the three local swimming clubs that have a direct connection with the pools.

Conclusion

Summer Activation events have proven to be popular with communities since their inception. Allowing free entry into the pools provides an opportunity to showcase the facilities with a view to attracting new patrons over the summer months.

Attachments

Nil

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.17 Alcohol Free Zones - 2019 Community Christmas Parties (Ref: ; Author: Richards/Duncan)

File Reference: 1.4.4

Summary

Community Christmas parties are being held in Bungendore on 7 December 2019, in Braidwood on 13 December 2019 and in Queanbeyan on 14 December 2019. These events encourage the community to celebrate Christmas and to bring a picnic or to purchase food from the supporting vendors. This report seeks approval to suspend the Alcohol-Free Zone regulation for each of the locations between the hours of 4pm and 10pm.

Alcohol Free Zone suspension has been in place for previous Christmas parties with no recorded incidents or issues.

Recommendation

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

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

Background

Community Christmas street parties are again being held this year in Bungendore, Braidwood and Queanbeyan.

A variety of food and wine vendors will be on site at each of the locations and community members are encouraged to either bring their own picnic or to take advantage of the available vendors who support each event. The suspension of the Alcohol Free Zone will allow patrons to purchase or bring alcohol to the event.

The vendors providing alcoholic beverages will be covered by a limited liquor licence for each location.

Implications***Legal***

Section 645 of the *Local Government Act* provides that Council may suspend or cancel an Alcohol-Free Zone.

9.17 Alcohol Free Zones - 2019 Community Christmas Parties (Ref: ; Author: Richards/Duncan) (Continued)

Policy

Council commonly suspends Alcohol-Free Zones for evening community events. This will be a limited time suspension and will provide for vendors to provide tastings/ sales and community members to BYO alcohol for consumption at the locations.

Conclusion

The community Christmas parties provide an opportunity for community members to celebrate together in a festive environment that encourages those in attendance to bring a picnic or purchase food and beverages from available vendors.

Attachments

Nil

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.18 Queanbeyan CBD Spatial Master Plan (Ref: ; Author: Richards/Darcy)

File Reference: Project 100640

Summary

The 2019 Queanbeyan CBD Spatial Master Plan draft has been developed and undergone significant community consultation. It sets out creative principles for infrastructure and urban design to deliver a city centre that is both welcoming and prosperous. This report provides the result of the community consultation and any recommended changes to be made to the Master Plan.

Recommendation

That Council:

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

Background

In 2015, Queanbeyan City Council resolved to renew the 2009 Queanbeyan CBD Master Plan which had already guided two major initiatives being the Crawford St upgrade and the QE2 Park refurbishment. Subsequently, the 2017 CBD Transformation Strategy was developed to provide Council and stakeholders with the direction and strategies to revitalise the Queanbeyan CBD. On 24 April 2019, Council received the Draft Queanbeyan CBD Spatial Master Plan (C1938929) and was then released to the community for consultation and feedback.

A full list of consultation activity and submissions received is attached - a summary is included in the Engagement section of this report. Overall, the overwhelming majority of feedback received was positive about the Spatial Master Plan.

**9.18 Queanbeyan CBD Spatial Master Plan (Ref: ; Author: Richards/Darcy)
(Continued)**Recommended changes to the draft CBD Spatial Master Plan

As a result of community consultation and QPRC staff review of the CBD Spatial Master Plan, the following changes and key actions are recommend to be made:

- A. Correct inaccurate property boundary alignment and labels in the Block Plans including:
 - the boundary alignment in Block Plan A car park so that it does not encroach on 18 Rutledge St property
 - the boundary alignment of the new proposed Cinema in Block Plan E
- B. Add a new 'Stage 7 – Morisset St River Boulevard' to the Stages of Implementation. Whilst the Morisset St River Boulevard is detailed in the Spatial Master Plan it is not detailed in the Implementation timeline (currently 6 Stages). The Morisset St River Boulevard works are vital to the development of the CBD and is supported in a number of related Plans and Strategies and tactical delivery including:
 - The 2009 Master Plan supported Morisset St renewal as the 'Social Spine' project. Both the 2009 Master Plan and the Integrated Transport Strategy provides that the section of Morisset St between Collett and Crawford St's needs to be enhanced for pedestrian connectivity and amenity
 - With the new Cinema scheduled to open in 2020, Morisset St will be an important social space and combined with the new cinema attraction will provide uplift to the commercial activation of the CBD
 - The Retail Growth Strategy places Morisset St in the centre of the Retail Core
 - Any development of Morisset St carpark, Crawford St carpark and private development will provide significant stimulus to this part of the CBD and potential activation for this northern part of the CBD and connection to the river, cinema and Riverside Plaza
 - Morisset St is the primary connector from Queanbeyan Park to the river and substantial upgrades to the public realm and streetscape and analysis of pedestrian and traffic flows are required to activate this corridor

Other Recommendations and Key Actions

- C. Update the cost schedule associated with Stages 3-7 of Implementation works. Stages 1 (Riverwalk and Smart City) and Stage 2 (Lowe carpark Cultural and Civic Precinct) are currently underway and therefore require no updated estimates but Stages 3-7 costs are based on 2017 costing.
- D. Progress further reports to Council on various strategies designed to directly 'enable' the objectives of the Spatial Master Plan, these include:
 - Establishing a CBD Design Review Panel (DRP)
 - Establishing an Exemplar Catalyst Project (ECP)
 - Establish a Main Street Retail Zone
 - Consider other incentives that support growth within the CBD by encouraging development or activity that provides employment and economic growth
 - Consider conducting an economic review of the current effect of current setbacks on the viability of construction and development and its direct impact on the CBD renewal objectives and in context to Queanbeyan's specific block sizes, what GFA on a site is required having regard to land cost and construction cost to attract development.

**9.18 Queanbeyan CBD Spatial Master Plan (Ref: ; Author: Richards/Darcy)
(Continued)**

- Consider how a dedicated marketing budget and resources could help promote the CBD.

Queanbeyan CBD Place Plan

At the 24 July 2019 Council Meeting, Council endorsed the commissioning of a Place Plan to complement the CBD Spatial Master Plan. In October 2019, Roberts Day agency was engaged to complete the Queanbeyan CBD Place Plan.

Unifying place-specific findings and recommendations from other recent council plans, the CBD Place Plan will augment that information to develop Queanbeyan's character, identity, liveability and attractiveness. The plan will make detailed recommendations for seven priority precincts and sites that are directly related to the stages of development in the CBD Spatial Master Plan, including design elements for the laneways.

The new Place Plan will be used by Council's internal planning, economic, engineering, parks, events and other disciplines and the consultant teams that they appoint to design and implement place projects. It will:

- a) Build a common understanding of the benefits of a Place-based project approach that encourages all council disciplines to collaborate in pursuit of Place outcomes
- b) Conduct a Place audit of the current public spaces and pedestrian laneways using data and analytical tools to examine human behaviour and movement to understand and benchmark how the public use the built environment. This can then be used to improve the public spaces and measure change after renewal or activation
- c) Facilitate enhanced relationships and engagement between Council and the community around Place projects
- d) Propose Place Plan solutions for seven priority projects outlining the ways each can:
 - i. Support the thematic of its precinct
 - ii. Express its individual character while contributing to Queanbeyan's overarching identity
 - iii. Generate meaning for its users
 - iv. Function as a place in terms of built form, public domain, access and activation
 - v. Describe place-character and identity outcomes that will strengthen and increase the specific nature of the standards for site design and Sense of Place contained within the Queanbeyan Development Control Plan 2012

The Place Plan is expected to be complete in April 2020.

**9.18 Queanbeyan CBD Spatial Master Plan (Ref: ; Author: Richards/Darcy)
(Continued)**

Implications***Asset***

The CBD Spatial Master Plan implementation over the coming decade will enable Council to repurpose its assets to provide significant community and economic activation benefits. Streetscaping, emphasis on quality design, new public realm and amenity, improved roads and multi-level carparks will provide a stimulus for the creation of a vibrant commercial identity and deliver improved lifestyle infrastructure for the community.

Social / Cultural

The positive support shown for the Spatial Master Plan from the community through the consultation process, highlights the social and cultural value that the community sees being delivered through this urban renewal process. The Spatial Master Plan together with the CBD Place Plan will contribute to the delivery of the priorities covered in the community consultation of:

- An identifiable heart
- A dynamic retail offer
- A significant cultural and civic precinct
- Improved lifestyle elements that attract city living
- A vibrant night time economy
- Quality public realm to connect people to their environment, streetscapes, parklands and river

Economic

The CBD Spatial Master Plan provides a direct response to the many challenges that the CBD faces including increased retail competition, a commuter highway through the middle of town and depressed investment. Queanbeyan is unique and incomparable to any other city in Australia that faces geographical challenges of location next to Canberra resulting in a complex relationship of both competition and opportunity.

Strategic

Future reports to Council will investigate other opportunities to support the realisation of the objectives in the CBD Transformation Strategy, CBD Spatial Master Plan and the CBD Place Plan through strengthening the influence of the Development Control Plan for the CBD zone including:

- Establishing a CBD Design Review Panel (DRP)
- Establishing an Exemplar Catalyst Project (ECP)
- Establish a Main Street Retail Zone
- Consider other incentives that support growth within the CBD by encouraging development or activity that provides employment and economic growth

The Spatial Master Plan is also supported by:

9.18 Queanbeyan CBD Spatial Master Plan (Ref: ; Author: Richards/Darcy) (Continued)

- the Movement and Place Framework of the NSW Future Transport Strategy to articulate and manage local streets and places from freight corridors
- the Local Character and Place Guideline of the NSW Department of Planning and Environment to identify, develop and integrate local character into a city's 'place' through a plan-led system
- the 'Better Placed' policy developed by the Government Architect of NSW that advocates for the importance of good design and the process to achieve it

Engagement

The renewal of the Queanbeyan CBD has a long history of consultation with the community that more recently includes developing the CBD Values through a series of community workshops in 2017, the Transformation Strategy, and the Retail Growth Strategy and Regional Economic Development Strategy in 2018.

The latest Community engagement of the Queanbeyan CBD Spatial Master Plan included the following activities:

1. Exhibition on the QPRC Your Voice online portal from the 27 May - 8 July 2019 resulting in 55 submissions received. See the Attachment for all submissions.
2. Display in the Riverside Plaza from 27 –30 June resulting in approximately 760 interactions with the public
3. Display in the Queanbeyan Library from 1 July to 6 July
4. Display at the Christmas in July market on 7 July that had 15,000 entrants into the markets
5. A business focus group feedback session consisting of seven CBD located businesses
6. Hard copies available at the Queanbeyan library and customer service
7. A walking tour of the CBD highlighting proposed changes organised in collaboration with Jane Jacobs Walks with 15 participants
8. Postcards hand delivered to every CBD business and posted to CBD property owners with information on where to find the CBD Spatial Master Plan and how to provide feedback
9. A business breakfast held at the Royal Hotel where the Mayor and CEO presented the Spatial Master Plan. Every CBD business owner and CBD property owner was invited to the business breakfast.
10. Notification via Councils fortnightly press advertising
11. Three social media posts reaching a total of 19,262 people
12. Development and publication of a dedicated webpage on www.investqueanbeyanpalerang.com.au
13. Development and release of two videos showcasing the proposed changes in the Spatial Master Plan and available on QPRC Your Voice on-line portal and www.investqueanbeyanpalerang.com.au

Your Voice Online Portal

The following statistics summarise the engagement for the Queanbeyan CBD Spatial Master Plan via the Your Voice online portal for the consultation period 27 May to the 8 July 2019.

Total visits to the Your Voice website portal to view the Plan	1,540
New registrations to the portal	21

**9.18 Queanbeyan CBD Spatial Master Plan (Ref: ; Author: Richards/Darcy)
(Continued)**

Video views	318
Photo views	578
Document downloads	513
Submissions	55

A summary of the submissions received is attached with a vast majority of comments being positive.

Riverside Plaza Display

An exhibition showing each Block Plan of the CBD Spatial Master Plan was displayed for five days in Riverside Plaza with staff in attendance to answer queries and take feedback. There were approximately 760 interactions of staff with the public to discuss the details of the CBD Spatial Master Plan and the comments received were overwhelmingly positive.

Exhibition at the Queanbeyan Xmas in July Markets at the Showgrounds

The Xmas in July markets in Queanbeyan attracted x people through the gates. The Spatial Master Plan exhibition display was set up to and flyers available to provide information to the public on how to provide feedback.

Business Focus Group

A small focus group comprising business representatives from the Queanbeyan CBD was also established to provide feedback on the Spatial Master Plan. This group provided positive comment, their concerns and general feedback on communication with QPRC. This group has also met a second time to discuss CBD issues after the consultation period had finished. A summary of the focus group comments and feedback is contained in the Attachment.

Key recommendations from all community consultation

- A. Correct the boundary alignment in Block Plan A car park so that it does not encroach on 18 Rutledge St property.
- B. Consider adding a Stage 7 - Morisset St River Boulevard (called Social Spine project in 2009 Master Plan) supporting the enhancement of the pedestrian environment between Crawford St and Collett St.
- C. Consider appropriate sound controls for new development in appropriate CBD localities in the Development Control Plan (DCP) forthcoming review.
- D. Consider the development and implementation of an Exemplar Catalyst Project process and/or a Design Review Panel to drive improved outcomes in architectural, urban design and place making, smart city capability and infrastructure, sustainable design, and place activation.
- E. Consider conducting an economic review of the current effect of current setbacks on the viability of construction and development and its direct impact on the CBD renewal objectives and in context to Queanbeyan's specific block sizes, what GFA on a site is required having regard to land cost and construction cost to attract development.
- F. Consider what other incentives may help property owners and businesses stimulate commercial activity, decrease vacancy rates and attract businesses.
- G. Consider how a dedicated marketing budget and resources could help promote the CBD.

9.18 Queanbeyan CBD Spatial Master Plan (Ref: ; Author: Richards/Darcy) (Continued)

Financial

Stages 1-3 of implementation of the Spatial Master Plan are already included in the Delivery Program and Financial Plan (per below). It is recommended to update the cost schedule associated with Stages 3-7 of Implementation works.

Queanbeyan CBD Transformation	Estimated Cost \$,000	2018-19 \$,000	2019-20 \$,000	2020-21 \$,000
The Queanbeyan CBD Transformation Strategy draws on previous work undertaken by Council, including the CBD Master Plan. It aims to increase the number of residents and workers in the CBD to increase patronage into the retail and lifestyle precincts. To build confidence in business to invest in the CBD, Council is proposing to initially bring all of its Queanbeyan office-based staff to a single building to enable the other 11 buildings and cottages to be vacated and redeveloped into a mix of residential, commercial and aged care developments by the private sector.	44,092	3,558	16,339	24,250
Improving the amenity and safety of the CBD involves centralising carparking into undercover decked carparks in Morisset and Crawford Sts, and converting part of the Rutledge, Lowe and Morisset carparks into public domain to act as green pedestrian corridors between the Queanbeyan parks and the River.				
Individual projects include: Rutledge walkway, Crawford St pedestrian corridor, Smart City, Admin building redevelopment, Civic plaza, Lowe St pedestrian corridor, Morisset St improvements.				
	Source of funds			
		Asset sales Reserves Grants and contributions	Assets sales Loans	Loans Grants and contributions

Resources (including staff)

Placemaking staff in collaboration with the Communications team will manage consultation with businesses during any staged works program

Integrated Plan

Once costed, it is proposed the updated Stages 3-7 be included in the next LTFP and Delivery Program.

Conclusion

The draft Queanbeyan CBD Spatial Master Plan has recently undergone community consultation returning a very positive response from the community. This report seeks endorsement for the recommended major changes including correcting inaccurate property boundaries on the Block Plans, adding a new Stage 7 – Morisset St River Boulevard to the implementation program and seeking new costing of works for Stages 3-7.

Attachments

Attachment 1



Queanbeyan CBD Spatial Master Plan - Community Engagement Report
(Under Separate Cover)

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.19 Renew our Libraries - Phase 2 (Ref: ; Author: Richards/Richards)

File Reference: 3.1.3

Summary

In August 2018, the NSW Public Libraries Association (NPLA) joined forces with Local Government NSW to establish a library funding advocacy initiative, *Renew our Libraries*, to campaign for improved and sustainable funding from State Government. The support of this initiative relied on the support of NSW Councils, their libraries and their communities.

In February 2019, it was unanimously resolved (049/19) that Council:

1. Endorse the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative, *Renew Our Libraries*.
2. Support the *Renew our Libraries* initiative to secure the pledged funding, clarify the funding components and liaise with government regarding the funding model.
3. Support *Renew Our Libraries* to work with the Government to develop a sustainable future funding model with a view guaranteeing an appropriate level of ongoing and indexed state funding.

The campaign was highly successful, delivering an increase of \$60m in state funding for NSW public libraries over the quadrennial period 2019-20 to 2022-23. This is the largest single increase in state funding since the NSW Library Act was introduced in 1939. Over 80% of NSW councils formally endorsed Renew Our Libraries through their council resolutions.

The NPLA recently relaunched *Renew Our Libraries - Phase Two*, which focusses on the future sustainability of library funding through cost of living indexation and protection via inclusion of the new funding arrangements in library legislation. The NPLA is requesting Council's active support for Phase Two of the initiative.

Recommendation**That Council:**

1. **Endorse the *Renew Our Libraries Phase Two* initiative.**
Make representation to the local State Member, John Barilaro, in relation to the need for a sustainable state funding model for the ongoing provision of public library services.
 2. **Write to the Hon. Don Harwin, Minister for the Arts and the Hon. Walt Secord, Shadow Minister for the Arts, calling for bi-partisan support for Consumer Price Index (CPI) indexation of state funding for NSW public libraries, as well as legislation of all elements of the 2019-20 to 2022-23 NSW state funding model.**
 3. **Take a leading role in lobbying for sustainable state government funding for libraries.**
 4. **Endorse the distribution of the NSW Public Libraries Association NSW library sustainable funding advocacy information in Council libraries, as well as involvement in any actions proposed by the Association.**
-

Background

Following the success of the *Renew our Libraries – Phase One* campaign, the NPLA has launched *Renew Our Libraries - Phase Two*. Phase Two focusses on the future sustainability of library funding through cost of living indexation and protection via inclusion of the new funding arrangements in library legislation.

The campaign seeks to:

1. **Index state funding contributions** to the Consumer Price Index in perpetuity. Without indexation the actual value of state funding for NSW libraries will decline over time, leaving NSW councils to either meet the shortfall or reduce services.
2. **Protect the new funding commitment** by including all elements of the new state funding model in legislation through the Library Act and/or the Library Regulation. Currently, only the per-capita component of the funding model (increasing from \$1.85 per capita to \$2.85 per capita over the 4-year period 2019-20 to 2022-23) is included in library legislation, leaving 46% of the total funding for NSW libraries at risk.

These two simple measures will ensure that NSW councils continue to receive a significantly increased state government contribution to the operation of public libraries across the state, which will be protected by legislation and will not be subject to cost of living attrition over time.

Implications***Social / Cultural***

Public libraries play an important role in supporting the educational, social and cultural outcomes in local communities. Libraries support literacy for children, bridge the digital divide, foster social inclusion for newly arrived Australians, serve as a meeting place for older Australians and bring together people from all walks of life.

Achieving indexation and sustainability will mean that libraries across the state can direct their funds and efforts to the ongoing support and development of high quality library services for NSW communities, rather than engaging in expensive and time consuming future funding campaigns.

Economic

In 2008 a report was commissioned the Library Council of NSW on the value of public libraries in NSW. The perceived contributions of public libraries to economic wellbeing were that libraries:

- enable users to avoid or reduce expenditures (estimated at \$325 per year per use in 2008)) enable jobseekers to research the employment market, lodge online applications and to communicate with prospective employers via e-mail.
- as part of councils, are a significant local employer
- provide support to local small businesses

Financial

There are no financial consequences to Council in endorsing the *Renew Our Libraries* initiative, instead there may be more secure and predictable ongoing funding for library services.

Resources (including staff)

Endorsing the Renew Our Libraries initiative will not require additional resources.

Integrated Plan

Endorsing the Renew Our Libraries campaign will support Council in delivering the service objectives in Strategic Pillar 1: Community in the Community Strategic Plan.

1. We build on and strengthen our community cultural life and heritage
2. We are an inclusive region with access to opportunities and community support services for those who need them most
3. We are a safe community
4. We are a learning community
5. We have an active and healthy lifestyle

Conclusion

Stage One of the *Renew Our Libraries* campaign was highly successful, in part due to the high level of endorsement from Councils across New South Wales. Supporting Stage Two of the initiative will assist in ensuring that NSW councils continue to receive a significantly increased state government contribution to the operation of public libraries and that this funding will be protected by legislation and not subject to cost of living attrition or changes in government

Attachments

Nil

File Reference: 51.1.2-03

Summary

Council is required to prepare an Annual Report for the 2018-19 financial year. A checklist of inclusions for the Annual Report is provided by the Office of Local Government and a number of Council policies also require reporting in the Annual Report.

The Annual Report also reports on the progress of projects and actions that were contained in the Operational Plan 2018-19.

Recommendation

That Council:

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

Background

The Annual Report 2018-19 has been completed and meets all legislative requirements including:

- Section 54P, 67, 428 and 508 of the *Local Government Act 1993*
- Clauses 132, 217, Local Government (General) Regulations 2005
- Section 125, *Government Information (Public Access) Act 2009*
- Section 33, *Privacy and Personal Information Protection Act 1998*
- Section 93G(5) *Environmental Planning and Assessment Act 1979*
- Chief Executive Circular 11-19 dated 8 August 2011
- Section 16 of the Guidelines on the Exercise of Functions under the Companion Animals Act.
- Section 125 of the *Government Information (Public Access) Act 2009*
- *Swimming Pools Act 1992* and Regulation 2008
- Special Rate Variation Guidelines
- Capital Expenditure Guidelines
- *Disability Inclusion Act*

The following Council policies also state that information shall be included in the Annual Report:

- Fraud Control Policy
- Corporate Sponsorship Policy
- Complaint Handling Policy

9.20 Annual Report 2018-19 (Ref: ; Author: Richards/Tozer) (Continued)

Section 428 of the *Local Government Act 1993 (NSW)* states:

1. Within 5 months after the end of each year, a council must prepare a report (its "annual report") for that year reporting as to its achievements in implementing its delivery program and the effectiveness of the principal activities undertaken in achieving the objectives at which those principal activities are directed.
2. The annual report in the year in which an ordinary election of councillors is to be held must also report as to the council's achievements in implementing the community strategic plan over the previous 4 years (This will occur in 2020 for QPRC).
3. An annual report must be prepared in accordance with the guidelines under section 406.
4. An annual report must contain the following:
 - a. a copy of the council's audited financial reports prepared in accordance with the Local Government Code of Accounting Practice and Financial Reporting published by the Department, as in force from time to time
 - b. such other information as the regulations or the guidelines under section 406 may require.
5. A copy of the council's annual report must be posted on the council's website and provided to the Minister and such other persons and bodies as the regulations may require. A copy of a council's annual report may be provided to the Minister by notifying the Minister of the appropriate URL link to access the report on the council's website.

Implications***Integrated Plan***

The Annual Report forms a key part of the Integrated Planning and Reporting Framework. In addition to the Annual Report, Council must report every six months on its progress. The Annual Report will be uploaded to Council website, with a small number of hard copies printed.

Conclusion

The 2018-19 Annual Report includes progress updates on all projects and actions contained in Council's Operational Plan 2018-19 and a number of statutory reporting requirements as defined by the Office of Local Government. The Financial Statements are reported separately in this business paper and will be appended.

Attachments

Attachment 1 Annual Report 2018-19 (*Under Separate Cover*)



REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.21 Merger Report - 2016-19 (Ref: ; Author: Richards/Tozer)

File Reference: 51.1

Summary

The merger of Queanbeyan and Palerang councils occurred on 12 May 2016. While there is no legislative requirement to do so, it is prudent to report on the first three years of the merger and provide an overview of the issues and achievements during this period.

The end of this initial three-year period brings to a close the official 'merger' period. As shown in the report, Council has now implemented the majority of actions listed in the Transition Plan and has gone a long way towards creating a new organisation, rather than simply a combination of the two former councils. This has been a long and intensive process that has required a high degree of dedication and commitment from Councillors and staff.

Recommendation

That Council note the Merger Report 2016-19.

Background

As part of its merger requirements, Council was required to prepare a report on the first year of the merger. This report was tabled at Council's meeting on 23 August 2017.

A similar approach has been taken with this report, with a focus on Council's implementation of the adopted Transition Plan, merger expectations, employment, a summary of projects funded under the Stronger Communities Fund, financial performance and much more.

Conclusion

The Merger Report 2016-19 is a summary of events that occurred during the first three years of the merger of Queanbeyan and Palerang Councils.

Attachments

Attachment 1 Merger Report 2016-19 (*Under Separate Cover*)



File Reference: 52.7.1

Summary

The Local Government Remuneration Tribunal (the Tribunal) has begun its annual review of the fees payable to mayors and councillors. In conjunction, the Tribunal is conducting its three-yearly review of the categorisation of councils. The Tribunal is seeking submissions from individual councils on these reviews up until 20 December 2019, and has nominated four matters to be addressed in the submissions.

Recommendation

That Council:

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

Background

Under s.241 of the *Local Government Act 1993*, (the Act) the Tribunal is required to make an annual determination no later than 1 May 2020 on the fees payable to the Mayor and Councillors, taking effect from 1 July 2020.

Section 239 of the Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every three years.

The Tribunal's most recent significant review of the categories and the allocation of councils into those categories was conducted in 2017. The review at that time was prompted by the amalgamation of councils in 2016.

The Tribunal determined a categorisation model which differentiates councils mainly on their geographic location. It also takes into consideration factors such as population, the sphere of economic influence and the degree of regional servicing.

The categories determined in 2017 are:

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

As can be seen under the Non-Metropolitan category, there is a large gap between the populations within the Regional Strategic Area and Regional Rural categories. In its last Report and Determination, the Tribunal foreshadowed that, after receipt of a number of submissions by councils, the existing categories and their applicable criteria may need revision.

**9.22 Local Government Remuneration Tribunal (Ref: ; Author: Tegart/Ferguson)
(Continued)**

The Tribunal now proposes one change under the Non-Metropolitan category and that is to create a new category known as “Regional Centre”, and if so determined, it will be slotted in between the Regional Strategic Area and Regional Rural categories.

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

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

Since its creation in 2016, QPRC has been placed in the Regional Rural category. If the new category of Regional Centre is determined, the Tribunal proposes that QPRC will be placed there. As QPRC meets nearly all the criteria for the new category, it is clearly an appropriate category rather than the Regional Rural category. Other councils that may be included in the new category are:

- Albury
- Armidale
- Ballina
- Bathurst
- Cessnock
- Clarence Valley
- Coffs Harbour
- Dubbo
- Hawkesbury
- Lismore
- Maitland
- Mid-Coast
- Orange
- Port Macquarie-Hastings
- Port Stephens
- Shellharbour
- Shoalhaven
- Tamworth
- Tweed
- Wagga Wagga
- Wingecarribee
- Wollondilly

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

The minimum and maximum fees for each category are yet to be determined. The Tribunal must apply the Government's public sector wages policy to the determination of the range of fees. Currently, this policy provides for a cap on increases of 2.5%. While the Tribunal cannot therefore increase the fees by more than 2.5% in each of the categories, it can determine that a council be placed in another category with a higher range of remuneration.

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

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

Implications

Legal

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

A new category is being proposed for determination by the Tribunal for Non-Metropolitan Councils.

Policy

Under clause 4.6(j) of the QPRC Code of Conduct, Councillors do not have to declare a pecuniary interest in discussion or voting relating to the payment of fees to councillors (including the mayor and deputy mayor).

Financial

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

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

Without pre-empting the Tribunal's determination on the level of fees for the new category, it could be reasonably assumed that the minimum and maximum fees would be between the two current categories of Regional Strategic Area and Regional Rural. Council normally assigns the maximum annual fee.

This would require an increase in the relevant budget allocation (say \$70k) if so determined.

**9.22 Local Government Remuneration Tribunal (Ref: ; Author: Tegart/Ferguson)
(Continued)**

Conclusion

The Local Government Remuneration Tribunal is conducting its three-yearly review of the categorisation of councils. It is proposed to create a new category known as Regional Centre, and that the fees for mayors and councillors be determined for all categories, taking effect from 1 July 2020. The Tribunal is seeking submissions from councils on four matters relating to these reviews up until 20 December 2019. It is recommended that Council lodge a submission addressing the four matters, and supporting QPRC's proposed placement in the new category of Regional Centre under Non-Metropolitan Councils.

Attachments

Nil

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.23 Presentation of 2018-19 Audited Financial Statements (Ref: ; Author: Fulton/Scarpin)

File Reference:**Summary**

In accordance with Section 418 (3) of the *Local Government Act 1993*, Queanbeyan-Palerang Regional Council presents the audited financial statements and the auditor's reports for the year ending 30 June 2018.

In accordance with Section 420 of the *Local Government Act 1993*, any person may make a submission in writing to Council with respect to the Council's Audited Financial Statements or the Auditor's Reports.

Recommendation

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

Background

Resolution PLA100/19 at the Planning and Strategy meeting of Council held on 11 September 2019 resolved:

That in accordance with Section 413 of the Local Government Act, on the advice of the Chief Financial Officer and subject to endorsement from the QPRC Audit, Risk and Improvement Committee, Council:

1. *Confirms its 2018/2019 Annual Financial Statements are in accordance with:*
 - a. *The Local Government Act 1993 (as amended and the Regulations made there under);*
 - b. *The Australian Accounting Standards;*
 - c. *The Local Government Code of Accounting Practice and Financial Reporting, and*
 - d. *Council's accounting and other records.*
2. *Confirms that the Statements present fairly the Council's 2018/2019 operating result and financial position.*
3. *Confirms that Council is not aware of any matter that would render this report false or misleading in any way.*
4. *Delegate's authority to the Mayor, Deputy Mayor, Chief Executive Officer and the Responsible Accounting Officer to sign the 'Statement by Council on its Opinion of the Accounts' (Clause 215 of the Local Government General Regulation) for both General Purpose Financial Statements and Special Purpose Financial Statements.*
5. *Authorises the Chief Executive Officer 'to issue' the 2018/2019 accounts immediately upon receipt of the auditor's report.*
6. *Invite the Auditor-General of NSW or her representative to attend the November Ordinary Council Meeting to present the 2018/2019 Financial Reports.*

9.23 Presentation of 2018-19 Audited Financial Statements (Ref: ; Author: Fulton/Scarpin) (Continued)

The NSW Audit Office commenced onsite audit of the 2018-19 Financial Statements on 16 September 2019. NSW Audit Office completed the audit on 27 September 2019. Financial Statements were then submitted to the Office of Local Government within the required timeframe of 31 October 2018.

The Independent Auditor's Report is found on page 72 of the attached Annual Financial Statements. Report on the Conduct of the Audit is found on page 75 of the Annual Financial Statements.

A summary of the Financial Statements is provided below.

	2019 \$ '000	2018 \$ '000
Income Statement		
Total income from continuing operations	195,294	178,058
Total expenses from continuing operations	126,722	131,597
Operating result from continuing operations	68,572	46,461
Net operating result for the year	68,572	46,461
Net operating result before grants and contributions provided for capital purposes	3,792	(4,135)
Statement of Financial Position		
Total current assets	155,537	103,162
Total current liabilities	(45,513)	(27,690)
Total non-current assets	1,482,430	1,402,816
Total non-current liabilities	(80,331)	(38,844)
Total equity	1,512,123	1,439,444
Other financial information		
Unrestricted current ratio (times)	1.34	2.05
Operating performance ratio (%)	5.38%	0.39%
Debt service cover ratio (times)	6.39	6.64
Rates and annual charges outstanding ratio (%)	5.72%	5.05%
Infrastructure renewals ratio (%)	152.48%	81.01%
Own source operating revenue ratio (%)	57.62%	62.37%
Cash expense cover ratio (months)	14.30	9.41

Councils Auditor has expressed an unmodified opinion on Councils financial statements.

9.23 Presentation of 2018-19 Audited Financial Statements (Ref: ; Author: Fulton/Scarpin) (Continued)

The report on the Conduct of the Audit highlights the following:

INCOME STATEMENT

Operating result

	2019 \$m	2018 \$m	Variance %
Rates and annual charges revenue	70.2	67.1	↑ 4.6
Grants and contributions revenue	82.3	66.1	↑ 24.5
Operating result for the year	68.6	46.5	↑ 47.5
Net operating result before capital grants and contributions	3.8	(4.1)	↑ 193

The complete set of Financial Statements are included in an attachment to this report. The Auditor has, consistent with the prior year, confirmed that the overall financial position of Council is sound.

Implications

Legal

The 2018-19 Annual Financial Statements complies with the provisions of Chapter 13 Part 3, of the *Local Government Act 1993*, relating to Financial Management.

Engagement

In accordance with Section 418 of the *Local Government Act 1993* (as amended) public notice of the presentation of the Financial Statements was advertised in the Queanbeyan Age, Braidwood Times and Bungendore Weekly.

Financial Statements were made available to the public through the QPRC Your Voice website on 12 November 2019. Copies of the audited Financial Statements have been made available for inspection by members of the public from 12 November 2019 at the customer services counters of QPRC.

QPRC Audit Risk and Improvement Committee has received copies of both draft and final revisions Annual Financial Statements with the opportunity to provide feedback throughout the development of the Annual Financial Statements.

The Financial Statements will be appended to the Annual Report.

**9.23 Presentation of 2018-19 Audited Financial Statements (Ref: ; Author:
Fulton/Scarpin) (Continued)**

Conclusion

The Annual Financial Statements for 2018-19 for the Queanbeyan-Palerang Regional Council is finalised and presented for adoption.

Attachments

Attachment 1 2018-19 Financial Statements (*Under Separate Cover*)



REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.24 Quarterly Budget Review Statement for the Quarter Ending 30th September 2019 (Ref: ; Author: Monaghan/Marmont)

File Reference: 43.1.1

Summary

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

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

The Quarterly Budget Review Statement result is a consolidated surplus of \$3.583m. The operating result is shown in accordance with Office of Local Government requirements including non-cash adjustments for depreciation and asset disposals.

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

Recommendation

That Council:

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

Background

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

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

The overall consolidated result has moved from an accrued operational surplus position of \$1.553m following the Carry over budget review, to an operational surplus of \$3.583m for the September Quarterly budget review (before capital income).

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

The significant variations and issues impacting on the funded result are summarised and discussed in the report attached, with favourable changes identified as (F) and unfavourable as (U).

9.24 Quarterly Budget Review Statement for the Quarter Ending 30th September 2019 (Ref: ; Author: Monaghan/Marmont) (Continued)

Implications

Legal

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

Financial

The tables below summarise the Funds and Consolidated results as at 30 September 2019.

Total Council Summary

Description	Original Budget \$,000	Current Budget \$,000	Actual YTD \$,000	Proposed Adjustments \$,000	Forecast Budget \$,000
Income					
Rates, Levies & Annual Charges	(71,784)	(71,784)	(72,057)	(718)	(72,502)
User Charges & Fees	(30,181)	(30,181)	(3,591)	(626)	(30,807)
Interest & Investment Revenue	(3,780)	(3,780)	(1,658)	(500)	(4,280)
Other Income	(2,566)	(2,566)	(327)	243	(2,324)
Operating Contributions	(2,064)	(2,064)	(352)	(35)	(2,099)
Operating Grants	(12,376)	(12,376)	(2,133)	229	(12,147)
Profit or Loss on Disposal	(1,037)	(1,037)	(298)	(605)	(1,642)
Total Income	(123,789)	(123,789)	(80,415)	(2,011)	(125,800)
Expense					
Employee Costs	44,835	44,835	10,541	62	44,897
Borrowing Costs	3,540	3,540	244	0	3,540
Materials & Contracts	45,764	46,265	6,799	1,254	47,519
Depreciation & Impairment	24,153	24,153	6,305	1,082	25,235
Other Expenses	11,571	11,597	4,271	48	11,645
Internal Expenses	(8,153)	(8,153)	(1,058)	(2,465)	(10,618)
Total Expense	121,709	122,236	27,103	(19)	122,217
Operating (Surplus)/Deficit before Capital	(2,080)	(1,553)	(53,312)	(2,030)	(3,583)
Capital Income					
Capital Contributions	(78,312)	(78,312)	(1,143)	(802)	(79,114)
Capital Grants	(75,751)	(77,723)	(992)	614	(77,110)
Operating (Surplus)/Deficit after Capital	(156,143)	(157,588)	(55,447)	(2,219)	(159,807)
Non Cash					
Capital Contributions	70,960	70,960	0	0	70,960
Depreciation & Impairment	(24,153)	(24,153)	(6,305)	(1,082)	(25,235)
Profit or Loss on Disposal	1,037	1,037	298	605	1,642
Total Non Cash	47,844	47,844	(6,008)	(477)	47,367
Investing Fund Flows					
Capital Works Program	145,921	166,336	11,487	7,131	173,467
Asset Purchases	3,460	3,625	1,594	(166)	3,460
Loan Principal Repayments	5,426	5,426	0	0	5,426
Total Investing Fund Flows	154,807	175,388	13,081	6,965	182,353

9.24 Quarterly Budget Review Statement for the Quarter Ending 30th September 2019 (Ref: ; Author: Monaghan/Marmont) (Continued)

Total Council Summary

Description	Original Budget	Current Budget	Actual YTD	Proposed Adjustments	Forecast Budget
Financing Fund Flows					
Sale of Assets	(1,037)	(1,037)	(382)	(605)	(1,642)
Proceeds from Borrowings	(4,884)	(4,884)	0	0	(4,884)
Total Financing Fund Flows	(5,921)	(5,921)	(382)	(605)	(6,526)
Net (Inc)/Dec in Funds before Transfers	40,587	59,723	(48,756)	3,664	63,387
Reserve Movements					
Transfers to Internal Reserves	4,232	4,232	230	1,446	5,677
Transfers to Developer Contributions	7,564	7,564	0	165	7,729
Transfers to Other External Reserves	11,705	11,705	0	789	12,495
Transfers from Internal Reserves	(16,064)	(23,760)	0	(1,403)	(25,163)
Transfers from Developer Contributions	(13,864)	(13,864)	0	(163)	(14,027)
Transfers from Other External Reserves	(32,415)	(43,855)	0	(5,332)	(49,186)
Total Reserve Movements	(38,842)	(57,978)	230	(4,498)	(62,476)
Net (Inc)/Dec in Unrestricted Funds	1,745	1,745	(48,526)	(834)	911

Conclusion

Revision of the budget at the First Quarter Review increases the operational surplus position by \$2.03m before capital amendments. Major variances include additional Rates and Annual Charges \$718K, additional Interest on Investments \$500K, increase in Internal Project Management charges \$2.465m as well as increase in Depreciation expenses of \$1.082m. A detailed listing of variations is included in the attached report.

Attachments

Attachment 1 Attachment - QBRS for 30-September 2019 (*Under Separate Cover*)



File reference: 43.3.1

Summary

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

Recommendation

That Council:

1. **Note the 2019/20 investment income for October 2019 was \$407,939.**
 2. **Note the investment portfolio has been made in accordance with the *Local Government Act 1993*, the *Local Government (General) Regulation 2005* and Queanbeyan-Palerang Regional Council's Investment Policy.**
 3. **Receive the Investment Report for the month of October 2019.**
-

Background

Cash and Cash Equivalent Investments

A list of Council's cash and investments as at 31 October 2019 is detailed in the attached Investment Report Pack.

Over the last 12 months, Council's portfolio produced a rate of return of 3.46%, outperforming the benchmark Bank Bill Index by 1.81%.

The principal amount invested as at 31 October 2019 was \$198,177,073, and the year to date interest earned of \$2,067,000 is 54% of the annual budget. The budget has been set at a very conservative level, and a budget increase is recommended within the September Quarterly Budget Review. Interest income is expected to decrease over the year, as capital budgets are expended and the balance of cash and investments is reduced.

Market Update

The average 30 day BBSW rate for October 2019 was 0.91%.

The Reserve Bank (RBA) board chose to maintain the current cash rate at the record low rate of 0.75% at its November 2019 meeting, and market rates eased further with weaker local employment and a drop in Chinese investment and retail sales.

The TCorpIM Long-Term Growth Fund return was relatively flat in October 2019. The Fund invests across major listed asset classes, with around 70% directed to growth assets and 30% to defensive assets.

The TCorpIM Medium-Term Growth Fund produced a moderate return in October 2019. The Fund contains 58% defensive assets.

9.25 Investment Report - October 2019 (Ref: ; Author: Fulton/Drayton) (Continued)

As a point of interest, on 13 November 2019, NSW Treasury Corporation launched an inaugural Sustainability Bond at a fixed 1.25% maturing 20 March 2025. Proceeds of the bond are earmarked to finance projects and assets that deliver positive environmental and/or social outcomes, align with and contribute towards meeting the United Nations Sustainable Development Goals and to support the NSW Government's environmental and/or social objectives.

In consultation with Council's Investment Adviser, staff are not currently recommending participation in this offer, as greater economic value can be sourced elsewhere. Future issues will continue to be assessed to determine if QPRC can benefit from such products.

This current interest rate environment presents an opportunity to derive funds at historically low levels with TCorp recently quoting fixed rate semi-annual amortising loans under 1.90% p.a.

Implications***Legal***

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

Certified by Kate Monaghan, Responsible Accounting Officer, 20/11/2019

Policy

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

Financial

Investment income for the 2019/20 Financial Year as at 31 October 2019 amounted to \$2,067,348. The investment returns are added to the associated restricted funds (e.g. development contributions) that form Council's investment portfolio.

Attachments

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



REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.26 Rates Harmonisation Community Engagement Plan (Ref: ; Author: Fulton/Monaghan)

File Reference: 43.2.1-15

Summary

As reported previously, QPRC must harmonise the two former council rating structures that are currently in place. A significant level of community engagement will be required to explain the impact on ratepayers, the reason for change, and to gain understanding of the rating structure.

A planned and structured community engagement process will ensure that opportunities are provided for the whole community to express their views. While it is not possible to require participation, it is important that the engagement process does not exclude specific groups or individuals.

Recommendation**That Council:**

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

Background

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

Council has received background documents and workshopped relevant background analysis relating to the taxation principles, broader Revenue Strategy, comparison of the current rating structures and rate structure options. As an outcome of the last Council workshop in October, two preferred rate structure options, (workshop options 2 and 4) were selected for further modelling and analysis, and for initial consultation with a community Reference Panel.

New land values are currently being released from the NSW Valuer Generals Office, and once received, the current modelling of the preferred options will be updated for further, detailed analysis and reporting to Council.

9.26 Rates Harmonisation Community Engagement Plan (Ref: ; Author: Fulton/Monaghan) (Continued)

A Community Reference Panel is being formed, to provide feedback and advice to Council in the development of the preferred rating options. The panel will draw on community expertise and views to provide a recommendation on the preferred rates structure option, which will ultimately be tested with the broader community in a further engagement period.

The panel will be asked to provide feedback and recommendations to Council in relation to Council's 2 preferred options, specifically on:

- The taxation principles
- The proposed subcategories
- The proposed base and ad valorem rates

Draft terms of reference for the Community Reference Panel are attached for Council's consideration. The draft terms have been distributed through Council's Your Voice website, and emailed to relevant community committees and other community members. Individuals have been asked to contribute their time to assist Council's decision-making process as panel members and expressions of interest have been received. A list of interested individuals will be provided separately for Council consideration.

Implications***Legal***

The legislative framework for setting rates and designing rating structures is set out in the *Local Government Act 1993*.

Engagement

The Rates Harmonisation Community Engagement Plan has been developed in accordance with the draft QPRC Community Engagement and Participation Plan and addresses the specific elements of:

- Inform
- Consult
- Involve
- Collaborate

The process will ensure that engagement targets a wide range of community segments.

The community engagement process will use a variety of techniques that will directly impact response and cost. Council will follow a comprehensive and practical process so that by the end of the consultation period, the community feel they had been well informed and were able to express their views about the rates harmonisation decisions facing Council.

Council spans a large rural area and includes some smaller towns and villages and rural residential ratepayers, which the engagement will need to reach.

This Community Engagement Plan is supported by the following detailed action plan, including engagement activities, and will produce a summary report of the engagement outcomes for Council's consideration as part of the Rates Harmonisation decision making process.

9.26 Rates Harmonisation Community Engagement Plan (Ref: ; Author: Fulton/Monaghan) (Continued)

Timeframes	Responsibility	Community Engagement Activity
Stage 1 – Reference Group		
27 Nov 19	Council	Resolve community engagement plan, preferred options for further analysis and terms of reference for community reference panel.
Dec 11	Council	Rate Structure Options analysis provided to Council workshop – additional detailed work with options 2 and 4, pending receipt of new land valuations.
28 Nov 19 to 7 Feb 20	Community Reference Panel	Community Reference Panel activity: <ul style="list-style-type: none"> • One on one and small groups: detailed review of preferred options (Inform) • Group workshops: consult and collaborate
28 Nov 19 to 7 Feb 20	CFO, SMCE (jointly)	Community engagement activity: <ul style="list-style-type: none"> • Council website – rates harmonisation background information, information sheets, FAQs
Feb 20	Council	Community Reference Panel feedback and recommendations provided to Council workshop.
26 Feb 20	Council	Report to Council – community reference panel recommendations for Council resolution on preferred rate structure for community consultation
Stage 2 – Community Consultation		
27 Feb 20 to 9 Apr 20	CFO, SMCE	6 weeks community engagement activity: <ul style="list-style-type: none"> • Mail out to ratepayers • Community meetings • Drop in / pop-up stalls • QPRC news • Social media • Council website • Your Voice website (survey – comments sought)
22 Apr 20	Council	Report to Council – results of community engagement
22 Apr 20	Council	Adopt Draft Revenue Policy for public exhibition (28 days)
Apr to Jun	SMCE	Public Exhibition of Draft Revenue Policy
24 Jun 20	Council	Adopt Revenue Policy
25 Jun 20 to 11 Jul 20	SMCE	Close the loop activity – Your Voice website: provide update on adopted policy

Attachments

Attachment 1



Community Reference Panel Terms of Reference (*Under Separate Cover*)

File Reference: 31.4.4

Summary

The Local Traffic Committee has submitted the minutes and recommendations of its meeting held on 16 October 2019 for Council's information and consideration.

Recommendation

That Council:

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

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

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

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

LTC 37/19 The 'Googfest 2020' Event is not supported by the LTC given the likelihood of adverse impacts to the road network, potential to restrict emergency services access for health and critical infrastructure or other emergencies, concerns with lack of pedestrian management and related adverse impacts on the non-event community. It is the committee's opinion that Googong is not a suitable venue for large scale events when the predominant mode of transport is by car.

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

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

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

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

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

11.1 Local Traffic Committee - 16th October 2019 (Ref: ; Author: Hansen/Cooke)
(Continued)

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

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

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

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

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

Attachments

Attachment 1	Local Traffic Committee Minutes - 16th October 2019 (<i>Under Separate Cover</i>)
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11.2 Minutes of the Environment and Sustainability Advisory Committee meeting held 4 September 2019 (Ref: ; Author: Thompson/Abbott)

File Reference: 24.2.1-03

Summary

The Minutes of the QPRC Environment and Sustainability Committee of 4 September 2019 are presented to Council for consideration.

Recommendation

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

Attachments

Attachment 1	Minutes of Environment and Sustainability Advisory Committee - 4 September 2019 (<i>Under Separate Cover</i>)
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11.3 Audit, Risk and Improvement Annual Report 2018/19 (Ref: ; Author: Neil/Allan)

File Reference: ECM Set ID 436301

Summary

Under the Charter of the Audit, Risk and Improvement Committee, the Committee is to provide independent assurance and assistance to the Council on risk management, the control framework, external accountability, legislative compliance, internal audit, external audit and process improvement responsibilities.

Under point 5.3 of its Charter, the Committee is to report directly to Council at least annually on the management of risk and internal controls.

The Committee's annual report for 2018/19 is submitted for the Council's information and consideration.

Recommendation

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

Attachments

Attachment 1	Audit, Risk and Improvement Committee Annual Report 2018/19 (<i>Under Separate Cover</i>)
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REPORTS OF COMMITTEES

11.4 Minutes of Audit, Risk and Improvement Committee Meeting of 18 September 2019 (Ref: ; Author: Warne/Allan)

File Reference: ECM 45.3.1-0.1

Report

This report provides the minutes of the Audit Risk and Improvement Committee meeting of 18 September 2019, as approved by the Committee Chair on 28 October 2019.

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

The fourteenth meeting of the Audit, Risk and Improvement Committee was held on 18 September 2019, at which reports were received on the following matters:

- Statewide Mutual Risk Management Conference;
- Financial Statements Sub-Committee report;
- Chief Financial Officer's report;
- report by the NSW Audit Office on the audit of Council's 2018-19 Financial Statements;
- remuneration of Committee members;
- status of actions arising from previous Committee meetings;
- Committee Work Plan for 2019-20;
- Audit, Risk and Improvement Annual Report for 2018-19;
- Internal Audit activity report by O'Connor Marsden;
- Internal Audit report by O'Connor Marsden on the Payroll Systems Control Audit (IT1);
- the NSW Office of Local Government Discussion Paper, 'A New Risk Management and Internal Audit Framework for Local Councils in NSW'; and
- status of outstanding audit recommendations.

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


In addition, Mr Andrew Cox and Mr Max Shanahan have been reappointed as external independent Committee members and the Committee has welcomed the appointment of a new external independent member – Ms Carolyn Rosetta-Walsh.

Mr Cox was elected as Committee Chair, with a tenure of three years. It was resolved by lot that Mr Shanahan's term as Committee member be two years and that Ms Rosetta-Walsh's term be one year.

Recommendation

That the report be received for information.

Attachments

Attachment 1  Approved Minutes of Audit, Risk and Improvement Committee Meeting of 18 September 2019 (*Under Separate Cover*)

11.5 Wamboin Hall Management s.355 Committee (Ref: ; Author: Tegart/Ferguson)

File Reference: 52.3.3-06

Summary

The Wamboin Hall Management s.355 Committee has submitted for Council's information the minutes of its Committee meeting held on 10 September 2019.

Recommendation

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

Attachments

Attachment 1	Wamboin Hall Management s.355 Committee meeting minutes 10 September 2019 (<i>Under Separate Cover</i>)
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12.1 Constitutional Referendum (Ref: ; Author: Overall/Overall)

File Reference:

Notice

Councillor Tim Overall will move the following motion:

Motion

That:

1. Council agree to undertake a constitutional referendum at the September 2020 Local Government elections to seek voters' views on having a directly elected mayor.
 2. If (1) is approved that the referendum question be:
"Do you wish to see Queanbeyan-Palerang Regional Council retain its current number of elected representatives at 11 but introduce a directly elected mayor by the voters of the region plus ten (10) councillors elected from across the region?"
 3. The CEO notify the NSW Electoral Commission of Council's intention to have a referendum within 21 days of Council resolving such, and arrange and distribute appropriate information to voters.
-

Background

Under the provisions of the *Local Government Act 1993* councils have the ability to have their mayors directly elected by voters in their local government area. Currently 33 councils within NSW exercise this option with another three joining this group at the 2020 elections (See Table in Attachment 1). The former Queanbeyan City used to have a directly elected mayor since 1980. At that time the Council had a referendum in March 1980 to move to a directly elected mayor and after receiving overwhelming approval from the community implemented it at the September 1980 elections.

When the Minister of Local Government proclaimed the 20 newly merged councils in May 2016 all the new councils reverted to the legislative 'default position' of having their mayors elected by councillors for two year terms.

As the majority of voters in the Queanbeyan-Palerang Region have a long history (38+ years) of having a directly elected mayor it would be appropriate to seek the community's views on whether they want to have a direct say in who their mayor is. The local government elections in September 2020 could provide the opportunity to seek this view via a constitutional referendum. If such a referendum were to proceed and be successful, it would see voters having the opportunity to elect their mayor at the September 2024 election. If this occurs then the directly elected mayor would be there for the four year term (2024 - 2028) and all subsequent mayors would be elected by the community for each 4 year electoral term.

If Council wishes to give the community the opportunity to have a say in the election of their mayor then it needs to get the wheels turning to implement a constitutional referendum in time for the 2020 election. The *Local Government Act* and Regulation are very specific in respect of the steps to be undertaken to implement a constitutional referendum. Sections 15-17 of the

12.1 Constitutional Referendum (Ref: ; Author: Overall/Overall) (Continued)

Act notes that a council needs to resolve to hold a constitutional referendum at its next election and one of the issues for which a referendum can be held is to:

“...change the basis on which a mayor attains Office (that is by election by the Councillors or by election by the electors)” - S16(b)

The Act goes on to state that a decision that the mayor be elected by the electors takes effect in relation to the next ordinary election after the decision is made - (S228(2)). As noted previously if Council holds a referendum in 2020, and it succeeds, then the first Mayor to be directly elected by voters would be at the 2024 Local Government elections.

If Council resolves to commence the development of a constitutional referendum the General Manager is obliged to notify the NSW Electoral Commission within 21 days of resolving such (LG Regulation 2005 Schedule 10(4a)). Schedule 11 of the Regulation in Form 16 sets out the poll paper which councils must use in such a referendum. The referendum can only ask a question where the voter must write ‘Yes’ or ‘No’ in a vacant box opposite the question.

As Queanbeyan-Palerang Regional Council is not proposing to increase the number of councillors to accommodate a directly elected mayor it needs to make clear in the referendum that it is only proposing that its elected members will remain at 11 and that its new structure will consist of one councillor being a directly elected mayor by voters and then they would also vote for the remaining 10 councillors who will still be elected from across the local government area. It is therefore proposed that the referendum question be as follows:

“Do you wish to see QPRC retain its current number of elected councillors at 11 but introduce a directly elected mayor by the voters of the region plus ten (10) councillors elected from across the region?”

If Council agrees to hold a constitutional referendum to seek voters’ views then it will need to ensure that information material is produced setting out the arguments for and against for a move towards a directly elected mayor. This will ensure voters can make an informed decision in the referendum. Such information would need to be produced and distributed in time for the September 2020 election.

Attachments

Attachment 1

NSW Councils which have a directly elected Mayor (*Under Separate Cover*)

REPORTS TO COUNCIL - DELEGATES REPORTS

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

File reference: 52.3.1

Summary

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

Recommendation

That Council note the Delegates' Reports.

Cr Tim Overall		
No.	Meeting/Function/Event Attended	Summary of Key Points
1	Country Mayors Association NSW Annual General Meeting and General Meeting - 1 November 2019, Sydney.	<ul style="list-style-type: none"> • Election of Office Bearers. Cr Katrina Humphries (Moree Plains Shire Council) elected Chairperson, Cr Michael Pearce (Uralla Shire Council) elected Deputy Chairperson for the 2019/20 year. • Presentation by Rob Rogers AFSM, Deputy Commissioner, NSW Rural Fire Service <ul style="list-style-type: none"> - So far this season there have been 5,350 bush and grass fires across the state since 1 July with 494,028 hectares burnt with 23 fires reaching Emergency Warning level and 33 fires reaching Watch and Act level. There have been 801 aircraft taskings and 2.373 million litres of retardant dropped. 6,003 out of area personnel have been deployed and 594 interstate personnel deployed. 420 houses, buildings or facilities have been destroyed and 216 damaged. • Presentation by Matt Fuller, Acting Deputy Secretary, Regional and Outer Metropolitan, Transport for NSW <ul style="list-style-type: none"> - There is a now a 10 year blueprint and long term vision "Future Transport 2056". - The Transport Department has been reorganized with a regional focus with divisions of Customer Strategy and Technology, Greater Sydney and Regional and Outer Metropolitan under the Secretary Transport for NSW. Regional and Outer Metropolitan Division has 4,100 employees and a budget of \$10.9 billion - Regional NSW is a test bed for NSW for new and innovative transport options including new intercity and regional rail fleets and working towards zero with road safety. • Presentation by Gary White, Chief Planner, Planning, Industry and Environment

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

		<ul style="list-style-type: none"> - The NSW Government is committed to improving the planning systems through reforms to the EPA Act and a comprehensive regional planning framework. The planning system in NSW is becoming more strategic focused and outcomes orientated. - An overarching local strategic plan will include Land Use Vision, a Succinct Planning Context, Planning Priorities, and a Monitoring and Reporting Program.
2	Community Safety Precinct Committee 6 November 2019, Queanbeyan	<ul style="list-style-type: none"> • Refer Cr Mark Schweikert Delegates Report
3	CRJO Extraordinary Board Meeting 20 November 2019	<ul style="list-style-type: none"> • Joint Organisation Supplement to Local Government Code of Accounting Practice and Financial Reporting from 1 July 2018 to 30 June 2019. Accepted: The General Purpose Financial Statements for the period 9 May 2018 to 30 June 2019. Adopted: The 2018-2019 Financial Report for the period ending 30 June 2019, and that the Financial Report presents fairly the Joint Organisation operating result and financial position for the year. • CRJO Annual Performance Statements. The Board approved the draft CRJO Annual Performance Statement and approved the version be provided to the Office of Local Government before 30 November 2019 to meet legislation.
4	Regional Cities New South Wales (RCNSW) 21 November 2019, Sydney	<ul style="list-style-type: none"> • Memorandum of Understanding. The Hon Shelley Hancock, Minister for Local Government presented on the recent signing of the MOU and how it's implementation relates to local governments • Department of Planning, Industry and Environment. Mr Gary Barnes, Coordinator General for Regions, Industry, Agriculture and Resources presented on changes within the NSW Government and policies to grow regional cities as they relate to the Department. • Discussion on Evocities. Proposal for Evocities to evolve to Regional Cities New South Wales tabled. • Development of Policy and Advocacy Approach. Feedback and discussion. • General Business. Draft 2020 Meeting Calendar. Goulburn Mulwaree Council Membership Request

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

Cr Mark Schweikert		
No.	Meeting/Function/Event Attended	Summary of Key Points
1	Local Traffic Committee 16 Oct.	<ul style="list-style-type: none"> See minutes.
2	20 Oct HQJOC Open Day	<ul style="list-style-type: none"> Represented Council at Family Open day at HQJOC Bungendore.
3	22 Oct Canberra Tourism Advisory Forum Hyatt Hotel	<ul style="list-style-type: none"> Small conference with Singaporean High Commissioner and Head of Aviation of Canberra Airport.
4	New Bungendore Ambulance Station Opening	<ul style="list-style-type: none"> Attended official opening of the new Bungendore Ambulance station with Cr. Taylor and State Member for Monaro.
5	Participated in announcement of \$500,000 for Bungendore Flood Plain Mitigation by State MP The.Hon John Barilaro and Cr. Taylor	<ul style="list-style-type: none"> \$500,000 for Bungendore flood plain mitigation plan.
6	Attended NSW Police CPSC meeting in QBN with Cr Overall 6 Nov.	<ul style="list-style-type: none"> Copper theft from telecommunications facilities and houses is becoming noticeable. QBN: assaults down but break & enter and theft from cars up; Braidwood: 1 assault, break & enter same, malicious damage and stealing down; Captains flat: NSTR; Bungendore: NSTR. Traffic: nine fatalities in Monaro this calendar year. Received debrief on Oktoberfest; 625 patrons Fri night & 1900 sat night, over weekend eight fail to leave charges as well as nine evictions, four offensive behaviour and two charged with assault police.
7	Attended and unveiled Western Front Soil plaque at Bungendore War Memorial on Remembrance Day.	<ul style="list-style-type: none"> During a family holiday to Europe, I collected soil from three locations on the WW1 Western Front battlefields, mostly graves of unknown Australian soldiers. After declaration and inspection at Sydney airport it was given to the Bungendore War Memorial Committee for the 2019 Remembrance Day ceremony to provide a link from our memorial to the battlefields of WW1.
8	Attended with Crs Overall, Taylor and Hicks, the unveiling and blessing of the new Queanbeyan Tartan (15 Nov).	<ul style="list-style-type: none"> After a generous donation by the State Member for Monaro, a new tartan was developed and now available.
9	Met with representatives of Agribusiness Regional Development Association (ARDA) re proposal for a freight intermodal in Queanbeyan (15 Nov).	<ul style="list-style-type: none"> Referred ARDA reps to Council for presentation to Business Advisory Committee. They were very interested in understanding the Poplars development.

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

Cr Pete Harrison
Delegate's Report – Attachment 1 RMS Seats Report – Attachment 2

Attachments

Attachment 1 Cr Harrison's Delegates Report (*Under Separate Cover*)



Attachment 2 RMS SEATS Report - November 2019 (*Under Separate Cover*)



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

File reference: 52.3.2

Report

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

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

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

Recommendation

That the report be received for information.

Attachments

- | | |
|--------------|---|
| Attachment 1 | Responses to Councillors' Questions (<i>Under Separate Cover</i>) |
| Attachment 2 | Responses to Councillors' Questions with confidential information (<i>Under Separate Cover</i>) - CONFIDENTIAL |

15 NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION

It is necessary for the Council to adopt a resolution to formalise its intention to deal with certain matters in Confidential Session. The reports are incorporated in the “confidential” business paper which has been circulated to Councillors.

The *Local Government Act, 1993* requires the General Manager to identify those matters listed on the business paper which may be categorised as confidential in terms of Section 10A of the *Local Government Act, 1993*.

Recommendation

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

Item 16.1 Southern Phone Company Ltd

Item 16.1 is confidential in accordance with s10(A) (d) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Item 16.2 Payment Arrangement Agreement - Property ID 160842

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