



Ordinary Meeting of Council

AGENDA

26 August 2020

Commencing at 5.30pm

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

On-site Inspections - Nil

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1 OPENING

2 ACKNOWLEDGEMENT OF COUNTRY

3 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

4 CONFIRMATION OF MINUTES

- 4.1 Minutes of the Ordinary Meeting of Council held on 22 July 2020
- 4.2 Minutes of the Planning and Strategy Committee of the Whole held on 12 August 2020

5 DISCLOSURES OF INTERESTS

6 ADJOURNMENT FOR PUBLIC FORUM

7 MAYORAL MINUTE

- 7.1 Condolence Motion for the Late Peter Bray AM.....3

8 NOTICES OF MOTIONS OF RESCISSION

9 REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

- 9.1 Bungendore Education Precinct - Acquisition Proposal5
- 9.2 DA 395-2017.C - Modification to South Tralee - Subdivision of Five Existing Super-Lots Into 190 Residential Lots and Boundary Adjustment for Associated Civil Works 13
- 9.3 Review of Environmental Factors - Googong Integrated Water Cycle Project - Stage D27
- 9.4 Tender - Design & Construct, Bulk Earthworks - Bungendore Sports Hub.....41
- 9.5 Riverside and High Street Soccer Pitches45
- 9.6 Risk Based Inspection Schedule for Food Premises51
- 9.7 Expression of Interest for Queanbeyan Civic and Cultural Precinct Head Contractor55
- 9.8 Review of Water Wise Initiative61
- 9.9 Regional Road Transfer and Road Classification Review.....63
- 9.10 Adoption of Asset Management Plans.....71
- 9.11 Ellerton Drive - Bridge Name73
- 9.12 2020-2030 Long Term Financial Plan.....79
- 9.13 IPART Rating Review.....85
- 9.14 Investment Report - July 2020.....89

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

BUSINESS PAPER AGENDA – 26 August 2020 Page ii

10 REPORTS TO COUNCIL - ITEMS FOR INFORMATION

10.1	Review of Infrastructure Contributions in New South Wales – NSW Productivity Commission Issues Paper.....	91
10.2	Delivery Program update - January-June 2020	93
10.3	Amendments to the Model Code of Conduct and Procedures	95

11 REPORTS OF COMMITTEES

11.1	Queanbeyan-Palerang Sports Council - Minutes of Meeting held 10 August 2020	97
11.2	Local Traffic Committee 7 August 2020.....	99
11.3	Audit, Risk and Improvement Committee	101
11.4	Bungendore Town Centre and Environs Committee Meeting Minutes	103

12 NOTICES OF MOTIONS

12.1	Sassafras Crescent Reserve	105
12.2	Practical Covid-19 Prevention Measures.....	107

13 REPORTS TO COUNCIL - DELEGATES REPORTS

13.1	Delegates Reports.....	111
------	------------------------	-----

14 QUESTIONS WITH NOTICE

14.1	Responses to Councillors' Questions	113
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15 NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION 114

Confidential - Not for Publication

16 REPORTS FOR CLOSED SESSION

16.1	Undetected Leak Policy Application - Write Off Water Usage <i>Item 16.1 is confidential in accordance with s10(A) (b) of the Local Government Act 1993 because it contains discussion in relation to the personal hardship of a resident or ratepayer and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.</i>	
16.2	Review of Development Application Fees <i>Item 16.2 is confidential in accordance with s10(A) (b) of the Local Government Act 1993 because it contains discussion in relation to the personal hardship of a resident or ratepayer and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.</i>	

17 CONCLUSION OF THE MEETING

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

BUSINESS PAPER AGENDA – 26 August 2020 Page iii

LIST OF ATTACHMENTS – *(Copies available from CEO's Office on request)*

Open Attachments

- Item 9.1 Bungendore Education Precinct - Acquisition Proposal
Attachment 1 Summary - Councillor Update 14 August (Under Separate Cover)
- Item 9.2 DA 395-2017.C - Modification to South Tralee - Subdivision of Five Existing Super-Lots Into 190 Residential Lots and Boundary Adjustment for Associated Civil Works
Attachment 1 DA 395-2017.C - Attachment Section 4.55(2) Assessment Report - Stage 1 South Tralee (Under Separate Cover)
Attachment 2 DA 395-2017.C - Subdivision Plans - Stage 1 South Tralee (Under Separate Cover)
Attachment 3 DA 395-2017.C - Submission - Stage 1 South Tralee (Under Separate Cover)
Attachment 4 DA 395-2017.C - Conditions of Consent to be Amended - Stage 1 South Tralee (Under Separate Cover)
- Item 9.3 Review of Environmental Factors - Googong Integrated Water Cycle Project - Stage D
Attachment 1 Copy of REF in Councillor's Room - Queanbeyan (Under Separate Cover)
- Item 9.5 Riverside and High Street Soccer Pitches
Attachment 1 Email from Capital Football - Upgrades Required to High Street Sportsground (Under Separate Cover)
- Item 9.6 Risk Based Inspection Schedule for Food Premises
Attachment 1 Advisory Guideline for Enforcement Agencies - Risk-based Inspection Frequency (NSW Food Authority, 2017) (Under Separate Cover)
- Item 9.8 Review of Water Wise Initiative
Attachment 1 Draft Water Wise Policy - amended (Under Separate Cover)
- Item 9.9 Regional Road Transfer and Road Classification Review
Attachment 1 Road Classification Review and Transfer Information Paper (Under Separate Cover)
- Item 9.10 Adoption of Asset Management Plans
Attachment 1 Redacted Your Voice Report - AMPs (Under Separate Cover)
- Item 9.12 2020-2030 Long Term Financial Plan
Attachment 1 Draft 2020-2030 Long Term Financial Plan (Under Separate Cover)
- Item 9.13 IPART Rating Review
Attachment 1 Government Response to the IPART Rating Review (Under Separate Cover)
- Item 9.14 Investment Report - July 2020
Attachment 1 Investment Report Pack - July 2020 (Under Separate Cover)
- Item 10.1 Review of Infrastructure Contributions in New South Wales – NSW Productivity Commission Issues Paper
Attachment 1 Submission to Productivity Commission - Review of Infrastructure Contributions in NSW (Under Separate Cover)
- Item 10.2 Delivery Program update - January-June 2020
Attachment 1 Delivery Program update - January-June 2020 (Under

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

BUSINESS PAPER AGENDA – 26 August 2020 Page iv

- Separate Cover)*
- Item 11.1 Queanbeyan-Palerang Sports Council - Minutes of Meeting held 10 August 2020
Attachment 1 Minutes of the Queanbeyan-Palerang Sports Council Meeting held on 10 August 2020 (Under Separate Cover)
- Item 11.2 Local Traffic Committee 7 August 2020
Attachment 1 Minutes of LTC Meeting 7 August 2020 (Under Separate Cover)
- Item 11.3 Audit, Risk and Improvement Committee
Attachment 1 ARIC Draft Minutes Meeting 29 May 2020 (Under Separate Cover)
- Item 11.4 Bungendore Town Centre and Environs Committee Meeting Minutes
Attachment 1 Bungendore Town Centre and Environs Committee Meeting Minutes 29 June 2020 (Under Separate Cover)
- Item 12.1 Sassafras Crescent Reserve
Attachment 2 Copy of previous Council minutes and reports (Under Separate Cover)
- Item 13.1 Delegates Reports
Attachment 1 Cr Harrison's - Dargues Reef Community Consultative Committee report (Under Separate Cover)
Attachment 2 Cr Harrison's - Dargues Reef Q2 2020 Newsletter (Under Separate Cover)
- Item 14.1 Responses to Councillors' Questions
Attachment 1 Responses to Councillors' Questions (Under Separate Cover)
- Closed Attachments**
- Item 9.1 Bungendore Education Precinct - Acquisition Proposal
Attachment 2 Bungendore Education Precinct - DoE Proposal (Under Separate Cover)
Attachment 3 Valuation Summaries (Under Separate Cover)
- Item 9.4 Tender - Design & Construct, Bulk Earthworks - Bungendore Sports Hub
Attachment 1 Tender Evaluation Report - Design & Construct, Bulk Earthworks - Bungendore Sports Hub (Under Separate Cover)
- Item 9.5 Riverside and High Street Soccer Pitches
Attachment 2 Response from QCFC (Under Separate Cover)
Attachment 3 Response from MPFC (Under Separate Cover)
- Item 9.7 Expression of Interest for Queanbeyan Civic and Cultural Precinct Head Contractor
Attachment 1 QCCP Head Contractor Design Finalisation Construction - EOI Evaluation Report (Under Separate Cover)
- Item 12.1 Sassafras Crescent Reserve
Attachment 1 Email from resident with attachments (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 Undetected Leak Policy Application - Write Off Water Usage
Attachment 1 Application for Undetected Leak (Under Separate Cover)



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

ATTENDANCE

Councillors: Cr Overall (Chair), Crs Biscotti, Brown, Harrison, Hicks, Marshall (from 5.36pm), Noveska, Schweikert, Taylor and Winchester (from 5.39pm).

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

Also Present: L Ison (Minute Secretary).

1. OPENING

The meeting 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

101/20

RESOLVED (Taylor/Noveska)

That apology for non-attendance from Cr Bray 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 24 June 2020

102/20

RESOLVED (Schweikert/Hicks)

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 24 June 2020 be confirmed.

The resolution was carried unanimously.

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

103/20

RESOLVED (Schweikert/Hicks)

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

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

104/20

RESOLVED (Taylor/Schweikert)

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

The resolution was carried unanimously.

Cr Trudy Taylor declared a less than significant non-pecuniary interest Item 9.1: DA.2020.1104 - Erection of a Dwelling - 82 Wickerslack Lane, Googong, stating a neighbour of the applicant is a family friend.

Mr Peter Tegart declared a significant pecuniary interest in Item 16.3: CEO's Annual Performance Review, stating he is an employee of the Council.

6. ADJOURNMENT FOR PUBLIC FORUM

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

ADJOURNMENT:

The meeting adjourned for the Public Forum at 5.33pm and resumed at 5.43pm.

During the Public Forum Cr Marshall joined the meeting at 5.36pm and Cr Winchester at 5.39pm.

SUPPLEMENTARY REPORT**7. MAYORAL MINUTE****7.1 Retirement of Councillor**

105/20

RESOLVED (Overall)

That Council:

1. Note that Cllr Peter Bray AM has submitted his retirement as Councillor, Queanbeyan-Palerang Regional Council due to ill health and to be effective from 22 July 2020.
2. Record its appreciation of Councillor Peter Bray's service and commitment to the former Queanbeyan City Council 2008 – 2016, including four terms as Deputy Mayor, service to Queanbeyan-Palerang Regional Council since September 2017, and service to the Queanbeyan and Palerang communities.

The resolution was carried unanimously.

8. NOTICES OF MOTIONS OF RESCISSION

There were no Notices of Motions of Rescission.

Cr Taylor declared an interest in the following item and left the meeting room at 5.55pm.

9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION**9.1 DA.2020.1104 - Erection of a Dwelling - 82 Wickerslack Lane, Googong**

106/20

RESOLVED (Schweikert/Marshall)

That:

1. Development application DA.2020.1104 for the erection of a dwelling on Lot 10 DP 220189, No. 82 Wickerslack Lane, Googong be granted conditional approval.
2. Those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.

The resolution was carried unanimously.

Cr Taylor returned to the meeting at 5.59pm.

9.2 Tender - Hazard and Waste Removal - Regional Sports Complex

107/20

RESOLVED (Harrison/Schweikert)

That Council award the contract for the Hazard and Waste Removal - Regional Sports Complex RFT 23-2020, including optional work on area AEC6, to AGH Demolition & Asbestos Removal Pty Ltd.

The resolution was carried unanimously.

- 108/20 **9.3 Tender for Supply and Installation of Artificial Turf Surfaces**
RESOLVED (Biscotti/Hicks)
That Council approve the calling of open expressions of interest followed by select tender for the supply and installation of Artificial Turf for the Regional Sports Complex Project.

The resolution was carried unanimously.
- 109/20 **9.4 Community Sleepbus**
RESOLVED (Overall/Marshall)
That Council approve the parking of the Sleepbus each night in the Visitor Information Centre carpark in Queanbeyan between 8.00pm and 8.00am for a trial period of 12 months.

The resolution was carried unanimously.
- 110/20 **9.5 Bushfire Recovery Report**
RESOLVED (Marshall/Schweikert)
That Council:
 1. Note the actions and progress of Council's Bushfire Recovery team.
 2. Endorse the ongoing engagement with the community groups and services to determine allocation of remaining funds including preparedness workshops for small communities, training and education, school support and small grant allocations.
For: Crs Biscotti, Brown, Harrison, Marshall, Noveska, Overall, Schweikert, Taylor and Winchester
Against: Cr Hicks
- 111/20 **9.6 Long Term Financial Plan**
RESOLVED (Schweikert/Harrison)
That Council endorse the draft Long Term Financial Plan for public exhibition, inclusive of Scenario 3 as the preferred Financial Scenario.

The resolution was carried unanimously.
- 112/20 **9.7 QPRC Investment Policy Review**
RESOLVED (Harrison/Biscotti)
That Council adopt the draft Investment Policy.

The resolution was carried unanimously.

9.8 Investment Report - June 2020

113/20

RESOLVED (Marshall/Biscotti)

That Council:

1. Note the investment return for June 2020 was \$303,632.
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 June 2020.

The resolution was carried unanimously.

10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION**10.1 Changes to National Tree Day 2020**

114/20

RESOLVED (Taylor/Noveska)

That the report be received for information.

The resolution was carried unanimously.

10.2 New Phone Towers for Queanbeyan-Palerang

115/20

RESOLVED (Marshall/Biscotti)

That the report be received for information.

The resolution was carried unanimously.

10.3 COVID Recovery

116/20

RESOLVED (Taylor/Marshall)

That the report be received for information.

The resolution was carried unanimously.

10.4 Local Government Elections 2021

117/20

RESOLVED (Hicks/Harrison)

That the report be received for information.

The resolution was carried unanimously.

10.5 Resolution Action Sheet

118/20

RESOLVED (Taylor/Biscotti)

That the report be received for information.

The resolution was carried unanimously.

11. REPORTS OF COMMITTEES**11.1 Local Traffic Committee 17 June 2020**

119/20

RESOLVED (Schweikert/Hicks)

That Council:

1. Note the minutes of Local Traffic Committee Meeting on 17 June 2020.
2. Adopt recommendations LTC 19/2020 to LTC 28/2020 from the meeting held on 17 June 2020.

LTC 19/20 Approve the Traffic Control Plan for the Bungendore Busking Activation for 24 October 2020.

LTC 20/2020 Approve the trial of the 'Parklet' and TCP for the Pop-up Parklet in Crawford Street Queanbeyan

LTC 21/2020 Under the *Road Transport Act 2013* implement the parking restrictions in Fallick Lane, Queanbeyan as per the design.

LTC 22/2020 Under *Road Transport Act 2013* implement changes on Bungendore Road as per design and as amended by the recommendations provided by the LTC.

LTC 23/2020 Under *Road Transport Act 2013* install Loading Zone on Gorman Drive in the indented car parking bay as per design.

LTC 24/2020 Under *Road Transport Act 2013* implement changes on Mulloon Street Queanbeyan East Public School Zone as per design.

LTC 25/2020 Under *Road Transport Act 2013* implement changes on Surveyor Street in Queanbeyan High School Zone as per design

LTC 26/2020 Under *Road Transport Act 2013* install signage and line-marking for Ryrie St and Coronation St/Duncan St intersection as per the design.

LTC 27/2020 Under *Road Transport Act 2013* except for shortening the pavement marking on Majara St, install signage and line-marking for the development 4-6 Majara Street, Bungendore as per the design

LTC 28/2020 Under the *Road Transport Act 2013* approve the installation as per the design.

The resolution was carried unanimously.

11.2 Wamboin Hall s.355 Committee Minutes

120/20

RESOLVED (Harrison/Hicks)

That Council note the minutes of Wamboin Hall Management s.355 Committee's extraordinary meeting held on 19 June 2020.

The resolution was carried unanimously.

12. NOTICE OF MOTIONS**12.1 Waive Ground and Facility Hire for Organised Sports**

121/20

RESOLVED (Biscotti/Harrison)

That Council:

1. Waive the ground hire, outdoor court hire and sports field lighting costs for all QPRC-based sporting clubs and associations for the period 1 July 2020 – 31 December 2020.
2. Reassess the ongoing impacts of COVID-19 on sporting clubs that hire council sports grounds and outdoor courts at the December 2020 Ordinary Meeting.

The resolution was carried unanimously.

12.2 Proposed Central Carpark in Bungendore**MOVED (Marshall/Winchester)**

That prior to tendering for the construction of Stage 1 of the proposed central car park in Bungendore, Council receive a report on:

- Evidence of the need for more car parking in Bungendore.
- The total cost of the project, including the purchase cost of land offset by property sales.
- Funds or in-kind contributions already collected, and funds or in-kind contributions to be collected from approved development applications.
- Modelling of funds or in-kind contributions to be collected from future development applications.
- Details of how existing and new loans for the car park will be repaid.

The motion (of Crs Marshall and Winchester) was PUT and LOST.

For: Crs Brown, Marshall, Noveska and Winchester

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

12.3 Allocations of QPRC Premier Football Fields

122/20

RESOLVED (Biscotti/Overall)

That Council:

1. Note QPRC has expended considerable funds, including NSW grant funding to upgrade High Street football field to premier standard.
2. Note the CEO held a meeting on 23 April 2020 including three Councillor delegates of the Regional Sports Council, Mayor, QPRC staff and Monaro Panthers Football Club (MPFC) representatives.
3. Allocate High Street football field to the Queanbeyan City Football Club (QCFC) as a home ground and work with the club to provide further improvements and enhancements as may be necessary or desired.
4. Allocate Riverside football field to the MPFC and continue to work with the club to provide further improvements and enhancements as may be necessary or desired.
5. Inform Capital Football of its football field allocations to ensure fixtures are allocated accordingly.
6. Continue to make available the Oval function facilities to sporting clubs and community organisations.
7. Authorise the CEO to negotiate and execute revised agreements with the Clubs in line with 3, 4 and 6 above.

The resolution was carried unanimously.

13. REPORTS TO COUNCIL - DELEGATES REPORTS**13.1 Delegates Reports**

123/20

RESOLVED (Taylor/Hicks)

That Council note the Delegates' Report.

The resolution was carried unanimously.

14. QUESTIONS WITH NOTICE**14.1 Responses to Councillors' Questions**

124/20

RESOLVED (Schweikert/Taylor)

That the report be received for information.

The resolution was carried unanimously.

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

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

16. REPORTS FOR CLOSED SESSION

125/20

RESOLVED (Overall/Taylor)

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

Item 16.1 Writing Off Water Usage due to Undetectable Leak

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

Item 16.2 Confidential - Industrial Relations Matter - Update

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

Item 16.3 CEO's Annual Performance Review

Item 16.3 is confidential in accordance with s10(A) (a) of the Local Government Act 1993 because it contains personnel matters concerning particular individuals (other than councillors) and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

The resolution was carried unanimously.

The meeting then moved into Closed Session at 7.14pm to discuss the matters listed above.

16.1 Writing Off Water Usage due to Undetectable Leak

126/20

RESOLVED (Winchester/Harrison)

That Council write off \$2,888.00 in water usage charges for the property listed in this report.

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

Against: Cr Schweikert

Cr Winchester left the meeting at 7.17pm.

With the exception of the CEO and Portfolio General Manager Organisational Capability, all staff left the meeting at 7.17pm.

16.2 Industrial Relations Matter - Update

127/20

RESOLVED (Schweikert/Biscotti)

That Council:

1. Note the information in the attachment.
2. Authorise the Chief Executive Officer to settle the matter through a deed of release and in accordance with the in-principle agreement that has been reached with the applicant.

The resolution was carried unanimously.

Mr Tegart declared an interest in the following item and left the Chambers at 7.21pm. The Portfolio General Manager Organisational Capability left the meeting at 7.21pm.

16.3 CEO's Annual Performance Review

128/20

RESOLVED (Harrison/Marshall)

That Council:

1. Receive and note the report of the Annual Performance Review of the Chief Executive Officer.
2. Endorse the overall rating of the Performance Review Committee for the Performance Review.
3. Not offer any performance-based increase to the CEO's total remuneration package in consideration of the COVID-19 situation and in accordance with community expectations.
4. Note the request for renewal of appointment as submitted in accordance with the contract of employment.
5. Extend the CEO's current contract of employment for a period of one year to 6 July 2023.

The resolution was carried unanimously.

Mr Tegart returned to the Chambers at 7.51pm.

129/20

RESOLVED (Taylor/Overall)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 7.52pm.

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

18. CONCLUSION OF THE MEETING

The time being 7.54pm, Cr Overall announced that the Agenda for the meeting had now been completed.

**CR TIM OVERALL
MAYOR
CHAIRPERSON**



PLANNING AND STRATEGY COMMITTEE OF THE WHOLE MEETING

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

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

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

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

ATTENDANCE

Councillor: Cr Overall (Chair), Crs Biscotti, Brown (from 5.33pm), Harrison, Hicks, Marshall, Schweikert (from 5.40pm) and Taylor.

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

Also Present: L Ison (Minute Secretary).

1. OPENING

The meeting opened at 5.31pm.

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

PLA101/20

RESOLVED (Taylor/Hicks)

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

The resolution was carried unanimously.

4. DISCLOSURES OF INTEREST

PLA102/20

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.

There were no disclosures.

5. ADJOURNMENT FOR PUBLIC FORUM

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

PLA103/20

RESOLVED (Overall/Hicks)

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

ADJOURNMENT:

The meeting adjourned for the Public Forum at 5.32pm and resumed at 5.37pm.

During the Public Forum Cr Brown joined the meeting at 5.33pm.

6. MAYORAL MINUTE

There was no Mayoral Minute.

Cr Schweikert joined the meeting at 5.40pm.

7. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

7.1 Development Application DA.2019.1199 - Demolition of Dwelling and Secondary Dwelling; Construction of Multi Dwelling Housing – Three Dwellings and Strata Subdivision - 5 Ross Road, Crestwood

PLA104/20

RESOLVED (Hicks/Taylor)

That:

1. Approval be granted to a variation to Part 3C of Queanbeyan Development Control Plan 2012 for controls relating to minimum lot width, side setbacks, solar access and primary private open space forward of the building line for the following reasons:
 - (a) The proposed multi-unit development has been designed to accommodate the site width and is not considered to result in an over development of the site.
 - (b) Side setback encroachments are unlikely to result in any significant impact upon the streetscape or cause privacy issues to adjoining lots.
 - (c) The variation to solar access to private open space of the adjoining lot is considered to be of minimal impact. The adjoining development will retain a useable portion of private open space which receives solar access on 21 June.
 - (d) The variation to the front setback for private open space forward of the building line is considered to be acceptable due to the proposed landscaping treatment.
- 2 A further condition be added requiring details of the stacker parking arrangements before issue of a construction certificate.
3. Development application DA.2019.1199 for a demolition of dwelling and secondary dwelling; construction of multi dwelling housing – three dwellings, and strata subdivision on Lot 3 DP 12593, No.5 Ross Road, Crestwood be granted conditional approval.

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

Against: Cr Marshall

7.2 Development Application DA.2020.1135 - 37 Lot Torrens Subdivision, Construction of 36 Dwelling Houses and a Multi-Dwelling Housing Development Comprising 17 dwellings and Associated Strata Subdivision - Super Lot AK - 360A Lanyon Drive, Tralee

PLA105/20

RESOLVED (Hicks/Harrison)

That Development application DA.2020.1135 for a 37 Lot Torrens subdivision, construction of 36 dwelling houses and a multi-dwelling housing development comprising 17 dwellings and associated strata subdivision on Lot 4 DP 1007339, No. 360A Lanyon Drive Tralee – Proposed Super Lot AK be granted conditional approval.

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

Against: Cr Marshall

7.3 Development Application DA.2020.1103 - Construction of a Dwelling and Attached Garage Requiring a Building Envelope Variation - 51 Widgiewa Road, Carwoola

PLA106/20

RESOLVED (Biscotti/Hicks)

That:

1. Pursuant to clause 1.9A of the Palerang Local Environmental Plan 2014, Council approve a variation to the existing building envelope on Lot 2 DP 1184200, 51 Widgiewa Road as detailed on Survey Plan 1531 prepared by TSD Surveying dated 28 February 2020 for the following reasons:
 - (a) The variation will allow the applicant to utilise the existing pad, improve the northern aspect of the dwelling whilst maximising the view and create additional separation from the northern boundary.
 - (b) The variation is considered minor and has minimal impacts on adjoining lots and the environment.
 - (c) Council will require the extended building envelope to be registered on the land title to encompass the structure only.
 - (d) The proposal is consistent with the objectives of the Palerang Local Environmental Plan 2014 - E4 - Environmental Living Zone.
 - (e) The proposed construction of the dwelling with attached garage is consistent with the objectives of the Palerang Development Control Plan 2015.
2. Development application DA.2020.1103 for the construction of a dwelling with attached garage and building envelope extension on Lot 2 DP 1184200, 51 Widgiewa Road, Carwoola be granted conditional approval.

The resolution was carried unanimously.

PLA107/20

7.4 Modification Application 82/96.A - Modification of Eight Lot Torrens Title Subdivision - 536 Duckfield Road, Boro

RESOLVED (Harrison/Hicks)

That:

1. Modification application 82/96.A for a modification of DA 82/96 for an eight lot Torrens title subdivision of Lot 27 DP 754867, Lot 114 DP 754867, Lot 115 DP 754867, Lot 120 DP 754867, Lot 121 DP 754867, No.536 Duckfield Road Boro, to reconfigure the lot layout and change the required road standard be granted partial approval noting that the proposed modification to condition 5 relating to the road construction standard is not supported and with the following amendments to the conditions of consent:

- a) Replace condition 1 as follows:

1 Modified Plans

The development referred to in the application is to be carried out in accordance with the original approved plans except as modified by the plans numbered 82/96.A and in accordance with this schedule of conditions.

Reason: Development is undertaken in accordance with this consent & is used for the approved purpose only.

- b) Insert new conditions 11 and 12 as follows:

11 Special Condition – Lot 5

Prior to the issue of a Subdivision Certificate the boundaries of Lot 5 are to be amended to achieve a minimum lot size of 40ha excluding road reserves within the allotment. Plans demonstrating such changes are to be submitted to Council with the Subdivision Certificate Application.

Reason: To ensure all allotments exceed minimum legislative lot sizes.

12 Covenant on the Land

Apply covenants under section 88B of the Conveyancing Act 1919 to the new lots incorporating the restrictions listed below. Queanbeyan-Palerang Regional Council shall be nominated as the sole party with the power to vary or remove the required covenants.

- a) Creation of effluent disposal envelopes upon Lots 1, 2 and 3 as shown within the Site and Soil Assessment for On-site Effluent Disposal prepared by Peter Fogarty and dated September 2006 noting that all wastewater upon these allotments is to also be treated to a secondary standard and disposed of within the envelope;
- b) Creation of effluent disposal envelopes upon Lot 3 as shown within the Site and Soil Assessment for On-site Effluent Disposal prepared by Peter Fogarty and dated September 2006 noting that all wastewater

upon this allotment is to be treated using an amended soil mound; and disposed of within the envelope.

Reason: To ensure public utility services, access and restrictions are legalised over the land.

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.

7.5 Modification Application 83/96.A - Modification of Ten Lot Torrens Title Subdivision - 536 Duckfield Road, Boro

PLA108/20

RESOLVED (Harrison/Hicks)

That:

- 1) Modification application 83/96.A for a modification of DA 83/96 for a ten lot Torrens title subdivision of Lot 54 DP 754867, No. 536 Duckfield Road Boro, to reconfigure the lot layout and change the required road standard be granted partial approval noting the proposed modification to condition 5 relating to the road construction standard is not supported and with the following amendments to the conditions of consent:

- a) Replace condition 1 as follows:

1 Modified Plans

The development referred to in the application is to be carried out in accordance with the original approved plans except as modified by the plans numbered 83/96.A and in accordance with this schedule of conditions.

Reason: Development is undertaken in accordance with this consent & is used for the approved purpose only.

- b) Insert new conditions 10 and 11 as follows:

10 Special Condition – Lot 105

Prior to the issue of a Subdivision Certificate the boundaries of Lot 105 are to be amended to achieve a minimum lot size of 40ha excluding road reserves within the allotment. Plans demonstrating such changes are to be submitted to Council with the Subdivision Certificate Application.

Reason: To ensure all allotments exceed minimum legislative lot sizes.

11 Covenant on the Land

Apply covenants under section 88B of the Conveyancing Act 1919 to the new lots incorporating the restrictions listed below. Queanbeyan-Palerang Regional Council shall be nominated as the sole party with the power to vary or remove the required covenants.

- a) Creation of effluent disposal envelopes upon Lots 106, 107 and 108 as shown within the Site and Soil Assessment for On-site Effluent Disposal prepared by

Peter Fogarty and dated September 2006 noting that all wastewater upon these allotments is to also be treated to a secondary standard and disposed of within the envelope;

- b) Creation of a Right of Access 20m wide in favour of proposed Lot 110 over proposed Lot 105,
- c) Prohibiting construction of buildings outside of the building envelope upon Lot 106 shown on Plan No. 21400-DA83/96 - 20190920 prepared by CPC Land Development Consultants Pty Ltd;

Reason: To ensure public utility services, access and restrictions are legalised over the land.

- 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.

7.6 Modification Application DA.2018.077.A - Minor changes to Dwelling and Removal of Contributions for Dual Occupancy - 6 Reardon Place, Bungendore

Procedural motion

PLA109/20

RESOLVED (Harrison/Schweikert)

That Item 7.6: Modification Application DA.2018.077.A - Minor changes to Dwelling and Removal of Contributions for Dual Occupancy - 6 Reardon Place, Bungendore, be dealt with in Closed Session in accordance with s10(A) (b) of the *Local Government Act 1993* because it contains discussion in relation to the personal hardship of a resident or ratepayer and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

The resolution was carried unanimously.

7.7 Sutton Planning Proposal Lot 3 DP 1074706 No.202 Goolabri Drive - Outcome of Negotiation to Protect Vegetation

PLA110/20

RESOLVED (Marshall/Hicks)

That Council:

1. Adopt the amendment to the Sutton Planning Proposal (DPIE reference: PP_2016_QPREG_002_03) Lot 3 DP 1074706 at 202 Goolabri Drive, Sutton), to rezone part of the site from E4 Environmental Living to E2 Environmental Conservation.
2. As the local plan-making authority under s3.36 *Environmental Planning & Assessment Act 1979*, take all actions to make the Plan which will amend the Palerang Local Environmental Plan 2014 to allow subdivision of Lot 3 DP 1074706 at 202 Goolabri Drive, Sutton into no more than six lots and to rezone part of the lot from E4 Environmental Living to E2 Environmental Conservation.
3. Request the Department of Planning, Industry and Environment to notify (gazette) the Plan.

The resolution was carried unanimously.

7.8 Review of State Strategic Plan – A Vision for Crown Land

PLA111/20

RESOLVED (Taylor/Overall)

That Council lodge a submission to the NSW Department of Planning, Industry and Environment on the State Strategic Plan – A Vision for Crown Land based on the issues raised in this report.

The resolution was carried unanimously.

7.9 Street Naming Proposal - Cavan Rise - Googong NH1 - Stage 4D

PLA112/20

RESOLVED (Biscotti/Hicks)

That Council:

1. Adopt in principle the name 'Cavan Rise' as the proposed name for the new road identified within Googong Neighbourhood 1, Stage 4D.
2. Advertise the name 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.

7.10 Naming of New Parks, Reserves and Sportsgrounds - Googong
RESOLVED (Taylor/Biscotti)

PLA113/20

That Council:

1. Endorse the following names for exhibition for a period of 28 days:
Parks:
 - Bunyip Park
 - McFarlane Park
 - Brewer GardensSporting Facilities:
 - Googong Indoor Pool and Sports Centre
 - Googong Netball Courts
 - Glenrock Tennis Centre
2. Notify GTPL that these names have been accepted if no objections are received.
3. Advise GTPL that it has no objection to the naming of the proposed off-lead dog area by them coordinating nominations from the community and seeking Council's endorsement of any selected name.
4. Advise GTPL that that their proposed names for sports grounds are not suitable and that a further report come before Council recommending names selected from members of Queanbeyan's Sporting Gallery who are deceased.
5. Endorse the Naming of Parks, Reserves and Sports Facilities policy.

The resolution was carried unanimously.

7.11 Review of Alcohol Restricted Areas
RESOLVED (Taylor/Biscotti)

PLA114/20

That:

1. Council place the proposed Alcohol Free Zones (AFZs) and proposed Alcohol Prohibited Areas (APAs) as specified in Attachment 1 on public exhibition for a period of 28 days and seek stakeholder comments as required in the Ministerial Guidelines.
2. Following exhibition and stakeholder consultation, a report be prepared for Council's consideration detailing the submissions and suggested outcomes of the exhibition period.

The resolution was carried unanimously.

7.12 Queanbeyan CBD Place Plan

PLA115/20

RESOLVED (Hicks/Taylor)

That Council:

1. Note and receive the Community Engagement Report.
2. Adopt the Queanbeyan Place Plan.

The resolution was carried unanimously.

7.13 Policy Harmonisation

MOVED (Harrison/Hicks)

That Council:

1. Adopt the following revised documents as amended as per the attachments:
 - Property Policy
 - Property Strategy
 - Compliance and Enforcement Policy
 - Privacy Policy and Plan
 - Councillor and Staff Interaction Policy
 - Donations Policy
 - Risk Management Policy
 - Section 355 Committee Guidelines
 - Potable and Recycled Water Supply Policy
2. Rescind previous versions of these documents.
3. Rescind the QPRC Public Forum Policy Guidelines 2017.

AMENDMENT (Overall/Taylor)

That Council:

1. Adopt the following revised documents as amended and as per the attachments:
 - Property Policy
 - Property Strategy
 - Compliance and Enforcement Policy
 - Privacy Policy and Plan
 - Councillor and Staff Interaction Policy
 - Risk Management Policy
 - Potable and Recycled Water Supply Policy
2. Amend the draft Donations Policy with the following adjustments:
 - a. Reinstate Clause 2.6.3(b) from the previously adopted version with the following modification as follows:

2.6.3(e) Council may at its discretion consider upon application a one-off rates rebate for sporting, recreational and other community organisations that are able to demonstrate registered not for profit status with the Australian Charities and Not-for-Profit Commission

and/or a legal entity registered with ASIC and has Not-for-Profit in its organisational objectives.

b. Delete 2.6.3 NOTE 3.

3. Exhibit the section 355 Guidelines and Donations Policy with a further report to Council.
4. Rescind previous versions of these documents.
5. Rescind the QPRC Public Forum Policy Guidelines 2017.

The amendment (of Crs Overall and Taylor) was PUT and CARRIED and became the motion.

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

Against: Crs Harrison

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

PLA116/20

RESOLVED (Overall/Taylor)

That Council:

1. Adopt the following revised documents as amended and as per the attachments:
 - Property Policy
 - Property Strategy
 - Compliance and Enforcement Policy
 - Privacy Policy and Plan
 - Councillor and Staff Interaction Policy
 - Risk Management Policy
 - Potable and Recycled Water Supply Policy
2. Amend the draft Donations Policy with the following adjustments:
 - a. Reinstate Clause 2.6.3(b) from the previously adopted version with the following modification as follows:

2.6.3(e) Council may at its discretion consider upon application a one off rates rebate for sporting, recreational and other community organisations that are able to demonstrate registered not for profit status with the Australian Charities and Not-for-profit Commission and/or a legal entity registered with ASIC and has Not-for-profit in its organisational objectives.
 - b. Delete 2.6.3 NOTE 3.
3. Exhibit the section 355 guidelines and Donations policy with a further report to Council.
4. Rescind previous versions of these documents.
5. Rescind the QPRC Public Forum Policy Guidelines 2017.

The resolution was carried unanimously.

7.14 Local Government NSW Annual Conference 2020

PLA117/20

RESOLVED (Taylor/Hicks)

That Council:

1. Nominate three Councillors, in addition to the Mayor, to register and be voting delegates for motions at the LGNSW Annual Conference to be held 22 – 24 November 2020 in Lovedale NSW.
2. Consider whether it wishes to submit one or more motions for the 2020 Conference.

The resolution was carried unanimously.

The following Councillors were nominated as voting delegates at the LGNSW Annual Conference:

- Cr Schweikert
- Cr Biscotti
- Cr Hicks

8. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

8.1 Update on Transfer of Responsibilities under the *Crown Lands Management Act 2016*

PLA118/20

RESOLVED (Marshall/Schweikert)

That the report be received for information.

The resolution was carried unanimously.

8.2 Food Surveillance Activity Report 2019-20

PLA119/20

RESOLVED (Marshall/Schweikert)

That the report be received for information.

The resolution was carried unanimously.

8.3 Update on Renewable Energy and Energy Efficiency Project Savings - Case Study Projects

PLA120/20

RESOLVED (Marshall/Harrison)

That the report be received for information.

The resolution was carried unanimously.

9. REPORTS OF COMMITTEES

9.1 Minutes of the Braidwood and Curtilage Heritage Advisory Committee held 9 July 2020

PLA121/20

RESOLVED (Marshall/Schweikert)

That Council note the Minutes of Braidwood and Curtilage Heritage Advisory Committee held on 9 July 2020 including recommendation B&C HAC 01/20 as follows:

B&C HAC 01/20 The Committee recommends that if the subdivision is to be approved, the buffer to the cemetery is to be increased by at least 10m and dense tree planting to the provided to screen the cemetery.

The resolution was carried unanimously.

9.2 Minutes of the QPRC Heritage Advisory Committee Meeting held 16 July 2020

PLA122/20

RESOLVED (Overall/Schweikert)

That Council note the Minutes of QPRC Heritage Advisory Committee held on 16 July 2020 including recommendation QPRC HAC 02/21 as follows:

QPRC HAC 02/21 That the Committee has no objection to the proposal subject to the building design including articulation of the front façade (which could include a front verandah and front door) and some open timber cladding underneath the building on the front façade of the supporting columns.

The resolution was carried unanimously.

9.3 Minutes of the Environment and Sustainability Advisory Committee held on 6 May 2020

PLA123/20

RESOLVED (Marshall/Hicks)

That Council note the minutes of Environment and Sustainability Advisory Committee held on 6 May 2020 and in particular note recommendation QPRC ESAC 01/20 as follows:

QPRC ESAC 01/20 That Council invest additional resources in weed management of biosecurity weeds not under control in LGA.

The resolution was carried unanimously.

9.4 Minutes of the Environment and Sustainability Advisory Committee Meeting of 15 July 2020

PLA124/20

RESOLVED (Marshall/Hicks)

That Council note the minutes of Environment and Sustainability Advisory Committee held on 15 July 2020.

The resolution was carried unanimously.

Procedural motion

MOVED (Marshall)

That Council agree to consider a matter of urgency regarding the removal of elm trees in Bungendore.

The motion (of Cr Marshall) lapsed for want of a seconder.

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

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

11. REPORTS FOR CLOSED SESSION

PLA125/20

RESOLVED (Overall/Taylor)

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

Item 7.6 Modification Application DA.2018.077.A - Minor changes to Dwelling and Removal of Contributions for Dual Occupancy - 6 Reardon Place, Bungendore

Item 7.6 is confidential in accordance with s10(A) (b) of the Local Government Act 1993 because it contains discussion in relation to the personal hardship of a resident or ratepayer and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

The resolution was carried unanimously.

The meeting then moved into Closed Session at 6.32pm to discuss the matter listed above.

7.6 Modification Application DA.2018.077.A - Minor changes to Dwelling and Removal of Contributions for Dual Occupancy - 6 Reardon Place, Bungendore

PLA126/20

RESOLVED (Schweikert/Harrison)

That modification application DA.2018.077.A for a modification to a Dual Occupancy – Dwelling on Lot 15 DP 800095 No. 6 Reardon Place, Bungendore be approved subject to amending the following conditions of consent:

a) Condition to be amended:

Condition 1 to be amended to reflect amended floor plans.

b) New Condition 54A to be inserted:

54A. Payments made in relation to Conditions 49, 50, 51, 52, 53 and 54 may be provided to Council in 10 annual instalments with the first payment being made prior to occupation of the proposed dual occupancy with the outstanding contributions being made on the anniversary of the first payment in nine annual instalments; or payment in full of the balance if the property is sold within 10 years.

The resolution was carried unanimously.

PLA127/20

RESOLVED (Overall/Taylor)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 7.01pm.

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 7.03pm, the Mayor 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.

7.1 Condolence Motion for the Late Peter Bray AM (Ref: ; Author: Overall/Overall)

File Reference: 52.5.1-01

Summary

Condolence Motion for the Late Peter Bray, AM.

Recommendation

That Council:

- 1. With deep respect offer sincere sympathy to Mrs Margaret Bray and the immediate and extended family of former Councillor and Deputy Mayor, Peter Bray AM.**
 - 2. Observe one minutes silence in memory of Peter Bray and his service to the Community and Council.**
 - 3. Recognise Peter Bray's service and contribution to Australia, the former Queanbeyan City Council, the Queanbeyan-Palerang Regional Council and the communities of Queanbeyan-Palerang and Canberra with a plaque in the Queanbeyan Honour Walk, Crawford Street, and the proposed Community Park at 16 Agnes Avenue, Queanbeyan, which adjoins the proposed Respite Care Centre, be named the 'Peter Bray Park'.**
-

Background

Cr Bray was first elected to Queanbeyan City Council in 2008 and was subsequently elected to represent the Queanbeyan and Queanbeyan-Palerang communities in 2012 and 2017.

Cr Bray was elected Deputy Mayor for four consecutive one-year terms and also served on the Local Representation Committee while QPRC was under administration.

During his time on Council, Cr Bray served on the following committees:

- Delegate and Chair, QCC Aboriginal Consultative Committee
- Delegate and Chair, The Q Advisory Board
- Delegate and Chair, Cultural Development Council
- Delegate and Chair, Public Art Advisory Panel
- Delegate and Chair, Access and Equity Committee – (Disability Action Plan)
- Delegate, Southern Joint Regional Planning Panel
- Delegate and Chair, Access Committee
- Delegate, Southern Joint Regional Planning Panel
- Delegate and Chair, QPRC Access Committee

Peter and Margaret Bray and family moved from the ACT to Jerrabomberra in 1996.

Cr Bray served in the Regular Army for some 40 years, retiring in 1996. While in the Army he specialised in supply management and logistics, including inventory management, warehousing, contracting and financial programming. Following a tour of duty in Vietnam,

**7.1 Condolence Motion for the Late Peter Bray AM (Ref: ; Author: Overall/Overall)
(Continued)**

senior appointments included Director General Supply-Army, Commander Fourth Military District South Australia and Deputy Chief Personnel-Army. Whilst in South Australia he served on the Divisional Council of the Red Cross and was a member of the State Multicultural Forum.

In 1995 he was awarded a Member of the Order of Australia.

Following his military career, Cr Bray became increasingly involved in the disability sector at community and State levels. He was CEO of Hartley Lifecare (formally The ACT Society for the Physically Handicapped) for six years, undertook many formal reviews of not-for-profit organisations and remains a community advocate for those with disability. He has held the appointments of President Queanbeyan Children's Special Needs Group Inc. and President Meals on Wheels Queanbeyan Inc.

In 2015 Peter Bray's service to the community over many decades was recognised with the NSW Premier's Award. On receipt of the award Peter Bray commented: 'It's a complete surprise...Everything I've been involved with...your part of a team. So in a way, if you get an award it's an award for a team because without them I'm nothing'.

In May 2019 Peter Bray was announced the ACT Senior Volunteer of the Year in recognition of his volunteer service to Hartley Lifecare and numerous other community organisations for over 50 years.

In addition to overseeing and guiding a number of charitable organisations, Peter Bray initiated and coordinated the Queanbeyan Charity Book Fair, raising funds for a raft of local Queanbeyan based charities for well over a decade. In late 2018, in partnership with the Lions Club of Queanbeyan, Peter Bray saw the opening of the Queanbeyan Lions Club Community Bookshop.

Peter Bray passed away peacefully at Queanbeyan Hospital, Sunday 16 August 2020, having battled ill health for several years. The flags at Council's offices were lowered on 17 August as a mark of respect.

Attachments

Nil

9.1 Bungendore Education Precinct - Acquisition Proposal (Author:
Tegart/Tegart)

File Reference: 46.1.1-34

Summary

Outlining proposal received from NSW School Infrastructure (SI) to establish an expanded Education Precinct in Majara/Gibraltar Streets, Bungendore (MGS Precinct). The proposal seeks to construct a new high school for up to 600 students, with classrooms initially for 400 students, connected by shared pathways to the primary school and shared plaza to the QPRC office building – open for student intake from Term 1, 2023. SI promote efficiencies in school operations sharing administration and other facilities between the primary and high schools, and sharing facilities with the community.

This report seeks Council's position on the proposal by NSW Department of Education (DoE) to enter an agreement:

- to share and manage community and school facilities
- to sell Council property

Recommendation

That Council:

1. **Note the report on the Bungendore Education Precinct proposal.**
 2. **Consider the proposal from NSW Department of Education (DoE) in terms of:**
 - a. **providing support in principle for the establishment of the precinct and co-use of facilities;**
 - b. **sale of 4-6 Majara St, 10 Majara St, and Majara road reserve between Turallo Terrace and Gibraltar St to DoE, based on independent valuations;**
 - c. **authorising the CEO to negotiate terms of joint use agreements (MoU) of the Mick Sherd Oval, courts, reserve, library, performance hall, sports hub; and modify permissible uses on the respective plans of management if required.**
 3. **In determining 2, then consider reassigning the Abbeyfield aged care residential site from 4-6 Majara to 2 Majara St, and take steps to make necessary amendments to the LEP to enable that use.**
 4. **Note the proposed amendments to the Operational Plan, and exhibit for community feedback for 28 days and report back to Council.**
 5. **Then amend the Financial Plan to include the construction of a new office/depot, and outdoor aquatic facility in Bungendore; and new borrowings of \$5m for the pool.**
 6. **Then amend respective development contribution plans to assist debt servicing for those purposes.**
-

9.1 Bungendore Education Precinct - Acquisition Proposal (Author: Tegart/Tegart) (Continued)

Background

Council had received presentations from SI and considered a commercial in confidence report in closed session at its July Planning and Strategy meeting, agreeing to support the concept of the high school in principle, to enable DoE to undertake community consultation. Following initial rounds of consultation, SI modified the concept and presented again to councillors in August.

On 14 August, the Minister for Education and Deputy Premier announced the proposal to establish a high school in an education precinct in Majara/Gibraltar Streets, Bungendore. That evening, a formal proposal was received to enter agreements with Council, including the acquisition of property – a copy of which is attached for councillors. The image below outlines the concept of the high school, the integration with the primary school, impacts on crown land managed by Council (Mick Sherd Oval and Turallo Reserve), and sites proposed for acquisition (4-10 Majara St) and Majara St road reserve between Gibraltar St and Turallo Tce.



DoE are seeking Council's agreement to enter into a Memorandum of Understanding (MoU) to use and manage facilities, subsequent to constructing a new high school on the Majara/Gibraltar Street Precinct (MGS Precinct), which adjoins the existing primary school.

The Proposal involves the use of land both under the tenure or owned by QPRC, including the Mick Sherd Oval, the existing former Palerang Council Building (PCB) and 4-6 Majara Street.

DoE notes Council is constructing a new Bungendore Sports Hub, approximately 1km west of Mick Sherd Oval, which will augment existing community assets on the Mick Sherd Oval (Oval).

DoE has proposed development of the precinct in Stages, at the cost of DoE:

The initial stage of the project will construct core infrastructure future proofed for 600+ students with classrooms for approximately 400 students.

Stage 1 includes:

- Reoriented Mick Sherd Oval playing field, and relocated goal posts and field lights with 10m buffer / runoff space around the field and spectator curtilage;

**9.1 Bungendore Education Precinct - Acquisition Proposal (Author: Tegart/Tegart)
(Continued)**

- Placement of the high school buildings in the MGS Precinct, partially on the eastern most fringe of the Oval and partially over the Majara St road reserve;
- Construction of games courts fronting Turallo Tce;
- Creation of a shareway on Gibraltar and Majara St;
- Extension and repurposing of the PCB chambers section into a new community library;
- An approx. 4,500sqm agricultural plot to the north east of the site off Turallo Tce with an agricultural support building;
- Construction of a new playing field in the existing primary school site;
- Creation of on and off street car parking facilities on 4-6 Majara St and potentially on the Majara Rd reserve (west of the scout hall), train station forecourt or the south of the forecourt; and
- Creation of a transport strategy that incorporates the safe movement of buses, cars, pedestrians and cyclists in and around the precinct.

Stage 2 of the project will involve:

- The repurposing of the remaining areas of the former Palerang Council Building (PCB) once QPRC vacate the building. This includes a QPRC shop front, community and health spaces (relocated from the community building demolished for the new aged care facility) and a combined primary and high school library;
- Reconfiguring the existing community and primary school library building on the primary school site into new permanent learning spaces; and
- The permanent closure of Majara St along the length of the Oval.

Implications**Legal**

A number of legal matters come into play:

- Council may consider unsolicited requests to sell or acquire property under the *Local Government Act 1993*.
- Both reserves are classified as community land under that Act
- Section 4.12 *Crown Lands Management Act 2016* may be used as an alternative to reclassification
- Confirm uses in a Plan of Management
- Consideration of Native Title interests under the *Crown Lands Management Act 2016*
- Process to close part of Majara Street under the *Roads Act 1993*
- Should the office building close, and new premises be established, 79 staff FTE that existed at the time of merger must be retained in Bungendore under s218CA of the *Local Government Act 1993*; and significant changes for staff be notified per the Award

The proposed development is understood to be State Significant Development which means that it will be identified in the *State Environmental Planning Policy (State and Regional Development) 2011*, and the development application will be determined by the Minister.

The RE1 Public Recreation Zone in the PLEP 2012 allows “information and education facilities” to be erected with consent. However a school is separately defined as an “education establishment” and would not be permissible in the RE1 zone under the PLEP 2012.

The same would apply to the SP2 Infrastructure (Public Administration Buildings) zone and R2 Low Density Residential zones on which the school is proposed to be built. However, by

**9.1 Bungendore Education Precinct - Acquisition Proposal (Author: Tegart/Tegart)
(Continued)**

virtue of clause 33 of the *Educational Establishments SEPP 2017*, development for a school is made permissible in these two zones. The provisions of the SEPP override those of the PLEP 2012. If it is determined that a school is not permissible in an RE1 zone, then it may be necessary for DoE to pursue a planning proposal to allow a school in the zone.

The adjacent private heritage-listed property at 16 Majara St is not impacted by the proposal.

Asset

Council is the land manager of the 4ha Crown Reserve 1000193 (Mick Sherd) and the 2.5ha Crown Reserve 94996 (Turallo). DoE has proposed a MoU to maintain the reserves utilised for school curriculum (eg PDHPE and agriculture). Council has other MoU's in place in the LGA where it maintains the grounds (eg sports ovals) and Education maintains facilities (eg halls) under joint use arrangements.

Other facilities on Mick Sherd remain in Council management, including the oval amenities, carparking, tennis courts (and its expansion), playground, war memorial and balladeer rotunda (to be relocated in the reserve). The swimming pool is proposed to be demolished by DoE, upon which a new sports hall and performance space would be constructed. Approximately 2ha of the 2.5ha Turallo Reserve not be occupied by the agricultural plot would still be available for community use, including dog exercise. The war memorial and gardens is not expected to be impacted.

The community centre at 2 Majara St is proposed to be demolished by DoE, upon which Abbeyfield may progress construction of the proposed aged care facility. The functions and regular hires of the centre would be relocated into the PCB.

Additional carparking is proposed in the precinct by DoE, available for community use out of school hours, presumably then for maintenance by Council on Council-managed land.

The chambers meeting room is proposed to be expanded by DoE and repurposed for Council's occupancy as community/shared use library, and the customer centre shop front. Disabled and other client parking would be provided on the road reserve off Gibraltar St east.

The proposal does however require additional works and costs to Council:

- Bringing forward Stage 3 works at the Bungendore Sports Hub (new outdoor heated 8 lane 25m covered pool facility) by summer 2022
- Sourcing and constructing a new office, with potential to co-locate depot facility by end 2022
- Some shopfront fitout in expanded PCB chambers

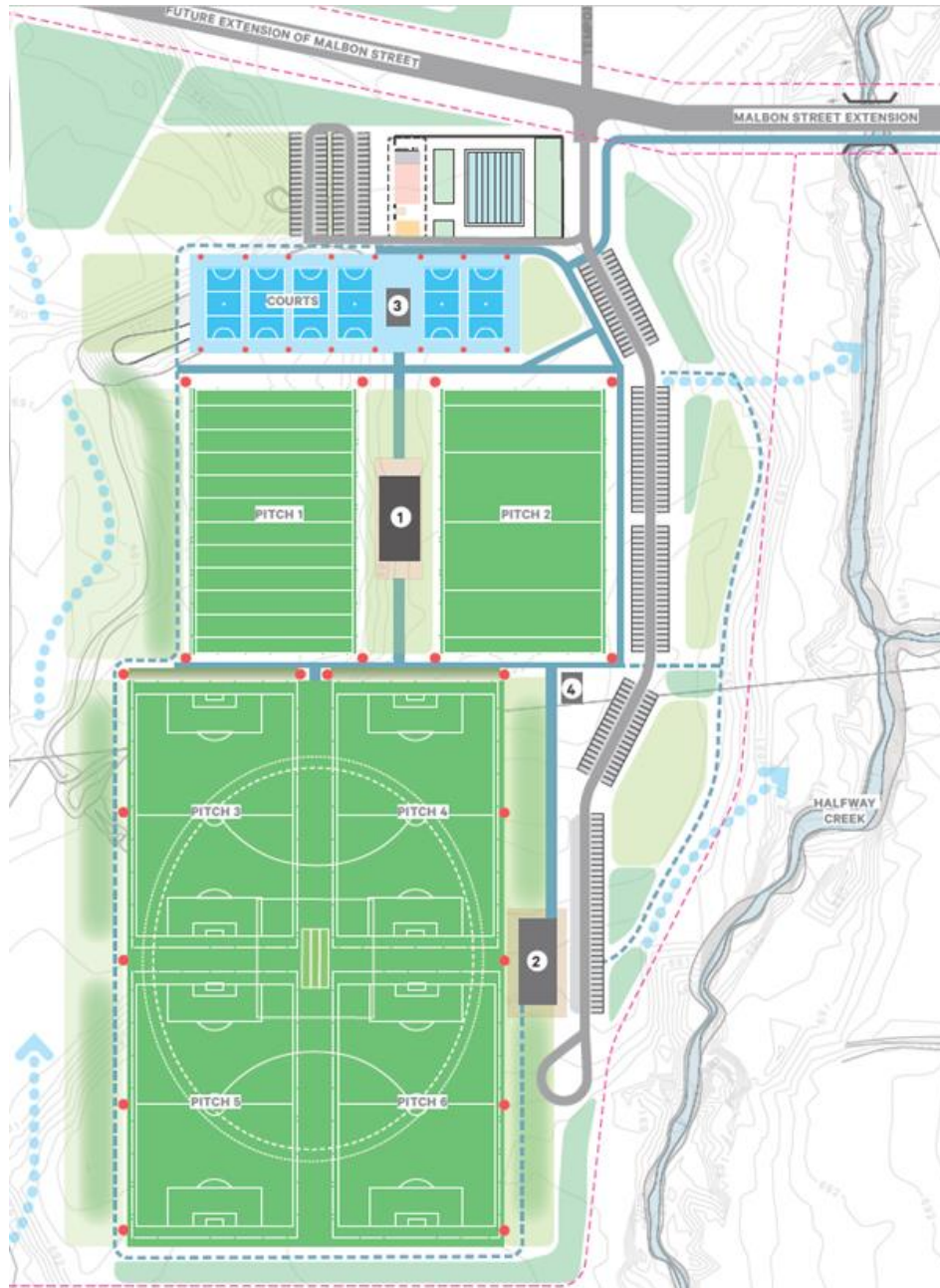
It is understood Mick Sherd remains accessible for sporting competitions for 2020 and 2021 seasons, with the main competitions capable of relocating to the Sports Hub for the 2022 season. Similarly, the pool remains available for the 2020 summer season, unavailable for 2021 season, and open at the Sports Hub for the 2022 season.

Social / Cultural

In line with the Sporting Facilities Strategic Plan and the Bungendore Sports Hub concept plan, the primary sporting activities on the overused Mick Sherd Oval are expected to be relocated to the sports hub from 2022. Identified in the concept below, the Hub provides for:

- 2 rugby fields, 6 netball courts, amenities, carparking with access west from Malbon St, available from 2022 season.
- 4 football (soccer) fields (usable for touch, oz tag, AFL and cricket), available from 2023 season.
- Outdoor aquatic facility.

9.1 Bungendore Education Precinct - Acquisition Proposal (Author: Tegart/Tegart) (Continued)



Ideally the premier competition games would be played at the Hub. The rugby codes may choose to train and/or play at Mick Sherd. Youth competitions would be held at the Hub, including school carnivals.

Engagement

DoE is understood to have undertaken initial consultation in recent weeks, principally with sporting users of the Oval site, and now with the broader community following the announcement.

Abbeyfield were provided an outline of the proposal to the extent it impacted the site (4-6 Majara) leased to them by Council, and upon which a DA for an aged care facility had been lodged. It is understood the group broadly accept the larger north facing site fronting Turallo Tce, presenting a better option for the development. The group may consider withdrawing the

9.1 Bungendore Education Precinct - Acquisition Proposal (Author: Tegart/Tegart) (Continued)

current DA (and refund portion of the fees) and seek compensation from the government for new professional and redesign costs for the new site.

Should Council consider selling and relocating the office, options to source alternate sites include seeking Expressions of Interest (EoI), acquiring property on the market, or direct offers from owners.

Council would also seek assistance through EoI from the community in the design of the aquatic facility.

Financial

In line with the image below, and with reference to the attached proposal, DoE seek to:

- Acquire 4-6 Majara St (1721m², zoned SP2)
 - set aside for Abbeyfield, and to be swapped for 2 Majara St
- Acquire 10 Majara St (4564m², zoned SP2)
 - Council office and chambers (PCB)
 - Chambers meeting room to be expanded and repurposed as community library and QPRC customer shopfront
 - Part office to be repurposed as community centre, with functions relocated from 2 Majara St premises
- Acquire Majara St road reserve (~5700m²)
 - Gibraltar to Turallo
- Demolish 2 Majara (3794m², zoned SP2)
 - enables site for Abbeyfield development
- Contribute to the replacement of the swimming pool, with a new outdoor facility to be constructed by Council at the Sports Hub.

Council had not included the upgrade/extension of the Bungendore pool in the LTFFP for several years, intending ultimately to relocate to a new facility at the Sports Hub. The proposition from DoE has brought forward that prospect. The preliminary estimate for a new outdoor heated and covered 8 lane 25m facility is in the order of \$9-10m, necessitating a loan of up to \$5m.

A DA for the pool would be required, and likely a design and construct contract initiated to enable use of the new facility from the 2022 season.



**9.1 Bungendore Education Precinct - Acquisition Proposal (Author: Tegart/Tegart)
(Continued)**

Valuations have been obtained, with summaries attached for councillors. The sale of properties in line with the valuations is expected to cover the costs of a new office/depot facility, subject to costs of site acquisition.

Abbeyfield have over \$13k of the initial \$50k SCF grant from Council remaining, with a further \$500k Council grant pending other fundraising to enable construction.

Resources (including staff)

The DoE proposal to acquire the PCB assumes Council has established a new office facility by end 2022, and until then, will lease back the current office to Council. Construction of a new facility should accommodate staff growth, and potentially afford efficiencies with a co-located depot.

Should Council endorse the DoE proposal and proceed to sale, a working group would be established to identify sites for potential office or co-location of depot/office, noting the library and customer shopfront remains at the PCB. It is noted Council is obliged to retain staff 79.01 FTE in Bungendore under s218CA post-merger. Relocation necessitates significant workplace change, triggering Award mandated actions.

Integrated Plan

As the proposed sale of property was not forecast with the Operational Plan 2021, nor the education uses in the plan of management for the Reserves, those amendments should be exhibited for community feedback and reported to Council.


Conclusion

The DoE proposal suggests the benefits to QPRC and the Bungendore community include:

- Creation of a new high school within the heart of the Bungendore community;
- Continued use of all sporting assets on the Mick Sherd Oval, with the exception of the pool;
- Receipt of a capital contribution from DoE to fund the sale of land and offset costs associated with the new aquatic centre;
- New community library and relocated community spaces including customer service shopfront and a potential new health hub;
- Joint use of high school facilities such as the new multipurpose hall / performing arts space, sporting courts and the new playing field in the existing primary school;
- Repurposing of the former PCB for continued community use; and
- Generation of approximately 40 new permanent employment opportunities

It is recommended Council retain management of Mick Sherd and Turallo crown reserves, and enter arrangements by MoU to maintain the co-used facilities (oval, reserve, library, hall) and access to other facilities (courts and sports hub).

Attachments

- | | |
|--|---|
| Attachment 1 | Summary - Councillor Update 14 August (<i>Under Separate Cover</i>) |
|  Attachment 2 | Bungendore Education Precinct - DoE Proposal (<i>Under Separate Cover</i>)
- CONFIDENTIAL |
| Attachment 3 | Valuation Summaries (<i>Under Separate Cover</i>) - CONFIDENTIAL |

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.2 DA 395-2017.C - Modification to South Tralee - Subdivision of Five Existing Super-Lots Into 190 Residential Lots and Boundary Adjustment for Associated Civil Works (Ref: ; Author: Thompson/Glouftsis)

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

This modification application has been referred to Council because it is for a major subdivision exceeding 50 or more lots.

Proposal:	Subdivision for 318 residential lots, 10 superlots, and residue land for open spaces, drainage and public roads. Modification Request: Subdivision of five existing superlots into 190 residential lots and boundary adjustment for associated civil works.
Applicant/Owner:	Village Building Company/Village Building Company
Subject Property:	360A and 360B Lanyon Drive, Tralee. Lot 1-6 DP 1007339 Lot 181 DP 754912, Lot 226 DP 665411, Lot 4-6 DP 130629, Lot 1 DP 1140653.
Zoning and Permissibility:	B4 Mixed Use and R2 Low Density Residential under the <i>Queanbeyan Local Environmental Plan 2012</i> (South Jerrabomberra). Subdivision of land is permissible pursuant to clause 2.6 of the <i>QLEP (South Jerrabomberra) 2012</i> .
Public Submissions:	One
Issues Discussed:	Planning Requirements
Disclosure of Political Donations and Gifts:	Applicant Declared no Donations or Gifts to any Councillor or Staff have been made.

Recommendation**That:**

- 1. Modification application 395-2017.C for a modification incorporating the subdivision of five existing superlots into 190 residential lots and boundary adjustment for associated civil works on 360A and 360B Lanyon Drive, Tralee Lots 1-6 DP 1007339, Lot 181 DP 754912, Lot 226 DP 665411, Lot 4-6 DP 130629 and Lot 1 DP 1140653, be granted conditional approval, subject to amending conditions 15, 43 and 54 as indicated in Attachment 4, and Council receiving final concurrence from all relevant concurrence authorities.**
 - 2. Those persons who lodged a submission on the application be advised in writing of the determination of the application.**
 - 3. The Department of Planning, Industry & Environment, Transport for New South Wales, New South Wales Roads and Maritime Services, and NSW Rural Fire Service be forwarded a copy of Council's Notice of Determination.**
-

9.2 DA 395-2017.C - Modification to South Tralee - Subdivision of Five Existing Super-Lots Into 190 Residential Lots and Boundary Adjustment for Associated Civil Works (Ref: ; Author: Thompson/Glouftsis) (Continued)

Background

Subject Site

The subject site is known as 360A and 360B Lanyon Drive, Tralee which is legally described as Lot 1-6 DP 1007339, Lot 181 DP 754912, Lot 226 DP 665411, Lot 4-6 DP 130629, and Lot 1 DP 1140653.

South Tralee is located within the wider South Jerrabomberra urban release area, which is located 8km from the Queanbeyan Central Business District and 16km south-east of the Canberra City Centre.

The proposed modification relates specifically to Stage 1 - South Tralee. South Tralee comprises approximately 180ha of land currently zoned mainly for urban development, but with a large area also zoned for environmental conservation. It is bounded by the currently disused Goulburn-Bombala railway, the ACT and Hume Industrial Estate to the west and north-west, and grazing properties to the south, east and north-east (Environs, Tralee Station, and Forrest/Morrison).

The site was most recently and has historically been used as a grazing property. The site is currently undergoing earthworks and civil works associated with the approved subdivision under DA 395-2017.

The total dwelling yield for the South Jerrabomberra urban release area will be approximately 1,500 dwellings, of which approximately 750 are anticipated to be constructed within South Tralee.

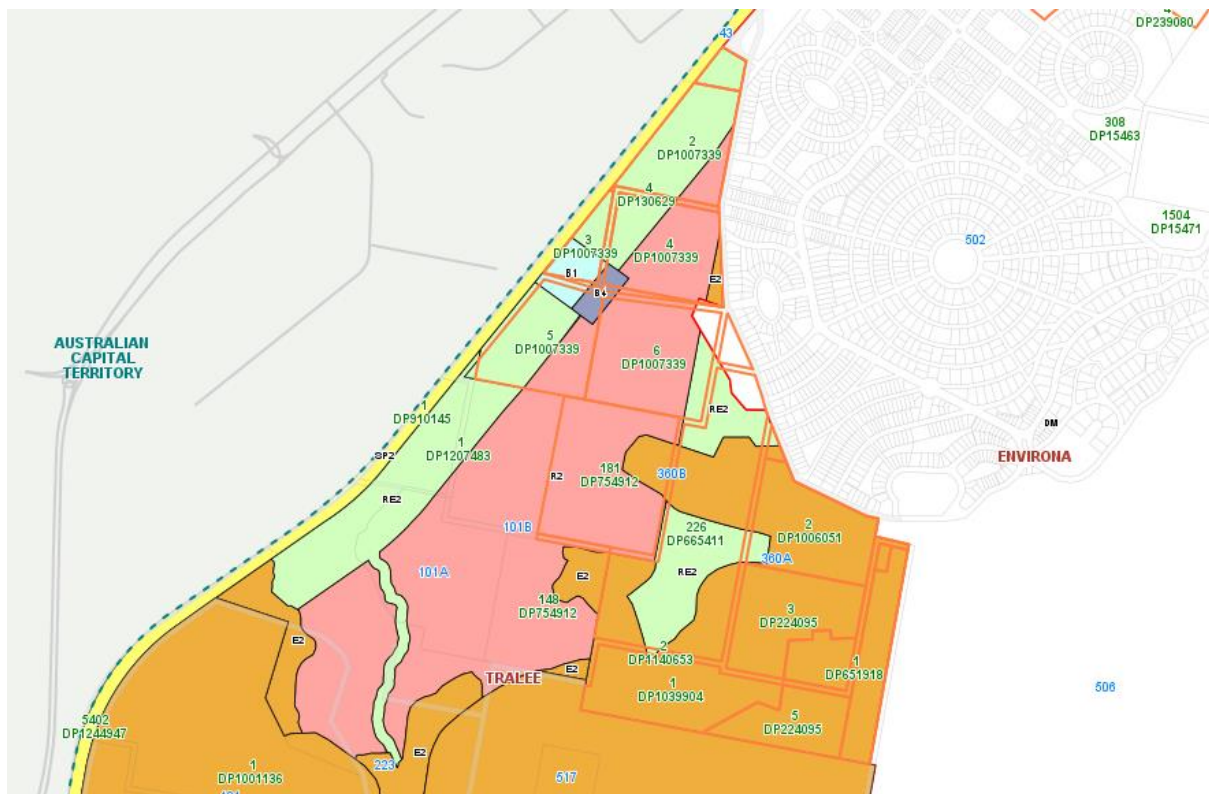


Figure 1 – Subject Site

9.2 DA 395-2017.C - Modification to South Tralee - Subdivision of Five Existing Super-Lots Into 190 Residential Lots and Boundary Adjustment for Associated Civil Works (Ref: ; Author: Thompson/Glouftsis) (Continued)

Previous Approval History

The South Tralee land has been subject to several previous development applications (DAs) which were all determined by the Joint Regional Planning Panel (JRPP) now Southern Regional Planning Panel (SRPP). A brief outline is provided below:

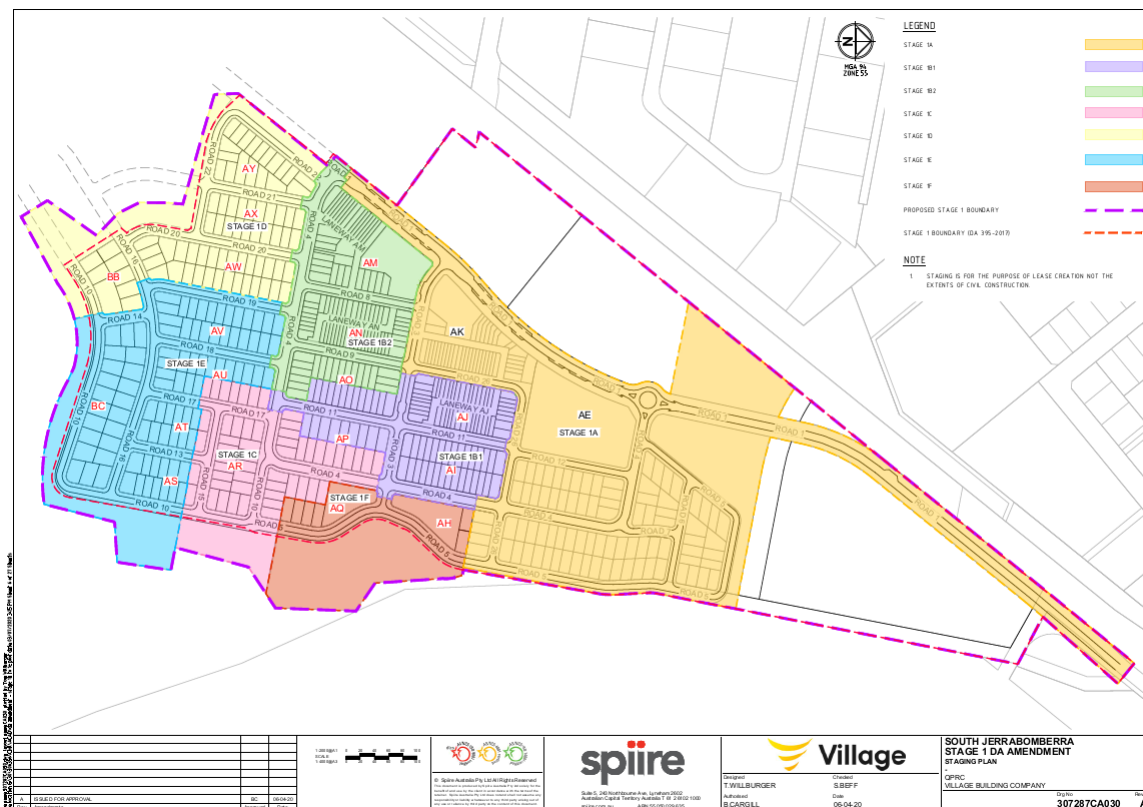
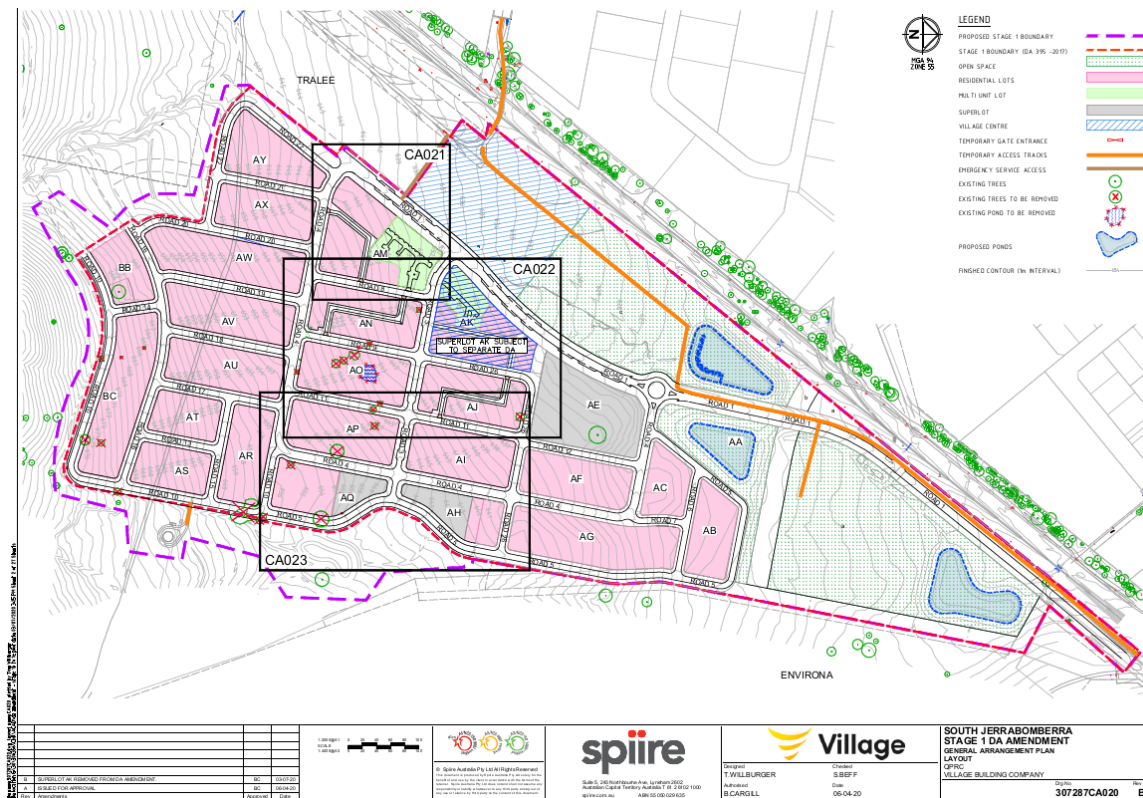
- Concept Development Application 263-2013, approved by the JRPP on 18 May 2015 as a staged DA for the conceptual development of South Tralee urban release area. Subsequent detailed DAs were identified to be lodged for five separate subdivision and construction stages.
- DA 276-2015 was for the Stage 1 development of South Tralee. It was refused by the JRPP on the 4 April 2017 due to the developer not being able to make satisfactory arrangements for the provision of state infrastructure or public utility infrastructure.
- DA 466-2015 was for the Stage 2 development of South Tralee. It was also refused by the JRPP on the 4 April 2017 for the same reasons as Stage 1.
- DA 395-2017 for the subdivision of Stage 1 of the South Tralee urban release area – creating: 318 residential lots; 9 superlots for future residential development; 1 superlot for the future neighbourhood centre; 6 residue lots (open spaces, drainage, road corridor); and public roads. This application was approved by the JRPP in August 2018.
- Modification 395-2017.A for amendments to arrangement of conditions and to allow for staging of subdivision certificates and 395-2017.B for amendments to approved plans to reflect changes to lot sizes necessary to accommodate small increases in verge widths. These applications were approved in May 2019 and May 2020 respectively.

Proposed Modification

The proposed modification incorporates:

- The addition of 190 new Torrens title allotments within five existing superlots for residential purposes and ranging in size from 133m² to 391m².
- The construction of a public laneways (local road) located on superlots AM, AN and AJ; and,
- The incorporation of 1.91ha of land for associated drainage and civil works (boundary adjustment).

9.2 DA 395-2017.C - Modification to South Tralee - Subdivision of Five Existing Super-Lots Into 190 Residential Lots and Boundary Adjustment for Associated Civil Works (Ref: ; Author: Thompson/Glouftsis) (Continued)



9.2 DA 395-2017.C - Modification to South Tralee - Subdivision of Five Existing Super-Lots Into 190 Residential Lots and Boundary Adjustment for Associated Civil Works (Ref: ; Author: Thompson/Glouftsis) (Continued)

Consideration as to Whether the Proposal is Acceptable as a Modification

In determining a modification to a development approval, Council must consider whether or not the development would be substantially the same development as originally approved.

In this instance, a comparative analysis should be undertaken, having regard to the following items:

- Classification of the development or primary use.
 - The initial development application included the subdivision of land for residential purposes, roads, and civil works. The modification does not present any change to the definition of the proposed works. The additional lots are created for residential purposes.
- Development size, scale and footprint.
 - The proposed modification results in an additional 190 residential lots and the addition of 1.91ha for associated civil/drainage works. Although the number of lots is substantially higher than approved under DA 395-2017, the overall footprint of the development is only increased by 1.91ha for the area associated with the drainage works. Each additional allotment and the three proposed public laneways (local roads) sit entirely within the existing approved development area for the subdivision of Stage 1 – South Tralee as approved under DA 395-2017.
 - The subdivision of the superlots to create individual lots, does not necessarily result in material change of the overall total dwelling yield designated for Stage 1 – South Tralee.
- Project life and hours of operation.
 - No immediate change is anticipated, although it is noted that the addition of three new public roads may result in additional length to complete works associated with the subdivision.
- Extent, duration and severity of impacts
 - The intent of the development was always to incorporate further subdivision of the residual superlots. An assessment of impacts was undertaken under the initial development application. The additional residential lots and laneways have no impact in this regard.
 - The modification does however include an additional area of land (1.91ha) to be included to allow the provision of drainage works associated with Stage 1. An ecologists report was submitted with the application and impacts on biodiversity have been assessed in the Section 4.55(2) report. There is minimal environmental impact associated with the proposed modification.

9.2 DA 395-2017.C - Modification to South Tralee - Subdivision of Five Existing Super-Lots Into 190 Residential Lots and Boundary Adjustment for Associated Civil Works (Ref: ; Author: Thompson/Glouftsis) (Continued)

Subsequent Amendments

An additional information request was issued to the applicant on Friday 17 July 2020. The following amendments to the proposed modification were undertaken (Received 24 July 2020):

- Removal of proposed lots under the minimum lot width designated within the South Jerrabomberra Development Control Plan.
- Removal of the subdivision of land under superlot AK, which was subject to a separate development application.
- Removal of the proposed internal private laneway/driveway on superlot AM (with the public laneway to remain on lot AM).
- Addition of pull in bays for waste trucks on Road 01, associated with the additional lots created on superlot AM.
- Increase in the width of Road 03.

Planning Requirements

Assessment of the application has been undertaken in accordance with Section 4.55(2) of the *Environmental Planning and Assessment Act (EPAA) 1979*, as amended. The matters that are of relevance under Section 4.55(2) are detailed in the attached *Section 4.55(2) Table – Matters for Consideration*.

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

1. *State Environmental Planning Policy No. 55 – Remediation of Land*
2. *State Environmental Planning Policy (Infrastructure) 2007*
3. *State Environmental Planning Policy (State and Regional Development) 2011*
4. *Queanbeyan Local Environmental Plan (South Jerrabomberra) 2012 (QLEP South Jerrabomberra)*
5. *Draft Queanbeyan-Palerang Comprehensive Local Environmental Plan 2020*
6. *Queanbeyan Development Control Plan 2012*
7. *South Jerrabomberra Development Control Plan 2015*

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

(a) SEPP No.55 – Remediation of Land

The land has previously been used for agricultural purposes. A Stage 2 Detailed Site Investigation was previously submitted in support of DA 395-2017 (prepared by SMEC – reference 3002452-01/RV01 and dated 20 July 2015). This report covered the entire future urban development area of South Tralee. Previous conditions that applied to the remediation of the subject land will remain on the modified consent.

9.2 DA 395-2017.C - Modification to South Tralee - Subdivision of Five Existing Super-Lots Into 190 Residential Lots and Boundary Adjustment for Associated Civil Works (Ref: ; Author: Thompson/Glouftsis) (Continued)

(b) SEPP (Infrastructure) 2007

The subject site is located adjacent the currently disused Goulburn-Bombala railway corridor. The corridor separates the site from the Hume Industrial area located in the Australian Capital Territory (ACT). DA 395-2017 was referred to John Holland Rail, with approval granted for the works impacting the rail line. The proposed modification was referred to Transport for NSW (TfNSW) who are now the designated authority for rail. The proposed lots relating to this modification do not have any impact on previous roads and works associated with DA 395-2017.

Due to the proposed development initially creating more than 200 lots, the modification was also referred to NSW Roads and Maritime Services (NSW RMS). Amendments to the proposal resulted in an overall reduction in the number of allotments from 231 to 190. However, as the overall subdivision results in more than 200 lots concurrence from RMS is still considered relevant.

Final comments from TfNSW and NSW RMS are yet to be received. Release of the proposed modification will be subject to a final determination and comments being received from each relevant authority. However, given all of the matters to be considered by these authorities were considered at the time of the original application it is anticipated that there will be no significant changes required.

(c) SEPP (State and Regional Development) 2011

DA 395-2017 was determined by the Joint Regional Planning Panel (JRPP) now (Southern Regional Planning Panel - SRPP), as a development with a capital investment of \$32 million, which was greater than the \$20 million threshold.

From the 1 August 2020, councils are required to exercise regional panels' functions of determining specified S4.55 modification applications. This is via an amendment to clause 123BA of the *Environmental Planning and Assessment Regulation 2000*. As a result this modification (DA 395-2017.C) which would normally have been determined by the SRPP will now be determined Council.

(d) Compliance with LEP

Queanbeyan Local Environmental Plan (South Jerrabomberra) 2012

Clause 2.1 Land Use Zones & Clause 2.3 Zoning of Land to which this Plan Applies

The applicable zones as listed in Clause 2.1 and identified on the Land Zoning Map referred to in Clause 2.2 are:

- B4 – Mixed Use
- R2 – Low Density Residential

Clause 2.3 requires the consent authority to have regard to the objectives of the zone when determining a development application. The objectives of each applicable land use zone are listed below as a discussion of the proposed development's consistency with the objectives.

9.2 DA 395-2017.C - Modification to South Tralee - Subdivision of Five Existing Super-Lots Into 190 Residential Lots and Boundary Adjustment for Associated Civil Works (Ref: ; Author: Thompson/Glouftsis) (Continued)

Zone R2 - Low Density Residential**Objectives of zone**

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure that infrastructure can adequately service proposed residential development in the area.

The majority of the land to which the modification relates is zoned R2. The proposed development is considered to be generally consistent with the objectives of the R2 zone. Specifically objectives 1 and 3. The development will provide additional residential allotments within a low density residential environment.

Zone B4 - Mixed Use**Objectives of zone**

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.

The proposed development is considered to be generally consistent with the objectives of the B4 zone. The development will provide for a mixture of compatible uses and integrate residential uses.

Clause 2.5 – Additional Permitted Uses

The proposed modification relates to the subdivision of land, there are no additional uses proposed. As such this clause is not considered relevant.

Clause 2.6 - Subdivision

This clause states that the subdivision of land is permissible with development consent. The proposed development includes the subdivision of land to create 190 residential lots; with 2 of these to be residue superlots for future residential development.

Clause 4.1 – Minimum Subdivision Lot Size

The proposed development has been assessed against the relevant objectives and requirements of Clause 4.1 and is satisfactory. Land, lot sizes and dimensions are appropriate for the siting of structures, and the proposal is consistent with the desired future character of the locality.

The applicable minimum lot size for the proposed modification is 330m² and 130m² (please refer to the minimum lot size map Figures 4 and 5 below). All lots proposed comply with the minimum lot size requirements pursuant to the *QLEP 2012 (South Jerrabomberra)*.

Minimum lot widths and dimensions have been assessed against the relevant requirements of the *South Jerrabomberra Development Control Plan*. The development initially proposed lots under the minimum lot width requirements. However, the variation was not supported and amended plans were requested and received from the applicant.

9.2 DA 395-2017.C - Modification to South Tralee - Subdivision of Five Existing Super-Lots Into 190 Residential Lots and Boundary Adjustment for Associated Civil Works (Ref: ; Author: Thompson/Glouftsis) (Continued)

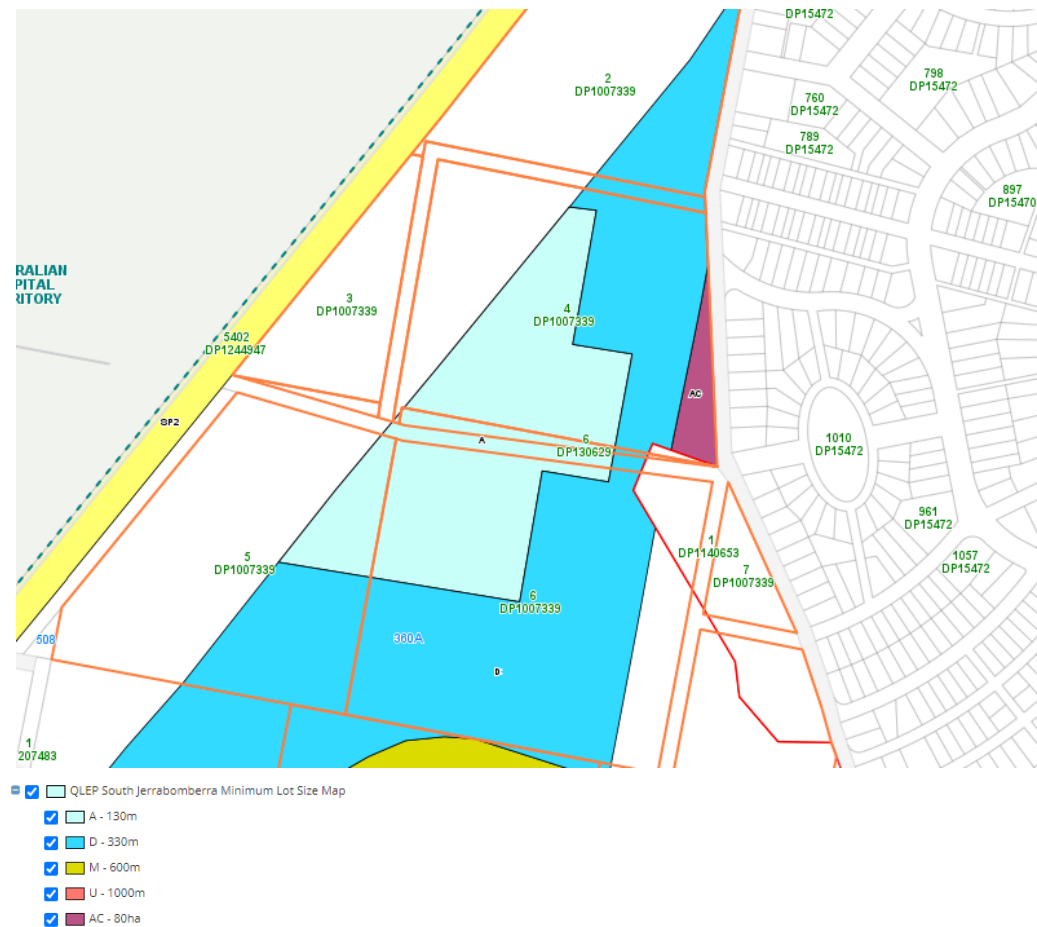


Figure 4 – Minimum Lot Size Map (Excerpt) (QLEP 2012) (South Jerrabomberra)

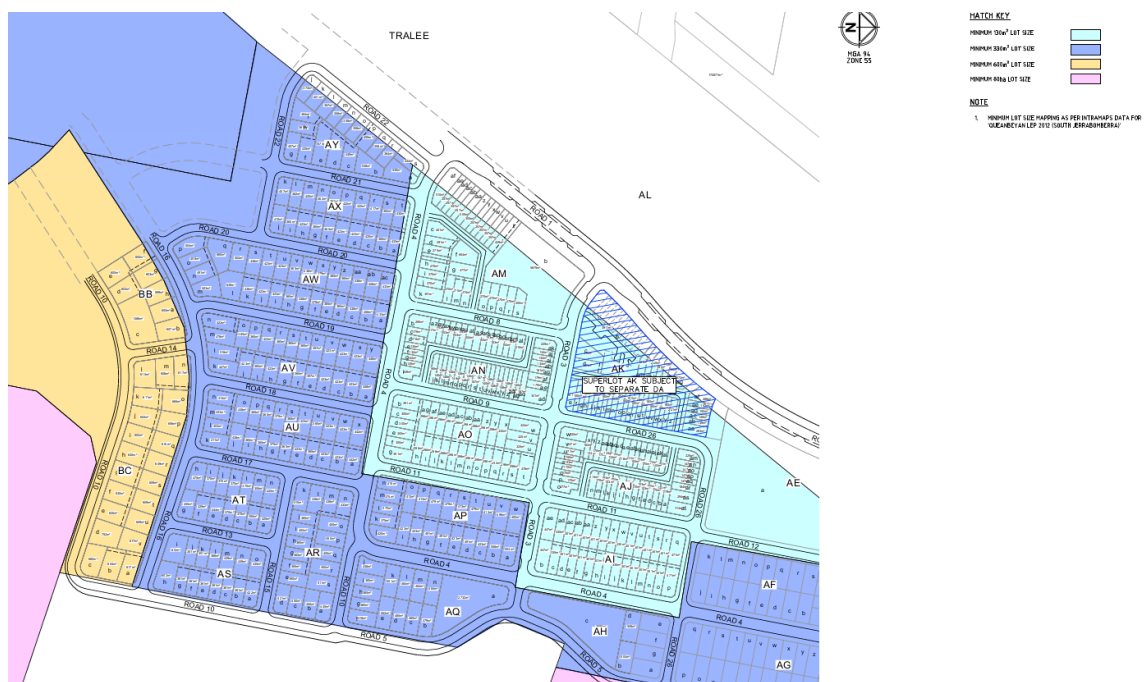


Figure 5 – Minimum Lot Size Map Overlay (Prepared by Spiire)

9.2 DA 395-2017.C - Modification to South Tralee - Subdivision of Five Existing Super-Lots Into 190 Residential Lots and Boundary Adjustment for Associated Civil Works (Ref: ; Author: Thompson/Glouftsis) (Continued)

Clause 4.6 – Exceptions to Development Standards

No variation or non-compliance to a development standard contained within the *QLEP 2012 (South Jerrabomberra)* has been proposed.

Clause 5.10 – Heritage Conservation

European Heritage - The area to which the proposed modification relates will not have any impact on any existing heritage items and the existing conditions of the GTAs issued by NSW OEH will remain in place under the modified consent.

Aboriginal Heritage - In reference to the approved subdivision report (DA 395-2017) it detailed that “Aboriginal objects were known to exist at South Tralee prior to the lodgement of the subject development application”. The subdivision application was referred to the NSW Office of Environment and Heritage (OEH) and General Terms of Approval (GTAs) were issued in relation to Aboriginal cultural heritage matters and formed part of the approved subdivision consent. The existing conditions of the GTAs issued by NSW OEH will remain in place under the modified consent.

Clause 6.1 – Arrangements for designated State public infrastructure

The Department of Planning, Industry and Environment (DPIE) issued satisfactory arrangements for DA 395-2017 on the 4 May 2018. The modification application was sent to DPIE for further comment. No objection to further subdivision of the existing superlots was raised.

Clause 7.1 – Earthworks

The proposed modification includes site grading for public laneways on lots AM and AN at longitudinal grades 3-8%.

The applicant has proposed level pads on each lot for buildings and grassed swales located in utility easements to divert the overland flows captured within the laneways on superlot AM. Each of these items will be enforced via appropriate conditions.

Clause 7.2 – Airspace Operations

The OLS (Obstacle Limitations Surface) for South Tralee is 720m AHD. The maximum permissible building height is 740m AHD. A controlled activity approval was issued for South Tralee under DA 395-2017. The proposed modification will not have any impact on the existing controlled activity approval. Additionally, the modification was referred to Canberra Airport for comment, with no objection received.

Clause 7.3 – Development in Areas Subject to Aircraft Noise

The development of the subject site will result in an increase to the number of dwellings and people affected by aircraft noise. However, changes to the originally proposed rezoning ensured that housing in South Tralee would be restricted to areas outside of the Australian Noise Exposure Forecast (ANEF) 20 – 25 contour levels for the Canberra Airport. Any future DA that includes built form will need to demonstrate how compliance with AS 2021—2000 and the objectives of this clause have been satisfied. The *South Jerrabomberra DCP* contains detailed Aircraft Noise Assessment Guidelines that provide suggested measures for development (particularly dwellings) to be able to comply with AS 2021—2000.

9.2 DA 395-2017.C - Modification to South Tralee - Subdivision of Five Existing Super-Lots Into 190 Residential Lots and Boundary Adjustment for Associated Civil Works (Ref: ; Author: Thompson/Glouftsis) (Continued)

(e) Compliance with DCP

South Jerrabomberra Development Control Plan 2015 and the Queanbeyan Development Control Plan 2012.

The proposed development has been assessed in accordance with the relevant requirements of the Queanbeyan and South Jerrabomberra Development Control Plan. The proposed modification generally complies with the provisions of the DCP. A Detailed assessment against the requirements of the DCPs can be found in Attachment 1 – *Matters for Consideration*. A summary of the significant relevant issues relating to the proposal for the Council's consideration include the following.

Queanbeyan Development Control Plan 2012

Section 1.8 – Public Notification of a Development Application

The modification was notified to adjoining owners and advertised pursuant to the requirements of the Queanbeyan-Palerang Regional Council Community Engagement and Participation Plan. One submission was received during the notification period.

The details of the submission are discussed within the engagement section of this report.

South Jerrabomberra Development Control Plan 2015

4.3 – Lot Orientation

A majority of the proposed lots have an orientation of north to south or east to west. This is with the exception of a grouping of lots on superlot AM which are on an angle. The reason for the departure to this objective is due to the overall subdivision design and angled layout of Road 1. Superlots AY and AK (not subject to this application) also have lots with this orientation due to the existing layout of Road 1. The lot layout should not prohibit future development from complying with solar access requirements.

4.4 – Lot Size and Layout

It is noted that the land generally has a significant slope in a number of areas. The application will require a condition for lots to be provided with building platforms and for retaining walls to be pre-constructed where necessary.

Initially a number of lots proposed superlot AM and AN did not comply with the minimum frontage width. However, on receipt of amended plans all proposed lots now comply with the minimum dimension requirements under Table 1.

5.2 – Street Network

The proposed allotments under the modification are mostly serviced by roads approved previously under DA 395-2017. The additional roads include public local roads – laneways on superlot AM, AN and AJ. The proposed roads are not inconsistent with the Master Plan, Engineering Design Specification or any legislative requirements.

The laneways proposed within superlot AM, AJ and AN are generally consistent with street network requirements. Each laneway provides a footpath to allow pedestrians to access and walk along the road. The footpath also incorporates a landscape buffer to allow further breakup and increase pedestrian safety.

9.2 DA 395-2017.C - Modification to South Tralee - Subdivision of Five Existing Super-Lots Into 190 Residential Lots and Boundary Adjustment for Associated Civil Works (Ref: ; Author: Thompson/Glouftsis) (Continued)

5.8 – Local Street – Laneway

A condition of consent will require proposed laneways on existing superlots to contain a varied surface treatment to delineate between other roads and establish a hierarchy. Each allotment is subject to future dwelling design. It is not anticipated that any proposed laneway under this modification will create any significant issues in regard to architectural quality.

The laneway proposed on Lot AN exceeds 100 metres. The laneway provides breakup through footpaths and landscaping. It is noted that due to the length of the existing superlot a road traversing the lot would not be capable of being shorter in length.

Development Engineer's Comments

Council's Development Engineer has offered no objection to the development upon receipt of amended plans and subject to the imposition of the recommended conditions of consent, which will work to mitigate any outstanding issues with the development.

Engagement

The application was notified in accordance with the QPRC Community Engagement and Participation Plan from the 20/06/2020 to 20/07/2020, with one submission received, raising the following concerns:

Issue - What is of particular concern is ensuring that the corridors including easements for trunk drainage, water, power and roads extend to the boundary of adjoining properties and are capable of connection by the developers of their property in future. In this regard the corridors and easements should continue to the boundary and not fall short. That the corridors and easements are appropriately sized.

Comments - The proposed modification is not anticipated to have any impact on any proposed easements and connections to adjoining properties. It is essentially for further subdivision of existing superlots and providing adequate access and land for civil works associated with the subdivision to be completed.

Financial Implications

Condition 43 of the consent will need to be updated to reference the revised Voluntary Planning Agreement which was adopted on 5 June 2020 and now applies to the site.

Conclusion




The submitted proposal for a modification to DA 395-2017, which incorporates the subdivision of five existing superlots into 190 residential lots and boundary adjustment for associated civil works on 360A and 360B Lanyon Drive, Tralee, which is legally described as Lot 1-6 DP 1007339 Lot 181 DP 754912, Lot 226 DP 665411, Lot 4-6 DP 130629, and Lot 1 DP 1140653 is a local development and is supported by a Statement of Environmental Effects. The proposal was notified to adjoining owner/occupiers and advertised in the newspaper with one submission received.

The proposal has been assessed under Section 4.55(2) *Environmental Planning & Assessment Act 1979* including the relevant provisions of *Queanbeyan Local Environmental Plan 2012 (South Jerrabomberra)*, the *Queanbeyan Development Control Plan 2012*, and *South Jerrabomberra Development Control Plan 2015*.

The development satisfies the requirements and achieves the objectives of these instruments and is recommended for approval subject to receiving final concurrence from each relevant referral agency and subject to the imposition of the recommended conditions of consent.

9.2 DA 395-2017.C - Modification to South Tralee - Subdivision of Five Existing Super-Lots Into 190 Residential Lots and Boundary Adjustment for Associated Civil Works (Ref: ; Author: Thompson/Glouftsis) (Continued)

Attachments

- | | |
|--|---|
| Attachment 1 | DA 395-2017.C - Attachment Section 4.55(2) Assessment Report - Stage 1 South Tralee (<i>Under Separate Cover</i>) |
|  Attachment 2 | DA 395-2017.C - Subdivision Plans - Stage 1 South Tralee (<i>Under Separate Cover</i>) |
|  Attachment 3 | DA 395-2017.C - Submission - Stage 1 South Tralee (<i>Under Separate Cover</i>) |
|  Attachment 4 | DA 395-2017.C - Conditions of Consent to be Amended - Stage 1 South Tralee (<i>Under Separate Cover</i>) |

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.3 Review of Environmental Factors - Googong Integrated Water Cycle Project - Stage D (Author: Thompson/Thompson)

File Reference: 21:2:1105 (01 Documentation)

Summary

This Determination Report has been prepared by a town planning consultant from Hugh Dennett Pty Ltd. It is a peer review of the Review of Environmental Factors (REF) prepared by RPS for the Googong Integrated Water Cycle Project Stage D. A copy of the REF is available for viewing in the Councillors' Room.

The proposed development is the Googong Integrated Water Cycle (IWC) Project Stage D – Water Recycling Plant and Permanent Reservoirs. Stage D is the final stage of the IWC Project.

The development comprises:

- Works at the Permanent Reservoirs site at Hill 800 associated with:
 - The installation of a new concrete 9.0ML recycled water reservoir and associated works;
 - Re-purposing of the existing 4.0ML recycled water reservoir for the storage of potable water; and
 - Upgrades and/or replacement of equipment.
- Works at the Water Recycling Plant (WRP) associated with:
 - The installation of one new bioreactor tank, one new aerobic digester tank and three new membrane tanks; and
 - Upgrades and/or replacement of equipment.

The proposed works are intended to support the ongoing development of Googong Township with the ultimate capacity to service approximately 19,550 equivalent persons (EP). It should be noted that the IWC Project Concept Approval allows for the WRP to ultimately serve an EP of up to 18,850. However, due to the possibility of a future total EP of up to 19,550 being permitted, some Stage D infrastructure is proposed to be sized with slightly increased capacity. An additional 0.5ML of recycled water storage is proposed to provide more operating volume.

The proposed works are being undertaken by Googong Township Pty Ltd (GTPL) and will be transferred to Queanbeyan–Palerang Regional Council (QPRC) upon completion.

The proposed works are permitted without consent and are subject to assessment under Part 5 of the *Environmental Planning and Assessment Act 1979*. Council is the determining authority. If the proposal is judged by Council to 'significantly affect the environment', then an environmental impact statement will need to be prepared by the proponent.

The REF prepared for the proposed works has been reviewed and this determination report provides a summary of the findings of that review.

Recommendation

That Council grant approval to the Googong Integrated Water Cycle Project Stage D – Water Recycling Plant and Permanent Reservoirs on Lots 4, 8 and 9 DP 1246784, and on Lot 4 DP 1179941, subject to the management measures contained in the Statement of Commitments in the Review of Environmental Factors prepared by RPS dated 10 June 2020 being applied as conditions with the amendments and additional conditions detailed in the conclusion to this report

9.3 Review of Environmental Factors - Googong Integrated Water Cycle Project - Stage D (Author: Thompson/Thompson) (Continued)

Background***Proposed Development***

A detailed description of the proposed works is provided below as listed in the REF. All works are within the local government area of QPRC.

The proposed Stage D works to be conducted at the Water Recycling Plant (WRP) include:

- New equipment/process units:
 - Additional membrane bioreactor train with consolidated design along with associated diffusers, mixers, pumps, and pipework;
 - Additional tertiary filter train to provide increased tertiary treatment (chemical phosphorus removal) capacity;
 - Additional aerobic digester tank along with associated diffusers, pumps, and pipework;
 - Additional centrifuge unit to provide increased sludge dewatering capacity;
 - Additional chemical dosing skids for the Stage D bioreactors; and
 - Addition of a fourth recycled water transfer pump.
- Replacements/upgrades:
 - Upgrade of blowers and/or air compressor in the blower room;
 - Upgrade of both smaller tertiary feed pump(s);
 - Upgrade of some existing chemical dosing pumps;
 - Upgrade of the centrifuge feed pumps with higher capacity units; and
 - General electrical and control system upgrade to cater to the upgrade works.

The proposed Stage D works to be conducted at the Permanent Reservoirs include:

- A new 9.0ML reservoir built for recycled water storage;
- The existing 4.0ML recycled water reservoir cleaned and re-purposed for potable water, bringing the total storage volume up to 5.9ML;
- A new Stage D potable water booster pump skid provided to cater for flows in the higher elevation developments of the Googong township;
- The Stage C potable water booster pump skid decommissioned;
- Decommissioning of the Stage C sedimentation bund and associated civil works required to re-purpose the area for the new 9.0ML recycled water reservoir;
- Sodium metabisulphite would be redirected to dose into the Stage D chemical dosing chamber that receives the overflow from the new reservoir;
- Recycled Water sodium hypochlorite dosing pumps may need to be replaced with 40L/h dosing pumps. This is pending review of the operating data at concept design. Potable water sodium hypochlorite dosing pumps can be retained; and
- Electrical and control system upgrade to cater for the new infrastructure.

Temporary Construction Access - A temporary construction access east of the WRP (on Lot 4 DP 1217396) is also proposed. This will provide additional access to the Stage D construction areas to limit impact on the existing WRP operations and prevent damage to road surfaces within the WRP site. This component of the development requires development consent under Part 4 of the *Environmental Planning and Assessment Act 1979*. It is understood that a Development Application has been submitted to Council and is currently under assessment.

9.3 Review of Environmental Factors - Googong Integrated Water Cycle Project - Stage D (Author: Thompson/Thompson) (Continued)

Variations to the Part 3A Concept Approval

The Googong Township Integrated Water Cycle Project received concept approval on 24 November 2011 under Part 3A of the *Environmental Planning and Assessment Act 1979* (now repealed). The REF contains a checklist of the proposal against the Part 3A conditions of approval.

Variations to the concept approval incorporated into Stage D are:

- Construction of one large bioreactor to double the existing capacity of the WRP. This will result in the WRP containing a total of three bioreactors (two small and one large) instead of the four equally sized bioreactors originally identified in the concept approval; and
- The use of Discharge Point 3 (downstream of Beltana Pond) as the primary location for release of excess recycled water instead of Discharge Point 1 (downstream from the Permanent Reservoirs at Hill 800). This removes the need to use large amounts of electricity to pump water uphill to Discharge Point 1. It is noted that this variation was approved for the recycled water discharge from Stage C of the IWC Project.

Also, the Stage C operational approval included the installation of two reservoir tanks at the Permanent Reservoirs site constructed from steel panels coloured dark green. For Stage D it is proposed to construct the new larger recycled water storage tank of reinforced concrete with a steel roof, with muted colours and non-reflective treatments applied.

Subject Property

The site is within the new Googong Township located approximately seven kilometres south of Queanbeyan.

Proposed works are located on the following land:

- Lot 4 DP 1179941 – works within the WRP site;
- Lot 9 DP 1246784 – proposed new recycled water tank within the permanent reservoir site;
- Lot 4 and Lot 8 DP 1246784 – construction laydown areas and access within on land adjoining the permanent reservoir site.

The locations of the proposed works are shown in Figure 1 below within green highlighted area, (sourced from the REF).

9.3 Review of Environmental Factors - Googong Integrated Water Cycle Project - Stage D (Author: Thompson/Thompson) (Continued)



Figure 1 – Location of proposed works

Implications

Legal

Environmental Planning and Assessment Act 1979

Development consent is not required for the proposal as it is subject to a Review of Environmental Factors (REF) and determination under Part 5 of the *Environmental Planning and Assessment Act 1979* (EP & A Act). Council is the determining authority for the proposal.

Section 5.5 of the EP & A Act – Duty to consider environmental impact, prescribes that a determining authority must examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of a proposed activity that is assessed under Part 5.

9.3 Review of Environmental Factors - Googong Integrated Water Cycle Project - Stage D (Author: Thompson/Thompson) (Continued)

Environmental Planning and Assessment Regulation 2000

Clause 228 of the *Environmental Planning and Assessment Regulation 2000* (the Regulation) lists the specific factors that must be taken into account concerning the impact of a Part 5 activity on the environment. The REF contains a checklist of the proposal against these factors.

Local Government Act 1993

Under Section 60 of the *Local Government Act 1993*, utilities are required to obtain Ministerial approval for water treatment and sewerage works (including recycled water).

These approvals are facilitated by the NSW Department of Industry - Lands and Water. The Section 60 approval provides an independent assessment of the proposed works to ensure they are fit for purpose and provide robust, safe, cost-effective and soundly based solutions that meet public health and environmental requirements.

Approval for the construction and operation of Stage D of the Googong IWC Project will be sought as required by QPRC with the support of GTPL.

State Environmental Planning Policy (Infrastructure) 2007

Water Recycling Plant (WRP) - The proposed Stage D WRP component of the proposal is defined in the Infrastructure SEPP as a water recycling facility:

water recycling facility means a building or place used for the treatment of sewage effluent, stormwater or waste water for use as an alternative supply to mains water, groundwater or river water (including, in particular, sewer mining works), whether the facility stands alone or is associated with other development, and includes associated—

- (a) retention structures, and
- (b) treatment works, and
- (c) irrigation schemes.

Water recycling facilities are a type of sewerage system:

sewerage system means any of the following—

- (a) biosolids treatment facility,
- (b) sewage reticulation system,
- (c) sewage treatment plant,
- (d) water recycling facility,
- (e) a building or place that is a combination of any of the things referred to in paragraphs (a)–(d).

Under sub-clause 106(3) of the Infrastructure SEPP development for the purpose of water recycling facilities may be carried out without consent on land in a prescribed zone in the prescribed circumstances.

The prescribed circumstances include if development is being carried out by or on behalf of a public authority – refer to sub-clause 106(1)(a). The prescribed zones listed at sub-clause 105 include SP2 – Infrastructure.

The entire Stage D proposal is being carried out on behalf of QPRC and the WRP site is located on land zoned SP2 – Infrastructure (Sewage Treatment Plant) under the Queanbeyan Local Environmental Plan 2012. Therefore, the WRP component of the proposal is permissible without consent and is assessed under Part 5 – Infrastructure and Environmental Impact Assessment, of the EP & A Act.

Permanent Reservoirs - The proposed Stage D Permanent Reservoirs component of the proposal is defined in the Infrastructure SEPP as a water reticulation system:

9.3 Review of Environmental Factors - Googong Integrated Water Cycle Project - Stage D (Author: Thompson/Thompson) (Continued)

water reticulation system means a building or place used for the transport of water, including pipes, tunnels, canals, pumping stations, related electricity infrastructure and dosing facilities.

Note that under clause 124 of the Infrastructure SEPP a water reticulation system also specifically includes water supply reservoirs.

Under clause 125(1) development for the purpose of water reticulation systems may be carried out by or on behalf of a public authority without consent on any land. The entire Stage D proposal is being carried out on behalf of QPRC. Therefore, the Permanent Reservoir component of the proposal is permissible without consent and is assessed under Part 5 – Infrastructure and environmental impact assessment, of the EP & A Act.

Queanbeyan Local Environmental Plan 2012

Water Recycling Plant (WRP) - The WRP is located on land zoned SP2 – Infrastructure (Sewage Treatment Plant):

sewage treatment plant means a building or place used for the treatment and disposal of sewage, whether or not the facility supplies recycled water for use as an alternative water supply.

The water recycling plant is considered ancillary and incidental to the sewage treatment plant and is therefore permitted with consent.

Permanent Reservoirs - The proposed Stage D Permanent Reservoir component of the proposal is located on land zoned R1 – General Residential. Water reticulation systems are prohibited in the R1 zone.

Note: It is stated in the REF that ‘water and resource management facilities’ are permitted with consent in the R1 zone. As was also the case in the Stage C REF, this is a mistaken reference to ‘waste and resource management facilities’ which are permitted with consent.

Notwithstanding the above, *SEPP (Infrastructure) 2007* prevails over *Queanbeyan LEP 2012*. Both the WRP and Permanent Reservoir components of the proposal are permitted without consent under the Infrastructure SEPP.

Mapping accompanying *Queanbeyan LEP 2012* indicates that the locations of the proposed works are not affected by riparian land and watercourses, flooding, scenic protection or heritage. A very small part of the WRP site is identified on the terrestrial biodiversity map. This is a vestige of before this land was developed for the WRP site. The WRP site is contained wholly within Lot 4 DP 1179941 and is an industrial development devoid of biodiversity values.

Other

Other legislation that applies to the proposed works is the *Biodiversity Conservation Act 2016*, *National Parks and Wildlife Act 1974*, *Heritage Act 1997*, *Protection of the Environment Operations Act 1997*, *Fisheries Management Act 1994*, *Water Management Act 2000* and the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*. The implications of these pieces of legislation have been considered throughout the REF and in this determination report.

Environmental

Terrestrial Biodiversity

Previous IWC Project approvals were subject to assessment of impacts to terrestrial biodiversity.

9.3 Review of Environmental Factors - Googong Integrated Water Cycle Project - Stage D (Author: Thompson/Thompson) (Continued)

The proposed Stage D works are located within the established boundaries of the WRP and Permanent Reservoirs sites. These sites contain approved infrastructure, road pavement and some landscaping. Both sites have been previously cleared of vegetation and are devoid of any terrestrial biodiversity values.

Aquatic Biodiversity, Water Quality and Hydrology

The IWC Project is subject to an on-going Surface Water and Aquatic Ecology Monitoring Program (SWAEMP). Continuous recycled water discharging to Googong Creek commenced in July 2016 with the commissioning of Stage C of the WRP. To date, there has been no recycled water irrigation or domestic use, nor has there been any emergency discharges into Montgomery Creek.

The increase to processing and storage capacity from the operation of Stage D will result in an increased discharge of recycled water into the environment and changes to the timing of the discharges once recycled water starts to be used within the township for irrigation and domestic purposes, i.e., there will be more discharge of recycled water into the environment during the winter months when its use for irrigation and within domestic settings will be much lower.

The continued use of Discharge Point 3 (downstream of Beltana Pond) as the primary location for the release of excess recycled water instead of Discharge Point 1 (downstream from the Permanent Reservoirs at Hill 800) will result in a higher velocity of discharge into Googong Creek and less water moving through the township's stormwater management system and Beltana Pond.

The REF includes an Aquatic Ecology Assessment, Surface Water Assessment and Hydrogeological Assessment all prepared by SMEC (Appendices F, D and E).

These assessments include:

- A review of existing aquatic ecology, surface water and hydrogeological information for the WRP, updated modelling, and data from previous field surveys and monitoring;
- Assessment of the Stage D proposal against the applicable State and Commonwealth legislation;
- Identification of potential impacts from the operation of Stage D on aquatic biodiversity, surface water and groundwater quality (from recycled water discharge and the future use of recycled water within the township);
- Identification of potential impacts from the construction and operation of Stage D; and
- Recommended mitigation measures.

The key findings of the assessments into the proposal's potential impacts to aquatic biodiversity, surface water and groundwater quality are listed below.

- Construction impacts are expected to be minimal. Impacts able to be satisfactorily managed through the implementation of Construction Environmental Management Plan (CEMP).
- Review of the site photography undertaken as part of the SWAEMP shows no significant changes in riparian and aquatic vegetation to date.
- Impacts on aquatic ecological values are primarily restricted to Googong Creek, noting that the recycled water discharge must meet the quality conditions of the environmental protection licence (EPL). Provided the recycled water meets the EPL criteria, the overall impacts to the receiving environment are considered by SMEC to be acceptable with the implementation of the recommended mitigation measures.
- While some impact to the aquatic ecology from elevated nutrients and changes in flow is likely to be ongoing these can continue to be monitored as part of the SWAEMP through

9.3 Review of Environmental Factors - Googong Integrated Water Cycle Project - Stage D (Author: Thompson/Thompson) (Continued)

river health assessment using diatoms (algae) and macroinvertebrates.

- Localising the discharge downstream of Beltana Pond reduces the potential for flooding issues within the township and may return more surface water to the Queanbeyan River as less is lost through shallow groundwater recharge in the township.

The mitigation measures recommended by SMEC are listed below.

- The installation of gabion walls and bio-swales / wetlands in two specific sections of Googong Creek will improve water quality, reduce flow velocity, and minimise erosion and water pooling.
- The recycled water and surface water monitoring should add selected heavy metals to the analysis.
- Additional aquatic ecology monitoring.
- Additional groundwater monitoring at various locations. Development of an updated groundwater model for the whole of Googong township.

It is considered that the Aquatic Ecology Assessment, Surface Water Assessment and Hydrogeological Assessment have satisfactorily addressed the potential impacts of the proposal on aquatic biodiversity, surface water and groundwater quality. Recommended mitigation measures have been incorporated into the Statement of Commitments. These will be included in the relevant Construction and Operational Environmental Management Plans.

It is noted that the proposed mitigation works within Googong Creek may require a separate approval to be obtained under the *Fisheries Management Act 1994* and *Water Management Act 2000*.

Natural Hazards

The development site of the proposed works is not mapped as being flood-prone. The development site is not mapped as being bushfire prone, however, it is in proximity to bushfire prone land. Although deemed-to-satisfy provisions of *Planning for Bushfire Protection 2019* and *AS3959-2009* do not apply to the proposed works, the REF states that Stage D will adopt an approach to bushfire risk consistent with the design of previous stages.

Soils and Landscapes

Previous contamination investigations have determined that there are no areas of environmental concern within the project area or in proximity to site boundaries. The measures proposed in the REF are considered adequate to mitigate any damage to soils and landscapes through erosion or contamination.

Noise and Vibration

The assessment of noise and vibration impacts are considered satisfactory.

The REF contains a Noise and Vibration Assessment prepared by WSP (Appendix G). This includes the results of noise monitoring of existing operations at the WRP and Permanent Reservoirs carried out in 2019 and 2018 respectively, and noise modelling to predict Stage D operational noise levels at existing and likely future receivers closest to the WRP.

WSP conclude that the ultimate WRP is predicted to generally comply with the Part 3A approval noise limit. There is a very minor (up to 1 dB) exceedance predicted for a portion of one proposed lot within Stage 4D during noise enhancing meteorological conditions, and a portion of a rural lot within Stage 9. WSP state that these two predicted exceedances are considered acceptable as 1dB is generally acoustically negligible.

For the Permanent Reservoirs, WSP predict that compliance with the Part 3A approval noise limit will be achieved for all future residential receivers, including during noise enhancing meteorological conditions.

9.3 Review of Environmental Factors - Googong Integrated Water Cycle Project - Stage D (Author: Thompson/Thompson) (Continued)

No additional noise mitigation measures are recommended for the proposal by WSP.

[Staff Comment – Notwithstanding the above, following the outcome of a conciliation in the Land and Environment Court in September 2019 GTPL agreed that changes would be made in the design of Stage D of the WRP to reduce the noise emitted from the WRP in lieu of a concession to allow subdivision of land closer to the plant. In May 2020 Council executed an amendment to the Googong Voluntary Planning Agreement (VPA) which provided that:

The Developer must carry out works as part of the fourth and final Stage of the construction of the Googong Water Recycling Plant (Stage D) to reduce noise emanating from the Googong Water Recycling Plant to ensure that noise from the Googong Water Recycling Plant, including when operating at capacity, does not, after taking into account any noise attenuation measures implemented, exceed the limits specified in the EPL when measured at any residence on privately owned land.

As such GTPL are obliged to design the WRP in such a way that it removes the 1dB exceedance. A condition will be added to ensure compliance with this provision of the VPA.]

Traffic and Access

Formal access to and within both the WRP and Permanent Reservoirs was constructed as part of previous stages of the IWC Project. Traffic impacts from the operation of Stage D is expected to be minimal. Traffic impacts from the construction of Stage D can be satisfactorily mitigated through the implementation of a detailed traffic management plan and other measures listed in the REF's Statement of Commitments.

Air Quality

The assessment of air quality impacts and management measures proposed in the Statement of Commitments for both construction and operation of Stage D are considered to be satisfactory.

Specifically, in relation to odour, the existing WRP has extensive odour control measures. These will be continued in the Stage D components of the WRP.

The REF contains an Air Quality Assessment prepared by Stantec (Appendix H). Stantec state that the odour impact assessment and dispersion modelling indicates that there are unlikely to be any odour nuisance effects at any existing or future sensitive receptors located in the vicinity of the WRP – including the future Council depot and scout hall, provided their recommended mitigation measures are met. These measures are already being implemented at the WRP and will be applied and upgraded as required for Stage D.

Waste Management

The proposed waste management measures proposed in the Statement of Commitments are considered satisfactory.

Hazards and Risks

The assessment of hazards and risks and the management measures contained in the Statement of Commitments are considered satisfactory.

Sustainability

The proposal seeks to achieve ecological sustainability through ensuring that the supply of potable and recycled water meets the needs of the inhabitants of Googong with minimal impacts on the environment and human health. The key objectives of the project include to reduce potable water consumption by 60%, to use recycled water for irrigation and limited

9.3 Review of Environmental Factors - Googong Integrated Water Cycle Project - Stage D (Author: Thompson/Thompson) (Continued)

household purposes, and to construct and operate an economically feasible water cycle system. These objectives align with the principles of sustainability.

Social / Cultural***Visual Amenity***

The REF contains a Visual Impact Assessment prepared by RPS (Appendix I). It concludes that the impacts on visual amenity from the proposed new reservoir tank at the permanent reservoirs site will be medium for three modelled viewpoints. The most visually affected areas will be future residential development between the reservoirs and Old Cooma Road and future residential development to the east of the reservoirs.

For the WRP site, the Visual Impact Assessment concludes that the additional infrastructure will not result in additional visual impacts to the surrounding environment. The new bioreactor will be consistent in scale and appearance to the existing bioreactors. Existing earth mounding and established landscape berms along the southern and western boundaries of the site screen the WRP from nearby residential receptors.

The proposed new reservoir tank is located in an elevated saddle above most of the surrounding landscape. Proposed mitigation measures include screening of the reservoirs using endemic vegetation species close to the site. Specifically, species selection will aim to inhibit views at ground and mid-levels up to 10 metres in particular on the eastern and western sides of the reservoirs. Also proposed is the use of muted colours and non-reflective surfaces and lighting that minimises glare and stray light. These are included in the Statement of Commitments.

Condition - In addition to the proposed measures in the Statement of Commitments it is recommended that the new concrete tank specifically be required to have an external colour applied to match the dark green colour of the existing metal tanks (as much as it is possible to do so). It is understood that concrete is the preferred material to improve maintenance, robustness of the structure and longevity. However, this tank will be considerably larger than the two existing tanks and a strong contrast in its external appearance would likely increase its visual prominence. Therefore a specific condition requiring matching external colouring will be imposed.

Heritage

The REF has considered the results of numerous previous heritage investigations prepared for the Googong township. One Aboriginal heritage site is located 12 metres from the project area in the vicinity of the permanent reservoirs. No known European heritage sites are located within the project area or in close proximity.

The REF states that the Aboriginal site is vulnerable to indirect and/or inadvertent impacts caused by ground disturbance during construction activities. Proposed measures in the Statement of Commitments to mitigate impacts include the marking of sites on plans and maps and adherence to the requirements of unanticipated discovery protocols.

Condition - In addition to the proposed measures in the Statement of Commitments it is recommended that fencing be erected around the Aboriginal site located near the permanent reservoirs prior to the commencement of any works and to be retained for the duration of construction activities.

Economic

The proposed works are intended to facilitate the continued development of Googong Township. This brings economic benefits associated with the construction of dwellings and

9.3 Review of Environmental Factors - Googong Integrated Water Cycle Project - Stage D (Author: Thompson/Thompson) (Continued)

commercial facilities and the ongoing provision of housing and employment for future inhabitants.

Strategic

The proposal will assist the ongoing development of Googong Township in accordance with Queanbeyan LEP 2012 and the concept approval.

Consultation

GTPL have undertaken consultation with the community and government stakeholders as a part of the REF process. This gives the community and stakeholders an opportunity to provide feedback that can be incorporated into the proposal before it is submitted to Council for determination. Council may also decide to place the submitted REF on public exhibition.

Community

Community consultation was undertaken between 1 April and 17 April 2020 to inform the residents of the Googong township and nearby properties that may be impacted of the proposal and provide an opportunity for engagement. The key engagement activities undertaken during this period included:

- A notification and link to a flyer published on the Googong.net website;
- Email sent to Googong township subscribers;
- A community letter delivered to community members residing near the Permanent Reservoirs site;
- A notification published in the Googongian Gazette location newsletter; and
- Links to the digital version of the Googongian Gazette posted on the Googong township's social media accounts.

It is noted that some planned community drop-in sessions could not occur due to COVID-19 restrictions in place at the time.

A copy of the information provided to the community is included in the REF and is considered to satisfactorily describe the proposal. In addition, as a part of this review GTPL were asked to provide a list of the properties in proximity to the Permanent Reservoirs site that were notified.

As a result of the community consultation two community members requested additional information, however, no submissions were received

It is noted that the information provided to the community stated that Council will place the REF on public exhibition in the second half of 2020. While Council can decide to publicly exhibit the REF, Part 5 of the EP & A Act and the Regulations do not require this.

It is considered that the community consultation carried out by the proponent was satisfactory in the information provided, the method of delivery and the scope of community members consulted. The public exhibition of the REF is not considered to be necessary in this instance.

[Staff Comment – Notwithstanding the above it is recommended that the approval of the REF be publicly advertised advising existing and future residents that the REF has been determined. A condition to this effect will be included in the REF approval.]

Government Stakeholders

Key State and Federal agencies (as identified in the Part 3A Conditions of Approval) were provided with a letter detailing the proposal and inviting comment. These are listed below.

- Commonwealth Department of Agriculture, Water and the Environment
- NSW Department of Planning, Industry and Environment (DPIE)
- NSW DPIE – Water (previously NSW Office of Water)

9.3 Review of Environmental Factors - Googong Integrated Water Cycle Project - Stage D (Author: Thompson/Thompson) (Continued)

- NSW Environment Protection Authority
- NSW Environment, Energy and Science Division (previously Office of Environment and Heritage)
- NSW Transport for NSW
- NSW Roads and Maritime Services
- NSW Health
- ACT Icon Water
- Canberra Airport.

Responses received are provided below as an extract from the REF.

Agency	Issues/comments raised	GTPL Response
NSW Public Health	No objections or issues with the Proposal.	-
Environment Protection Authority	No objections or issues with the Proposal.	-
Transport for NSW	Transport for NSW request that a traffic assessment be undertaken to identify the implications of the Proposal on traffic counts on key road and intersections within the locality of the Googong township.	Noted – A qualitative traffic assessment was undertaken for the Proposal based on current and previous traffic studies and information. A road noise assessment was also undertaken as part of the Noise and Vibration Assessment. Traffic mitigation and management measures are detailed in Section 6.9.
Canberra Airport	Canberra Airport consulted with the Department of Infrastructure, Transport, Regional Development and Communication for the Proposal. There is no requirement for a reassessment and the current approval remains in place. Canberra Airport agrees and approves the proposed works for Googong IWC Stage D.	Noted – proposed infrastructure heights are provided in Section 4.5.1.

In conclusion, the community and stakeholder consultation did not raise any issues requiring amendment to the proposal or the imposition of conditions.

Financial

There are no financial implications that arise from the proposed works. Development Contributions are not required for this proposal.

Resources (including staff)

There are no resourcing implications that arise from the proposed works.

Conclusion

The proposed development is the Googong Integrated Water Cycle (IWC) Project Stage D – Water Recycling Plant and Permanent Reservoirs. The proposed works are permitted without consent and are subject to assessment under Part 5 of the *Environmental Planning and Assessment Act 1979*. Queanbeyan-Palerang Regional Council is the determining authority.

This review of the REF has identified some minor deficiencies in design and assessment relating to the external appearance of the new reservoir tank and the protection of an Aboriginal site during construction. These can be easily addressed by the imposition of conditions.

The proposed variations to the Part 3A concept approval have been assessed within the relevant sections of the REF and can be supported subject to the management and mitigation measures contained in the Statement of Commitments.

The main issue identified for the proposal is the potential environmental impacts from the use of Discharge Point 3 (downstream of Beltana Pond) as the primary location for release of

9.3 Review of Environmental Factors - Googong Integrated Water Cycle Project - Stage D (Author: Thompson/Thompson) (Continued)

excess recycled water instead of Discharge Point 1 (downstream from the Permanent Reservoirs at Hill 800). These impacts have been satisfactorily addressed within the REF's technical investigations and recommended mitigation measures have been incorporated into the Statement of Commitments.

On balance, it is considered that the proposed works would not have an unacceptable impact on the natural or built environment and it is recommended that Council approve the proposed works. It is recommended that the management measures contained in the Review of Environmental Factors prepared by RPS dated 10 June 2020 be applied as conditions subject to the following amendments and additional conditions:

Amended Condition

SoC O11 be amended to read:

Muted colours and non-reflective surfaces would be used to decrease the visual prominence of the new reservoir tank. Specifically, the external colour of the tank should match the dark green colour of the two existing metal panel tanks as far as practicable.

Additional Conditions

Construction – Aboriginal Heritage

Temporary fencing to be installed around the Aboriginal site GA6 located near the permanent reservoirs prior to the commencement of any works, and to be retained for the duration of construction activities.

[Conditions added by staff.

Noise – Water Recycling Plant

The Developer must carry out works as part of the fourth and final Stage of the construction of the Googong Water Recycling Plant (Stage D) to reduce noise emanating from the Googong Water Recycling Plant to ensure that noise from the Googong Water Recycling Plant, including when operating at capacity, does not, after taking into account any noise attenuation measures implemented, exceed the limits specified in the EPL when measured at any residence on privately owned land.]

Determination of REF - Notification

The developer shall ensure that notification of the determination of the REF shall be provided as follows:

- *To all those residents and organisations which made submissions;*
- *On Council's website notifying development matters;*
- *By email sent to Googong township subscribers;*
- *Via community letter delivered to community members residing near the Permanent Reservoirs site;*
- *By notification published in the Googongian Gazette location newsletter; and*
- *By Links to the digital version of the Googongian Gazette posted on the Googong township's social media accounts.]*

Attachments

Attachment 1	Copy of REF in Councillor's Room - Queanbeyan (Under Separate Cover)
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REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.4 Tender - Design & Construct, Bulk Earthworks - Bungendore Sports Hub (Ref: ; Author: Thompson/Sibbick)

File Reference: 836768

Summary

Nine tenders were received and evaluated for the Design & Construct, Bulk Earthworks tender for the Bungendore Sports Hub. The tenders were assessed in accordance with the approved Tender Evaluation Plan and it was determined that Tenderer 9 offered the best value for money in their Tender.

Recommendation

That Council award the contract for the Design & Construct, Bulk Earthworks – Bungendore Sports Hub, Contract 2020-37, to Tenderer 9 for the lump sum price of <insert> (including GST).

Background

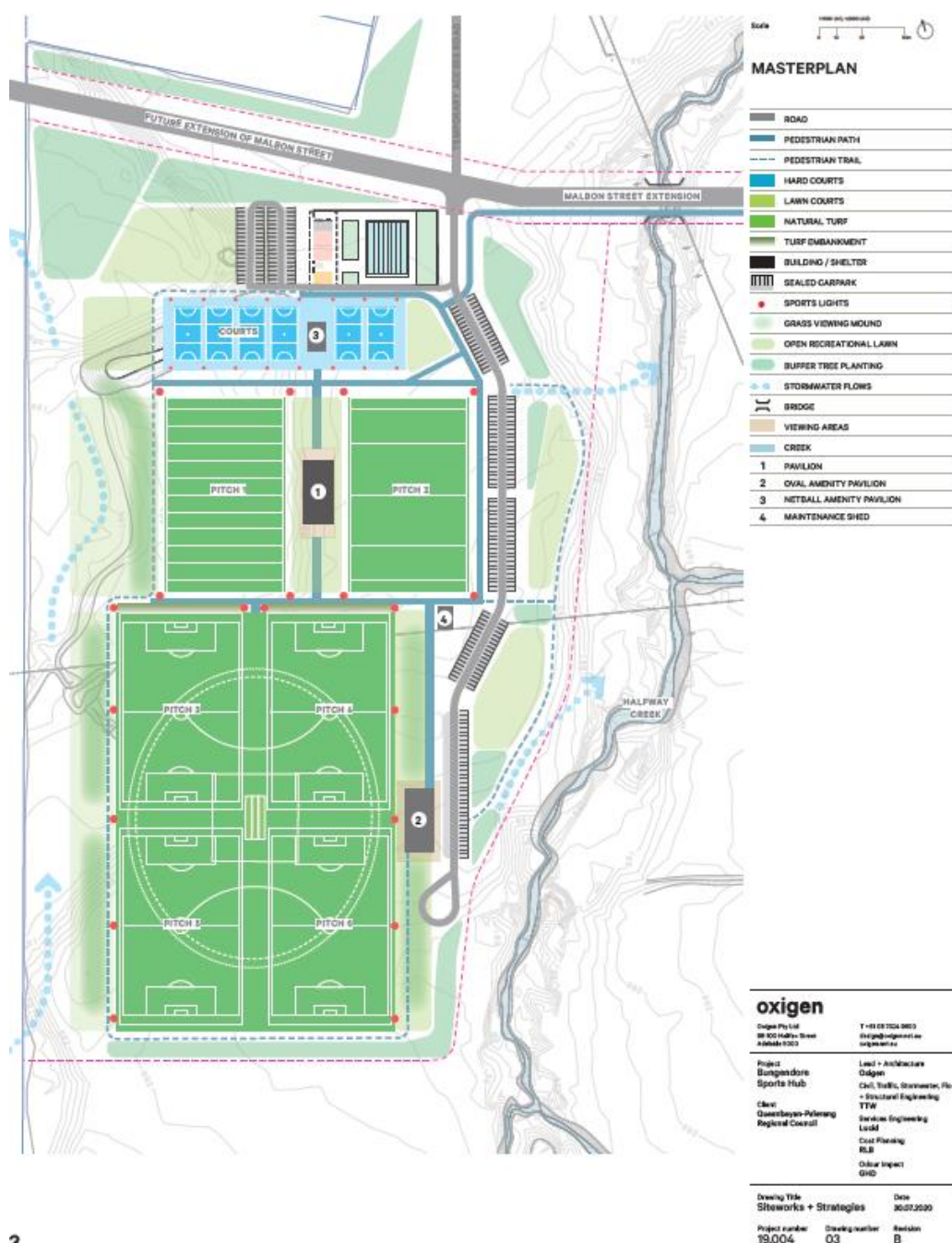
The Bungendore community is developing quickly with new housing development proposed to commence within the next few years, combined with the service personnel of the HQJOC, and their families currently expanding into the Bungendore community. The requirement for a larger and more complex sports facility has been evident for some time, with many families travelling into sports facilities in Queanbeyan. Once constructed the new facilities will enable the sporting community of Bungendore to participate in a wider range of sports closer to home.

A master plan of the sports complex has been prepared by landscape architects, Oxigen, with their site plan for the sports hub depicted at Figure 1 below.

Council is currently in the process of compulsorily acquiring land at Bungendore for the purpose of constructing the sports hub. It is anticipated the land will come into Council ownership later in August 2020. It is anticipated that work to undertake the bulk earthworks for the site will commence shortly thereafter.

In the interim, a Development Application (DA) was submitted on 8 July and is currently being assessed by Council. The DA will provide for earthworks to be carried out over the entire sports hub site. It is anticipated the DA will be approved prior to the anticipated construction commencement, planned for September 2020.

9.4 Tender - Design & Construct, Bulk Earthworks - Bungendore Sports Hub (Ref: ; Author: Thompson/Sibbick) (Continued)



3

Figure 3: Concept Design of the Bungendore Sporting Hub (courtesy Oxygen)

The Request for Tender, Contract 2020-37 for the Design & Construct, Bulk Earthworks – Bungendore Sports Hub was advertised on 30 June 2020, closing on 29 July 2020. Tenderlink issued 5446 alerts to prospective tenderers, with 403 vendors viewing the details online and 70 downloads. Council received nine responses to this RFT.

9.4 Tender - Design & Construct, Bulk Earthworks - Bungendore Sports Hub (Ref: ; Author: Thompson/Sibbick) (Continued)

The Tender was assessed using the QPRC Tender Evaluation Plan. The objective of the tender evaluation process was to:

- Identify the most advantageous tender, i.e. the tender that offers best value for money, after consideration of any qualifications and departures in the tenders; and
- To recommend whether Council should accept that tender.

The evaluation criteria required that the tenderer be an acceptable legal entity and meet mandatory criteria including:

- Satisfactory past performance, including satisfactory WHS and environmental management, and
- Satisfactory financial capacity.

After considering and assessing the nine tenders, the Tender Evaluation Committee selected Tenderer 9 as the preferred tenderer. Details of the evaluation can be found in the Tender Evaluation Report attached.

Implications

Legal

The tendering process complies with s55 of the *Local Government Act 1993* and Part 7 of the Local Government (General) Regulation 2005.

Policy

The tendering process complies with Council's procurement policy.

Financial

All nine Tenderers provided conforming tender submissions. All have prior experience in providing a design and construct for bulk earthworks in similar projects to the advertised tender and all have experience in large scale, multi-million dollar projects of a similar nature.

All tenders were received on time, with appropriate tender schedules completed. All tenders acknowledged the addenda that was issued.

Tenderer 9 provided the best value for money for this Tender. Refer to the Tender Evaluation Report attached for detailed tender information.

Project budget includes site acquisition (to be confirmed once compensation by valuation is agreed by the parties, or determined in the Land and Environment Court), and construction works.

Program Code	Expense Type	Funding source	Amounts	Total
100692	Capital Infrastructure	\$9M Stronger Communities	\$1,500,000	\$2,450,000
100984		Stronger Country Communities, Round 2	\$950,000	

Resources (including staff)

Project staff of Urban Landscapes will be managing this project including management of the Tender and contract.

9.4 Tender - Design & Construct, Bulk Earthworks - Bungendore Sports Hub (Ref: ; Author: Thompson/Sibbick) (Continued)

Conclusion

Referee reports indicate satisfactory past performance by Tenderer 9 on recent contracts. The Tender Evaluation Committee contacted the referees and obtained additional information that supported the reports provided with the tender. The Tender Evaluation Committee considers Tenderer 9 capable of completing the contract satisfactorily.

Attachments

- Attachment 1 Tender Evaluation Report - Design & Construct, Bulk Earthworks - Bungendore Sports Hub (*Under Separate Cover*) - **CONFIDENTIAL**

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.5 Riverside and High Street Soccer Pitches (Ref: ; Author: Thompson/Geyer)

File Reference: 17-21 High Street (159248)

Summary

At its meeting on 22 July 2020, Council resolved to assign Riverside Sportsground as home ground to Monaro Panthers Football Club (MPFC) and High Street Sportsground as home ground to Queanbeyan City Football club (QCFC), with both facilities being available for community use and hire as function rooms. As requested, staff sought information from Capital Football and met with both clubs regarding the access agreements. This report covers the outcome of those meetings, feedback from Capital Football (the organisation coordinating football in the Capital Region) and the associated works required to deliver Council's resolution.

Recommendation

That:

- 1. Council note the report and the Clubs' submissions.**
 - 2. Extend the current licence terms for 3 months to enable negotiation of terms for a home ground licence for the Clubs as outlined in the report.**
 - 3. Council endorse the works and funding proposed in the report to enable High Street field to be available for allocation as a NPL field in the 2021 season.**
 - 4. Grant funding continue to be sought for the following upgrade works at the High Street Sportsground:**
 - Technical Area**
 - Public Exclusion Fence**
 - Irrigation Extension**
 - 200 Lux LED Floodlights**
 - Streaming Platform On Modified Container**
 - Retaining Wall**
-

Background

Over the past 12 years, Council has been working to improve the quality of Queanbeyan-Palerang sports facilities. Riverside Sportsground and associated facilities were upgraded to accommodate the NPL 1 and 2 football games, as requested by MPFC, QCFC and Capital Football.

The High Street Sportsground was mainly used for veterans and lower grade games due to the reduced facilities available. In recent months, Council has delivered a new amenities building that is a vast improvement of what was previously onsite. This new building was grant funded. A DA for a larger clubhouse has been approved for the adjacent lot, but did not proceed as estimates exceeded funding available and the grant timeframes.

At the meeting of 22 July 2020 it was resolved (122/20):

That Council:

- 1. Note QPRC has expended considerable funds, including NSW grant funding to upgrade High Street football field to premier standard.*

**9.5 Riverside and High Street Soccer Pitches (Ref: ; Author: Thompson/Geyer)
(Continued)**

2. *Note the CEO held a meeting on 23 April 2020 including three Councillor delegates of the Regional Sports Council, Mayor, QPRC staff and Monaro Panthers Football Club (MPFC) representatives.*
3. *Allocate High Street football field to the Queanbeyan City Football Club (QCFC) as a home ground and work with the Club to provide further improvements and enhancements as may be necessary or desired.*
4. *Allocate Riverside football field to the MPFC and continue to work with the Club to provide further improvements and enhancements as may be necessary or desired.*
5. *Inform Capital Football of its football field allocations to ensure fixtures are allocated accordingly.*
6. *Continue to make available the Oval function facilities to sporting clubs and community organisations.*
7. *Authorise the CEO to negotiate and execute revised agreements with the Clubs in line with 3, 4 and 6 above.*

Following the Council meeting, staff formally advised both clubs and Capital Football of the resolution.

Capital Football Response

Capital Football acknowledges Riverside Oval, at 102m x 63m, as a NPL-compliant field. However, they are concerned about the field size and facilities at High Street. While their Facilities Strategy 2017-2020 cite minimum field sizes for NPL 1 & 2 as 90m x 65m, Capital Football's regulation for First Grade, Reserve Grade and U23's Matches require a minimum length of 100 metres and a minimum width of 60m.

The High Street field is currently 94m x 65m. The regulation also requires secure fencing to separate spectators from the field of play, provision of a technical area, provision of a weather proof camera platform for 5 people with power supply and flood lights with 200 Lux lighting.

To meet public exclusion requirements at High Street, an 83m fence extending from the new clubhouse to the western boundary is required. Technical area/dugouts can be placed along the southern boundary and flood lights can be upgraded to 200 Lux LED to meet the Capital Football regulations. The main issue is the field size of 100m x 60m. This is expected to be the minimum set out in Capital Football's new Facilities Strategy 2021-2024.

For the High Street field to comply requires a 6m extension. There is sufficient room to achieve this requirement, however it does require cutting into the earth embankment to the east (toward High Street) and extending the irrigation and playing surface. It may require a retaining wall to support the embankment. Cost estimates for these works are provided in the Financial Implications section of this report below.

Staff are programming minor works within existing budgets to extend the playing surface to 100m however, this cannot commence until the end of the current playing season.

Sports Clubs Responses

Council's CEO and staff met with representatives of each club regarding the access agreements, which expire 30 September 2020, and asked each club to provide their feedback in writing.

During the meetings about the access agreements, each club was asked to put forward their views and requirements regarding the use of the respective fields and home grounds, and their plans for growth.

A copy of both submissions is attached for councillors.

**9.5 Riverside and High Street Soccer Pitches (Ref: ; Author: Thompson/Geyer)
(Continued)**

Funding Sources and Long Term Strategies

The Sports Facilities Strategic Plan (Strategy 4) proposes to establish home grounds for clubs, including separating the shared arrangements at Riverside Sportsground. It also highlights the Sports Council's highest priorities for funding, should grants be identified. The top five priorities for seeking grants are shown below:

- New four court basketball facility and associated amenities.
- Wright Park Lower amenities knockdown and rebuild.
- Training lights for junior AFL fields at Halloran Oval.
- Training lights for junior AFL fields at Steve Mauger Oval.
- Toilets facilities at all sporting venues, including archery range.

While the development application to build the new clubhouse at High Street Sportsground is approved, the cost estimate is approximately \$2.5 - \$3.0 million. Council will be aware the existing amenities were recently built to provide interim facilities until the Club could raise the funds to build the permanent clubhouse as per the DA. The interim facilities can then be moved to another location.

With preconstruction work due to commence at the Regional Sports Complex in coming weeks, and sports expected to commence onsite in winter 2022, Capital Football have expressed an interest in scheduling NPL 1 games on these new facilities, reducing the pressure on clubs to meet the high level of field and facilities requirements on their home grounds.

Implications***Legal***

Both Riverside and High Street Sportsgrounds are managed by Council as *Community Lands - Sports Facilities*, in accordance with the *Local Government Act 1993*. Both clubs have previously held licence agreements to access the Riverside facilities, with the current shared use agreement expiring 30 September 2020.

Under a new licence based on a home ground arrangement, both clubs nominate exclusive areas on a site plan and have access to storage, office, canteen, trophy wall and sponsorship banners for example. Similar to other licence agreements with rugby clubs home grounds, first option is made available to the clubs to operate the canteen for community events and hires. The function and meeting rooms, with associated kitchens and amenities remain available for community use - including by either club under normal hire agreements. The clubs are responsible for sporting equipment and ground marking, while Council remains responsible for general maintenance. Provision may be included for a number of night games and catch up games at either facility under reciprocal arrangements.

Should the clubs not agree to a new licence, extension of the current licence and terms is suggested until the nomination of the premier fields at the regional sports complex for season 2022 is settled.

Asset

Both Riverside and High Street Sportsgrounds are Council owned and managed assets. While access agreements will include a level of agreed maintenance by both parties, the main structural maintenance is carried out by Council under asset management plans.

9.5 Riverside and High Street Soccer Pitches (Ref: ; Author: Thompson/Geyer) (Continued)

Social / Cultural

Football (soccer) is a growing sport across Australia and has a passionate following at all levels of the sport. Club members and supporters become parochial in their following of one or another club and see little scope for compromise. While the sharing of Riverside Sportsground as a home ground was done in good faith for advancing the sport, the club rivalry, while healthy on the sports field, has not been conducive to resolving the shared use issue. Working with and finding a permanent home ground solution for both clubs is appropriate for a positive social outcome.

Economic

As with many sports, football significantly adds to the Queanbeyan-Palerang economy. Whether it is local sports or major events, the economic returns have been modelled and are well documented.

The pandemic has highlighted now, more than ever, that all clubs are experiencing significant financial losses. Supporting both MPFC and QCFC moving forward and ensuring suitable facilities are available for match day canteens, supporter functions and sponsors signage helps keep the clubs viable and reduce the burden on families registering to play.

Engagement

Council's CEO and staff met with both clubs to discuss the resolution to make Riverside Sportsground the home ground for MPFC and High Street Sportsground the home ground for QCFC. That enables both clubs to train and play on those home grounds, and may then be nominated as preferred grounds to Capital Football. Night games and catch up games may continue to be scheduled at Riverside, until the High Street facility is upgraded.

Based on the discussions, a divide remains between the two clubs views and further consultation is required. It is suggested the current agreement (expires 30 September) be extended, adding a clause both clubs work with Council to consolidate the home grounds and revisit that arrangement once the Regional Sports Complex is operational in 2022 season.

Financial

Recent works at High Street Sportsground have brought the amenities, change rooms and canteen up to standards. However, the grounds require further works to meet impending minimum standards for NPL set by Capital Football.

Table 1 below lists the cost estimates for the improvements Capital Football have identified at High Street Sportsground however, it does not include provision of the clubhouse as per the approved DA.

Description	Quantity	Estimate	Funding source
Technical Area	Two dugouts	\$26,000	Seek Grant Funding
Public Exclusion Fence	83m	\$8,500	Seek Grant Funding
Field Extension	360m ²	\$5,000	Existing Sports Field M&R budget
Irrigation Extension	360m ²	\$10,000	Seek Grant Funding

9.5 Riverside and High Street Soccer Pitches (Ref: ; Author: Thompson/Geyer)
(Continued)

Field Renovation - Level and Convert to Couch	6000m ²	\$23,000	Existing Sports Field M&R budget
200 Lux LED Floodlights	Upgrade existing	\$180,000	Seek Grant Funding
Retaining Wall	55m varying height	\$25,000	Seek Grant Funding
Streaming Platform. On Modified Container.	Modify existing container.	\$10,000	Seek Grant Funding
Total		\$287,500	

Resources (including staff)

While most of the proposed improvements require grant funding and contractors, some minor works can be carried out either in-house or by existing maintenance contractors. It is proposed that at the end of the current season staff will commence cutting and extending the field to the required 100m minimum length. This work will be carried out concurrently with other maintenance programs.

Conclusion

Council acknowledges the importance each football club places on having a sportsground that they can call their own and host home games.

Bringing High Street Sportsground up to Capital Football's minimum standard requires some work and funds, and will still not meet the desires of QCFC, due to the perceived loss of the Riverside Sportsground's clubhouse/function room.

While the commissioning of the Regional Sports Complex in the winter of 2022 will overcome all clubs' requirements for premier playing fields, it will still leave the 'Home Ground' issue to be resolved. Unless Council determines otherwise, staff will continue to seek grant funding to provide the ultimate solution, but is obliged to do this with the Sports Council's priorities in mind.

Attachments

- | | |
|--------------|---|
| Attachment 1 | Email from Capital Football - Upgrades Required to High Street Sportsground (<i>Under Separate Cover</i>) |
| Attachment 2 | Response from QCFC (<i>Under Separate Cover</i>) - CONFIDENTIAL |
| Attachment 3 | Response from MPFC (<i>Under Separate Cover</i>) - CONFIDENTIAL |

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.6 Risk Based Inspection Schedule for Food Premises (Ref: ; Author: Thompson/Perkins)

File Reference: 12.1.6

Summary

Council's Environmental Health Officers (EHOs) currently inspect all medium and high risk food premises once per year. This inspection schedule meets the requirements of the NSW Food Regulatory Partnership, but is not an effective use of resources for promoting a positive food safety culture to all local food businesses.

Council's Environmental Health Program intends to adopt a risk based inspection schedule that complies with the NSW Food Authority *Advisory Guideline for Enforcement Agencies – Risk Based Inspection Frequency* (guidelines). Under this model, consistently compliant food businesses will be inspected less frequently and will consequently pay less fees. Non-compliant food businesses will be inspected more frequently. By shifting resources from consistently compliant food businesses, EHOs will be able to provide more education to increase food safety culture in less compliant food businesses.

Recommendation

That Council support a risk based inspection schedule for food business inspections starting in the 2020/21 financial year.

Background

Council's EHOs currently inspect all medium and high risk food businesses once per financial year. This is the minimum requirement under the NSW Food Regulation Partnership.

An analysis of inspection data from the 2018/19 and 2019/20 financial years shows that more than 25% of inspected food premises receive a scores on doors rating (SoD) of 0 to 3. This score generally translates to an unsatisfactory inspection result that requires Council to take informal or legal enforcement action. The data also shows that it is normally the same food businesses that achieve a 0-3 SoD year after year.

Compliance data for the 2019/20 was included in the Food Surveillance Activity Report submitted to the Planning and Strategy Committee on 12 August 2020.

As part of the Scores on Doors program food businesses that receive a SoD of 3-5 can display a certificate to show their customers how well they comply with food safety legislation. There is a very low uptake in this voluntary program, and local businesses say that this is because customers have little value for food safety because of the absence of a "scores on doors" program in the ACT.

Low uptake in the Scores on Doors program creates little market incentive for food businesses to increase or maintain food safety compliance. Consistently high scoring food businesses are also charged the same fees and are inspected as frequently as less compliant food businesses (unless legal enforcement action is required).

The NSW Food Authority *Advisory Guideline for Enforcement Agencies – Risk Based Inspection Frequency* (guidelines) list several inspection frequency options that councils can adopt. One of these options is to adopt the risk based inspection frequency principles. Table 1 summarises these principles.

9.6 Risk Based Inspection Schedule for Food Premises (Ref: ; Author: Thompson/Perkins) (Continued)

Table 1 – Risk based inspection frequency principles

Months between inspections for food businesses calculated on risk rating and compliance rating.

Risk rating		Compliance rating		
		Non-compliant	Average	Compliant
		Complaint only		
	Low			
	Medium	6	12	18
	High	4	6	12

The risk ratings for businesses are calculated from the types of food sold by food businesses and the vulnerability of their customers. The compliance rating is based on a business's past performance in food safety inspections. So in the above example, a high risk premises that is non-compliant would be inspected every four months while a compliant premises would only require an annual inspection.

The guidelines do not specify what constitutes compliance so this can be determined by individual councils. The Environmental Health Program proposes the following criteria:

- Compliant – SoD of 5 in two or more consecutive inspections.
- Average – All new food businesses OR SoD of more than 4 in the last two consecutive inspections.
- Non-compliant – SoD of 0-3 in any of the last two inspections OR significant verified complaint/s.

If Council adopts this inspection frequency from 2020/21 all food business will begin at the *average* compliance rating. Non-compliant food businesses will receive at least two inspections during the financial year, but compliant food businesses will not move to an 18 month inspection schedule until 2021/2022. This will be using the last 12 months of data and the current year of inspection results.

Implications

Legal

Council carries out food safety inspections under the *Food Act 2003* (Act) and is appointed as an enforcement agency under s.111 of the Act. The Act does not prescribe an inspection frequency for food businesses, but Council is required to meet minimum activity standards as a Category B enforcement agency in the Food Regulation Partnership.

Under cl.15 of the *Food Regulation 2015* (Regulation) enforcement agencies can charge an administrative fee of up to \$390 per 12 month period for small food businesses. For 2020/21 Council charges an administrative fee of \$191 per annum for these food businesses. These fees are not currently being charged following the Councils' decision to waive fees because of COVID-19.

Clause 15 of the Regulation also states that:

"A charge may only be imposed by an enforcement agency on a food business under this clause if the enforcement agency intends to carry out at least one inspection of the premises of the food business during the 12-month period to which the charge relates"

This means that Council can only charge administration fees on businesses in the year that they are inspected. If compliant medium risk businesses are on an 18 month inspection schedule, they will only receive this fee every second year.

9.6 Risk Based Inspection Schedule for Food Premises (Ref: ; Author: Thompson/Perkins) (Continued)

Council also charges an inspection fee on top of the administrative fee. The maximum charge for an inspection fee is set by cl.14 of the Regulations and the current charge in Council's fees and charges schedule is \$150 per half hour. There is no limit on how many times per year this inspection fee can be charged. Guidance from the Food Authority states that this inspection fee can be charged for routine inspections, re-inspections and complaint inspections.

Social / Cultural

There will be additional incentives for food businesses to increase and maintain compliance with food safety legislation. This is a significant benefit to the community as increased food safety compliance is associated with fewer outbreaks of food-borne illness.

There is a risk that non-compliant food businesses will feel that they are being targeted by Council through increased inspection frequency. The increased inspection frequency for these businesses would not differ from the current inspection model. Non-compliant food businesses generally receive additional charged inspections during the year so EHOs can follow-up on enforcement action.

Economic

With the additional reward of fewer inspections and reduced fees, food business will be encouraged to adopt a positive food safety culture and comply with legislation. This will lead to lower costs associated with enforcement action and fines.

There will be an increase in fees for high risk food businesses. It should be noted that the majority of high risk businesses in the QPRC LGA are child care centres. Child care centres are exempt from paying fees under Council's fees and charges schedule, so there will be no changes to fees charged to these businesses.

Engagement

Council distributes a newsletter to all food businesses each quarter. This newsletter, inspection reports and communication during routine inspection can be used to inform food businesses of changes to inspection frequencies.

Financial

Legislative constraints will affect how food businesses are charged administrative and inspection fees. Food businesses that are scheduled to receive more than one inspection per year will pay multiple inspection fees as well as the once off administration fee.

For example there will be no change in the fees charged to medium risk food businesses with average compliance, but compliant businesses will pay \$113 less per year, and non-complaint businesses will pay at least \$150 more per year.

Calculations from 2018/19 and 2019/20 data show that there will be no significant change in the annual income to Council from fees as income shifts from compliant to non-compliant food businesses.

9.6 Risk Based Inspection Schedule for Food Premises (Ref: ; Author: Thompson/Perkins) (Continued)

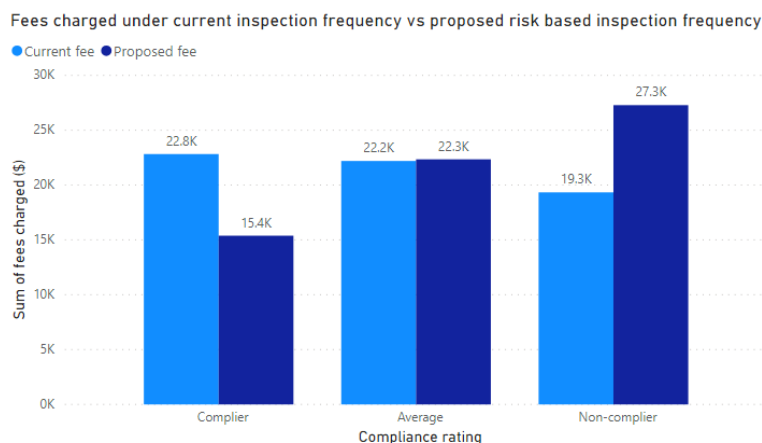


Figure 1 – predicted change in income by compliance rating category

Resources (including staff)

With inspections being diverted from compliant to non-compliant businesses there will also be a shift in the total hours EHOs spend inspecting businesses. Overall, it is predicted the number of inspections per year will initially increase from 190 to 218. These calculations do not consider reinspections for enforcement action or non-compliance.

The Environmental Health Program is increasingly adopting digital technology to reduce administration time. Time gained through increased efficiency will cover the time required for the additional inspections.

Conclusion

If Council adopts a risk-based inspection frequency, EHOs will have more resources to educate and encourage a positive food safety culture to non-compliant food businesses. There will also be additional incentive for food businesses to adopt a positive food safety culture.

There are legislative constraints that affect how Council will charge fees under a new inspection model, but calculations show that there will be no significant change in income from food business fees. There will be a minor increase in the overall number of inspections per year, but this is offset by increasing efficiencies in the Environmental Health Program.

These proposed changes are supported by NSW Food Authority.

Attachments

Attachment 1



Advisory Guideline for Enforcement Agencies - Risk-based Inspection Frequency (NSW Food Authority, 2017) (*Under Separate Cover*)

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.7 Expression of Interest for Queanbeyan Civic and Cultural Precinct Head Contractor (Ref: ; Author: Hansen/Damo)

File Reference: 36.1.2 & Other Project 100265-31-04

Summary

The project team working on the Queanbeyan Civic and Cultural Precinct (QCCP) project have advanced the detail design to the 50% stage. Concurrently, the project team have also been progressing the procurement strategy in accordance the Project's Procurement Plan and Council resolution 008/20 item 4: calling for expressions of interest from suitably qualified construction contractors to deliver QCCP.

This report seeks to have Council endorse the Expression of Interest (EOI) Evaluation report having considered the applicants and taken into account:

- (a) the experience of the applicants in fulfilling the requirements of similar contracts, and
- (b) the capacity of the applicants to fulfil the requirements of the proposed contract.

The scope of work for the contract will include finalisation of some aspects of detailed design and construction of the project.

Recommendation**That Council:**

- 1. Invite tenders at the appropriate time from selected firms in accordance with Contract 2020-31 - QCCP Design Finalisation Construction - EOI Evaluation Report.**
 - 2. Note that Council approval will be sought on the tender package, prior to release to the selected firms.**
 - 3. Note progress with the design and development application.**
 - 4. Note the NSW Government will take up a commercial tenancy in QCCP.**
 - 5. Update the Operational Plan with the revised funding model for QCCP.**
-

Background

Council resolved (Resolution 194/18) at its June 2018 meeting to proceed with the planning and delivery of the new Queanbeyan Head Office and Smart Hub located at 257 Crawford Street, and surrounding public domain.

Following workshops on concept designs and business case, at its meeting on 23 October 2019, Council resolved to:

- 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.*

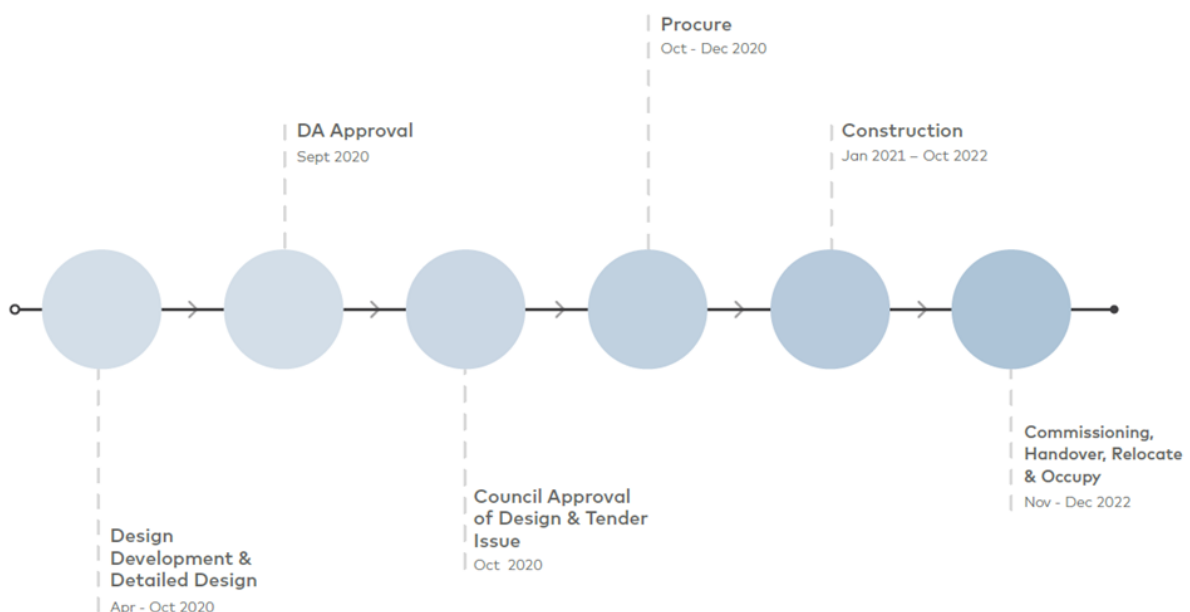
9.7 Expression of Interest for Queanbeyan Civic and Cultural Precinct Head Contractor (Ref: ; Author: Hansen/Damo) (Continued)

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.*

At its meeting on 18 December 2019, Council resolved to:

1. *Note the feedback received during the public exhibition of the Queanbeyan Civic and Cultural Precinct concept design and business case.*
2. *Proceed with the development application, with a number of matters raised during the exhibition period to be further considered during the detailed design process.*

In order to maintain the project timeline outlined in the Business Case, work on the development of the detail design has progressed to the 50% stage and expressions of interest for constructors have been sought.



Based on the assessment process undertaken by the EOI Evaluation Committee in accordance with the requirements of the EOI Evaluation Plan, the EOI Evaluation Committee agreed to recommend the six firms to be included on a shortlist of tenderers as detailed in Attachment 1 to this report.

The first of a number of further workshops with Council was held in August 2020 to update councillors of the design and cost estimate. A further workshop will be scheduled with Council to provide an update to the design and a pre-tender cost estimate. A report will then be presented to Council to seek approval to invite tenders to finalise the design and construct the Queanbeyan Civic and Cultural Precinct.

The DA assessment report will be presented to the Joint Regional Planning Panel, anticipating determination in September. It is understood some modifications will be required later, pending design elements required by Government tenancies.

9.7 Expression of Interest for Queanbeyan Civic and Cultural Precinct Head Contractor (Ref: ; Author: Hansen/Damo) (Continued)

It is expected that the detail design will be progressed to 80% design with updated cost plan in October 2020 enable letting tenders later in 2020 to allow construction to commence in early 2021.

Implications***Legal***

A request for Expressions of Interest has been published and applications have been considered in accordance with Section 166 and 168 of the *Local Government (General) Regulation 2005*.

The proposed select tender for the design finalisation and construction of the QCCP will comply with Section 55(4) of *Local Government Act 1993* as the persons invited have responded to a public advertisement for expressions of interest in the particular contract.

Policy

The engagement of the QCCP design finalisation and construction Head Contractor will comply with Council's Procurement Policy.

Environmental

A Development Application for the project was submitted to Council in late December 2019. Council will refer the application to the Southern Regional Planning Panel for determination in accordance with *State Environmental Planning Policy (State and Regional Development) 2011*. Schedule 7 of this Policy categorises the development as a regionally significant development as it has a capital investment of more than \$5 million and Council is the applicant; the owner of the land on which the development is to be carried out; and the development is to be carried out by Council.

Sustainability

The QCCP project will comply with Council's *Sustainable Design Strategy for Council Buildings* which requires Council infrastructure with a cost of over \$2 million to achieve a minimum 5 star sustainability rating.

Asset

The redevelopment of the old administration building is substantially a renewal of an existing asset, upgraded to accommodate additional council and agency staff, with relevant sustainability elements built-in. It has added basement carparking, new public domain, integration with the Bicentennial and the Q, and commercial offices to the original brief.

Property Council of Australia (PCA) A grade standard will be targeted for the building, with the exception of a number of high cost items which are considered provide marginal improvements to the functionality of the building, such as a second chiller and distributed antenna system for in-building mobile phone coverage.

Social / Cultural

The delivery of the project will provide improved connectivity between The Q Theatre and Bicentennial Hall which will increase the functionality of the both cultural spaces. The

9.7 Expression of Interest for Queanbeyan Civic and Cultural Precinct Head Contractor (Ref: ; Author: Hansen/Damo) (Continued)

extensive public domain will provide a beautifully designed space for both civic and less formal social events.

Economic

Economic benefits of the project are described in the project Business Case.

Strategic

There are number of planning control documents that will govern the design for the site. These include: Queanbeyan Local Environmental Plan (QLEP) 2012 and Queanbeyan Development Control Plan (DCP) 2012.

Engagement

Council placed the QCCP concept design and detailed Business Case on public exhibition between 28 October and 29 November 2019. During this period, a number of activities were undertaken to promote the project. These were more fully described in the report on community and staff consultation of the QCCP Business Case presented to Council at the December 2019 meeting.

As part of the QCCP project team, a Change Manager has been engaged to assist staff to transition from their multiple and varied workplaces to a new workplace environment. The Change Management team has prepared a strategy for engagement with staff and the community which will be endorsed by The Executive prior to implementation.

Financial

At its meeting on 23 October 2019, Council resolved to:

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.*

The project is included in the Long Term Financial Plan 2018-28 where it is noted Council resolved in 2018 that the cost of servicing debt for the new head office in Queanbeyan occupied by Council staff, would be met by merger, building costs savings and service review savings. Estimates for QCCP include oncosts (professional fees and contingencies around 42%.

The Business Case for the project outlined the funding for the project. This included \$1.9m from grant funding, \$50.1m from borrowings and \$20.5m from property sales and related development proceeds. The property sales component now reduces to \$6.956m as the Government will be a tenant, rather than acquire a strata in the development, and borrowings increase accordingly. Additionally, the long term financial plan has been modelled on the basis of the full loan amount being repaid over 20 years, rather than the initial proposal to make early repayments once property sales are realised. Accordingly debt for QCCP increases to \$70.4 million, P&I debt servicing increases to \$4.5 million, and lease revenues offset that increase by \$550,000 (estimate allowed for State Government rental). No amount has been borrowed for the capital project cost incurred to June 2020, but may be considered to improve unrestricted cash.

As referenced above, the NSW Government has announced it will establish the southern headquarters of Department of Regional NSW in QCCP, taking up a tenancy to accommodate up to 100 staff, comprising ~ 1650m2 GFA and 30 carspaces. Commercial terms and preparation of an agreement to lease is underway. The lease will contribute to servicing of the

9.7 Expression of Interest for Queanbeyan Civic and Cultural Precinct Head Contractor (Ref: ; Author: Hansen/Damo) (Continued)

additional debt, designed to deliver cash-positive returns from year 10 (ie rent > P&I) for that proportional share of the debt.

The cost of project management functions and resources for the project are funded from operational budgets.

A 3% (\$2.245m) provision is allowed in the QS estimates for external project management.

APP have provided a lump sum fee proposal of \$1.017m excluding GST for the project management services. A contingency of 7.5% is considered appropriate for this engagement and a budget of \$1.100m excluding GST is sought. The table below summarises funding sources for the \$74.846m project, inclusive of professional fees and contingencies.

Program Code	Expense Type	Funding source	Amount \$M
	Capital	Debt	70.419
		Grant (culture/library)	1.923
		Project Costs incurred 2016/17 to 2019/20 funded from General Revenue	2.504
		Total	74.846

Resources (including staff)

Internal staff resources will be required for the duration of the project, to provide owner and occupant inputs to the detail design, along with staff and community engagement.

The level of staff input to review the detail design as it progresses will be significant in order to maintain the project program. A change management process is in place to transition staff from 11 buildings in the CBD, into QCCP.

The Project Management Plan will further detail the level of staff involvement in the project.

Integrated Plan

The project business case outlines how the benefits generated by the project assist in meeting the objectives of Community Strategic Plan 2018-28

QPRC Delivery Program 2018-21: Council will undertake the design, planning approvals and construction tender during 2019-20, with construction expected to commence in 2020-21.

QPRC Operational Plan 2019-20 provides for the head office project as part of the QCBD Transformation as per below.

9.7 Expression of Interest for Queanbeyan Civic and Cultural Precinct Head Contractor (Ref: ; Author: Hansen/Damo) (Continued)

Queanbeyan CBD Transformation	Estimated Cost \$,000	2018-19 \$,000	2019-20 \$,000	2020-21 \$,000
<p>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.</p> <p>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.</p> <p>Individual projects include: Rutledge walkway, Smart City, Queanbeyan Head Office and Smart Hub, Civic plaza, Lowe St pedestrian corridor, Morisset St improvements and more.</p>	65,947	3,022	12,665	50,260
Source of funds				
		Asset sales Reserves Grants and contributions	Assets sales Loans	Loans

The Resourcing Strategy 2017-21 includes the action to provide a contemporary workplace. This project achieves this strategy by providing a new workplace in the 5 star green star and PCA A grade facility.

The Operational Plan should be updated to reflect the tenancy rather than strata sale for the Government occupancy.

Conclusion

Based on the assessment process undertaken by the EOI Evaluation Committee in accordance with the requirements of the EOI Evaluation Plan, the EOI Evaluation Committee agreed to recommend the six firms to be included on a shortlist of tenderers as detailed in Attachment 1 to this report.

A number of workshops will be conducted to provide an update to the design and establish pre-tender cost estimate. Following these workshops, a report will be presented to Council to seek approval to invite tenders to finalise the design and construct the Queanbeyan Civic and Cultural Precinct.

Attachments

- Attachment 1 QCCP Head Contractor Design Finalisation Construction - EOI Evaluation Report (*Under Separate Cover*) - **CONFIDENTIAL**

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.8 Review of Water Wise Initiative (Ref: ; Author: Hansen/Cunningham)

File Reference: 32.1.4

Summary

At its meeting of 24 June 2020 Council received a report regarding a proposed review of its water wise program. A draft revised policy was tabled and Council subsequently resolved to place the draft policy on public exhibition for a period of 28 days. This period recently concluded and an amended version of the draft policy is now presented to Council for consideration and adoption.

Recommendation

That Council:

- 1. Adopt the attached Water Wise Policy with immediate effect.**
 - 2. Rescind all other current Water Wise Policies of the Council.**
-

Background

At its meeting of 24 June 2020 Council resolved to place its revised draft water wise policy on public exhibition. This period recently concluded at which time two submissions were noted as being received. The text of these two submissions are reproduced below.

The rebate provided is too low noting the high cost of supply and installation of toilet suite. The rebate limits 2 per household but have not taken into account where there is double storey house. Most double story [sic] houses has 3 toilets and this should be considered by the council.

Thx [sic] for opportunity to comment. Like the water use audit and incentives. However feel the rainwater tank incentives are too low in consideration of high upfront expense.

The first comment relates to concerns about the policy's treatment of toilet suite replacements both from a cost and quantum perspective. In respect of the former it is worth noting that in the intervening period staff have been able to further negotiations with the Master Plumbers Association (MPA) in terms of the preferred suite to be offered. At this stage the *Concorde Air* model is being considered with an expected supply cost of around \$151 per unit. Even with installation costs above this the draft policy offers its maximum subsidy of \$275 at 50% of the total cost per unit. This would mean that each suite would need to cost more than \$550 before individual applicants would be required to bear more than 50% of the burden. On this basis, the provisions of the draft policy are considered to be reasonable.

Insofar as the comments about the limitation of two suites per property, the view of staff is that this remains an acceptable limitation. It is considered likely that the statistical incidence of two suites per property would outweigh that of properties with three or more suites. No change is proposed to this limitation.

The only other comment received related to the amount of the subsidies offered under the rainwater tank scheme. This comment has been accepted and the revised draft now includes the amounts reflected in Council's current policy.

9.8 Review of Water Wise Initiative (Ref: ; Author: Hansen/Cunningham) (Continued)

Aside from these a number of other minor changes have also been made, mostly after consultation with the MPA. These include:

- Renaming of the Household “Tune Up” to “Audit”. This keeps to program consistent with what the MPA is currently offering the ACT Government;
- The content of the audit has been updated in line with the above;
- The contribution amounts have been changed to 2021/2022 dollars;

Other than these changes, the draft policy is essentially the same as that presented to Council in June.

Implications***Policy***

Resets the arrangements to the original incentive and educational aims of the inaugural policy by removing obsolete initiatives and reintroducing the tenet of shared responsibility.

Sustainability

Encourages action and awareness of water as a scarce and valuable natural resource.

Strategic

Assists in the timely development of expensive water headworks by reducing demand.

Engagement

The draft policy has been placed on public exhibition for a minimum period of 28 days.

Financial

Used as intended as an incentive based system the cost of this program should rationalise itself as an investment in lower operational and delayed capital expenditure. To reap the full reward though it must be based on the expectation of being a shared financial responsibility between the Council and the individual beneficiary.

Resources (including staff)

There will be some time required to develop the new application system (web based) as well as ongoing administrative processing. Some random site audits might also be required.

Conclusion

The policy is now ready for final deliberation and adoption.

Attachments

Attachment 1 Draft Water Wise Policy - amended (*Under Separate Cover*)



9.9 Regional Road Transfer and Road Classification Review (Ref: ; Author: Hansen/Cooke)

File Reference: 31.1.9-02

Summary

In February 2019, the NSW Government announced that a Road Classification Review would be initiated to ensure the current classification framework is still fit for purpose, and that roads across NSW are appropriately classified.

This report seeks Council approval to make a submission to the Review detailing changes that could be made to the State, Regional and Local road network within the QPRC area.

Submissions are due by 31 August 2020.

Recommendation

That Council make a submission to the Regional Road Classification and Transfer Panel stating that:

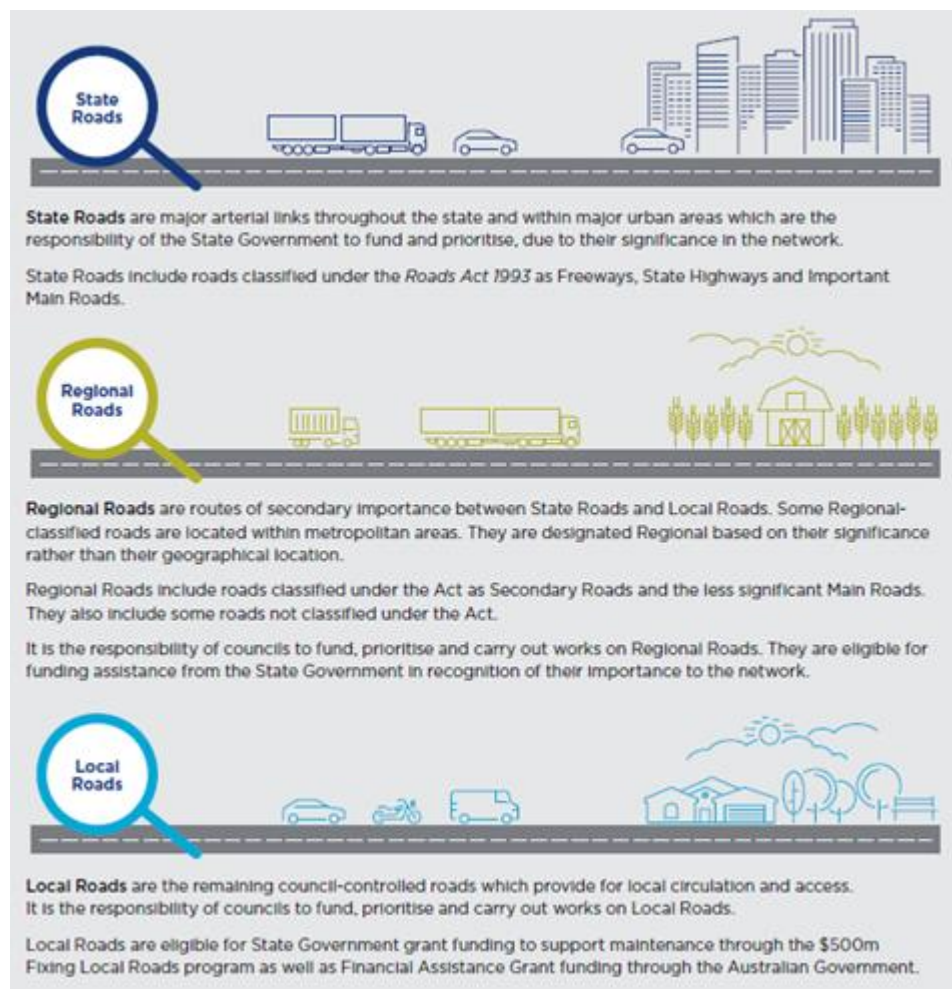
- 1. Council's Regional Roads as listed below are all nominated to be transferred to, managed by and fully funded by the NSW State Government:**
 - **Bungendore/ Macs Reef Road (MR7607) from Gibraltar Street, Bungendore to the Federal Highway.**
 - **Captains Flat Road (MR270) from the Kings Highway east of Queanbeyan to Coghill Street, Braidwood.**
 - **Cooma/Krawaree Road (MR7625) from Captains Flat Road, Braidwood to Snowy Monaro Council Boundary.**
 - **Nerriga Road (MR92) from the Kings Highway, Braidwood to Endrick River, north of Nerriga.**
 - **Cooma Street/Old Cooma Road (MR584) from Rutledge St, Queanbeyan to 0.9km South of Burra Road.**
 - **Tarago Road (MR268) from Molonglo Street Bungendore to Goulburn Mulwaree Council Boundary.**
 - 2. The following local roads be nominated to be reclassified to Regional Roads:**
 - **Old Cooma Road – from the existing regional road end, 0.9km South of Burra Road to the Monaro Highway.**
 - **Araluen Road – from Cooma Road to Eurobodalla Council Boundary.**
 - **Oallen Road – From Nerriga Road to Goulburn Mulwaree Council Boundary at the Shoalhaven River.**
 - 3. Nominate all of Nerriga Road to be reclassified from a Regional Road to a State Road.**
 - 4. Council's submission to include a requirement that all transferred and re-classified roads are to continue to be maintained by QPRC via a RMCC style maintenance contract.**
-

9.9 Regional Road Transfer and Road Classification Review (Ref: ; Author: Hansen/Cooke) (Continued)

Background

In February 2019, the NSW Government announced that a Road Classification Review would be initiated to ensure the current classification framework is still fit for purpose, and that roads across NSW are appropriately classified. Future Transport 2056 identifies the Road Classification Review as a key initiative to make adjustments to the classification policy framework and update the road network to align with the 'Hub and Spoke' Transport Network Model and the 'Movement and Place' Framework. <https://www.governmentarchitect.nsw.gov.au/guidance/movement-and-place>

The initiative is also an opportunity to align with current and future transport plans, including the NSW Freight and Ports Plan 2018-2023, Heavy Vehicle Access Policy Framework and Road Safety Plan 2021. The NSW Government also announced in February 2019 that up to 15,000 kilometres of the 17,000 council owned regional roads in regional NSW would be returned to State management as part of a broader package to support local councils to better manage and maintain the rural road network. The road hierarchy is illustrated below:



An Independent Panel has been established to undertake the review and provide recommendations for consideration by the NSW Government. All state, regional and local roads across NSW are able to be submitted for reclassification, while only regional roads outside the metropolitan areas of Greater Sydney, Newcastle and Wollongong are capable of submission for transfer to State. <https://yoursay.transport.nsw.gov.au/regional-road-transfer-and-road-classification-review>.

9.9 Regional Road Transfer and Road Classification Review (Ref: ; Author: Hansen/Cooke) (Continued)

The Independent Panel has commenced a consultation process, seeking input into the review process including:

- Physical description of QPRC's Regional Roads – length, load limits (if any), sealed / unsealed, road condition, road standard.
- Outline of current road management practices, issues, concerns, criticisms;
- Financial concerns and opportunities;
- Suggested improvements to the way Local and State Governments work together to manage the road network.

During the recent online consultations, the Panel has urged councils to take a network and corridor view of the regional roads, and work with neighbouring councils on submissions if appropriate.

The timeline for the consultation period is between June and August 2020. An interim report from the Minister for Regional Transport and Roads will be delivered late 2020, with a second round of consultation due in early 2021.

Regional Road Review

Regional Roads perform an intermediate function between State Roads and Local Roads. They are designated 'regional' based on their significance rather than their geographical location. Regional Roads are currently the responsibility of councils to fund, prioritise and carry out works. They are eligible for funding assistance from the State government in recognition of their importance to the network.

QPRC's Local Government Area (LGA) has the following Regional Roads:

Road Name	Road Length (km)
Bungendore/ Macs Reef Road (MR7607) (from Gibraltar Street, Bungendore to the Federal Highway)	19.567 (19.567km sealed – 0km unsealed)
Captains Flat Road (MR270) (from the Kings Highway east of Queanbeyan to Coghill Street, Braidwood)	86.088 (66.153km sealed – 19.935km unsealed)
Cooma/ Krawaree Road (MR7625) (from Captains Flat Road, Braidwood to Snowy Monaro Council Boundary)	52.138 (30.865km sealed – 21.273km unsealed)
Nerriga Road (MR92) (from the Kings Highway, Braidwood to Endrick River, north of Nerriga)	57.170 (47.421km sealed – 9.749km unsealed)
Cooma Street/ Old Cooma Road (MR584) (from Rutledge St, Queanbeyan to 930m South of Burra Road)	16.448 (16.448km sealed – 0km unsealed)
Tarago Road (MR268) (from Molonglo Street Bungendore to Goulburn Mulwaree Council Boundary)	17.825 (17.825km sealed – 0km unsealed)
Total - Regional Roads	249.237km

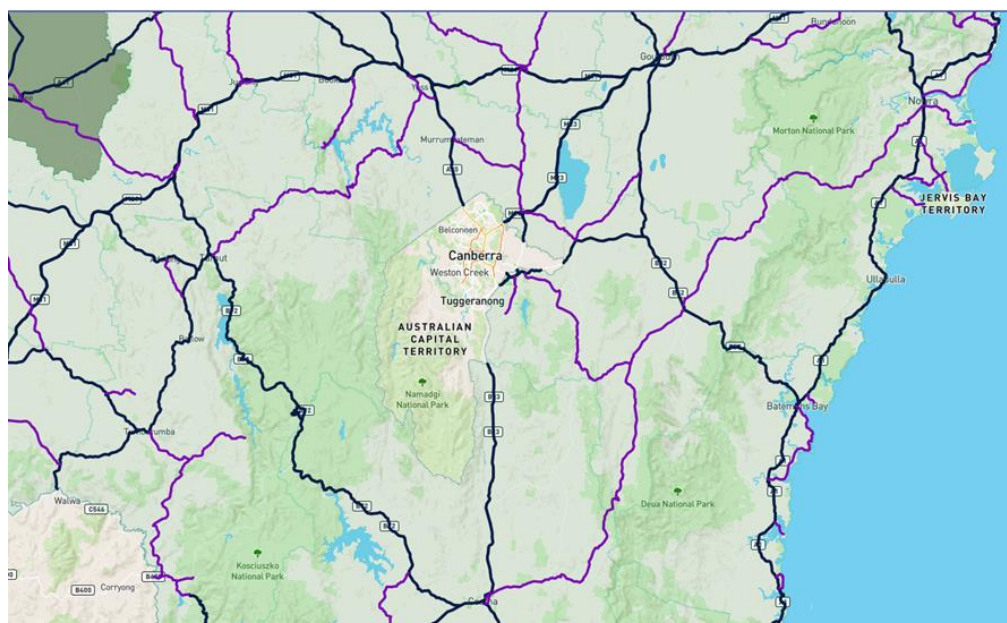
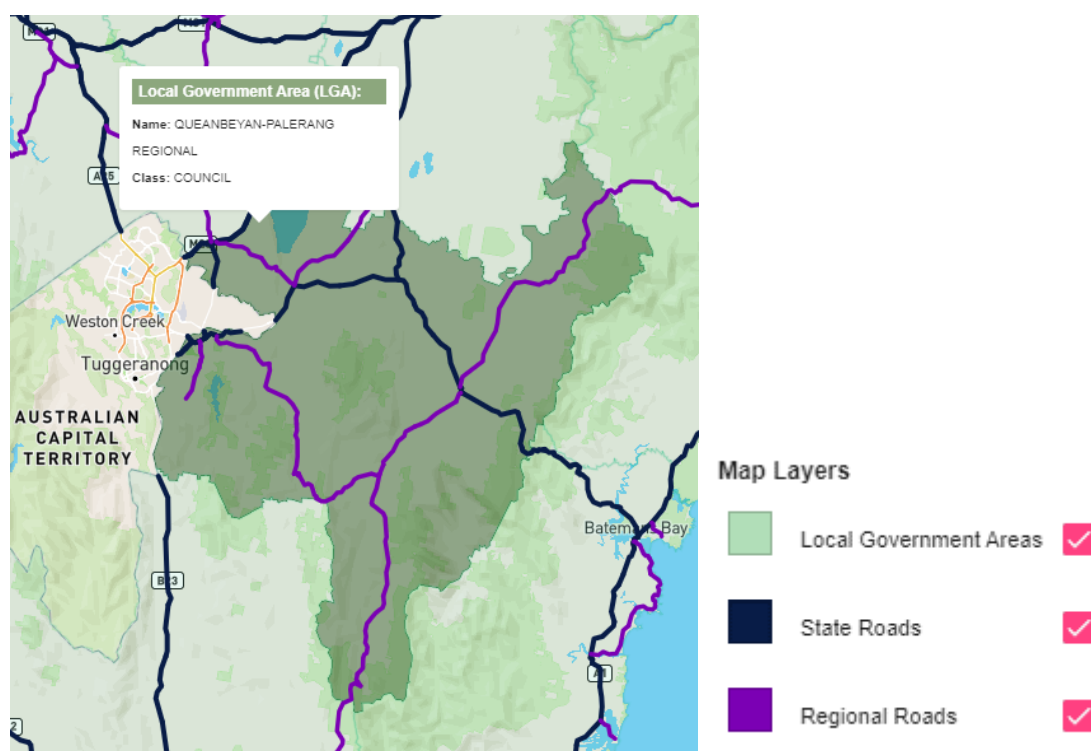
State Roads are major arterial links throughout the State and within major urban areas which are the responsibility of the State government to fund and prioritise, due to their significance in the network. State Roads include roads classified under the Roads Act 1993 as Freeways, State Highways and Important Main Roads.

9.9 Regional Road Transfer and Road Classification Review (Ref: ; Author: Hansen/Cooke) (Continued)

The existing State Roads within the QPRC LGA are:

Road Name	Length (Km)
Canberra Avenue/ Farrer Place/ Monaro Street/ Bungendore Road/ Kings Highway (MR51) (linking Canberra/Queanbeyan to Batemans Bay)	98.087
Lanyon Drive/Yass Road/Sutton Road (MR52) (linking South Canberra/ Queanbeyan to the Federal Highway)	20.103
Goulburn Road (MR79) – 15.540km in QPRC and 38.727km in GMC (linking Braidwood to Goulburn)	54.267
Total - State Roads	172.457km

The maps below illustrates the state and regional roads in QPRC and region:



9.9 Regional Road Transfer and Road Classification Review (Ref: ; Author: Hansen/Cooke) (Continued)

QPRC has an ongoing Road Maintenance Council Contract (RMCC) with TfNSW to carry out maintenance works on all State Roads within the QPRC LGA, as well as a 38.727km section of Goulburn Road (MR79) within the Goulburn Mulwaree Council (GMC) LGA. It is Council's understanding that GMC will be seeking to recover the maintenance responsibilities for the section of Goulburn Road within their city under an existing RMCC agreement with TfNSW.

The transfer of the nominated Regional Roads to the management of TfNSW concept provides an opportunity for QPRC to recover and possibly expand on the existing RMCC by incorporating the proposed transferred Regional Roads together with the State Roads.

As part of this submission, Nerriga Road could be nominated to be reclassified from a Regional to State Road. Nerriga Road will become an important freight route once the current pavement rehabilitation and bitumen sealing projects are complete as part of the Monaro Palerang Roads Package. Nerriga Road is able to meet the criteria identified for reclassification to a state road, detailed in the attached information paper in section 5.2.2.

Road Reclassification

Council has an opportunity to submit nominations for Council owned local roads to be reclassified as regional roads. These roads will need to meet specific criteria, which are detailed in the attached information paper. Council staff have reviewed QPRC's existing local road network and suggest nomination of the following local roads to be reclassified to regional roads:

Road Name	Road Length (km)
Old Cooma Road (from the existing regional road end, 0.9km South of Burra Road to the Monaro Highway)	7.807 (7.807km sealed – 0km unsealed)
Araluen Road (from Cooma Road to Eurobodalla Council Boundary)	36.532 (25.012km sealed – 11.520km unsealed)
Oallen Road (from Nerriga Road to Goulburn Mulwaree Council Boundary at the Shoalhaven River)	13.677 (13.677km sealed – 0km unsealed)

Old Cooma Road is currently a regional road from Rutledge Street to 0.9km south of Burra Road. The remaining 7.807km to the Monaro Highway remains a local road. The reason the regional road network ceases at this location is due to the road previously being an unsealed section of road to the Monaro Highway. This section of road is now sealed through to the Monaro Highway and is a missing link in the regional road network.

9.9 Regional Road Transfer and Road Classification Review (Ref: ; Author: Hansen/Cooke) (Continued)

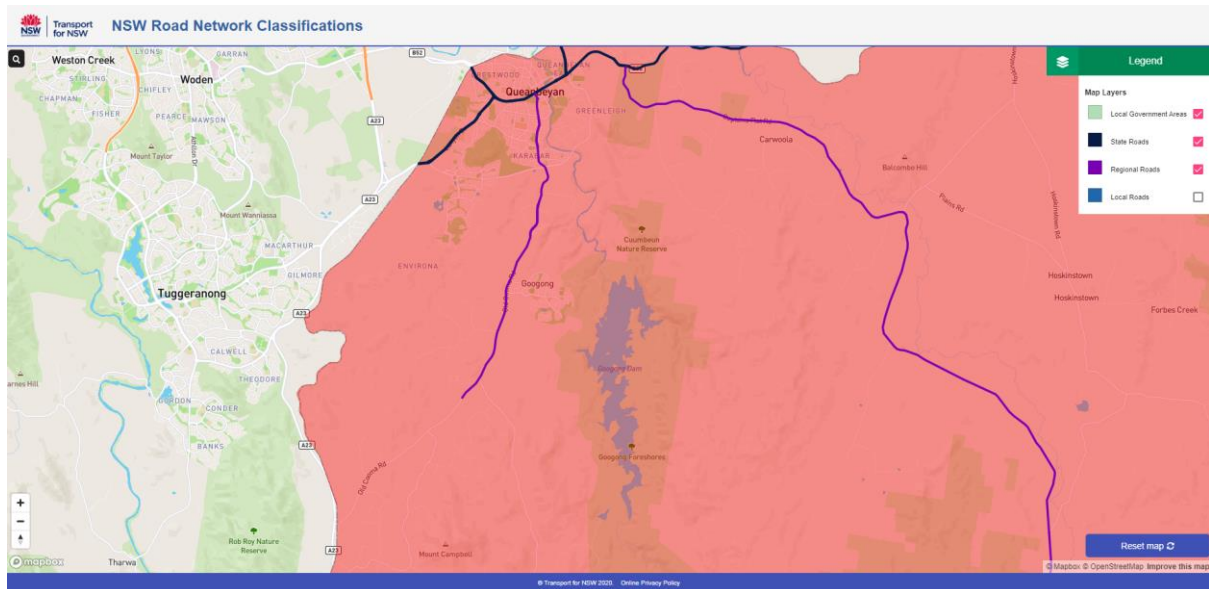


Figure 1 – Old Cooma Road, missing Regional Road link to Monaro Highway

Araluen Road is currently a local road from Cooma Road to the Eurobodalla Council boundary. Araluen Road was previously a regional road, formerly MR271. This section of road was an important alternate (and emergency) route during the recent bushfires and is regularly used as a by-pass when the Kings Highway is closed. The current road alignment and pavement widths is poor, and in need of extensive funding to bring the road up to a regional road standard. If this was possible, it would become an important alternate route to the south coast and provide resilience during future bushfires or other natural disaster events.

Oallen Road is currently a local road from Nerriga Road to the Goulburn Mulwaree Council boundary at the Shoalhaven River. Oallen Road is currently load limited to 15 tonnes, due to the poor alignment and pavement depth. Ideally, Oallen Road would be upgraded to a Higher Mass Limit regional road to provide heavy vehicle access through to Goulburn and Tarago. This is a highly sought after heavy vehicle route, as the approved detour from Nerriga to Tarago is via Braidwood (Nerriga Rd- Kings Hwy – Goulburn Rd), some 94.5km compared to 50.2km via Oallen Road (Oallen Rd-Sandy Point Rd – Cullulla Rd- Lumley Rd) to Tarago.

Implications

Asset

The regional roads nominated for transfer would be removed from Council's asset database and ownership transferred to the NSW Government, on a timeframe to be determined by Government. Any reclassified local roads to regional may remain an asset of QPRC, or also considered for transfer to Government as a regional road. If the former, ownership and maintenance responsibilities remain with Council, but with financial assistance expected to be received from TfNSW. If Nerriga Road is successfully reclassified to a state road, the ownership of the asset would be transferred to the NSW Government.

Regional roads remain classified as regional roads, but transferred from local to state government ownership and management.

9.9 Regional Road Transfer and Road Classification Review (Ref: ; Author: Hansen/Cooke) (Continued)

Financial

Council receives annual funding from TfNSW to assist with the maintenance of regional roads under the Regional Road Block Grant (RRBG) and the Regional Road Repair Program (RRRP). The 2019/20 budget allocation for the RRBG was \$1,718,000. The RRRP provides additional funds to supplement block grants which is generally used for more substantial rehabilitations works. The 2019/20 budget allocation for the RRRP was \$419,000. The RRRP requires a 50% co-contribution from Council towards the funding.

A three year average indicates the following financial impact on Council, should regional roads transfer – with an annual reduction in depreciation and co-contribution, and subsequent improvements to the Income and Expenditure annual financial statements and ratios:

QPRC Regional Roads Expenditure <i>* 3 yr average: (\$2017-2019)</i>		(\$,000)
MRR actual		2,012
depreciation		1,991
TNSW funding gap: (MRR actual - TNSW grant)		93

The Government has stated the proposed transfer of around 88% of current regional roads to State is aimed to relieve financial pressure (depreciation expense and own source revenues) on LGAs, and are mindful of potential capability and local employment impacts should roads (and funding) be transferred back to State. It is noted most councils use contractors for elements of regional road maintenance (eg sealing, line marking), that may be sourced through procurement arrangements with Joint Organisations or LGP.

While it may migrate from a grant funded system to a contract-based approach to manage regional roads, the quantum of funds to maintain and upgrade regional roads remains a concern. It is understood three quarters of regional councils have a RMCC with TfNSW, and are best placed to expand the body of work to include regional and state roads on behalf of TfNSW, and best placed to advise on renewal and upgrade estimates for regional roads.

It should be noted that moving from a grant system to a maintenance contract system (RMCC) carries a risk to Council as maintenance contract systems may be made a more competitive process by TfNSW in the future where Council could be competing against larger private construction companies for work. A grant system provides greater surety that funding will be provided directly to Council, however the value of the grants currently provided for Regional Roads is well below the amount required to properly maintain them.

Resources (including staff)

Staff resourcing should not be impacted if the maintenance works of the transferred roads are retained by Council under a RMCC-style maintenance contract. If the level of service was to increase on the reclassified or transferred roads, Council may need to employ additional road engineers to manage increased inspections, hold points and work orders relating to the TfNSW specifications. Additional works staff and machinery may need to be either employed by Council or engaged from contractors if greater funding is provided for Regional Road as a result of this review.

9.9 Regional Road Transfer and Road Classification Review (Ref: ; Author: Hansen/Cooke) (Continued)

Conclusion

Council should make a submission to the Regional Roads Classification Review and Transfer Panel before the end of August 2020. This report will be used to confirm Council's view on which roads it will nominate to transfer to the NSW state government to manage and which local road and regional roads Council would like to submit to be reclassified to regional or state roads.

Nominations for reclassification and transfer are required to address the criteria contained in the Information Paper.

It is understood further detail on road condition, traffic loads on the regional roads and bridges (freight, commuter, tourist), main population nodes, emergency and safety requirements, and scope/estimates for upgrade the roads; together with financial and economic impacts on councils, will be sought by the Panel in a second round of data gathering.

Attachments

Attachment 1	Road Classification Review and Transfer Information Paper (<i>Under Separate Cover</i>)
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REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.10 Adoption of Asset Management Plans (Ref: ; Author: Hansen/Grant)

File Reference: 36.2.2

Summary

Council is required to have asset management plans prepared for its major asset classes in accordance with best practice requirements and Integrated Planning and Reporting guidelines.

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

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

These plans were placed on public exhibition for a period of 28 days. Only minor changes have been made reflecting the general nature of comment received.

Recommendation

That Council:

1. **Note the comments made during consultation period.**
 2. **Adopt the asset management plans as reviewed for:**
 - a. **Transport**
 - b. **Water**
 - c. **Sewerage**
 - d. **Buildings**
 - e. **Sport and Recreation**
 - f. **Stormwater**
 3. **Rescind all previous asset management plans of the former councils for the categories listed in (2) above.**
-

Background

Draft Asset Management Plans (AMP's) were discussed at a Councillor Workshop held 5 May 2020 and endorsement to exhibit for public feedback was provided at the Council Meeting 27 May 2020.

The AMPs form part of the asset management framework under ISO 15000. An asset strategy and subsequent asset improvement plan, are yet to be presented to Council.

9.10 Adoption of Asset Management Plans (Ref: ; Author: Hansen/Grant) (Continued)

Engagement

Public comment was sought from Council's Your Voice Website for a 28 day period. Three written submissions were received which focused on:

- Inclusion of safety in the Road AMP
- Consideration of footpath standards for inclusion of changed legislation
- Climate change and methane emissions for STPs in the Sewerage AMP
- Risk management plans for assets
- Climate change relating to water assets

These comments have been reviewed and are considered general in nature. Only the Transport Asset Management Plan has been amended to reflect some of the safety issues raised in the know issues section. The other Asset Management Plans are unchanged and are consistent with those submitted at Council Meeting 27 May 2020.

The comments received are relevant and will be incorporated into the revised Strategic Asset Management Plan that will be presented to Council in the near future.

A copy of the results of the consultation are attached.

The comments have been reviewed and determined not to be included in the asset management plans as they are dealt with at a more strategic level or were issues of a nature not related directly to asset management planning.

As a result, the Asset Management Plans have been amended from draft to final.

Attachments

Attachment 1 Redacted Your Voice Report - AMPs (*Under Separate Cover*)



REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.11 Ellerton Drive - Bridge Name (Ref: ; Author: Hansen/Ramsland)

File Reference: 100150-4-08

Summary

A condition of the determination of Ellerton Drive extension on 30 June 2016 was that the Aboriginal Cultural Heritage Archaeological Report (ACHAR) be updated to include the altered footprint of the updated design, so that the correct assessment could be submitted for the Aboriginal Heritage Impact Permit (AHIP) application. The ACHAR was updated in November 2016 following further assessment and consultation with registered Aboriginal parties, including an assessment of cultural values of the area. One recommendation of the ACHAR is to name the bridge at Ellerton Drive, the Queen Nellie Hamilton Bridge.

Consultation with Indigenous stakeholders was undertaken according to the *NSW Aboriginal Cultural Heritage Consultation requirements for Proponents* 2010.

Recommendation

That Council name the new bridge on Ellerton Drive, the Queen Nellie Hamilton Bridge.

Background

Consultation with Indigenous stakeholders was undertaken according to the *NSW Aboriginal Cultural Heritage Consultation requirements for Proponents* 2010. The Ellerton Drive extension project undertook several rounds of consultation with the Aboriginal community, with groups provided with more than one opportunity to register their interest to be involved in the heritage assessment for the project. Further details on the consultation process and who was involved is provided in the consultation section below.

A condition of the determination of Ellerton Drive extension on 30 June 2016 was that the Aboriginal Cultural Heritage Archaeological Report (ACHAR) be updated to include the altered footprint of the updated design, so that the correct assessment could be submitted for the Aboriginal Heritage Impact Permit (AHIP) application. The ACHAR was updated in November 2016. Both the ACHAR and addendum were supported by those representatives of the Aboriginal parties who registered their interest on the project. No objections were raised in respect to the proposed salvage methodology or the archaeological heritage items proposed to be impacted by Ellerton Drive extension.

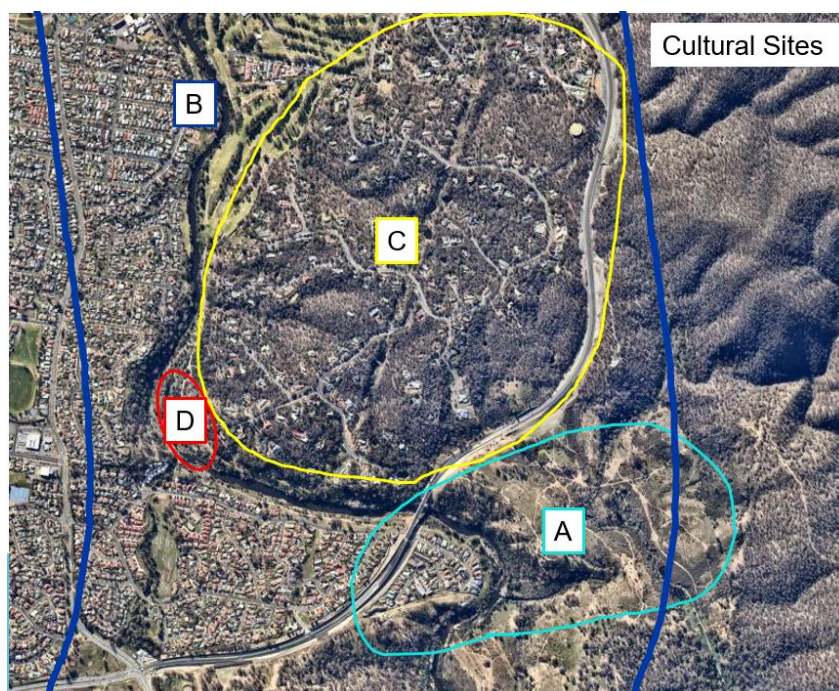
However, during the development of the updated ACHAR, concerns were raised by the Aboriginal community regarding the existing cultural values within the broader region. As a result, a specialised cultural values assessment was undertaken. Each registered Aboriginal party was asked to nominate cultural knowledge holders. Consultation with the identified knowledge holders during this process identified four cultural sites, three of which are located within the Ellerton Drive footprint. The knowledge holders provided cultural and historical information on the broader cultural landscape of the region and their family connection to the area. Two factors were emphasised as central to their cultural value of the area, the cultural value of waterways and the importance of cultural pathways. This information has informed the assessment process in relation to cultural heritage values and significance of the identified sites. The ACHAR and the mitigation recommendations are based on this assessment process and consultation with knowledge holders. A summary of the identified cultural sites is provided in Table 1 below.

9.11 Ellerton Drive - Bridge Name (Ref: ; Author: Hansen/Ramsland) (Continued)

Table 1 - Identified Cultural Sites

Site Name	Description	Cultural Significance
Site A: Valley (Jumping) Creek & Queanbeyan River Junction Resource Gathering and Camping Cultural Area	A resource gathering and camping area.	This site is of Medium Significance as a resource area and camping place associated with the pathway identified as Site B: Queanbeyan River Pathway Cultural Site. This site lies partially within the EDE footprint.
Site B: Queanbeyan River Pathway Cultural Area	A seasonal pathway.	This site is of High Significance as a section of a pathway that travelled along the Queanbeyan River. This pathway was part of an interconnected series of pathways that linked the coastal area to the tablelands and then into the highlands. This site lies partially within the EDE footprint.
Site C: Queanbeyan River and Hills Resource Cultural Area	A resource area for hunting.	This site is of Medium Significance as a resource area associated with traditional hunting practices. This site lies partially within the EDE footprint.
Site D: Queanbeyan River Camping Cultural Area	A camping area.	This site is of Medium Significance as a camping area associated with the pathway identified as Site B: Queanbeyan River Pathway Cultural Site. This site does not lie within the EDE footprint.

Figure 1 – Indicative Locations of the Cultural Sites



One of the recommendations from the ACHAR is to name the bridge constructed as part of the Ellerton Drive extension after Queen Nellie Hamilton. This is in recognition of a well-respected and well-known figure in the Ginninderra and Queanbeyan areas during the 1800s. In the later years of her life she became known as Queen Nellie.

Queen Nellie Hamilton

Nellie Hamilton was born at Ginninderra, County of Murray prior c. 1840. Murray County, centred on Queanbeyan, was one of the original counties in New South Wales. In the early European settlements Queanbeyan was regarded as being in the Southern Tablelands area,

9.11 Ellerton Drive - Bridge Name (Ref: ; Author: Hansen/Ramsland) (Continued)

which formed part of the Limestone Plains. It was estimated at the time that there were 400-500 Aboriginal people in the plains. Queanbeyan had a population of 72.

Nellie had taken her name from the European settler Hamilton Hume. His wife was childless and Nellie bore him a daughter named Lucy.

According to several references, Nellie was married three times and during her lifetime had a number of children. Bobby Hamilton was particularly well known in the region as a stockman breaking horses, outstanding cricketer and tracker.

In 1871, Nellie's children were sick with measles and her son Eddy died in September 1871. The following year, her husband Bobby died of tuberculosis, followed by her daughter Millie.

On 27 March 1873, no doubt still mourning the death of her husband and children, Nellie and her friend Nanny were sentenced to gaol for seven days. Later and during the winter of 1873, Nellie and Nanny and three or four children accepted an invitation to visit the Ngarigu people. After being refused passage on the mail coach, they walked all the way to Cooma through the winter weather. Nanny never fully recovered from the ordeal, dying shortly after. Nellie and her friend Nanny were named in Hong Gong's tribe. Hong Gong was Chief of the Namidge Tribe.

From 1872 Nellie spent most of her time in the Queanbeyan area, her subsequent husbands being Parsons Williams from the Braidwood area and King Billy from the Braidwood/coast area. Nellie survived her three husbands and all her children.

Later in 1873, Nellie brought a successful court case against a European settler for 'wounding with intent'. In front of the court Nellie spoke about herself. 'I've been living about Queanbeyan since I was a little girl. I have become well acquainted with the English language'.

In 1888 the Queanbeyan Member of Parliament successfully applied to the Aboriginal Protection Board to have her leadership as an elder recognised and Nellie was presented with a brass plate, understood to be by the Mayor, Alderman John Bull.

On 27 March 1895 Queen Nellie was the honoured guest at the opening of the Tharwa Bridge. The Queanbeyan Observer newspaper reported 'Before the public crossed the bridge following its opening, Queen Nelly Hamilton, resplendent in her new silk gown acquired for the occasion, shook hands with all the children who had been lined up as part of the procession'.

Queen Nellie died 1 January 1897 and was buried at Riverside Cemetery. The Queanbeyan Observer report 'In the Queanbeyan Hospital, where she had been a patient for some weeks past, on New Year's Day died poor old Nellie Hamilton, Queen of the Aboriginals of Queanbeyan and last remnant of her tribe'.

In her recollections, a long standing and respected Queanbeyan resident and school teacher, Elizabeth May Walker wrote '...Queen Nelly never went anywhere without her dog 'Jerrabung'...'Everyone liked her because she was a good old soul who never did anyone any harm, even in thought'.

The above background information was provided by Tim Overall from the following reference sources:

Proctor, P, 2017, *First on the Limestone Plains*.

Jackson-Nakano, A, 2001, *The Kamberri. A history of Aboriginal Families in the ACT and Surrounds*.

Thunderstone, 2016, *Aboriginal Culture and Land Management Services*.

Implications***Legal***

The Ellerton Drive extension was determined under Part 5 of the *Environmental Planning and Assessment Act 1979*. Impacted heritage items were considered under the *National Parks and Wildlife Act 1974*. The sites and artefacts impacted by Ellerton Drive extension did not trigger any actions under the *Heritage Act 1977*, *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*, *EPBC Act* or the *Australian Heritage Council Act 2003*.

Social / Cultural

No potential impacts to European heritage sites were identified during the archaeological assessment of Ellerton Drive extension. Council obtained a S90 Aboriginal Heritage Impact Permit (AHIP) in consultation with registered Aboriginal groups to allow salvage of Aboriginal artefacts located within the project footprint. A Cultural Values Assessment report was undertaken to address concerns from the Aboriginal community in regards the existing cultural significance in the broader region. This report and consultation process identified four cultural sites within the Ellerton Drive area, three of which would be directly impacted by the road.

Engagement

Consultation with Indigenous stakeholders was undertaken according to the *NSW Aboriginal Cultural Heritage Consultation requirements for Proponents 2010*.

The first round of consultation was undertaken in June 2012 with notifications and requests being sent out to known Aboriginal community groups or registered stakeholders in the area. Advertisements for expressions of interest (EOI) to be involved in consultation were also placed in 5 newspapers including those with both local and national distributions, including the Koori Mail (national), Indigenous Times (national), Queanbeyan Chronicle, Canberra Times and Queanbeyan Age. Letters inviting EOIs were also sent to a list of potential cultural knowledge holders constructed by NSW Office of Environment and Heritage as well as the Murrumbidgee Catchment Management Authority. Six groups were registered as part of this round with all but one group having representatives attend field surveys as well as review the completed Archaeological Report and its recommendations.

The second round of consultation was undertaken in September 2014. All groups registered during the first round remained registered for the second round. A new EOI process was also undertaken using the same methods as the first round of consultation. EOIs from two new groups were received during this round of consultation. Feedback and concerns during this round of consultation were addressed and incorporated into the Aboriginal Cultural Heritage Archaeological Report (ACHAR). All 8 groups were given an opportunity to comment on the ACHAR.

The confirmed list of Aboriginal parties registered for Ellerton Drive extension after two rounds of advertising were:

- Cheryl Williams for Ngambri Local Aboriginal Land Council
- Wally Bell – Buru Ngunnawal
- Carl Brown – King Brown Tribal Group
- Dorothy Carroll – Ngunnawal Aboriginal Heritage Corporation
- Arnold Williams – Ngunnawal Elders Council
- Rebecca Ingram – Karley Ngunnawal Descendants
- Cheri Carroll Turris – Gungeewong Cultural Heritage Aboriginal Corporation

9.11 Ellerton Drive - Bridge Name (Ref: ; Author: Hansen/Ramsland) (Continued)

- Antoinette House – Little Gudgeby Tribal Group

The proposed cultural assessment methodology was provided to registered Aboriginal stakeholders for comment. After no comments were received the registered parties were then asked to nominate knowledge holders who they considered had cultural heritage knowledge of the area. The knowledge holders who were nominated by their parties and which were interviewed for the purposes of the cultural values assessment were:

- Wally Bell
- Carl Brown
- Joe House
- Arnold Williams
- Adrian Brown
- Tyronne Bell
- Matilda House (elected to be represented by another knowledge holder)

In 2016, all registered parties were provided a copy of the draft ACHAR Addendum and Cultural Values Assessment Report, including the proposed recommendations for comment. Only one minor feedback was received. The ACHAR including the Cultural Values Assessment Report was then finalised in November 2016. No objections were received during consultation in regards to naming the Ellerton Drive bridge as Queen Nellie Hamilton Bridge.

Financial

Funding for bridge name signs are included within the project budget for Ellerton Drive extension.

Conclusion

No impacts to European heritage was identified for the Ellerton Drive extension project. Four sites of Aboriginal cultural significance were identified with various Aboriginal artefacts identified and salvaged. Following extensive consultation with numerous registered Aboriginal parties and their nominated knowledge holders for the Cultural Value Assessment Report, it was recommended that the bridge on Ellerton Drive be named Queen Nellie Hamilton bridge.

As previously reported, while the Geographic Names Board does not permit roads to be co-named, Council may separately consider naming the intersection of Edwin Land and Ellerton Drive, or the shared pathway, with Aboriginal references.

Attachments

Nil

File Reference: PJT0057-04-02

Summary

The draft 2020-2030 Long Term Financial Plan (LTFP) has been endorsed at the July Council meeting and placed on public exhibition for 28 days. No submissions have been received.

The draft LTFP has been updated to incorporate current expectations for the 10 year capital works program as detailed in the report, however has not yet been updated for the June 2020 year end results, with reporting currently being finalised.

Scenario 3 within the LTFP is recommended, and includes additional budget improvement activities designed to bring the LTFP back towards the *Responsible Scenario* policy settings, to reflect the intention of the adopted Financial Strategy and Policy. Councillors explored three scenarios at a workshop.

In adopting the responsible financial scenario - Scenario 3, Council will commit to undertaking budget improvement actions, including the previously adopted financial strategies for:

- Dividends from water and sewer funds (Queanbeyan) to the General Fund
- Reducing operating costs
- Increasing revenues
- Deferral of revoted expenditure budgets / transfer of reserve funds to unrestricted cash.

Recommendation

That Council adopt the 2020-2030 Long Term Financial Plan, with Scenario 3 being the preferred Financial Scenario.

Background

The 2020-2030 Long Term Financial Plan (LTFP) has been prepared in accordance with the adopted *Financial Strategy and Policy* that outlines the principles adopted by Council designed to:

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

The purpose of the LTFP is to inform decision-making and to demonstrate how Council will achieve financial sustainability over the long term. It models the financial outcomes of three scenarios that have been presented to Council at a workshop held in June.

The Asset and Financial Sustainability Review that was completed by Prof Percy Allan and GHD in December 2016 demonstrated that the newly merged QPRC was carrying a structural financial deficit, noting before merger that both former councils had forecast special rate variations or increases to utility annual charges above the rate cap. The review recommended

**9.12 2020-2030 Long Term Financial Plan (Ref: ; Author: Knight/Monaghan)
(Continued)**

a shift in Council's financial strategy, and provided the policy settings for the *Responsible Scenario*.

The fiscal principles and financial benchmarks of the *Responsible Scenario* were adopted in 2017 as the *QPRC Financial Strategy and Policy*, and have formed the basis of subsequent LTFPs, which have evaluated and forecast Council's performance against the benchmarks over a ten year planning horizon.

The recent rating harmonisation review followed the 'narrow the gap' principle of the Financial Strategy in mapping infrastructure maintenance, renewal and debt servicing to ad valorem rates and annual charges; and the base rate to services.

Since being endorsed for public exhibition, the following changes have been incorporated into the revised LTFP attached to this report, and recommended for Council adoption.

- \$10 million has been included in the 2022/23 financial year for the Bungendore Pool; with \$5 million grant funding and \$5 million loan financing.
- The sewer fund LTFP has been updated to allow for increased annual charges (2% per annum) from Queanbeyan city properties, in accordance with the business plan for the Queanbeyan Sewerage Treatment Plant upgrade.

Other changes emanating from Council's decisions on the Bungendore School, may also be embedded in an updated LTFP.

Implications***Legal***

The LTFP is prepared in accordance with section 403(2) of the *Local Government Act*, which requires the LTFP as an essential component of Council's Resourcing Strategy.

Policy

The Financial Strategy and Policy was last reviewed and adopted by Council in 2017 and outlines the following key fiscal principles for the General Fund to achieve the financial sustainability goals for general operations, ie a minimum operating surplus ratio of 0% and a maximum infrastructure backlog of 2% within 10 years.

- annual maintenance expense would be capped over the 10 years at an average around 85% of the annual required spend identified by GHD;
- annual renewals capex would be capped at 100% of the annual required spend identified by GHD. Renewals capex should be at least equivalent to depreciation expense;
- the average annual rates bill per property may increase by an average of 1.0% in real-terms each year beyond 2016-17;
- the operating fees cost recovery ratio would need to rise slightly more than the increase already planned under continuation of existing policy, to 50%;
- usage-based fees and charges would be increased, in accord with the operating cost recovery ratio increasing;
- dividend payments from W&S activities would need to be introduced, with a 50% dividend payout ratio (against net profit after tax) increasing general operations' revenue;

**9.12 2020-2030 Long Term Financial Plan (Ref: ; Author: Knight/Monaghan)
(Continued)**

- annual per-capita spending on services would be cutback by an average of 2% per annum compared with the average cutback of around 1% planned under continuation of existing policy. This will be addressed as an annual efficiency or productivity dividend;
- higher levels of enhancement, renewals and rehabilitation capex over the coming 10 years compared with that proposed under continuation of Existing Policy;
- utilise borrowings to ensure inter-generational equity, and match term of borrowings to accord with expected life of the asset;
- utilise borrowings, reserves and sinking funds to smooth out lumpy capital expenditures; and
- cyclical (as opposed to structural) deficits can be tolerated to ensure that tax smoothing occurs for ratepayers.

For the Water and Sewer funds, the Policy includes the following key commercial sustainability goals (of a minimum annual rate of return on capital of 1½%, a maximum infrastructure backlog of 2% and maximum gearing ratio of 30%) within 10 years:

- maintenance spending would be capped over the 10 years at an average around 100% of the required annual level of such spending as assessed by GHD;
- the annual rehabilitation capex necessary to address the present infrastructure backlog would have to be spread out over 10 years;
- the annual renewals effort would have to be capped at around 98%;
- the operating fees cost recovery ratio would need to rise to 100%;
- revise the portion of governance overhead and direct charges attributed to W&S Funds;
- the average per-property revenue from usage-based fees and charges needs to be increased by around 1% in real-terms each year for the next 10 years; and
- the average water and sewerage-related annual charges bill may increase by an average of 1% in real-terms each year for the next 10 years
- The rundown in cash reserves (in lieu of borrowings) may be used in part to renew assets that are coming to the end of their useful life and expand the infrastructure stock in line with Council plans.

The Costs Attribution Policy adopted in 2018 revised the overhead distribution between Funds. Those policies are recommended to be retained with current settings.

Asset

The LTFP is appropriately aligned to the draft Asset Management Plans, providing for asset enhancement and renewal, with a compressed capital works program in the first 4 years of the LTFP (taking advantage of low interest rate/high grant availability environment), and infrastructure renewal at 95% over for the remaining years in the planning period.

Whilst the financial strategy places a priority on infrastructure renewal over the planning period, Council will be challenged with funding increased level of asset maintenance on a larger stock of infrastructure. Growth in operating expenditure has been allowed in future years for the additional cost of servicing a growing population. Noting the acceleration of renewals investment post-merger in the current climate of high grants and low debt, the LTFP forecasts a reduction in asset maintenance over the ten year planning period.

**9.12 2020-2030 Long Term Financial Plan (Ref: ; Author: Knight/Monaghan)
(Continued)**

An Asset Strategy is yet to be workshopped and presented to councillors, contemplating asset standards, asset targets, asset expansion, and investment, returns and performance ambitions.

Council will need to identify additional opportunities for revenue, or other savings to address the issue of asset growth and relatively low growth in rate revenues in future years. A future council may contemplate an SRV directed to asset renewals to cover the growth in the asset base, and the increased loads on existing assets due to population growth.

Engagement

The LTFP has been designed to support the QPRC community priorities that are documented in the Community Strategic Plan, and that was last tested with the community in 2018.

The draft LTFP has been placed on public exhibition for 28 days, and no further community comment or feedback has been received.

Financial

Over the next 12 months, Council will need to respond to the significant financial challenges that have arisen as the culmination of a number of pressures:

- Ongoing general fund deficits - structural deficit within the general fund operating position to be addressed through budget reform measures. Whilst there have been a number of merger efficiency savings incorporated within the budget over a number of years, other costs have risen over the same period; and the structural deficit has not yet been resolved – including levels of unrestricted cash.
- Bushfire, pandemic and flooding emergencies have added to Council workload and operational expense over the recent year, and the full financial impact of these current emergencies is still unfolding.

Current government measures such as review of infrastructure development contributions and grant funding for assets may assist. Releasing internally restricted funds such as the property reserve and southern phone reserve, may be considered following the financial audit report – in turn improving unrestricted cash.

The LTFP includes three financial scenarios, none of which currently include rate revenue increasing by more than the rates cap.

Scenario 1 is the base case scenario, based on the previously adopted LTFP, but that recognises that Council's financial performance has not met the LTFP projections, and is no longer a responsible financial scenario.

Scenario 2 has been altered from the base case to consider the option of a loan drawdown for the QCCP upfront, instead of over two years to match the timing of capital expenditure. The upfront loan drawdown would only be considered where the interest rates that can be locked in upfront outweigh the cost of holding the loan for an additional year.

Scenario 3 presents the most responsible financial scenario, reflecting the intention of the adopted Financial Strategy and Policy and incorporating further budget correction measures into the forward planning period.

**9.12 2020-2030 Long Term Financial Plan (Ref: ; Author: Knight/Monaghan)
(Continued)**

Integrated Plan

The Resourcing Strategy is the point in the IPR Framework where Council identifies its responsibilities in delivering the community strategic plan. Together with the Workforce Plan, Asset Strategy, ICT Strategy and Risk Management Strategy, the LTFP tests the community priorities against financial realities.

Conclusion

The QPRC Financial Strategy and Policy adopted by Council is an ambitious program to invest in the rehabilitation and ongoing renewal and expansion of infrastructure across the LGA, and to keep rates and fees affordable over the long term. The Council's '*narrow the gap*' financial strategy is to progressively improve the recovery of costs through increased rates and revenues; aligning rates and charges to infrastructure and debt servicing; and fees and grants to services.

To overcome the challenges of the pre-merger Councils and to achieve the vision, it rests on a detailed list of key fiscal principles that were expected to raise the following changes:

- general rate increases below the forecast (~1% pa real increase)
- similar increases in water and sewer annual charges (~1.2% pa real increase)
- similar increases in other fees (6.1% pa)
- introduction of water and sewer dividends
- reduction of consolidated service expenditure (~1% pa)
- increased debt (~\$175m) to accommodate infrastructure capex and renewals
- subsequent increase in interest expense
- same levels of asset maintenance
- similar levels of development contributions
- increased asset (property) sales
- substantially increased levels of asset renewals and upgrades
- improvement in net assets (~46%).

The draft LTFP recognises that Council will need to implement budget improvement in order to become financially sustainable and has incorporated productivity savings and revenue increases. Pricing introduced through the Percy Allan and Aither reviews for general, water and sewer charging recommended annual 4% increments to fees to improve own source revenues, yet were kept at CPI in budgets. The updated LTFP will revert to that pricing path. Unrestricted cash may be improved by releasing funds from property, southern phone and plant reserves. Council staff will continue to identify savings opportunities and prepare a review of Council's service pricing for Council's consideration and implementation.

Attachments

Attachment 1 Draft 2020-2030 Long Term Financial Plan (*Under Separate Cover*)



REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.13 IPART Rating Review (Ref: ; Author: Knight/Monaghan)

File Reference: 43.2.1-15

Summary

The NSW Office of Local Government has published the Government's response to IPART's 2016 Review of the Local Government Rating System with a summary analysis of the 110 submissions received.

Council's submission was endorsed at the August 2019 meeting, and was largely supportive of the IPART recommendations.

The Government response includes the following key elements:

- Within the context of the broader rating framework, there are limited benefits for the implementation of a Capital Improved Value (CIV) method of calculating rates at this time.
- The Government does not support the recommended changes to the local government rates pensioner concessions framework and does not support significant changes to the existing rating exemptions framework.
- Future legislative reviews will consider greater flexibility in the rating system through the creation of additional rating categories and sub-categories, and facilitating councils' ability to align income growth with population growth.

Recommendation

That Council note the Governments response to the IPART 2016 Review of the Local Government Rating System.

Background

In 2013, the Independent Local Government Review Panel (ILGRP) released its final report into NSW Local Government. The ILGRP made 12 principal recommendations to make NSW Councils sustainable and fit-for-purpose; with the second of those recommendations being to strengthen the Council's revenue base:

"Changes to the rating system and rate-pegging are essential to generate the revenues needed to fund infrastructure and services, and – equally as important – to make the system more equitable."

The Government supported the ILGRP recommendations for strengthening revenues, and subsequently commissioned IPART to conduct a rating review to develop recommendations to improve the equity and efficiency of the rating system.

IPART's final report was released in 2019 and details forty two recommendations to provide a more effective and efficient rating system, with the key recommendations being:

- Use the capital improved valuation method to levy local council rates.
- Allow councils general income to grow as the communities they serve grow.
- Give council's greater flexibility when setting rates in residential areas (additional options for rating categories and subcategories)

9.13 IPART Rating Review (Ref: ; Author: Knight/Monaghan) (Continued)

- Modify rate exemptions so eligibility is based on land use rather than ownership
- Improve assistance to pensioners
- Give councils more options to set rates within rating categories.

Council's submission to the final IPART report was largely supportive of the recommendations. In particular, there were advantages for QPRC to be able to:

- Distribute the rating yield more equitably to high density properties with multiple units.
- Provide revenue growth outside the rates peg for growth in population and development
- Allow a gradual equalisation of rates for rates harmonisation; providing a ceiling of 10% increase for any assessment per annum
- Remove 'ownership' rates exemptions where land is used for commercial or residential purposes
- Remove rating exemptions for conservation agreements, and instead require it to be rated using a new category for environmental land
- NSW Government funding for the proposed pensioner concessions scheme
- Allow vacant land to be rated as a separate sub-category – with a higher rate to encourage urban development.

The Government response to the review is attached to this report, and outlines the government's support for 13 of the IPART recommendations, including the following.

- Support for the recommendation that councils be allowed to levy a special rate for new infrastructure jointly funded with other levels of government; and noting that this would be complementary to reforms to reduce the cost of developers' infrastructure contributions and would be considered with the developers contribution framework review.
- Support for recommendations to change the legislation to provide additional business and residential subcategories, including a subcategory for vacant land; however the government has not currently announced or proposed any change to the rating legislation to facilitate the change.

Implications***Legal***

The government has indicated support for the IPART recommendations that would allow Council to separately rate vacant land, and this will require legislative amendment, that has not yet been announced.

Policy

Council has a Revenue Policy objective to explore opportunities to disincentivise specific unwanted investment behaviour such as holding vacant land in the central business district.

9.13 IPART Rating Review (Ref: ; Author: Knight/Monaghan) (Continued)

Conclusion

IPART's final report into the NSW Local Government Rating System is a comprehensive report that provides a number of strong recommendations that could fundamentally improve how NSW councils structure the rating models specific to their community's needs.

The Government has released its response to the report and has ruled out a number of recommendations, including any current consideration for use of the Capital Improved valuation method. It has supported the option for additional business and residential subcategorisation, which will require an amendment to the *Local Government Act*. The Government has also supported the recommendation that would allow councils to levy a special rate to jointly fund new infrastructure for development with other levels of government.

The complete Government Response is attached for information.

Attachments

Attachment 1

Government Response to the IPART Rating Review (*Under Separate Cover*)

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.14 Investment Report - July 2020 (Ref: ; Author: Knight/Drayton)

File Reference: 43.3.1

Summary

In accordance with the *Clause 212 of the Local Government (General) Regulation 2005*, this Investment Report is presented to Council on a monthly basis. This report presents the investment result for July 2020.

Recommendation

That Council:

1. Note the investment return for July 2020 was \$482,892.
 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 July 2020.
-

Background***Cash and Cash Equivalent Investments***

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

Over the last 12 months, Council's portfolio produced an annualised rate of return of 1.73%, outperforming the benchmark Bank Bill Index by 1.00%.

As at 31 July 2020, the principal amount invested was \$180,202,017 and the year to date return was \$482,892 which is 12.1% of Council's annual budget.

Market Update

The average 30 day BBSW rate for July 2020 was 0.09%.

At their August 2020 meeting, the Reserve Bank (RBA) board chose to maintain the cash rate at the record low of 0.25%. The RBA's outlook for the economy is largely unchanged. An 'uneven and bumpy' recovery is expected, as is a large fall in GDP this year. Unemployment is set to remain above 7% for the next couple of years which is indicative of the long term impact Covid-19 will have on the economy. The role of government support and initiatives together with RBA policies was again advocated to aid the recover process.

Of the total investment portfolio of \$180.2 million, Council holds \$25 million in TCorpIM long and medium term funds. Both funds started the 2020/21 year on a positive note, posting moderate returns in July.

Implications***Legal***

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

Certified by Kate Monaghan, Responsible Accounting Officer, 13/08/2020.

Policy

The Investment Policy was adopted by Council on 22 July 2020 and is due for review in June 2021.

Financial

Council's cash and investment balance has been impacted by a series of significant cashflow challenges. Whilst unrestricted cash is adequate for current operations, internal reserve balances have been substantially reduced. This situation is the culmination of a number of factors, some temporary, and some as a result of general fund structural deficits that have impacted over time:

- Council is owed \$13.6 million in debtors for government grants and subsidies, mostly relating to reimbursements owed for bushfire and flood emergency works. This temporary cashflow deficit is being funded from Council's internal reserves.
- Council's rates and annual charges debtors at 30 June have increased by \$2.1 million. Collection will be monitored and reported to Council over the coming months.
- Council is still adapting to the additional costs and loss of income relating to its bushfire recovery, COVID-19 and flood recovery works.
- Merger savings realised to date have gone some way to reduce the existing structural financial deficit that was created with the new Council – however Council has not yet corrected the annual General Fund operating deficit, which has been gradually wearing down Council's internal reserve position over time.

Council has a financial strategy and policy that continues to be implemented, and Council staff are preparing the next stages for the revenue review – to increase the level of cost recovery from user fees and charges.

Budget correction and cost saving measures are a priority action for Council workshop discussion in the coming months.

The end of year financial statements are currently being finalised and more comprehensive analysis and advice will be provided once the end of year position is finalised.

Conclusion

As at 31 July 2020, the 2020/21 Financial Year investment return amounted to \$482,892. The investment returns are added to the associated restricted funds (e.g. development contributions) that form Council's investment portfolio.

The TCorpIM Long Term Growth and Medium Term Growth Funds continued to return positive growth (\$201,090 and \$92,072 respectively) in July 2020.

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

Together with cash asset classes, these growth assets form a well-diversified portfolio for Council.

Attachments

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



REPORTS TO COUNCIL - ITEMS FOR INFORMATION

**10.1 Review of Infrastructure Contributions in New South Wales – NSW
Productivity Commission Issues Paper (Ref: ; Author: Thompson/Carswell)**

File Reference: 26.1.3-05

Report

Council has recently made a submission relating to the NSW Productivity Commission's Issues Paper titled Review of Infrastructure Contributions in New South Wales. Unlike the previous review reported (refer Item 7.2 – 10 June 2020 Planning and Strategy Committee meeting) this Issues Paper focuses more on reviewing the whole infrastructure contributions system rather than aspects of the existing system, although there are overlaps between the two reviews.

As part of this review's Terms of Reference, the Commissioner was tasked with reviewing and making recommendations to deliver an infrastructure contributions system that:

- Delivers the public infrastructure required to support development in New South Wales
- Achieves greater certainty, transparency, efficiency and fairness in the setting of infrastructure contributions
- Identifies legislative regulatory changes necessary to implement the proposed reforms.

The Issues Paper is seen as a first step and will be followed by a series of stakeholder roundtables (originally to be held in August) with participation from NSW Government agencies, local government, industry, and community groups. This will enable further discussion of the issues and feedback on potential reform options. The outcomes from the public submissions and stakeholder roundtables will be used to inform and refine the design of a shortlist of reform options. These will be contained in the Final Report, planned for release later this year, for consideration by the Minister for Planning and Public Spaces.

A number of issues are identified throughout the Issues Paper and each are accompanied by discussion questions to guide submissions. These are collated in Table S.1 Issues and discussion questions in the Summary section of the Issues Paper which identifies 13 issues and their questions. Council's submission addresses a number of these issues including:

- Issue 1.1: Striking the right balance
- Issue 2.1: Enable a broader revenue source for the funding of infrastructure
- Issue 2.2: Integrating land use and infrastructure planning
- Issue 3.1: Principles for planning agreements are non-binding
- Issue 3.2: Transparency and accountability for planning agreements are low
- Issue 3.3: Planning agreements are resource intensive
- Issue 3.4: Contributions plans are complex and costly to administer
- Issue 3.5: Timing of payment of contributions and delivery of infrastructure does not align
- Issue 3.6: Infrastructure costs and contributions rates are rising
- Issue 3.7: The maximum s7.12 rate is low but balanced with low need for nexus
- Issue 3.9: Difficulty funding biodiversity through special infrastructure contributions
- Issue 4.1: Sharing land value uplift
- Issue 4.3: Land acquisition for public infrastructure purposes
- Issue 4.4: Keeping up with property escalation
- Issue 4.5: Corridor protection
- Issue 4.6: Open space
- Issue 4.8: Improving transparency and accountability
- Issue 4.9: Shortage of expertise and insufficient scale
- Issue 4.10: Current issues with exemptions
- Issue 4.11: Works-in-kind agreements and special infrastructure contributions.

10.1 Review of Infrastructure Contributions in New South Wales – NSW Productivity Commission Issues Paper (Ref: ; Author: Thompson/Carswell) (Continued)


The CEO is the local government representative on the Commission roundtable dealing with land acquisitions, funding and planning for infrastructure.

A copy of the Council's submission to the Productivity Commission is provided in Attachment 1 for the information of Councillors.

Recommendation

That the report be received for information.

Attachments

Attachment 1 	Submission to Productivity Commission - Review of Infrastructure Contributions in NSW (<i>Under Separate Cover</i>)
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REPORTS TO COUNCIL - ITEMS FOR INFORMATION

10.2 Delivery Program Update - January-June 2020 (Ref: ; Author: Richards/Tozer)

File Reference: 51.1.2-03

Report

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

The Delivery Program 2018-21 forms part of Council's requirements under the Integrated Planning and Reporting Framework. As with Council's other Integrated Planning documents, the Delivery Program has been categorised into the five strategic pillars.

The Operational Plan is essentially a sub-plan of the Delivery Program and focuses on the current financial year. The Operational Plan includes a major detailed budget, full list of capital works and key performance indicators for Council services. The attached update provides councillors and the community with an understanding of the progress Council is making with its capital projects and key performance indicators.

As part of Council's reporting requirements, an End of Term report is being developed and is required to be presented to Council prior to August 2021. This report will highlight how Council has moved towards achieving the aspirations outlined in the Community Strategic Plan.

The Delivery Program update January-June 2020 will be uploaded to Council's website at <https://www.qprc.nsw.gov.au/Council/Council-Business/Budgets-and-Planning#section-3>

Recommendation

That the Update on the Delivery Program be received for information.

Attachments

Attachment 1 Delivery Program update - January-June 2020 (*Under Separate Cover*)



REPORTS TO COUNCIL - ITEMS FOR INFORMATION

10.3 Amendments to the Model Code of Conduct and Procedures (Ref: ; Author: Tegart/Ferguson)

File Reference: 52.5.4

Report

The Model Code of Conduct and the Model Procedures for the Administration of the Code of Conduct (the Model Code and Model Procedures) were released in December 2018. Council adopted its new Code and Procedures, based on the Model, on 27 February 2019.

The State Government has recently amended the Model Procedures in response to the decision in the Supreme Court in the matter of *Cornish v Secretary, Department of Planning, Industry and Environment [2019] NSWSC 1134*. These amendments relate to the OLG's powers in imposing penalties for breaches of the Code and the disclosure of the findings of investigations when censuring a councillor.

The Government has also made some minor amendments to the Model Code mainly relating to the cap on gifts and benefits.

The new Model Code and Model Procedures were published in the Gazette and have been prescribed under the *Local Government (General) Regulation 2005*. They are now in force.

The OLG has issued Circular 20-32 summarising the full list of amendments (see <https://www.olg.nsw.gov.au/council-circulars/20-32-amendments-to-the-model-code-of-conduct-for-local-councils-in-nsw-and-procedures/>)

Councils are now required to revise and adopt their Code and Procedures based on the prescribed Models. A report will be presented to the Planning & Strategy Committee meeting on 9 September 2020 in this regard.

Council's Code of Conduct Complaints Coordinator is required to notify its Conduct Reviewers when Council adopts its new Code and Procedures.

Cap on Gifts and Benefits

As per the Model Code 2018, the QPRC Code currently imposes a cap of \$50 on the value of a gift or benefit that may be accepted and must be disclosed. The new Model Code allows councils to increase this cap to \$100. Councils are not obliged to amend their codes to lift the cap if they do not wish to. It is open to councils to retain the existing \$50 cap or to impose another cap that is lower than \$100.

It will be recommended in the coming report that Council lift the cap to \$100, noting that items with a value of \$10 or less are not considered a gift or a benefit under the Code and therefore do not need to be disclosed.

Recommendation

That the report be received for information.

Attachments

Nil

11.1 Queanbeyan-Palerang Sports Council - Minutes of Meeting held 10 August 2020 (Ref: ; Author: Thompson/Penman)

File Reference: 4.3.3

Summary

The Queanbeyan-Palerang Sports Council submits the minutes of its meeting held 10 August 2020 for Council's consideration.

Recommendation

That Council note the minutes of Queanbeyan-Palerang Sports Council held on 10 August 2020.

Attachments

Attachment 1	Minutes of the Queanbeyan-Palerang Sports Council Meeting held on 10 August 2020 (<i>Under Separate Cover</i>)
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File Reference: 842039

Summary

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

Recommendation

That Council:

- 1. Note the minutes of Local Traffic Committee held on 7 August 2020.**
- 2. Adopt recommendations LTC 29/2020 to LTC 37/2020 from the meeting held on 7 August 2020.**

LTC 29/2020 Under the *Roads Act* approve the TMP for the Mogo Zoo2Zoo to be held on 12 and 13 September 2020, with the condition that the riders are uplifted for the neutral stage from Kowen Forest carpark to Bungendore to avoid unmanaged use of groups of riders using the Kings HWY.

LTC 30/2020 Under the *Roads Act* approve the TMP for the 'Drive In @ Queanbeyan' event on 3rd, 4th, and 5th of September 2020 at the Queanbeyan Showground.

LTC 31/2020 Under the *Roads Act* approve the TMP for the NSW Open Golf Event with the condition that the organiser advertise how attendees get from the overflow parking to the event site, on 4th and 5th of September 2020 at Queanbeyan Golf Course.

LTC 32/2020 The LTC recommends that the DA conditions for events at Googong include the following requirements:

- Individual Event Applications with relevant TMP and other essential documents, which have been developed to cater for specific conditions at the time of each proposed event, are submitted to the LTC for review
 - TCPs and contingency plans are strictly followed at all times
 - Additional VMS are placed on Old Cooma Road for additional advanced notice to guide non-local event attendees to the event off-street parking site
 - The end of queue is monitored and advanced warning be implemented if required
 - The event be cancelled if a significant rain event makes the off-street parking area unsuitable for use
 - Traffic Lights at the intersections of Googong Road and Wellsvale Drive are set to flashing amber and the flow of traffic is suitably managed by authorised traffic controllers with clear lines of communication established
 - Public Transport plans (use of Bus Services) to minimise use of cars to and from the event site are implemented, with contingency plans for additional services if capacity is exceeded at any time. The TCP is to be amended to allow for a bus zone and associated risks are addressed
 - In the event of an incident at either intersection off Old Cooma Road, that contingency plans are implemented to suitably divert traffic
-

**11.2 Local Traffic Committee 7 August 2020 (Ref: ; Author: Hansen/Stewart)
(Continued)**

LTC 33/2020 Under *Road Transport Act 2013* install signage upgrades and line-marking at intersection of Burra Road and Candy Road Intersection as per design.

LTC 34/2020 Under *Road Transport Act 2013* duplicate 'No Entry' sign and pavement arrow markers on Isabella Street and Collett St as per design.

LTC 35/2020 Under *Road Transport Act 2013* install line-marking at Jerrabomberra Circle/Jerrabomberra Parkway entrance as per design

LTC 36/2020 Under *Road Transport Act 2013* install 'No Stopping' signage on North Poplars Road as per design.

LTC 37/2020: Under the *Road Transportation Act 2013* implement the design for the extension of line marking and yellow line kerb marking on Montgomery Avenue as per the design.

Attachments

Attachment 1 Minutes of LTC Meeting 7 August 2020 (*Under Separate Cover*)



11.3 Audit, Risk and Improvement Committee (Ref: ; Author: Knight/Cakalic)

File Reference: 45.3.1

Summary

This report provides the draft minutes of the Audit, Risk and Improvement Committee (ARIC) meeting of 29 May 2020, as approved by the Committee Chair.

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

The following provides a summary of the reports received by the ARIC at its meeting of 29 May 2020:

- Senior management presentation provided by the Portfolio General Manager Community Connections
- Verbal update on external audit activities by the Audit Office of NSW
- Internal Audit Activity report by O'Connor Marsden
- Report by the Financial Statements Sub-Committee
- Update on financial matters provided by the CFO
- QPRC COVID-19 response
- Insurance claims and fraud
- Workplace Culture Program
- Status of actions arising from the ARIC work plan
- ARIC maturity development plan
- Policy harmonisation project
- ICT Disaster Recovery Project
- QPRC asset management maturity
- Status of outstanding audit recommendations

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

Recommendation

That Council note the minutes of the Audit, Risk and Improvement Committee held on 29 May 2020.

Attachments

Attachment 1 ARIC Draft Minutes Meeting 29 May 2020 (*Under Separate Cover*)



11.4 Bungendore Town Centre and Environs Committee Meeting Minutes (Ref: ;
Author: Tegart/Ferguson)

File Reference: 52.3.3


Summary

The Bungendore Town Centre and Environs Committee has submitted for Council's information the minutes of its meeting held on 29 June 2020.

Recommendation

That Council note the minutes of the Bungendore Town Centre and Environs Committee meeting held on 29 June 2020.

Attachments

Attachment 1  Bungendore Town Centre and Environs Committee Meeting Minutes 29 June 2020 (*Under Separate Cover*)

12.1 Sassafras Crescent Reserve (Ref: ; Author: Winchester/Winchester)

File Reference: 26 August reports

Notice

Councillor Kenrick Winchester will move the following motion:

Motion

That:

- 1. Council staff conduct a workshop regarding the history of the Sassafras Crescent Reserve.**
 - 2. Community consultation be undertaken with nearby residents of the Reserve, requesting their thoughts on the future of the Reserve.**
 - 3. Once consultation has been completed, a further workshop be held to discuss community feedback and potential future uses of the Reserve.**
 - 4. That an on-site inspection of the Reserve be arranged if and when required.**
-

Background

Sassafras Crescent Reserve has a long history, dating back to the 1980s when the land around the Reserve was first developed. The Reserve was never developed as per the original designs from 1987 (a copy of the original design has been included in the attachments) and eventually the area became used as a makeshift BMX track. This led to issues with anti-social behaviour at the Park, and in March 2010, after consultation with local residents, Council resolved:

- 1. The Sassafras Crescent Reserve BMX be relocated to Southbar Road Scar.*
- 2. The funds be considered as part of the 2009/2010 Draft Management Plan, and*
- 3. Alternate uses including the subdivision and disposal of part of the Sassafras Crescent Reserve be further investigated.*

Since that time, there appears to have been limited work carried out at the Reserve, besides some tree planting around the perimeter. Local residents have requested that the future of the Reserve be reviewed by Council.

CEO Comment

The ultimate use of Sassafras Park for either subdivision to allow residential development or retention of the site for open space has been a divisive issue in the local area in the past and this uncertainty has been reflected in the lack of planning for the Park. As such, a review of the history of the Park is timely and could be facilitated through a workshop as suggested in the motion. Other matters affecting the use of the Park include its proximity to the landfill site at the Jerrabomberra Scar with potential for buried deposits of waste materials to be present on the site.

The mover may wish to make item 2 of the motion more inclusive by including all the surrounding areas bounded by Donald Road, Southbar Road, Hakea Street and Oak Place.

Attachments

- Attachment 1 Email from resident with attachments (*Under Separate Cover*) -
CONFIDENTIAL
- Attachment 2 Copy of previous Council minutes and reports (*Under Separate Cover*)



NOTICE OF MOTIONS

12.2 Practical Covid-19 Prevention Measures (Ref: ; Author: Marshall/Marshall)

File Reference: 26 August 2020 motions

Notice

Councillor Peter Marshall will move the following motion:

Motion

That Council:

- 1. Review its public facilities and where feasible, adapt them in the light of the current public health situation.**
 - 2. Consider revising its Code of Meeting Practice to mandate social and physical distancing at its meetings, workshops, briefings and committee meetings, in line with current best practice in public health.**
 - 3. Take such other measures as are within its power to inhibit the spread of SARS-CoV-2.**
-

Background

1. Many of Council's public toilets have no soap available. The functioning of hand dryers, taps and doors can also impact the spread of Covid-19, especially in the absence of soap. Hand dryers, where available, sometimes need to be touched to make them operate. Some taps may need to be touched after washing hands, to turn them off. Doors may need to be touched to open to exit the toilets, after washing hands. In the absence of soap, touching of surfaces before washing hands cannot be ameliorated by washing hands. Council should review its public facilities and where possible take the measures, or plan and budget to take future measures, in the light of experiences with Covid-19.
2. At its various forms of meeting, Council needs to ensure it is giving good example. Social and physical distancing does not seem to be being maintained in its meetings. Where it is maintained, a physical distance of 1.5m is no longer considered adequate over a longer period, and physical proximity should be avoided through remote attendance at meetings. This should be mandated, not optional, with exceptions only where impractical.
3. There may be other measures that other councillors or staff believe could assist in and set example for the inhibition of SARS-CoV-2. This may include not making Council facilities available to groups promoting behaviours contrary to public health (such as anti-vaccination groups).

Staff Comment

Public toilets are hot spots for vandalism. Generally, any hand dryers need to be robust and able to withstand any vandalism attempts. This is the main reason soap dispensers are not made available in public toilet facilities. Most touch free taps require mains power to operate the infrared sensors which will be difficult to achieve in many locations. An estimate to provide

**12.2 Practical Covid-19 Prevention Measures (Ref: ; Author: Marshall/Marshall)
(Continued)**

dispensers (\$36k), contactless taps (\$78k), and dryers (\$40k) across the main public amenities in the LGA, is around \$166k inc labour.

An automatic powered door with proximity sensor pads would need to be installed at each location to eliminate the need to touch the door upon entering and exiting the facility. Each door would cost approximately \$2,000 per door, supplied and installed. There are approximately 30 sites that have external doors that require opening to enter/exit the facility.

In relation to council offices and meetings, the guidance from NSW Government includes:

- The Public Health Order changes certain restrictions on people in office buildings, such as council administration buildings. Specifically, the limit on 100 people in an indoor space and the requirement that a premises provides sufficient space to allow for 4 square metres of space per person (“the 4 square metre rule”) no longer apply in office buildings. However, where staff do return to the office to work, it is recommended that councils ensure that adequate physical distancing continues to be maintained. Staff must continue to stay home if they are sick.
- It is permissible for councillors and council staff to leave their homes for the purposes of attending council and committee meetings and to attend meetings in person. Councils should continue to allow councillors and staff to attend and participate in council and committee meetings by audio visual links where it is reasonably practicable to do so. Members of the public are not permitted to attend meetings (other than for the purposes of work)
- Councils must not allow persons to attend meetings if the size of the meeting venue is insufficient to ensure there is 4 square metres of space for each person attending the meeting.
- Where councillors and staff do participate in face to face meetings, councils must ensure that adequate physical distancing continues to be observed. Staff and councillors must continue to stay home if they are sick.

All meeting spaces have been marked up with maximum participants per room, based on the 4m² rule. It remains the responsibility of staff and councillors to maintain personal distancing.

In accord with the public health orders and OLG advice, councillors may attend meetings in person, complying with the distancing controls. Council’s Crisis Management Team (CMT) regularly review the public health orders and the status of cases within the LGA and surrounding LGAs. In accordance with QPRC’s Pandemic Guidelines and Pandemic Workforce Management Plan, the organisation is currently at a level two (Intermediate) response. The various response levels of the Plan outline the organisation’s current expectation around social distancing, workplace hygiene, home based work, meetings, training, travel etc.

At level two, face to face meetings are limited where possible and restricted further for meetings requiring staff attendance from different workplaces or sites. Whilst physical distancing (1.5m) is strongly encouraged, places of work are bound instead by the four square

**12.2 Practical Covid-19 Prevention Measures (Ref: ; Author: Marshall/Marshall)
(Continued)**

metre per person rule. Hygiene packs including masks will be made available to staff and councillors. Additional general cleaning of high touch points such as meeting rooms continues.

Council monitors and adjusts its response level in accordance with the NSW public health orders, or in alignment with the number of localised cases and community transmission. Community facilities and services are included in those reviews. Guided by advice from the Office of Local Government, the CMT has sought to allow services wherever practicable and safe to do so to re-open in full or with appropriate restrictions or modifications

Attachments

Nil

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

File reference: 26 August 2020 reports

Summary

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

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

Recommendation



That Council note the Delegates' Report.

Cr Tim Overall		
No.	Meeting/Function/Event Attended	Summary of Key Points
1	Regional Cities NSW Board Meeting, 6 August 2020	<ul style="list-style-type: none">• Memorandum of Understanding/NSW Government Update<ul style="list-style-type: none">- Funding for Local Activation Precincts would be forthcoming. RCNSW LAP Recommendations to include updated Hub and Spoke Map and establishment of an Agency Planning Panel.- RCNSW proposal on regional living and working campaign to be submitted.• Sustainability<ul style="list-style-type: none">- RCNSW to write to Federal and State Governments and ALGA requesting investment in research and development of regenerative agriculture in regional NSW.• Building Better Regions Fund<ul style="list-style-type: none">- RCNSW to submit letters of support to governments including a suggested theme for the next round.• Emergency Services Levy<ul style="list-style-type: none">- Position paper to be prepared. Delegation to meet with Resilience Commissioner.• NSW Productivity Commission Issues Paper<ul style="list-style-type: none">- Position paper to be prepared.• National Cabinet<ul style="list-style-type: none">- Letter of support to State and Federal representatives and LGNSW on the inclusion of the President of ALGA as the Local Government representative in the National Cabinet.

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

Cr Pete Harrison		
No.	Meeting/Function/Event Attended	Summary of Key Points
1	Dargues Reef Community Consultative Committee – 22 June 2020	<ul style="list-style-type: none"> Report and newsletter attached.

Attachments

- Attachment 1  Cr Harrison's - Dargues Reef Community Consultative Committee report *(Under Separate Cover)*
- Attachment 2  Cr Harrison's - Dargues Reef Q2 2020 Newsletter *(Under Separate Cover)*

QUESTIONS WITH NOTICE

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

File reference: 26 August 2020 reports

Report

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

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

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

Recommendation

That the report be received for information.

Attachments

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



Attachment 2 Responses to Councillors' Questions with confidential information (*Under Separate Cover*) - **CONFIDENTIAL**

15 NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION

It is necessary for the Council to adopt a resolution to formalise its intention to deal with certain matters in Confidential Session. The reports are incorporated in the “confidential” business paper which has been circulated to Councillors.

The *Local Government Act, 1993* requires the General Manager to identify those matters listed on the business paper which may be categorised as confidential in terms of Section 10A of the *Local Government Act, 1993*.

Recommendation

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

Item 16.1 Undetected Leak Policy Application - Write Off Water Usage

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

Item 16.2 Review of Development Application Fees

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