



Planning and Strategy Committee of the Whole

AGENDA

11 November 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

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*

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- 14 CONCLUSION OF THE MEETING**

LIST OF ATTACHMENTS –

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

Open Attachments

- Item 8.1 DA.2020.1310 - Industrial Building - Lots 1 & 2 DP1263693, 10 & 11 Aurora Place, Queanbeyan East
 - Attachment 1 DA.2020.1310 - Section 4.15 Matters for Consideration - 10 & 11 Aurora Place (Under Separate Cover)*
 - Attachment 2 DA.2020.1310 - Plans - 10 & 11 Aurora Place (Under Separate Cover)*
 - Attachment 3 DA.2020.1310 - Submissions - 10 & 11 Aurora Place (Under Separate Cover)*
 - Attachment 4 DA.2020.1310 - Draft Conditions of Consent - 10 & 11 Aurora Place (Under Separate Cover)*
- Item 8.3 Amendments to South Jerrabomberra Development Control Plan 2015
 - Attachment 1 South Jerrabomberra DCP 2015 Neighbourhood Structure Plans (Under Separate Cover)*
 - Attachment 2 South Jerrabomberra DCP 2015 Parts 1 and 2 (Under Separate Cover)*
 - Attachment 3 South Jerrabomberra DCP 2015 Table of Contents (Under Separate Cover)*
- Item 8.4 Request for Use of Section 94 Funds - RFS Improvements
 - Attachment 1 Details and Recommendations for Proposed Use of Contributions Collected Under the Tallaganda Shire Council Section 94 Contributions Plan No.4 (Under Separate Cover)*
- Item 8.5 Renewal and Establishment of Alcohol Restrictions in the Local Government Area
 - Attachment 1 Schedule of Proposed Alcohol Free Zones and Alcohol Prohibited Areas (Under Separate Cover)*
 - Attachment 2 Summary of Submissions Received During Exhibition (Under Separate Cover)*
- Item 8.6 Road Naming Proposal - Gurimbaga Lane, Charleys Forest
 - Attachment 1 Gurimbaga Lane, Charleys Forest Location Map (Under Separate Cover)*
- Item 10.1 Review of Audit, Risk and Improvement Committee Charter
 - Attachment 1 QPRC ARIC Charter - revised draft (Under Separate Cover)*
 - Attachment 2 QPRC ARIC Charter - current (Under Separate Cover)*

Closed Attachments

- Item 8.5 Renewal and Establishment of Alcohol Restrictions in the Local Government Area
 - Attachment 3 Comments from NSW Police (Under Separate Cover)*

ITEM 4 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.

8.1 DA.2020.1310 - Industrial Building - Lots 1 & 2 DP1263693, 10 & 11 Aurora Place, Queanbeyan East (Ref: ; Author: Thompson/McManus)

File Reference: DA.2020.1310

Summary

This application has been referred to Council because the land on which the proposal is being carried out is owned by Council and the sale of that land is dependent on whether the development application is approved. For the same reason this assessment report has been prepared by an external independent planner and is presented to Council below for consideration.

Proposal:	Construction of building – incorporating a workshop, wash bay and office, use of the site for a truck depot and ancillary vehicle sales and hire premises, earthworks, and the erection of one freestanding business identification sign.
Applicant/Owner:	Aurora Pty Ltd/Queanbeyan-Palerang Regional Council
Subject Property:	Lot 1 and Lot 2 DP 1263693, No.10 and 11 Aurora Place, Queanbeyan East
Zoning and Permissibility:	IN1 – General Industrial under Queanbeyan Local Environmental Plan 2012. The proposal is permissible with consent.
Public Submissions:	Three
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. Approval be granted to a variation to Part 7 of Queanbeyan Development Control Plan 2012 to allow for a site cut of up to 6 metres, instead of the maximum of 2 metres prescribed, and a batter of 1:1.73 instead of the maximum prescribed of 1:4 that is stabilised with shotcrete instead of vegetation for the following reasons:**
 - (a) The site slopes steeply up from the street frontage to the rear, with a fall of up to 8 metres from east to west. The steep slope necessitates the proposed site works in order to create sufficient usable area for hardstand, manoeuvring and placement of buildings;**
 - (b) The proposed site cut and the method of retention is supported by a Geotechnical Investigation carried out by a qualified geotechnical engineer; and**
 - (c) No significant impacts to the amenity of adjoining properties will result from the proposed site works, provided recommended conditions are imposed on any consent, including compliance with the recommendations of the Geotechnical Investigation.**

8.1 DA.2020.1310 - Industrial Building - Lots 1 & 2 DP1263693, 10 & 11 Aurora Place, Queanbeyan East (Ref: ; Author: Thompson/McManus) (Continued)

2. Development application DA.2020.1310 for the construction of an industrial building – incorporating a workshop, wash bay and office, use of the site for a truck depot and ancillary vehicle sales and hire premises, earthworks, and the erection of one freestanding business identification sign on Lot 1 and Lot 2 DP 1263693 No.10 and 11 Aurora Place, Queanbeyan East be granted conditional approval.
 3. Those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.
-

Background***Proposed Development***

The development application is for:

- Construction of building – incorporating a workshop, wash bay and office;
- Use of the site for a truck depot and ancillary vehicle sales and hire premises;
- Earthworks and associated retaining walls and batters; and
- The erection of one freestanding business identification sign located on a 5 metre high pylon.

It is understood that the site will mainly be used to park and service earthmoving machinery, with some ancillary sales of machinery. The majority of the proposed building's floor area consists of a workshop and wash bay, with a small office area and amenities attached. Note that the definition of a truck depot includes the servicing and parking of earthmoving machinery and the like.

Subject Property

The subject site is located at the end of the Aurora Place cul-de-sac and consists of two vacant and undeveloped industrial lots. They have a total area of 4,050m² – Lot 1 is 2,040m² and Lot 2 is 2,010m². The site is steeply sloping, with a fall of up to 8 metres east to west.

Vehicular access is provided to the site via an existing concrete driveway within an access handle from Aurora Place. An 8 metre wide right-of-carriageway extends across the driveway to ensure both lots are provided with suitable access.

Existing development within the locality consists of established industrial uses. The rear boundary of the site is in proximity to large lot residential development on Ridgeway Road.

8.1 DA.2020.1310 - Industrial Building - Lots 1 & 2 DP1263693, 10 & 11 Aurora Place, Queanbeyan East (Ref: ; Author: Thompson/McManus) (Continued)

Figure 1: Locality plan

Planning Requirements

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

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

1. State Environmental Planning Policy (SEPP) No 55 – Remediation of Land;
2. State Environmental Planning Policy (Infrastructure) 2007;
3. State Environmental Planning Policy No 64 – Advertising and Signage;
4. State Environmental Planning Policy (Koala Habitat Protection) 2019;
5. State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017;
6. Queanbeyan Local Environmental Plan 2012 (LEP); and
7. Queanbeyan Development Control Plan 2012 (DCP).

The proposed development generally satisfies all of the requirements and objectives of these planning instruments, with the exception of a proposed variation to a development control in the DCP relating to earthworks.

The significant issues relating to the proposal for the Council's consideration are:

- Variation to the DCP in regards to the extent of the proposed earthworks; and
- The method for achieving satisfactory vehicle manoeuvring.

8.1 DA.2020.1310 - Industrial Building - Lots 1 & 2 DP1263693, 10 & 11 Aurora Place, Queanbeyan East (Ref: ; Author: Thompson/McManus) (Continued)

(a) Compliance with LEP

The proposed development is generally consistent with the requirements of the Queanbeyan Local Environmental Plan 2012 (LEP). For a detailed assessment of the LEP see the attached *Section 4.15(1) Table – Matters for Consideration*.

(b) Compliance with DCP

The proposal involves a variation to the Queanbeyan DCP 2012 for the proposed amount of site cut and the slope of batter.

Variation Requested – Site Works

Clause 7.2.3 – Site Works of Part 7 of the DCP contains the following objectives and controls relevant to the proposal.

Objectives

- *Restrict and control excessive earthworks in order to preserve as much as is practicable the existing topography and amenity of the locality.*
- *Prevent siltation of materials and erosion of land.*
- *Ensure building design is appropriate for site conditions (stability and privacy).*

Controls

- The maximum permissible cut and fill to accommodate any building or associated structure is limited to 2 metres, except in those circumstances referred to below. All exposed cut and fill is to be suitably retained to structural engineers detail or battered.*
- Excavation and filling of the site, except to accommodate building platform, car parking, driveways and storage areas is to be kept to a minimum. On steeper allotments, the tiering of car parks and external storage areas is recommended.*
- All batters are not to exceed a gradient of 1:4 and shall be suitably stabilised with vegetation.*

The site slopes steeply up from the street frontage to the rear with a fall of up to 8 metres from east to west. It was acknowledged in the assessment of the subdivision that created the site that any future construction and use of the site would result in large amounts of earthworks requiring substantial retaining works. As such, the proposal includes a maximum site cut of 6 metres that will be retained with stabilised shotcrete batters with a gradient of 30 degrees (1:1.73) and retaining walls with a maximum height of 3 metres.

The proposed earthworks and retention is supported by a geotechnical report prepared by ACT Geotechnical Engineers dated 30 August 2019. The design of the retention methods is in accordance with the recommendations of this report. The application of shotcrete to the batters is required by the geotechnical engineer to ensure long term stability and integrity, thus it is not possible to vegetate the batters.

Applicants Justification - The applicant has submitted a request to vary the DCP. They state that complying with the DCP would not yield sufficient usable area for hardstand, manoeuvring and placement of buildings.

Assessing Officer's Summary and Recommendation - The steep slope of the site necessitates the proposed site works that are not in accordance with the DCP. No objections to this element of the proposal have been raised by Council's Building Surveyor or Development Engineer. The Building Surveyor has recommended the imposition of appropriate conditions, including ensuring the protection of adjoining properties during the site works. No significant impacts to the amenity of adjoining properties is anticipated. The proposed variation is therefore supported in this instance.

8.1 DA.2020.1310 - Industrial Building - Lots 1 & 2 DP1263693, 10 & 11 Aurora Place, Queanbeyan East (Ref: ; Author: Thompson/McManus) (Continued)

Truck Access and Manoeuvrability

The DCP requires all vehicles that may require access to the site to enter and exit in a forward direction.

The lots have an unusual irregular shape. This, combined with the extent of the batter, makes it difficult to construct a building and still retain sufficient space to ensure large vehicles can enter and exit the site in a forward direction. To resolve this issue it is proposed to extend the right-of-carriageway 4 metres either side of the boundary dividing the lots for the full extent of the boundary. While this ensures sufficient manoeuvring space for a heavy rigid vehicle, it means that no fencing can be erected between the lots as long as the right-of-carriageway exists.

Figures 2 and 3 below show the proposed right-of-carriageway and a turning path for a 12.5 metre long heavy rigid vehicle.

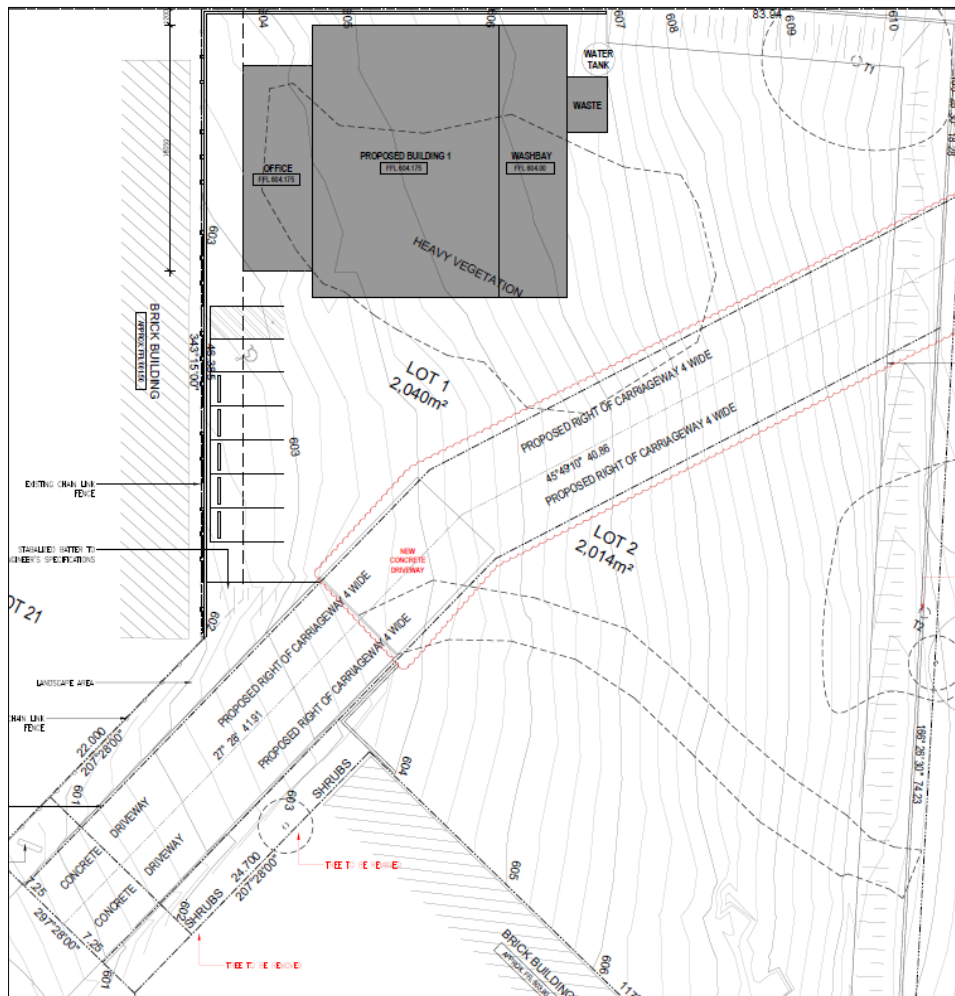


Figure 2: Right-of-Carriageway

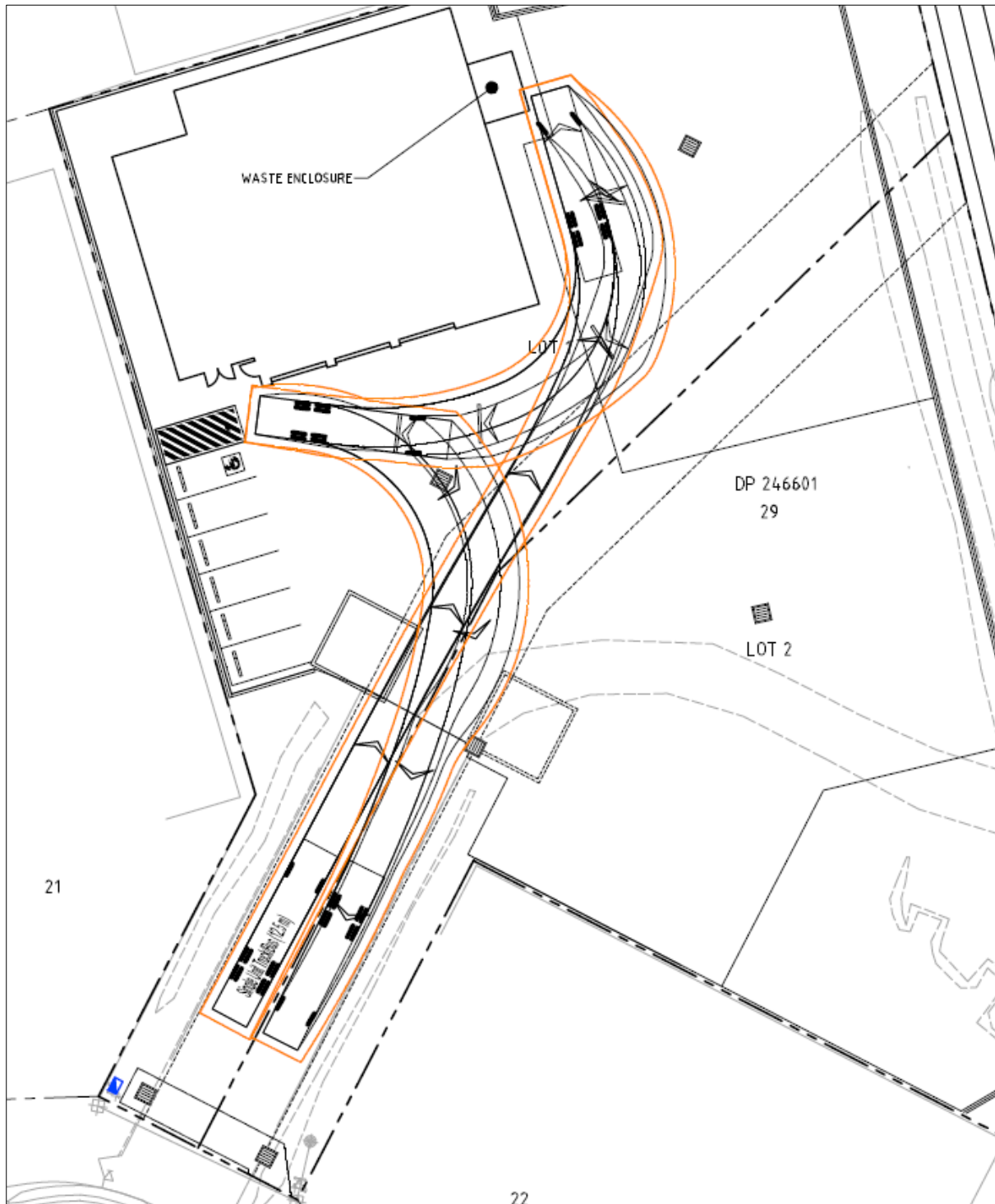


Figure 3: Turning Path

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The applicant has advised that the earthmoving machinery will be transported to and from the site in a tilt truck. This is a rigid vehicle that has a smaller turning circle than the 12.5m waste truck shown in the turning path.

Keeping the two lots as separate parcels provides flexibility for the potential separate use of the lots in the future by unrelated businesses, including possible construction of a building on Lot 2. Council's Development Engineer has assessed the proposed arrangement to provide sufficient manoeuvring area and has raised no objections subject to the imposition of conditions relating to the line marking of the right-of-carriageway and it being kept clear at all times. In addition, it is recommended that a condition be included restricting the erection of any boundary fencing between the two lots.

(c) Other Comments**External Referrals****a) Essential Energy**

The site contains electrical infrastructure within a registered easement. As such, Essential Energy were notified of the proposal.

Essential Energy have raised no objection to the proposal, subject to the imposition of standard conditions. Specifically, the signage proposed for the front of the driveway must maintain safety clearances to any electrical infrastructure.

It is noted that Essential Energy refer to a power pole being located "...in the middle of the proposed driveway." This is incorrect. The power pole was approved to be removed as part of the subdivision that created the site. This has been done, and the driveway constructed, in accordance with the subdivision consent.

Internal Referrals**(a) Building Surveyor's Comments**

Council's Building Surveyor has raised no objections to the proposal subject to the imposition of recommended conditions, including ones specifically relating to the construction of the retaining walls and protection of adjoining properties.

(b) Development Engineer's Comments

Council's Development Engineer has assessed the proposed development and has raised no objections subject to the imposition of appropriate conditions. Comments are as follows:

(c) Engineering Comments

Council's Development Engineer has raised no objections to the proposal subject to the imposition of recommended conditions. Specific comments are below.

Water: - A 100 mm water main runs along Aurora Place and each lot has a 40 mm service for water connection.

Sewer – A 150 mm sewer main runs along Aurora Place crossing the driveway access and two ties are provided for sewer connection.

Storm Water - The present application does not define how the outdoor storage area will be used hence, the probabilities of stormwater getting polluted is low. Considering the large catchment area of the lot the stormwater will be discharged through the stormwater network shown in the submitted plan with two on site detention systems provided at the end of the driveway access. The stormwater detention tank was designed based on the 1 in 100-year storm event with maximum depth of RL 604.00m. This tank is designed to

8.1 DA.2020.1310 - Industrial Building - Lots 1 & 2 DP1263693, 10 & 11 Aurora Place, Queanbeyan East (Ref: ; Author: Thompson/McManus) (Continued)

hold 37.5 KL water and diameter of the orifice plate is 90mm with RH3030 galvanised litter screen set proposed.

Traffic and Parking

- The use of the proposed development will include the ancillary sale of some machinery. The proposed use of the premises is close to the vehicle servicing facilities and showroom which require 0.75 space per 100m² plus 6 spaces per work bay however, this facility is not going to be operate as fully vehicle servicing facilities and showroom and won't attract that many numbers of customers. Applicant estimated 1-2 customer's vehicles per day which is more practical as well hence, provided numbers of car parking spaces is adequate to cater the parking demand for this development.
- For service and deliver vehicle one parking space is required. This has not been marked on submitted plan however, there is sufficient room for a truck of up to 12.5m long to enter and exit the site in forward direction with loading -unloading activities on the proposed development (please refer Turning Path Plan).

Access - The lot has an existing driveway access to the property and it satisfies the Council's engineering specification requirement. The submitted plan includes swept path analysis provided for the 12.5m long waste truck and it appeared to be satisfactory as well.

- Applicant changed the proposed use of the premises from Warehouse to Truck Depot and nominated vehicle less than 12.5m long hence this Turning Path Plan submitted for 12.5m long vehicle (Swept path analysis) is satisfactory. However, if the applicant proposed to use a vehicle longer than 12.5 m, applicant would need to provide Turning Path plan for with nominated size of vehicles (e.g. longer trucks) for further assessment
- The access is to be an 8m wide carriageway along the full extent of the boundary between Lot 1 and Lot 2 to allow for truck manoeuvring. The access requires the following measures applied:
 - An 88B instrument for the restriction on fencing between the lots.
 - Right of carriage way over the 8m wide access to be created by an 88B Instrument
 - Access handle to be line marked to identify the 8m wide access

(d) Waste Comments

Council's Waste Officer has raised no objections to the proposal subject to the imposition of recommended conditions. The proposal is not anticipated to generate large amounts of waste. Typical waste products will be office waste and liquid trade waste from the workshop and wash bay.

A Waste Management Plan has been submitted and an enclosed waste storage area capable of housing two skip bins and two wheelie bins is attached to the eastern side of the building. A typical 12.5 metre long truck is able to access the waste storage enclosure. Standard conditions relating to waste enclosures to be imposed. Additionally, a trade waste approval must be issued prior to the issue of any Construction Certificate, as recommended by Council's Trade Waste Officer

Financial Implications

Section 64 Headworks Contributions are required for the proposal as calculated by Council's Development Engineer.

8.1 DA.2020.1310 - Industrial Building - Lots 1 & 2 DP1263693, 10 & 11 Aurora Place, Queanbeyan East (Ref: ; Author: Thompson/McManus) (Continued)

Engagement

The proposal was publicly notified (including to adjoining property owners and occupiers) between 27 July 2020 and 11 August 2020. Three submissions were received. The relevant issues raised are as follows:

Issue 1 – Noise:

“... the only concern we have is the amount of noise that would be generated at the premises. We realise that the land is zoned General Industrial, but we would be grateful if, when approving the development, Council would take into account the fact that it adjoins residential properties on The Ridgeway of which our house at 169 Ridgeway Rd, The Ridgeway, is one...”

Submitter suggests that some restriction on noise generation be considered.

Comment: The site is located within a cluster of industrial land uses located in the vicinity of residential properties at The Ridgeway, with the nearest residence approximately 165 metres from the site.

The main noise generating activity from the proposal will be from the manoeuvring of earthmoving machinery within the site. The proposed operating hours are from 7am – 6pm (Mon – Fri) and 7am – 1pm (Sat). These hours are within the designated “Day” period in the EPA’s *Noise Policy for Industry*. It is typical for industrial businesses to begin work at 7am.

It should also be noted that the proposed significant amount of site cut and associated batter along the rear of the site will provide some acoustic buffering of noise.

It is considered that the nature of the proposed use of the site, the distance of the residential receptors from the site, the operating hours, and the location of the site within an existing established industrial area means that it is unlikely to generate intrusive noise to residential receptors. Standard condition recommended to be imposed regarding the level of any noise emanating from plant and equipment.

Issue 2 – Operating Hours:

After consulting directly with the applicant, the submitter does not object to the proposal provided that the business only operates between the hours of 9am to 5pm. The submitter states that these hours were indicated to them by the applicant.

Comment: The applicant was asked to clarify the proposed operating hours as the originally submitted information nominated hours of 6am – 6pm (Mon – Fri) and 6am – 1pm (Sat). The applicant responded with amended documentation confirming operating hours of 7am – 6pm (Mon – Fri) and 7am – 1pm (Sat).

Refer to previous comments above in relation to noise.

Issue 3 – Proposed Development of Lot 2 and Lot 3:

It was not clear to the submitter whether Lot 2 formed a part of the proposal. The submitter also wants to be notified of any future proposed development of Lot 3.

Comment: The proposal includes the use of Lot 2 for the parking of earthmoving machinery in conjunction with the use of Lot 1. The originally submitted plans erroneously referred to the previous subdivision that created the subject site (Lots 1 and 2), and the Council owned bushland reserve located behind the site (Lot 3). This reference has since been removed. The proposal does not involve any subdivision.

Any future change of use or building works proposed for Lot 2 requiring development consent will be publicly notified in accordance with Council’s policy.

8.1 DA.2020.1310 - Industrial Building - Lots 1 & 2 DP1263693, 10 & 11 Aurora Place, Queanbeyan East (Ref: ; Author: Thompson/McManus) (Continued)

In regards to Lot 3 it is not the subject of this proposal. Any future proposal to develop this lot will be publicly notified in accordance with Council's policy.

Issue 4 – Potential Development of Lot 3 and Fire Fighting Access:

Submitter refers to the potential development of “proposed Lot 3” and the maintenance of access to the bottom of the escarpment in the event of fire at the back of the industrial area.

Comment: Lot 3 is not a proposed lot. It was approved by Council under DA 327-2012 on 8 May 2013 and registered on 17 September 2020.

Issue 5 – Landscaping:

Submitter refers to two of the proposed species shown on the landscape plan as being known environmental weeds, being *Rhaphiolepis indica* and *Pennisetum alopecuroides* ‘Natrav’.

Compliance or Policy Implications

The application has been assessed in accordance with the requirements of the *Environmental Planning and Assessment Act*, Regulations and Council's policies. Refer to *Section 4.15(1) Table – Matters for Consideration*.

Conclusion

The submitted proposal for construction of building – incorporating a workshop, wash bay and office, use of the site for a truck depot and ancillary vehicle sales and hire premises, earthworks, and the erection of one freestanding business identification sign on Lot 1 and Lot 2 DP 1263693 No. 10 and 11 Aurora Place, Queanbeyan East is a Local Development and is supported by a Statement of Environmental Effects. The proposal was notified to adjoining owner/occupiers and three submissions were received. The issues raised in the submissions have been satisfactorily addressed as discussed in detail in this report.

The proposal has been assessed under Section 79C *Environmental Planning & Assessment Act 1979* including the relevant provisions of *Queanbeyan Local Environmental Plan 2012* and *Queanbeyan Development Control Plan 2012*.

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

The main issues relate to:

- A variation to the DCP in regards to the extent of the proposed earthworks; and
- The method for achieving satisfactory vehicle manoeuvring.

It is considered that provided the recommended conditions of consent are adhered to, the above issues have been satisfactorily addressed.

The proposed development is considered suitable for the site, is compatible with the neighbourhood and can be conditioned to mitigate any potential impacts.

Attachments

Attachment 1	DA.2020.1310 - Section 4.15 Matters for Consideration - 10 & 11 Aurora Place (<i>Under Separate Cover</i>)
Attachment 2	DA.2020.1310 - Plans - 10 & 11 Aurora Place (<i>Under Separate Cover</i>)
Attachment 3	DA.2020.1310 - Submissions - 10 & 11 Aurora Place (<i>Under Separate Cover</i>)
Attachment 4	DA.2020.1310 - Draft Conditions of Consent - 10 & 11 Aurora Place (<i>Under Separate Cover</i>)

8.2 Request to Waive Public Notification Requirements - South Jerrabomberra Seed Housing Applications (Ref: ; Author: Thompson/Perkins)

File Reference: 21.1.1

Summary

Council recently endorsed the early lodgement of development applications by Village Building Company (VBC) relating to seed housing and display homes within the South Jerrabomberra Urban Release Area. It has subsequently been identified that as a number of the dwellings feature zero lot line walls Council's Community Engagement and Participation Plan would require the applications to be placed on public notification for a period of 14 days. Given that each of the adjoining lots is concurrently being developed by VBC and the relatively isolated nature of the superlots within the South Jerrabomberra Urban Release Area currently being developed by VBC, notification of the applications is considered to be unnecessarily onerous, would result in delays in application processing times and would place additional demand on staff resources.

Recommendation

That Council waive the requirement for the public notification of applications for the purposes of seed housing upon super Lots AI and AO in the South Jerrabomberra Urban Release Area subject to the following provisos:

- a) Developments be, in the opinion of staff, in keeping with the desired future scale and character of the Southern Jerrabomberra Urban Release area as established throughout the *Queanbeyan Local Environmental Plan (South Jerrabomberra) 2012* and the *South Jerrabomberra Development Control Plan 2015* .**

Report

At its meeting of 14 October 2020 Council resolved to allow for the early lodgement of applications by Village Building Company (VBC), the developer of the new release area at South Jerrabomberra, in relation to seed housing, comprising 62 single storey dwellings, upon Superlots AI and AO within the South Jerrabomberra Urban Release Area.

Following subsequent review of draft application documents it was identified that due to the presence of zero lot line garages on the proposed dwellings each of the 62 applications would be required to be placed on public notification for a period of 14 days under Council's Community Engagement and Participation Plan.

The public notification of zero lot line development applications is primarily intended to notify property owners upon the affected boundary. Given that each of the adjoining lots is concurrently being developed by VBC and in recognition of the superlots' location within the centre of the South Jerrabomberra Urban Release Area with the nearest land under separate ownership being located more than 150m to the east of the site (See Figure 1 below) the notification of the applications is considered to be unwarranted.

Further, the lodgement of applications for the purposes of seed housing prior to the registration of the lots is intended to allow for the efficient processing of applications prior to the influx of private development applications as the land release area comes on the market following the registrations of the lots. The notification of 62 development applications would delay Council staff's ability to efficiently assess the applications while placing a significant burden upon administrative resources.

8.2 Request to Waive Public Notification Requirements - South Jerrabomberra Seed Housing Applications (Ref: ; Author: Thompson/Perkins) (Continued)

For these reasons staff are requesting that Council waive the requirement for the public notification of the seed housing applications upon Superlots AI and AO.



Figure 1: South Jerrabomberra Urban Development Area Seed Development

Conclusion

Given the above, it is considered appropriate to waive the requirement for public notification of the seed housing applications subject to the following provisos:

- Developments be, in the opinion of staff, in keeping with the desired future scale and character of the Southern Jerrabomberra Urban Release Area as established throughout the *Queanbeyan Local Environmental Plan (South Jerrabomberra) 2012* and the *South Jerrabomberra Development Control Plan 2015*.

Attachments

Nil

**8.3 Amendments to South Jerrabomberra Development Control Plan 2015 (Ref: ;
Author: Thompson/Jansen)**

File Reference: 26.1.1 – 06

Summary

The purpose of this report is to seek Council's endorsement to proceed with the exhibition of proposed amendments to the *South Jerrabomberra Development Control Plan (SJDCP) 2015*. The amendments are primarily to provide for the insertion of new Neighbourhood Structure Plans (NSPs) for proposed development areas, and, to update the map showing where the development control plan applies.

Recommendation

That:

- 1. Council exhibit the South Jerrabomberra Development Control Plan 2015 as amended for 28 days.**
 - 2. In the event that no submissions are received during the public exhibition period, Council authorise the Chief Executive Officer or his nominee to take all necessary actions to adopt the amended plan.**
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Background

The *South Jerrabomberra Development Control Plan (SJDCP)* was adopted in 2015 and most recently amended in 2018. The amendment at that time was to introduce controls for small lots and studio dwellings, as well as inserting new Neighbourhood Structure Plans (NSPs) for South Tralee and the Forest Morrison land.

Council has now received new and amended Neighbourhood Structure Plans (NSPs) for future land releases proposed at South and West Jerrabomberra. These are shown in Attachment 1 and comprise the following changes to Appendix 3 of the DCP:

1. An updated NSP for South Jerrabomberra urban release area (comprising South Tralee and Forest Morrison) – Maps 1A to 1C.
2. A revised NSP for North Poplars business and commercial area – Map 2
3. A new NSP for South Poplars business area – Map 3
4. A new NSP for North Tralee industrial and business area - Map 4
5. A new NSP for the Regional Sports Complex - Map 5

An amendment is also required to Part 1 and 2 of the SJDCP to update Map 1 showing where the DCP applies because of the notification of *Queanbeyan Local Environmental Plan (West Jerrabomberra) 2013* on 4 September 2020. This is shown at Attachment 2.

As a consequence of inserting the additional NSPs, amendments are also required to the table of contents (including updating the amendment table). This is shown at Attachment 3.

8.3 Amendments to South Jerrabomberra Development Control Plan 2015 (Ref: ; Author: Thompson/Jansen) (Continued)

Implications***Legal***

The amendments have been prepared in accordance with the *Environment Planning and Assessment (EP&A) Act 1979* and its Regulations. Amendments must be placed on public exhibition and any submissions considered prior to adoption.

Policy

The amendments will ensure that the *SJDCP 2015* contains updated NSPs which reflect the vision for South Jerrabomberra.

Economic

It is a requirement under the *SJDCP 2015* that NSPs be adopted prior to a development application being determined. The adoption of the amendments will enable the next step in the process.

Development occurring at South Jerrabomberra will benefit the local economy and the QPRC community in general through such things as economic employment opportunities.

Strategic

The proposed changes will update the *SJDCP 2015* and are considered appropriate. NSPs are updated and new ones added. The new neighbourhood structure plans are required to be submitted prior to a development application for subdivision being determined.

Engagement

It is proposed to exhibit the draft changes for a period of 28 days in accordance with Council's Community Engagement and Participation Plan.




Financial

As per Council's fees and charged, a fee of \$5,500 is required to be paid by the applicants for an amendment to a DCP. For this amendment, the costs will be split between the three parties, including Council.

Conclusion

The amendments to the *SJDCP 2015* are considered appropriate. The new NSPs ensure that the document is updated and reflects the vision for development at South Jerrabomberra.

Attachments

- | | |
|---|--|
| Attachment 1
 | South Jerrabomberra DCP 2015 Neighbourhood Structure Plans (<i>Under Separate Cover</i>) |
| Attachment 2
 | South Jerrabomberra DCP 2015 Parts 1 and 2 (<i>Under Separate Cover</i>) |
| Attachment 3
 | South Jerrabomberra DCP 2015 Table of Contents (<i>Under Separate Cover</i>) |

8.4 Request for Use of Section 94 Funds - RFS Improvements (Ref: ; Author: Thompson/Carswell)

File Reference: 21.4.1-05

Summary

Council has received two internal requests to use section 94 contributions (local infrastructure contributions) for the purchase of additional land to site a larger fire shed at Araluen and to cover the cost of preliminary studies, development application fees and development application modification fees for a new fire shed at Majors Creek.

In addition, requests have been received from the Rural Fire Service (RFS) to use these contributions primarily to cover the development application fees for a number of other proposed works at Araluen, Krawarree, Mulloon, Boro/Mt Fairy, Farringdon, Mongarlowe, Bombay, Braidwood, Charleyong, Nerriga, Majors Creek, Ridgeway, Hoskintown and Jerrabomberra Creek fire stations as well as for the new Queanbeyan Fire Control Centre and a new station at Googong.

These would exceed the currently available contributions which were collected under the *Tallaganda Shire Council Section 94 Contributions Plan No. 4 - Bushfire Control and Suppression*. However, in some cases the requests can be funded or part funded and the use of these funds in this way is generally consistent with the purposes identified for the use of contributions in this plan though not expressly authorised and so are referred to Council for a decision.

Recommendation

That Council:

1. Authorise a total of \$11,358.31 from developer contributions from the Araluen account collected under *Tallaganda Shire Council Section 94 Contributions Plan No. 4 - Bushfire Control and Suppression* towards the purchase of additional land and associated conveyancing costs to site the new Araluen Fire Station.
 2. Agree to the following projects on the Rural Fire Service sites being funded or part funded from the relevant developer contribution accounts being contributions collected under *Tallaganda Shire Council Section 94 Contributions Plan No. 4 - Bushfire Control and Suppression*:
 - a. Mulloon - to cover the development application fees for a new shed/2 bay extension and possibly costs associated with securing a right of way on crown land access to the site.
 - b. Mt Fairy / Boro – to cover the development application fees for an extension.
 - c. Farringdon – to cover the development application fees for a new demountable training room.
 - d. Mongarlowe – to cover the development application fees for a veranda addition.
 - e. Braidwood – to cover the cost of a security fence.
 - f. Charleyong – to upgrade a solar power system.
 - g. Majors Creek – for preliminaries associated with obtaining a Development Application or Development Application works for a new shed.
 3. Agree that the funding for each of projects in Item 2 be up to a maximum of the current balance in the relevant account at the time that a development application is lodged (or the project is commenced if a development application is not required)
-

8.4 Request for Use of Section 94 Funds - RFS Improvements (Ref: ; Author: Thompson/Carswell) (Continued)

or the cost of works (including any development application fees) whichever is the lesser.

4. Advise the Rural Fire Service of Council's decision regarding 1 to 3 above and that there are insufficient funds to fund the following requests:
 - a. Araluen – For plans and development application fees for a new shed.
 - b. Krawarree – For development application fees for the conversion of 1 bay to a meeting room & kitchenette.
 - c. Bombay – For a shed extension.
 - d. Nerriga – For development application fees for a new shed in 2025.
 - e. Majors Creek – For a security monitoring system and cameras plus linking into Council's remote monitoring system.
 5. Advise the Rural Fire Service that the *Tallaganda Shire Council Section 94 Contributions Plan No. 4 - Bushfire Control and Suppression* only applies to the former local government area of Tallaganda Shire and as such there are no funds available for the following requests:
 - a. Ridgeway – To cover a station extension.
 - b. New Fire Control Centre at Queanbeyan – For plans and development application fees.
 - c. Hoskinstown - For development application fees and assistance for a 1 bay extension.
 - d. Jerrabomberra Creek – For bitumen sealing of driveway to Old Cooma Road.
 - e. New station for Googong – For plans and development application fees (Timing not stated).
 6. Advise the Rural Fire Service that that there are no contribution funds to cover the request for all stations to be converted to Council's security key system and monitoring in the future.
-

Background

Council has received two internal requests to use section 94 contributions (local infrastructure contributions) for the purchase of additional land to site a larger fire shed at Araluen and to cover the cost of preliminary studies, development application fees and development application modification fees for a new fire shed at Majors Creek.

In addition requests have been received from the Rural Fire Service (RFS) to use these contributions primarily to cover the development application fees for a number of other proposed works at Araluen, Krawarree, Mulloon, Boro/Mt Fairy, Farringdon, Mongarlowe, Bombay, Braidwood, Charleyong, Nerriga, Majors Creek, Ridgeway, Hoskintown and Jerrabomberra Creek fire stations as well as for the new Queanbeyan Fire Control Centre and a new station at Googong. These would exceed the currently available contributions which were collected under the *Tallaganda Shire Council Section 94 Contributions Plan No. 4 Bushfire Control and Suppression*.

In relation to the Araluen project the following information has been provided:

We have a new Fire shed to build at Araluen. The existing shed isn't large enough to fit the current more modern Cat 1 fire trucks. Noting that construction time for the shed is approximately 4 – 5 months we are unable to keep the station operational if we were to knock down the existing shed and build a new one in place.

8.4 Request for Use of Section 94 Funds - RFS Improvements (Ref: ; Author: Thompson/Carswell) (Continued)

As such we need to increase the size of the block the shed sits on and would like to use the funds for the purchase of land and for the conveyancing costs associated with the purchase of additional land.

In relation to the other projects requested to be funded from developer contributions the following information has been provided:

- a) *Araluen – would like to use the funds for plans and development application fees for a new shed.*
- b) *Krawarree – for development application fees to convert 1 bay to a meeting room & kitchenette.*
- c) *Mulloon - for development application fees for a new shed and maybe for costs associated with the acquisition of a right of way on crown land access to the site.*
- d) *Mt Fairy/Boro – an extension and would like to use the funds to cover the development application fees.*
- e) *Farringdon – for a new demountable training room.*
- f) *Mongarlowe – for development application fees for a veranda addition.*
- g) *Bombay – shed extension.*
- h) *Braidwood – for a security fence.*
- i) *Charleyong – to fund an upgrade to the solar power system.*
- j) *Nerriga – for development application fees for a new shed in 2025.*
- k) *Majors Creek – for a security monitoring system and cameras plus connection to Council's remote monitoring system*
- l) *Majors Creek – for preliminaries associated with obtaining a Development Application or Development Application works for a new shed.*
- m) *Ridgeway – station extension.*
- n) *New FCC Queanbeyan - would like to use funds for land, plans and DA fees for projects scheduled for 2023.*
- o) *All stations – would like to use funds towards the conversion of stations still to be converted to Council's security key system and monitoring in the future.*
- p) *Hoskintown - would like to use funds for DA fees and assistance for 1 bay extension*
- q) *Jerrabomberra Creek – would like to use funds for bitumen sealing of driveway to Old Cooma Road*
- r) *New station for Googong - would like to use funds for land, plans and DA fees (Timing not stated).*

Attachment 1 summarises the situation for each request for funding.

Not all of the above requests can be funded. However, where there are sufficient funds to fund or part fund the request this is generally consistent with the use of contributions as identified in this plan.

8.4 Request for Use of Section 94 Funds - RFS Improvements (Ref: ; Author: Thompson/Carswell) (Continued)

The RFS's request and their identification of possible projects to be funded from the relevant contribution accounts is also consistent with part 2 of Minute No. 388-19 – 27 November 2019 being:

- 2 *Request the RFS to liaise with staff to identify any future projects over the next 10 years that the RFS are likely to request assistance for from developer contribution funds.*

Implications***Policy***

The relevant policy is the *Tallaganda Shire Council Section 94 Contributions Plan No. 4 - Bushfire Control and Suppression* and this report recommends that contributions be authorised for expenditures which are generally consistent with this plan.

Strategic

The use of the contributions to fund the projects in the manner identified is strategic in nature.

Financial

In the event that the recommendations of this report are adopted these will substantially reduce the available contributions to fund future RFS projects.

Conclusion

For a number of the requests, there are sufficient funds in the relevant accounts to at least fund or part fund the request and where this is the case this has been recommended. However, in other cases, there are insufficient or no funds available which is also reflected in the report's recommendations.

In addition, in making these recommendations consideration has been given to the area that *Tallaganda Shire Council Section 94 Contributions Plan No. 4 - Bushfire Control and Suppression* applies to, as well as to the nature of the requests and the purpose and the type of works that contributions collected under the Plan are to be used for.

The report to Council on pooling of development contributions is expected next month.

Attachments

Attachment 1



Details and Recommendations for Proposed Use of Contributions Collected Under the Tallaganda Shire Council Section 94 Contributions Plan No.4 (*Under Separate Cover*)

8.5 Renewal and Establishment of Alcohol Restrictions in the Local Government Area (Ref: ; Author: Thompson/Abbott)

File Reference: 23.3

Summary

The establishment of alcohol free zones (AFZ's) and Alcohol Prohibited Areas (APA's) is a mechanism to prevent irresponsible alcohol consumption, street drinking and to improve public safety. The establishment of the zones also provides a mechanism for Police to take some immediate action.

All of the existing AFZ's and APA's located within the QPRC local government area have now expired. On 12 August this year, Council resolved to publicly exhibit a proposal to renew and establish AFZ's and APA's in locations throughout the area for the required 28 days.

The proposed alcohol restricted zones have been on public exhibition and 11 submissions have been received. This report provides details of those submissions and, with some proposed changes to reflect input from the community, recommends that the restrictions be adopted by Council.

Recommendation

That:

- 1. In accordance with Section 644B and 632A of the *Local Government Act 1993*, alcohol-free zones (AFZ's) and alcohol prohibited areas (APA's) be established in those locations set out in the Schedule detailed in Attachment 1 and that signage be erected and the determination notified to put the restricted areas into effect.**
- 2. The operation of the approved AFZ's and APA's commence on 1 December 2020 for a period of 4 years expiring on 30 November 2024.**
- 3. The AFZ's and APA's be signposted more conspicuously in accordance with the requirements of Section 644C - (3)(4) of the *Local Government Act 1993* and the Ministerial Guidelines.**
- 4. The following areas identified during the exhibition period, but not included in the original advertised list, be placed on further public exhibition for community comment on whether AFZ's should be established in those areas:**
 - Crawford Street from Uriarra Road to Henderson Road - both sides**

Background

The *Local Government Act 1993* provides the legislative power for local councils to establish AFZ's and APA's in NSW to promote the safe use of roads, footpaths and public car parks without interference from anti-social behaviour caused by public drinkers.

The object of AFZ's is as an early intervention measure to prevent the escalation of irresponsible street drinking to incidents involving serious crime.

The drinking of alcohol is prohibited in an AFZ that has been established by a council. Public places that are public roads, footpaths or public carparks may be included in a zone. This may include areas used by the public as public places even though they may be privately owned. AFZ's promote the use of these roads, footpaths and carparks in safety and without

8.5 Renewal and Establishment of Alcohol Restrictions in the Local Government Area (Ref: ; Author: Thompson/Abbott) (Continued)

interference from irresponsible street drinkers. Once established, it applies twenty-four hours a day.

Any person living or working within an area, the local police or a local community group may ask a council to establish an alcohol-free zone or a council itself may decide to do so. A proposal to establish an AFZ must in all cases be supported by evidence that the public’s use of those roads, footpaths or public carparks has been compromised by street drinkers. For example, there could be instances of malicious damage to property, littering, offensive behaviour or other crimes.

Any person observed to be drinking in an AFZ may have the alcohol in their possession immediately seized and tipped out or otherwise disposed of by the Police. Signs designating an alcohol free zone must indicate that the drinking of alcohol is prohibited in the zone and that alcohol may be seized and disposed of if alcohol is being consumed in the zone. Starting and finishing dates for the operation of the zone should also be included. It is recommended that signs use consistent, easily recognisable symbols and include a map of the area defining the location of the zone.”

The consultation proposal was to renew AFZ’s and APA’s in existing and new locations as detailed below.

Proposed Alcohol-Free Zones (Sect 632 LG Act for street drinking - public roads, footpaths and car parks)	Location	Description/Comment
	Collett Street, Queanbeyan	Rutledge Street to Morisset Street on both sides
	Crawford Street, Queanbeyan	Antill Street to Rutledge Street on both sides
	Limestone Drive Carpark, Jerrabomberra	Main carpark outside the shopping centre on Limestone Drive Jerrabomberra
	Lowe Street Carpark, Queanbeyan	Lowe Street public carpark
	Monaro Street, Queanbeyan	Lowe Street to Queanbeyan River Bridge both sides
	Morisset Street Carpark, Queanbeyan	Morisset Street public carpark
	Queenbar Road, Karabar	Cooma Street to Gray Place on both sides.
	Rutledge Street Carpark, Queanbeyan	Rutledge Street public carpark
	Southbar Road, Karabar	Cooma Street to Candlebark Road on both sides
	Tamarind Place, Jerrabomberra	Road and footpath reserve
	Uriarra Road, Queanbeyan	Crawford Street to Ross Road on both sides
	3A Erin Street Carpark, Queanbeyan	NEW – At rear of Hospital including toilet block
	Footpath Corner MacQuoid and Atkinson Streets, Queanbeyan East	NEW - In front of Ukrainian Social Club
	Henderson Carpark, Crestwood	NEW - Adjacent skate park and train carriage
	Karabar Carpark, Karabar	NEW - Including undercover carpark

8.5 Renewal and Establishment of Alcohol Restrictions in the Local Government Area (Ref: ; Author: Thompson/Abbott) (Continued)

Proposed Alcohol Prohibited Areas (Sect 632A LG Act for Public Places such as Parks)	Location	Description
	Apex Park, Queanbeyan	Crawford Street
	Axis Youth Centre Park, Queanbeyan	Low Street tennis courts to Axis Youth Centre
	Ernie Beaver Park, Queanbeyan West	Gilmore Place
	Queanbeyan River Bank/Walk, Queanbeyan and Queanbeyan East	Collett Street to Atkinson Street, Waniassa Street to Mowatt Street on both sides of river.
	Queen Elizabeth II Park, Queanbeyan	Collett street/Morrisset Street
	Ray Morton Park, Queanbeyan East	Waniassa Street
	Ryrie Park, Braidwood	Braidwood
	Tamarind Place Waterfall Reserve, Jerrabomberra	Jerrabomberra waterfall reserve Creek bank around the waterhole at Tamarind place Jerrabomberra
	Waniassa Park, Queanbeyan East	Waniassa Street
	Henderson Park, Crestwood	NEW – Including skate park

The proposal would make it unlawful to consume alcohol at any time within the areas signposted as AFZ's and APA's, except when on a licensed premises within the AFZ or APA, as the responsibility for ensuring the lawful behaviour of patrons on these premises rests with the holder of the liquor license.

In terms of special events within these zones, consumption of alcohol is only permitted if the event is licenced or a 'suspension' has been approved by Council under section 645 of the Local Government Act 1993.

Council may pass a valid resolution to suspend or cancel a particular AFZ or APA. Liaison with the Police is essential to ensure that both parties are informed and action is coordinated. Council must publish a notice of cancellation and signs should be 'removed' for the duration of the suspension.

Implications

Legal

Council has complied with the consultation process set out in the *Ministerial Guidelines 2009*. The establishment of an AFZ/APA gives power to the Police to warn anyone consuming alcohol within a restricted zone or to confiscate the alcohol in their possession.

Council must publicly advise the establishment of AFZ's and APA's by notice in the media circulating in the area that includes the zone. An AFZ or APA will not operate until 7 days after publication of the notice and all areas are adequately signposted.

Alcohol restrictions within AFZ's and APA's operate only so long as there are erected at the outer limits of the area, and at suitable intervals within the area, conspicuous signs—

- stating that the drinking of alcohol is prohibited in the area, and
- specifying the times or events, as specified in the declaration by which the area was established, during which it is to operate.

Furthermore, if an individual fails to stop drinking in the AFZ/APA after a warning has been issued they can be found guilty of an offence for which there is a penalty.

8.5 Renewal and Establishment of Alcohol Restrictions in the Local Government Area (Ref: ; Author: Thompson/Abbott) (Continued)



ALCOHOL-FREE ZONE



The consumption of alcohol is prohibited
From 01 July 2016
To 30 June 2020

Non-compliance may result in immediate seizure and disposal of alcohol.

By Order **QPRC**
Queensland Policing Regional Council



ALCOHOL-FREE ZONE



The consumption of alcohol is prohibited
From 01 July 2016
To 30 June 2020

Non-compliance may result in immediate seizure and disposal of alcohol.

By Order **QPRC**
Queensland Policing Regional Council




ALCOHOL PROHIBITED AREA




The consumption of alcohol is prohibited
From 01 July 2016
To 30 June 2020

Non-compliance may result in immediate seizure and disposal of alcohol.

By Order **QPRC**
Queensland Policing Regional Council



ALCOHOL-FREE ZONE



The consumption of alcohol is prohibited
From 01 July 2016
To 30 June 2020

Non-compliance may result in immediate seizure and disposal of alcohol.

By Order **QPRC**
Queensland Policing Regional Council

8.5 Renewal and Establishment of Alcohol Restrictions in the Local Government Area (Ref: ; Author: Thompson/Abbott) (Continued)

Social / Cultural

A proposal to establish an alcohol-free zone must in all cases be supported by evidence that the public's use of those roads, footpaths or public carparks has been compromised by street drinkers. For example, there could be instances of malicious damage to property, littering, offensive behaviour or other crimes.

Monaro Police District have provided information on incidents which have occurred in the various areas nominated in confidential Attachment 3. The Police do not object to the establishment of any of the AFZ's or APA's proposed.

It was further added that relation to carparks, although on face value it appears that there is not much occurring there, not pursuing AFZs in car parks would be completely detrimental to what Council and Police are trying to achieve with regards to preventing anti-social behaviour, injury to persons, and damage to property. Police therefore strongly encourage AFZ's to be established in these areas.

Engagement

Input from the community and stakeholders is an important step in the decision-making process. Consultation on "Your Voice" was open for submissions between 17 August 2020 and 14 September 2020. Letters were also sent to stakeholders in accordance with the Ministerial Guidelines.

Most of the website submissions agreed with the proposal to renew alcohol restricted areas and comments such as the following were received:

- Excellent idea
- Agree with proposal
- I support the proposal
- The more "Alcohol Prohibited Areas" the better
- All parks with kids play areas

A summary of the comments received is included in Attachment 2

Some additional areas have been requested to be established or re-established. These include:

- Crawford Street – between Uriarra Road and Henderson Road on both sides.
- Derrima Road - No specific location nominated.
- Southbar Road – Extension of zone from Candlebark Road to Donald Road.

On investigation it was found that the previous AFZ on the corner of Crawford Street and Uriarra Road extended along Crawford Street to Henderson Road. It is recommended that this zone be reinstated. This will require this section of Crawford Street to be further advertised.

There is no evidence to suggest that including Derrima Road in the restricted areas would have any impacts and it is not recommended that this area be pursued.

Southbar Road will be restricted from Cooma Street to Candlebark Road. Extension of this area further west to Donald Road seems unwarranted given the large distance involved and that there have been no detrimental comments from the Police. As such, an AFZ is not supported.

One submission also sought clarity as to whether the Jerrabomberra Hotel carpark was included. This arose because the Jerrabomberra Hotel carpark was not included but the Supermarket carpark at Jerrabomberra was. However, following legal advice received several years ago, there was a previous decision by Council not to include these sites in the restricted zones as the Jerrabomberra shopping centre and hotel carpark are privately owned. As such these two areas are not recommended for inclusion.

8.5 Renewal and Establishment of Alcohol Restrictions in the Local Government Area (Ref: ; Author: Thompson/Abbott) (Continued)

It is proposed that raising awareness of the restricted areas once established could be increased by on signage on footpaths such as the following diagram. Size of the image should be no more than A3 (297 x 420 mm).

***Financial***

There is no specific budget for replacement of the signage for this project. It was found that the original signs came in at just under \$10,000 for approximately 60 signs. This makes the task of sign replacement quite expensive.

Where possible, staff will update existing signs, by covering the old dates with a sticker showing new dates, rather than reprinting all the signs again. This will still comply with the requirements for signs specified in section 644C of the Act.

Resources (including staff)

Resources will be required to make changes to all existing signs and to install the new ones. There are also some which require relocation to ensure the signs are placed in a more conspicuous location. This is due to some being located very high up.

8.5 Renewal and Establishment of Alcohol Restrictions in the Local Government Area (Ref: ; Author: Thompson/Abbott) (Continued)

**Conclusion**

AFZ's and APA's are key tools available to local police in their role of protecting our community. The Police have provided data and their attendance at meetings to discuss updating restrictions has been of assistance in preparing this report.

Police advice indicates the high importance local police give to the continued and slightly extended use of AFZ's and APA's within Queanbeyan-Palerang Local Government Area.

Attachments

- | | |
|--------------|--|
| Attachment 1 | Schedule of Proposed Alcohol Free Zones and Alcohol Prohibited Areas
(Under Separate Cover) |
| Attachment 2 | Summary of Submissions Received During Exhibition (Under Separate
Cover) |
| Attachment 3 | Comments from NSW Police (Under Separate Cover) - CONFIDENTIAL |

8.6 Road Naming Proposal - Gurimbaga Lane, Charleys Forest (Ref: ; Author: Thompson/Lamont)

File Reference: 26.4.1

Summary

Council has identified an unnamed Crown road that requires naming. The proposed name is “*Gurimbaga Lane*” and it is located within the locality of Charleys Forest. This report considers the name proposed and recommends endorsement for public exhibition.

Recommendation

That Council:

- 1. Adopt in principle the name Gurimbaga Lane as the proposed name for the Crown road as shown in Attachment 1.**
 - 2. Consult with the appropriate Yuin Aboriginal representatives regarding the suitability of the name.**
 - 3. Advertise the name for public comment for 28 days.**
 - 4. Publish a notice in the NSW Government Gazette if no objections are received.**
-

Background

The delivery of emergency and other services is often impeded for residents and businesses when road names are not officially recorded. To minimise confusion, standardise address assignment and support emergency services, all road naming principles, procedures and processes should be applied to Crown roads being used for access in NSW.

Council has identified a Crown road that requires naming. The details of the road and the proposed name are as follows:

Gurimbaga Lane - This road extends east for 1.36km off Charleys Forest Road, Charleys Forest.

The name comes from the Dhurga word for Magpie. The Dhurga language is one of the dialects used by the Yuin South Coast Aboriginal people. The country the Yuin ancestors occupied, used and enjoyed reached across from Cape Howe to the Shoalhaven River and inland to the Great Dividing Range. Gurimbaga is pronounced Goo-rim-bar-gar, where the “oo” sound is pronounced as in book.

The location of the proposed name is shown in Attachment 1.

The name selected is generally unambiguous and easy to spell and pronounce and is recommended for public exhibition.

Consultation

The proposed name will be exhibited for 28 days for public comment. In addition, representatives of the Yuin people will be invited to make comment.

Policy

The Code of Practice for addressing premises requires the recommended road names to be reported to Council and then advertised for public comment. If supported by Council and the Geographical Names Board and there are no objections received from notifications, then the

8.6 Road Naming Proposal - Gurimbaga Lane, Charleys Forest (Ref: ; Author: Thompson/Lamont) (Continued)

notice will be published in the NSW Government Gazette. If any objections are received, then a further report will be put to Council.

Financial

All costs associated with advertising of the road names and supply of road name plates are to be borne by Council.

Conclusion

The name chosen is unique and interesting name appropriate to the local area concerned. The name has been selected in accordance with Council's Code of Practice for the Naming of Roads and the Geographical Names Board guidelines for the naming of roads.

Attachments

Attachment 1 Gurimbaga Lane, Charleys Forest Location Map (*Under Separate Cover*)



9.1 Proposed Memorial Park Community Engagement Update (Ref: ; Author: Thompson/Geyer)

File Reference: PJT0061

Report

The purpose of this report is to provide Council with information about the recent community engagement undertaken in respect of the planning proposal for the proposed memorial park/cemetery at 1241 Old Cooma Road, Googong.

As required by the Planning Proposal Gateway Determination all reports and study findings were placed on public exhibition. Community engagement was subsequently conducted over a six-week period from 24 August 2020 to 5 October 2020, with submissions being received up to 6 October 2020.

The community consultation process included:

- placing all background studies and reports associated with the planning proposal on public exhibition
- conducting an independently facilitated public meeting with interested members of the community and preparation of a “Listening Report”
- direct consultation via Council’s “Your Voice” webpage
- consultation through social media channels.

The public meeting component of the community engagement was conducted on 15 September 2020 via Zoom due to COVID-19 restrictions on public gatherings. The meeting was well attended with approximately 50 registered participants. Participants were able to submit questions in advance of the meeting or during the meeting itself (79 questions submitted and responded to). A short survey of those participants undertaken by the facilitator at the end of the meeting indicated 79% felt the meeting was either “Informative” or “Highly Informative”. Further, 95% of participants believed the facilitator was “Effective” or “Highly Effective”.

In addition, participants in the meeting and other members of the community were provided with an opportunity to submit questions in respect of the proposal directly to Council for a response. Staff have subsequently answered all questions submitted and these responses have been placed on the Council’s website for public viewing.

During the public exhibition period:

- 67 submissions were received through “Your Voice” or direct to Council.
- 45 questions from the community were received prior to the public meeting and responded to.
- 8 presentations were made by community members at the public meeting held to inform the planning proposal.
- 79 questions from the community were received and responded to.

Following the public meeting, the independent facilitator produced a “Listening Report” and Council’s staff completed a “Your Voice” engagement report. Additionally, staff also prepared an analysis of the submissions received during consultation.

Across the submissions, seven common areas of concern were highlighted including:

- Aboriginal Heritage.
- Traffic and Access.
- Groundwater Contamination and Flooding.

9.1 Proposed Memorial Park Community Engagement Update (Ref: ; Author: Thompson/Geyer) (Continued)

- Environmental.
- Mental Health Impacts.
- Property Values.
- Process and Communication.

Staff have systematically worked through all the submissions and are reviewing the issues raised. Most of the issues raised will need to be addressed during the detailed design and development application process, should the planning proposal be progressed to the Minister by Council, and then approved by the Minister.

However, given the more recent rainfall events and changes to groundwater in the region, it additional ground water monitoring would be prudent. One recurring community comment received was a concern that monitoring occurred over a dry year. While monitoring was conducted from January 2019, a dryer than normal year, it did continue well into 2020, with some flooding and drought breaking rain. Given the community concern in this area and continuing rainfall, Council's contractor has been asked to continue monitoring the ground water levels and carry out flow rates, draw-down and recharge rates on the bores. The results will be analysed by the hydrological consultant and the report updated accordingly.

These works will be carried out over the coming weeks and when the analysis is received a full report will come before Council with the feedback from the community consultation process so that can Council can determine whether to progress the planning proposal.

Recommendation

That the report be received for information.

Attachments

Nil

10.1 Review of Audit, Risk and Improvement Committee Charter (Ref: ; Author:
Knight/Cakalic)

File Reference: 45.3.1-01

Summary

The mandate for the establishment of the Audit, Risk and Improvement Committee (ARIC) is derived from Part 428A of the *Local Government Amendment (Governance and Planning) Act 2016* (NSW). The NSW Government has since been working to develop the regulatory framework that will support the operation of ARIC committees. Consequently, a discussion paper entitled 'A New Risk Management and Internal Audit Framework for Local councils in NSW' was published in September 2019 for consultation. Based upon the consultation results the new framework was expected to be completed by December 2019.

With the adoption of the new framework, the Office of Local Government (OLG) was to develop and release a Model ARIC Charter (Model Charter). The current QPRC ARIC Charter (Charter) was to be reviewed in 2019, however, the ARIC resolved at its meeting of 18 September 2019 to defer the review pending the 'soon to be released' framework and Model Charter. However, given the almost twelve-month delay in this process, and uncertainty as to when the new framework will be launched, the Charter has now been reviewed against the proposed amendments as outlined in Part 428A of the *Local Government Amendment (Governance and Planning) Act 2016* (NSW).

The draft revised Charter was provided to the Executive at their meeting of 27 August 2020 where it was agreed to forward the Charter to the ARIC for comment, and subsequent approval and referral to Council for adoption. At its 9 September meeting the ARIC resolved to finalise the Charter out-of-session for submission to Council. The revised draft Charter is attached to this report and is recommended for adoption by Council. It should be noted that the Charter will be reviewed against the Model Charter once it has been published.

Recommendation

That Council adopt the draft Audit Risk and Improvement Committee Charter.

Attachments

Attachment 1 QPRC ARIC Charter - revised draft (*Under Separate Cover*)



Attachment 2 QPRC ARIC Charter - current (*Under Separate Cover*)



12 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*.