



Ordinary Meeting of Council

AGENDA

28 July 2021

Commencing at 5.30pm

**Queanbeyan Council Chambers
253 Crawford Street
Queanbeyan**

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

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- 4.1 Minutes of the Ordinary Meeting of Council held on 23 June 2021
- 4.2 Minutes of the Extraordinary Meeting of Council held on 30 June 2021
- 4.3 Minutes of the Planning and Strategy Committee of the Whole held on 14 July 2021

5 DISCLOSURES OF INTERESTS

6 ADJOURNMENT FOR PUBLIC FORUM

7 MAYORAL MINUTE

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Confidential - Not for Publication

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16.1 Solar Farm - Planning Agreement

Item 16.1 is confidential in accordance with s10(A) (c) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

16.2 Potential Sale - Burra Road Property

Item 16.2 is confidential in accordance with s10(A) (c) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

17 CONCLUSION OF THE MEETING

LIST OF ATTACHMENTS

OPEN ATTACHMENTS

- Item 9.1 Development Application DA.2020.1427 - Six Lot Torrens Title Subdivision - Poplars Innovation Precinct - 300 Lanyon Drive, Jerrabomberra
- Attachment 1 DA.2020.1427 - Section 4.15 Assessment Report - Poplars Innovation Precinct - 300 Lanyon Drive Jerrabomberra (Under Separate Cover)*
- Attachment 2 DA.2020.1427 - Plans - Poplars Innovation Precinct Subdivision - 300 Lanyon Drive, Jerrabomberra, NSW. (Under Separate Cover)*
- Attachment 3 DA.2020.1427 - Submission 1 - 300 Lanyon Drive Jerrabomberra (Under Separate Cover)*
- Attachment 4 DA.2020.1427 - Submission 2 - 300 Lanyon Drive, Jerrabomberra (Under Separate Cover)*
- Attachment 5 DA.2020.1427 - Submission 3 - 300 Lanyon Drive, Jerrabomberra (Under Separate Cover)*
- Attachment 6 DA.2020.1427 - Draft Conditions of Consent (Poplars Innovation Stage 1) - 300 Lanyon Drive, Jerrabomberra (Under Separate Cover)*
- Item 9.2 Development Application DA.2021.1060 - Erection of a Large Farm Shed - 159 Fernleigh Drive, Googong
- Attachment 1 DA.2021.1060 - Section 4.15 Matters for Consideration - 159 Fernleigh Drive, Googong (Under Separate Cover)*
- Attachment 2 DA.2021.1060 - Plans - 159 Fernleigh Drive, Googong (Under Separate Cover)*
- Attachment 3 DA.2021.1060 - Submissions (Redacted) - 159 Fernleigh Drive, Googong (Under Separate Cover)*
- Item 9.3 Modification Application DA.2020.1022.A - Queanbeyan Civic and Cultural Precinct - 257 Crawford Street, Queanbeyan
- Attachment 1 DA.2020.1022.A - Section 4.15 Matters for Cosnideration - QCCP - 257 Crawford Street, Queanbeyan (Under Separate Cover)*
- Attachment 2 DA.2020.1022.A - Amended Plans - QCCP - 257 Crawford Street, Queanbeyan (Under Separate Cover)*
- Attachment 3 DA.2020.1022.A - Draft Conditions of Consent - QCCP - 257 Crawford Street, Queanbeyan (Under Separate Cover)*
- Item 9.4 Planning Proposal PP_2020_QPREG_001_00 - E4 Land in Bywong and Wamboin - Additional Survey Work Required
- Attachment 1 Attachment 1 - Biodiversity and Conservation Division Submission to E4 Planning Proposal (Under Separate*

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- Attachment 3 Attachment 3 - Map of 413 Lots Proposed to be Rezoned to R5 (Under Separate Cover)
- Item 9.5 Queanbeyan Section 7.12 Fixed Levy Development Contributions Plan 2019 - Amendments
- Attachment 1 Queanbeyan Section 7.12 Fixed Levy Development Contributions Plan (Under Separate Cover)
- Attachment 2 Submissions - Queanbeyan Section 7.12 Fixed Levy Development Contributions Plan (Under Separate Cover)
- Attachment 3 Summary and Consideration of Submissions - Queanbeyan Section 7.12 Fixed Levy Development Contributions Plan (Under Separate Cover)
- Item 9.6 Funding Agreement - Braidwood Heritage Centre
- Attachment 1 Funding Agreement - Braidwood Heritage Centre (Under Separate Cover)
- Item 9.8 Community Engagement Report - Botanic Gardens/Sister City Gardens Project
- Attachment 1 High Level Concept Plans (Under Separate Cover)
- Attachment 2 Submissions Received by Email (Under Separate Cover)
- Attachment 3 Your Voice Report - Part 1 (Under Separate Cover)
- Attachment 4 Your Voice Report - Part 2 (Under Separate Cover)
- Attachment 5 Submission to Environment and Sustainability Committee - Queanbeyan Landcare (Under Separate Cover)
- Attachment 6 Recommendation of the Environment and Sustainability Advisory Committee - 9 June 2021 - Noted by Council at Meeting of 14 July 2021 (Under Separate Cover)
- Item 9.9 Feedback on Concepts for Embellishment and Renaming of Frogs Hollow, Bungendore - Outcome of Community Survey
- Attachment 1 Frogs Hollow Survey Results (Under Separate Cover)
- Attachment 2 Frogs Hollow Master Plan (Under Separate Cover)
- Item 9.12 Mount Jerrabomberra Site Specific Plan of Management
- Attachment 1 Mount Jerrabomberra Site Specific Plan of Management (Under Separate Cover)
- Attachment 2 Summary of Submission Received and Resulting Recommended Actions (Under Separate Cover)
- Attachment 3 Submissions 1-5 (Under Separate Cover)
- Attachment 4 Submission 6 (Under Separate Cover)
- Attachment 5 Submission 7 (Under Separate Cover)
- Attachment 6 Submission 8 (Under Separate Cover)
- Item 9.13 Exhibition of Draft QPRC Urban Forest Cooling Strategy
- Attachment 1 Draft Urban Forest Cooling Strategy (Under Separate Cover)
- Attachment 2 Urban Forest Cooling Strategy- Community Consultation Workshops- Summary Report (Under Separate Cover)
- Attachment 3 Urban Forest Cooling Strategy- Survey Results (Under Separate Cover)

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- Item 9.14 Public Place Electric Vehicle Charging Infrastructure - Models of Ownership and Procurement
Attachment 1 Public Place Electric Vehicle Charging Report- Models of Ownership and Procurement (Under Separate Cover)
- Item 9.15 Sustainable Garage Repair Cafe Proposal - 88 Wallace Street, Braidwood
Attachment 1 Information on How a Community Repair Shop Might Work (Under Separate Cover)
Attachment 2 Repair Garage/Sustainable Garage Letter to Council (Under Separate Cover)
- Item 9.17 Public Exhibition of PCYC Lease
Attachment 1 Executive Summary of Engagement Report (Under Separate Cover)
Attachment 2 Draft QPRC and PCYC Lease June 2021 (Under Separate Cover)
- Item 9.21 Investment Report - June 2021
Attachment 1 Investment Report Pack - June 2021 (Under Separate Cover)
- Item 9.22 Investment Policy Amendment
Attachment 1 Investment Policy Update - Draft (Under Separate Cover)
- Item 9.23 Delegations to Chief Executive Officer
Attachment 1 Delegated functions under s.377 of the Local Government Act 1993 (Under Separate Cover)
- Item 10.2 Delivery Program Update - January-June 2021
Attachment 1 Delivery Program update - January-June 2021 (Under Separate Cover)
- Item 10.3 Resolution Action Sheet
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- Item 10.4 ARIC Annual Report 2020-2021
Attachment 1 ARIC Annual Report 202-2021 (Under Separate Cover)
- Item 11.1 Minutes of the QPRC Heritage Advisory Committee held on 15 July 2021
Attachment 1 Minutes of the QPRC Heritage Advisory Committee Meeting held on 15 July 2021 (Under Separate Cover)
- Item 11.2 Greenways s355 Committee Meeting Minutes 8 June 2021
Attachment 1 Greenways s355 Meeting Minutes 8 June 2021 (Under Separate Cover)
- Item 13.1 Delegates Report
Attachment 1 Cr Harrison's 21/06/21 DRCCC Delegate's Report (Under Separate Cover)
Attachment 2 Cr Harrison's 21/06/21 DRCCC No 40 - attachment 1 (Under Separate Cover)
- Item 14.1 Responses to Councillors' Questions
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- Item 9.2 Development Application DA.2021.1060 - Erection of a Large Farm Shed - 159 Fernleigh Drive, Googong
Attachment 4 DA.2021.1060 - Submissions (Unredacted) - For Councillors Information - 159 Fernleigh Drive, Googong (Under Separate Cover)
- Item 9.14 Public Place Electric Vehicle Charging Infrastructure - Models of Ownership and Procurement
Attachment 2 Signed Non-binding Letter of Intent- NRMA (Under Separate Cover)
Attachment 3 QPRC EV Charging Network Proposal (Under Separate Cover)
- Item 9.16 Tender Recommendation for Queanbeyan Sewage Treatment Plant Upgrade Equipment Packages Request for Tenders 2021-14 and 2021-15
Attachment 1 2021 - 14 Tender Evaluation Report (Under Separate Cover)
Attachment 2 2021-15 Tender Evaluation Report (Under Separate Cover)
- Item 9.18 Annual Community Grants and Donations Program Distribution 2021/22
Attachment 1 Attachment 1 - Donation requests Category B (Under Separate Cover)
Attachment 2 Attachment 2 - Matrix, Numerical Scores and Recommended Funding Amounts Cat B (Under Separate Cover)
Attachment 3 Attachment 3 - Grant requests Category A (Under Separate Cover)
- Item 14.1 Responses to Councillors' Questions
Attachment 3 Responses to Councillors' Questions with confidential information (Under Separate Cover)
- Item 16.1 Solar Farm - Planning Agreement
Attachment 1 Initial Letter of Offer and Copy of recent presentation to Council Staff (Under Separate Cover)
Attachment 2 Further Letter of Offer (Under Separate Cover)
Attachment 3 Excerpts from Palerang Section 94A Contributions Plan (Under Separate Cover)



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Queanbeyan Council Chambers, 253 Crawford Street, Queanbeyan on Wednesday, 23 June 2021 commencing at 5.30pm.

ATTENDANCE

Councillors: Cr Overall (Chair)
Cr Biscotti
Cr Brown – via Zoom
Cr Harrison
Cr Hicks
Cr Marshall
Cr Noveska – via Zoom
Cr Schweikert
Cr Taylor
Cr Winchester (from 5.31pm)

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

Also Present: W Blakey, Clerk of the Meeting
L Ison, Minute Secretary

1. OPENING

The meeting commenced 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

145/21

RESOLVED (Taylor/Winchester)

The late arrival of Cr Winchester be noted.

The resolution was carried unanimously.

Cr Winchester joined the meeting at 5.31pm.

4. CONFIRMATION OF MINUTES**4.1 Minutes of the Ordinary Meeting of Council held on 26 May 2021**

146/21

RESOLVED (Taylor/Hicks)

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 26 May 2021 be confirmed.

The resolution was carried unanimously.

4.2 Minutes of the Planning and Strategy Committee of the Whole held on 9 June 2021

147/21

RESOLVED (Taylor/Schweikert)

That the Minutes of the Planning and Strategy Committee of the Whole held in the Queanbeyan Council Chambers on Wednesday 9 June 2021 be confirmed.

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

148/21

RESOLVED (Taylor/Biscotti)

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

The resolution was carried unanimously.

Mr Michael Thompson declared a significant pecuniary interest in Item 16.1: Contract Renewals, stating he is an employee of the specified company or other body.

Ms Jacqueline Richards declared a significant pecuniary interest in Item 16.1: Contract Renewals, stating she is an employee of the specified company or other body.

Mr Phil Hansen declared a significant pecuniary interest in Item 16.1: Contract Renewals, stating he is an employee of the specified company or other body.

6. ADJOURNMENT FOR PUBLIC FORUM

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

149/21

RESOLVED (Overall/Taylor)

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

ADJOURNMENT:

The meeting adjourned for the Public Forum at 5.33pm and resumed at 5.36pm.

7. MAYORAL MINUTE

There was no Mayoral Minute.

8. NOTICES OF MOTIONS OF RESCISSION

There were no Notices of Motions of Rescission.

9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION**9.1 Funding Agreement - Braidwood Heritage Centre**

150/21

RESOLVED (Biscotti/Harrison)

That the Funding Agreement – Braidwood Heritage Centre be deferred to the next Ordinary meeting of Council on 28 July 2021.

The resolution was carried unanimously.

9.2 Community Engagement & Selection of Preferred Tenderer for New Playground at Bungendore Park**MOVED (Schweikert/Hicks)**

That:

1. Council award the contract for the new playground at Bungendore Park, Bungendore, to Moduplay for the lump sum price of \$799,935.00 excluding GST.
2. Should additional grant funding or donations above the \$700,000 LRCI grant not be secured, Council fund the balance of the works from Bungendore S7.11 reserves.
3. Council support the relocation of the Bush Balladeer structure from Mick Sherd Oval to Frogs Hollow, and advise the Department of Education accordingly so that they can make the necessary arrangements to fund the relocation.

Cr Marshall foreshadowed a CONTRARY motion: ["That:

1. Council award the contract for the new playground at Bungendore Park, Bungendore, to Tenderer 7 for the lump sum price of \$insert excluding GST.
2. Should additional grant funding or donations above the \$700,000 LRCI grant not be secured, Council fund the balance of the works from Bungendore S7.11 reserves.
3. Council support the relocation of the Poets Corner structure from Mick Sherd Oval to the site of the new playground project, and advise the Department of Education accordingly so that they can make the necessary arrangements to fund the relocation."]

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

151/21

RESOLVED (Schweikert/Hicks)

That:

1. Council award the contract for the new playground at Bungendore Park, Bungendore, to Moduplay for the lump sum price of \$799,935.00 excluding GST.
2. Should additional grant funding or donations above the \$700,000 LRCI grant not be secured, Council fund the balance of the works from Bungendore S7.11 reserves.
3. Council support the relocation of the Bush Balladeer structure from Mick Sherd Oval to Frogs Hollow, and advise the Department of Education accordingly so that they can make the necessary arrangements to fund the relocation.

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

Against: Cr Marshall

9.3 Stronger Country Communities Grant Applications - Round 4**MOVED (Biscotti/Winchester)**

That Council:

1. Note the report and the announcement of the Regional Sport Facility Fund 2020-21 grants.
2. Nominate the following projects as priority one for round 4 of the SCCF:
 - Access Upgrade to Karabar Netball Courts Change Rooms - \$300K
 - New Toilet for Archery at Hoover Road - \$235K
 - Flood Lights on Steve Mauger Oval - \$229K
 - Wright Park Amenities - \$960K
 - Queanbeyan Arts Society Building Upgrades - \$78K

During discussion Cr Marshall raised a point of order relating to the location of the projects. The Mayor ruled against the point of order.

During discussion Cr Marshall raised a point of order stating no-one has spoken against the motion. The Mayor upheld the point of order and called for speakers against the motion.

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

152/21

RESOLVED (Biscotti/Winchester)

That Council:

1. Note the report and the announcement of the Regional Sport Facility Fund 2020-21 grants.
2. Nominate the following projects as priority one for round 4 of the SCCF:
 - Access Upgrade to Karabar Netball Courts Change Rooms - \$300K
 - New Toilet for Archery at Hoover Road - \$235K
 - Flood lights on Steve Mauger Oval - \$229K
 - Wright Park Amenities - \$960K
 - Queanbeyan Arts Society building upgrade - \$78K

The resolution was carried unanimously.

- 153/21
- 9.4 Model Railway Facility Proposal at Queanbeyan Showground**
RESOLVED (Taylor/Biscotti)
- That Council:
1. Not support a single user facility at Queanbeyan Showground.
 2. Assist the Canberra Model N Scale Group to identify another suitably located site on Crown Lands (including on non-Council managed Crown Lands) within Queanbeyan Palerang.

The resolution was carried unanimously.

- 154/21
- 9.5 Renewable Energy Purchase Power Agreement**
RESOLVED (Hicks/Harrison)
- That Council:
1. Commit to Procurement Australia's binding agreement for tender and resultant contract for a Renewable Energy Power Purchase Agreement (Stage 2 of the offer).
 2. Authorise the CEO to execute electricity supply contract documents to be provided by the Consultant post the tender event with the successful respondent, should Procurement Australia accept a tender.

The resolution was carried unanimously.

- 155/21
- 9.6 Investment Report - May 2021**
RESOLVED (Schweikert/Hicks)
- That Council:
1. Note the investment return for May 2021 was \$371,787.
 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 May 2021.
 4. Receive a report at the next quarterly reporting point on alternative investment options to those with connections to China.

The resolution was carried unanimously.

- 156/21 **9.7 Investment Policy Review 2021**
RESOLVED (Harrison/Taylor)
That Council adopt the draft Investment Policy.

The resolution was carried unanimously.
- 157/21 **9.8 Remuneration for the Mayor and Councillors for 2021/22**
RESOLVED (Schweikert/Hicks)
That Council apply the 2% increase to fees paid to NSW Mayors and Councillors for the category of Regional Centre, following the recent determination by the Local Government Remuneration Tribunal for 2021/22.

The resolution was carried unanimously.
- SUPPLEMENTARY REPORTS**
- 158/21 **9.9 Fixing Local Roads - Round 3 Application**
RESOLVED (Schweikert/Biscotti)
That Council nominate the following projects for grant funding through the Fixing Local Roads Round 3:
 1. Bitumen sealing of Williamsdale Road (\$3.0m)
 2. Bitumen sealing of Hoskinstown Road (\$3.0m)
The resolution was carried unanimously.
- 10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION**
- 159/21 **10.1 Portfolio Penalty Infringement Report**
RESOLVED (Marshall/Taylor)
That the report be received for information.

The resolution was carried unanimously.
- 160/21 **10.2 Summary of Road Renewal and Maintenance Activities - Quarter 4 2020/21**
RESOLVED (Marshall/Biscotti)
That the report be received for information.

The resolution was carried unanimously.
- 161/21 **10.3 Amendments to the NSW Local Government Act 1993**
RESOLVED (Marshall/Schweikert)
That the report be received for information.

The resolution was carried unanimously.

11. REPORTS OF COMMITTEES

- 162/21 **11.1 Royalla Common Management Committee - s355**
RESOLVED (Harrison/Marshall)
That Council:
 1. Note the minutes of Royalla Common held on 10 March 2021.
 2. Note the minutes of Royalla Common held on 28 April 2021.

The resolution was carried unanimously.

- 163/21 **11.2 Bungendore Town Centre and Environs Committee Meeting 19 April 2021**
RESOLVED (Schweikert/Hicks)
That Council:
 1. Note the minutes of Bungendore Town Centre and Environs Committee held on 19 April 2021.
 2. Receive a report on delivery options and budget for consideration in the next Delivery Program on the Bungendore Town Centre and Environs Committee Priority of works.

The resolution was carried unanimously.

- 164/21 **11.3 Greenways s355 Committee Meeting Minutes**
RESOLVED (Harrison/Taylor)
That Council:
 1. Note the minutes of Greenways s355 Committee held on 9 March 2021.
 2. Note the assessment of Greenways Major Works.

The resolution was carried unanimously.

- 165/21 **11.4 Queanbeyan Showground Advisory Committee**
RESOLVED (Taylor/Hicks)
That Council note the minutes of Queanbeyan Showground Advisory Committee meetings held on 19 March 2021 and 21 April 2021.

The resolution was carried unanimously.

11.5 Local Traffic Committee 9 June 2021

166/21

RESOLVED (Schweikert/Harrison)

That Council:

1. Note the minutes of the Local Traffic Committee Meeting held on 9 June 2021.
2. Adopt recommendations LTC 22/2021 to LTC 35/2021 from the meeting held on 9 June 2021:

LTC 22/2021 PROPOSED SOLUTION: *Under Roads Act 1993* approve the event on the basis that the organiser modifies the TMP to ensure the roads used are closed to traffic for the event, includes measures for emergency communications, advise residents on route about the event, provide additional signage and advertise the event in the local Hoskintown paper.

LTC 23/2021 PROPOSED SOLUTION: *Under Roads Act 1993*, approve the TMP for the Christmas in July Markets to be held in Queanbeyan Sunday 11 July 2021, on the provision the TMP is updated as recommended.

LTC 24/2021 PROPOSED SOLUTION: Defer approval pending receipt of advice from the Police State Planning Unit and TfNSW Major Events Team.

LTC 25/2021 PROPOSED SOLUTION: Event not recommended for approval. The LTC provides feedback for future consideration should the event be rescheduled.

LTC 26/2021 PROPOSED SOLUTION: Under the *Road Transport Act 2013*, approve the design for Collett Street and Antill Street intersection

LTC 27/2021 PROPOSED SOLUTION: Under the *Road Transport Act 2013*, approve the design for the Bicentennial Drive pedestrian refuge and associated signage.

LTC 28/2021 PROPOSED SOLUTION: Under the *Road Transport Act 2013*, approve the design for the off-Road Bus Stop on Burra Road near London Bridge Road.

LTC 29/2021 PROPOSED SOLUTION: Under the *Road Transport Act 2013*, install the signage in Cooma Street as per the design.

LTC 30/2021 PROPOSED SOLUTION: Under the *Road Transport Act 2013*, pending favourable feedback through consultation with business in the area, including an adjusted design to provide timed parking restrictions (7pm to 7am), approve the parking restrictions as per the design.

LTC 31/2021 PROPOSED SOLUTION: Conduct consultation with the affected residents and re-submit design for approval.

LTC 32/2021 PROPOSED SOLUTION: Under the *Road Transport Act 2013* approve pedestrian crossing on Gorman Drive at Rosa Street intersection as per the design.

LTC 33/2021 PROPOSED SOLUTION: Under the *Road Transport Act 2013* approve line marking on Leon and Apraisia Avenue, Googong as per the designs.

LTC 34/2021 PROPOSED SOLUTION: Under the *Road Transport Act 2013* upgrade the pedestrian crossing on Lowe Street to feature a wombat crossing as per the design.

LTC 35/2021 PROPOSED SOLUTION: Under the *Road Transport Act 2013* approve the intersection changes at the Snowgum/Bungendore Road intersection as per the design.

LTC 36/2021 PROPOSED SOLUTION: Under the *Road Transport Act 2013* approve the intersection changes at the Macs Reef/Bungendore Road intersection as per the design.

The resolution was carried unanimously.

12. NOTICES OF MOTIONS

There were no Notices of Motions.

13. REPORTS TO COUNCIL - DELEGATES REPORTS

13.1 Delegates Report

167/21

RESOLVED (Harrison/Biscotti)

That the report be received for information.

The resolution was carried unanimously.

14. QUESTIONS WITH NOTICE

14.1 Responses to Councillors' Questions

168/21

RESOLVED (Taylor/Harrison)

That the report be received for information.

The resolution was carried unanimously.

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

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

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

There were no presentations.

16. REPORTS FOR CLOSED SESSION

169/21

RESOLVED (Overall/Schweikert)

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

Item 16.1 Contract Renewals

Item 16.1 is confidential in accordance with s10 (A) (a) of the Local Government Act 1993 because it contains personnel matters concerning particular individuals (other than councillors) and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

The resolution was carried unanimously.

The meeting then moved into Closed Session at 6.25pm to discuss the matters listed above.

With the exception of the CEO and minute taker, all staff left the Chambers at 6.25pm.

16.1 Contract Renewals

170/21

RESOLVED (Marshall/Biscotti)

That Council note the renewal of five year performance based contracts for the senior staff as outlined in the report.

The resolution was carried unanimously.

171/21

RESOLVED (Overall/Taylor)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 6.33pm.

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

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

17. CONCLUSION OF THE MEETING

The time being 6.34pm, the Mayor announced that the Agenda for the meeting had now been completed.

**CR TIM OVERALL
MAYOR
CHAIRPERSON**



MINUTES OF THE EXTRAORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Queanbeyan Council Chambers, 253 Crawford St, Queanbeyan on Wednesday, 30 June 2021 commencing at 5.30pm.

ATTENDANCE

Councillors: Cr Overall (Chair)
Cr Biscotti
Cr Harrison
Cr Hicks – via Zoom
Cr Marshall – via Zoom
Cr Noveska (from 5.43pm) – via Zoom
Cr Schweikert – via Zoom
Cr Taylor
Cr Winchester – via Zoom

Staff: P Tegart, CEO
M Thompson, Portfolio General Manager Natural & Built Character
P Hansen, Portfolio General Manager Community Connections
J Richards, Portfolio General Manager Community Choice – via Zoom
A Knight, Portfolio General Manager Organisational Capability

Also Present: W Blakey, Clerk of the Meeting
L Ison, Minute Secretary

1. OPENING

The meeting commenced at 5.32pm.

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

RESOLVED (Taylor/Biscotti)

That the late of arrival of Cr Noveska noted.

The resolution was carried unanimously.

172/21

4A. DISCLOSURES OF INTERESTS

173/21

RESOLVED (Taylor/Harrison)

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

The resolution was carried unanimously.

Cr Overall declared a significant non-pecuniary interest in Item 5.3: Adoption of Operational Plan and Fees and Charges 2021-22, stating the draft Operational Plan includes the NSW Government funded Queanbeyan City of Champions Walk, as his wife is associated with the project.

Cr Winchester declared a less than significant non-pecuniary interest in Item 5.3: Adoption of Operational Plan and Fees and Charges 2021-22, stating his disclosure is in relation to the family day care educator fee.

4B. ADJOURNMENT FOR PUBLIC FORUM

At this stage of the proceedings, the time being 5.35pm, Cr Overall advised that the meeting should now adjourn for the Public Forum.

174/21

RESOLVED (Overall/Taylor)

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

ADJOURNMENT: The meeting adjourned for the Public Forum at 5.35pm and resumed at 6.01pm.

During the Public Forum, Cr Noveska joined the meeting at 5.43pm.

5. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

5.1 Adoption of QPRC Waste Strategy

MOVED (Harrison/Hicks)

That Council:

1. Adopt the Waste Strategy incorporating Scenario 3 (with the removal of GWM28 in relation to Clean Up Australia Day) and with Rating Approach D.
2. Update the draft Waste Strategy and place the final Waste Strategy on Council's website.
3. Thank the members of the Waste Strategy Working Group for their efforts and contribution.

Cr Schweikert foreshadowed a CONTRARY motion: ["That Council maintain a business as usual model and that the Waste Strategy go back to the start with a Council endorsed mission statement that is customer focused and not operational focused."]

Cr Marshall foreshadowed a CONTRARY motion: [“That Council defer the adoption of the draft Waste Strategy till the October Ordinary meeting.”]

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

175/21

RESOLVED (Harrison/Hicks)

That Council:

1. Adopt the Waste Strategy incorporating Scenario 3 (with the removal of GWM28 in relation to Clean Up Australia Day) and with Rating Approach D.
2. Update the draft Waste Strategy and place the final Waste Strategy on Council’s website.
3. Thank the members of the Waste Strategy Working Group for their efforts and contribution.

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

Against: Crs Marshall and Schweikert

5.2 Adoption of 2021-22 Revenue Policy

MOVED (Overall/Taylor)

That Council:

1. Adopt the Revenue Policy 2021-22 with the amendments shown below, following consideration of public submissions made on the draft Integrated Planning documents and in accordance with Section 405 of the *Local Government Act 1993*:

Page	
6	Remove proposed Environmental Levy in accordance with Council’s 26 May 2021 resolution to defer to after election.
7-8	Add information about the anticipated impacts of the Local Government Amendment Act 2021 on future rates and annual charges.
44	Add extra line for annual waste charge: Urban – SUD – 3 Bin (with 240L waste) \$416 Add extra line for annual waste charge: Urban – MUD – 2 Bin (no bulky) \$190

2. Write to the Minister for Local Government to encourage the State Government to increase the mandatory \$250 rebate by CPI as it has not increased for many years and to increase Council’s pensioner grant from 55% to 100% similar to other states and territories.
3. Make the following rates and annual charges for the 2021-22 financial year and that such rates and annual charges be the amount specified hereunder for the Queanbeyan-Palerang Regional Council.

Cr Marshall foreshadowed a CONTRARY motion: [“Adopt the Revenue Policy but only increase Palerang water and sewer charges by the rate cap of 2% and remove the Bungendore Stormwater Levy.”]

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

176/21

RESOLVED (Overall/Taylor)

That Council:

1. Adopt the Revenue Policy 2021-22 with the amendments shown below, following consideration of public submissions made on the draft Integrated Planning documents and in accordance with Section 405 of the *Local Government Act 1993*:

Page	
6	Remove proposed Environmental Levy in accordance with Council’s 26 May 2021 resolution to defer to after election.
7-8	Add information about the anticipated impacts of the Local Government Amendment Act 2021 on future rates and annual charges.
44	Add extra line for annual waste charge: Urban – SUD – 3 Bin (with 240L waste) \$416 Add extra line for annual waste charge: Urban – MUD – 2 Bin (no bulky) \$190

2. Write to the Minister for Local Government to encourage the State Government to increase the mandatory \$250 rebate by CPI as it has not increased for many years and to increase Council’s pensioner grant from 55% to 100% similar to other states and territories.
3. Make the following rates and annual charges for the 2021-22 financial year and that such rates and annual charges be the amount specified hereunder for the Queanbeyan-Palerang Regional Council:

In accordance with section 533, 534, 535 and 566 of the *Local Government Act 1993* (the Act), Council makes the following Rates and Annual Charges for the period 1 July 2021 to 30 June 2022, being the financial year 2021/2022.

Annual Rates

Residential General

An ordinary rate will be levied on all rateable land categorised as “**Residential**” under section 516 of the Act which falls within the designated area of Queanbeyan-Palerang Regional Council as indicated on Page 2 of the Draft Revenue Policy 2021/22, consisting of an ad-valorem rate of zero point one seven seven cents in the dollar (0.177) calculated on the land

value issued by the NSW Valuer-General's Office with base date 1 July 2019, and a base amount of three hundred and seventy eight dollars (\$378) which is equivalent to 33.22% of the total rates levied for this category in 2021/2022. In accordance with section 543(1) of the Act this rate be named "**Residential General**".

Residential Queanbeyan Urban

An ordinary rate will be levied on all rateable land sub-categorised as "**Residential Queanbeyan Urban**" under section 516 and section 529(2) (b) of the Act which falls within the designated area indicated on Page 20 of the Draft Revenue Policy 2021/22, consisting of an ad-valorem rate of zero point three three five nine eight cents in the dollar (0.33598) calculated on the land value issued by the NSW-Valuer General's Office with base date 1 July 2019, and a base amount of four hundred and eighteen dollars (\$418) which is equivalent to 32.85% of the total rates levied for this sub-category in 2021/2022. In accordance with section 543(1) of the Act this rate be named "**Residential Queanbeyan Urban**".

Residential Googong

An ordinary rate will be levied on all rateable land sub-categorised as "**Residential Googong**" under section 516 and section 529(2) (b) of the Act which falls within the designated area indicated on Page 20 of the Draft Revenue Policy 2021/22, consisting of an ad-valorem rate of zero point three three five nine eight cents in the dollar (0.33598) calculated on the land value issued by the NSW Valuer-General's Office with base date 1 July 2019, and a base amount of four hundred ninety dollars (\$490) which is equivalent to 33.24% of the total rates levied for this sub-category in 2021/2022. In accordance with section 543(1) of the Act this rate be named "**Residential Googong**".

Residential Bungendore

An ordinary rate will be levied on all rateable land sub-categorised as "**Residential Bungendore**" under section 516 and section 529(2) (b) of the Act which falls within the designated area indicated on Page 21 of the Draft Revenue Policy 2020/21, consisting of an ad-valorem rate of zero point two one six two eight cents in the dollar (0.21628) calculated on the land value issued by the NSW Valuer-General's Office with base date 1 July 2019, and a base amount of three hundred and seventy eight dollars (\$378) which is equivalent to 35.74% of the total rates levied for this sub-category in 2021/2022. In accordance with section 543(1) of the Act this rate be named "**Residential Bungendore**".

Residential Braidwood

An ordinary rate will be levied on all rateable land sub-categorised as "**Residential Braidwood**" under section 516 and section 529(2) (b) of the Act which falls within the designated area indicated on Page 21 of the Draft Revenue Policy 2021/22, consisting of an ad-valorem rate of zero point two one six two eight cents in the dollar (0.21628) calculated on the land value issued by the NSW Valuer-General's Office with base date 1 July 2019, and a base amount of three hundred and seventy eight dollars (\$378) which is equivalent to 49.52% of the total rates levied for this sub-category in 2021/2022. In accordance with section 543(1) of the Act this rate be named "**Residential Braidwood**".

Farmland Ordinary

An ordinary rate will be levied on all rateable land categorised as "**Farmland**" under section 515 of the Act which falls within the designated area of Queanbeyan-Palerang Regional Council, consisting of an ad-valorem rate of zero point one three zero four eight one cents in the dollar (0.130481) calculated on the land value issued by the NSW Valuer-General's Office

with base date 1 July 2019, and a base amount of one thousand and one hundred and forty two dollars (\$1142) which is equivalent to 44.09% of the total rates levied for this category in 2020/2021. In accordance with section 543(1) of the Act this rate be named “**Farmland Ordinary**”.

Business General

An ordinary rate will be levied on all rateable land categorised as “**Business**” under section 518 of the Act which falls within the designated area of Queanbeyan-Palerang Regional Council as indicated on Page 2 of the Draft Revenue Policy 2021/22 consisting of an ad-valorem rate of point one seven seven cents in the dollar (0.177) calculated on the land value issued by the NSW Valuer-General’s Office with base date 1 July 2019, and a base amount of four hundred and eighteen dollars (\$418) which is equivalent to 42.37% of the total rates levied for this category in 2021/2022. In accordance with section 543(1) of the Act this rate be named “**Business General**”.

Business Queanbeyan Urban

An ordinary rate will be levied on all rateable land sub-categorised as “**Business Queanbeyan Urban**” under section 518 and section 529(2) (d) of the Act which falls within the designated area indicated on Page 22 of the Draft Revenue Policy 2021/22, consisting of an ad-valorem rate of one point three cents in the dollar (1.3) calculated on the land value issued by the NSW Valuer-General’s Office with base date 1 July 2019, and a base amount of four hundred and fifty nine dollars (\$459) which is equivalent to 4.72% of the total rates levied for this sub-category in 2021/2022. In accordance with section 543(1) of the Act this rate be named “**Business Queanbeyan Urban**”

Business Poplars Business Park

An ordinary rate will be levied on all rateable land sub-categorised as “**Business Poplars Business Park**” under section 518 and section 529(2) (d) of the Act which falls within the designated area indicated on Page 25 of the Draft Revenue Policy 2020/21, consisting of an ad-valorem rate of one point eight one cents in the dollar (1.81) calculated on the land value issued by the NSW Valuer-General’s Office with base date 1 July 2019, and a base amount of six hundred and seventy three dollars (\$673) which is equivalent to 1.42% of the total rates levied for this sub-category in 2021/2022. In accordance with section 543(1) of the Act this rate be named “**Business Poplars Business Park**”.

Business Googong

An ordinary rate will be levied on all rateable land sub-categorised as “**Business Googong**” under section 518 and section 529(2) (d) of the Act which falls within the designated area indicated on Page 25 of the Draft Revenue Policy 2021/22, consisting of an ad-valorem rate of one point eight one cents in the dollar (1.81) calculated on the land value issued by the NSW Valuer-General’s Office with base date 1 July 2019, and a base amount of six hundred and seventy three dollars (\$673) which is equivalent to 10.35% of the total rates levied for this sub-category in 2021/2022. In accordance with section 543(1) of the Act this rate be named “**Business Googong**”.

Business CBD

An ordinary rate will be levied on all rateable land sub-categorised as “**Business CBD**” under section 518 and section 529(2) (d) of the Act which falls within the designated area indicated on Page 24 of the Draft Revenue Policy 2021/22, consisting of an ad-valorem rate of one point eight one cents in the dollar (1.81) calculated on the land value issued by the NSW Valuer-

General's Office with base date 1 July 2019, and a base amount of six hundred and seventy three dollars (\$673) which is equivalent to 5.99% of the total rates levied for this sub-category in 2021/2022. In accordance with section 543(1) of the Act this rate be named "**Business CBD**".

Business Industrial

An ordinary rate will be levied on all rateable land sub-categorised as "**Business Industrial**" under section 518 and section 529(2) (d) of the Act which falls within the designated area indicated on Page 23 of the Draft Revenue Policy 2021/22, consisting of an ad-valorem rate of zero point eight zero five one seven three in the dollar (0.805173) calculated on the land value issued by the NSW Valuer-General's Office with base date 1 July 2019, and a base amount of four hundred and fifty nine dollars (\$459) which is equivalent to 11.61% of the total rates levied for this sub-category in 2021/2022. In accordance with section 543(1) of the Act this rate be named "**Business Industrial**".

Mining

An ordinary rate will be levied on all rateable land categorised as "**Mining**" under section 517 of the Act, consisting of an ad-valorem rate of zero point five six five zero seven five cents in the dollar (0.565075) calculated on the land value issued by the NSW Valuer-General's Office with base date 1 July 2019, and a base amount of one thousand one hundred and twenty two dollars (\$1,122) which is equivalent to 4.73% of the total rates levied for this category in 2021/2022. In accordance with section 543(1) of the Act this rate be named "**Mining**".

Annual Charges

Domestic Waste Management Annual Charges

A domestic waste management annual charge will be levied on each parcel of rateable land for which the service is available in accordance with section 496(1) and section 496(2) and a domestic waste management annual charge will be levied on land that is exempt from rating if the owner requests the service, as follows;

Type	Charge 2021-22
Urban - SUD - 140L Red, 240L Yellow & Green	\$ 315
Rural - SUD - 240L Yellow	\$ 82
Vacant - Urban & Rural	\$ 28
Urban - MUD - 140L Red, 240L Yellow & Green	\$ 315
Urban - MUD - 240L Red, 240L Yellow & Green	\$ 416
Rural - SUD - Bin Compound	\$ 160
Urban - MUD - 140L Red, 240L Yellow	\$ 205
Urban - MUD - 140L Red, 240L Yellow	\$ 190
Rural - SUD - 140L Red, 240L Yellow	\$ 170
Additional 140L Waste bin (Urban Collection Zones – Weekly Collection – per bin)	\$ 148
Additional 240L Waste bin (Urban Collection Zones – Weekly Collection – per bin)	\$ 176
Additional 240L Waste bin (Rural Collection Zones – Fortnightly Collection – per bin)	\$ 80

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Type	Charge 2021-22
Additional 240L Recycling bin (Urban and Rural Zones – Fortnightly Collection – per bin)	\$ 79
Additional 240L Fogo bin (Urban Zones - Fortnightly Collection – per bin) (Available to Strata Complexes with charges levied to Body Corporate)	\$ 79
Upsize 140L Waste to 240L Waste – Weekly Collection	\$ 101
Upsize 140L Waste to 360L Waste (Urban collection zones – Weekly Collection – Per bin – Existing Services Only)	\$ 202
Upsize 240L waste to 360L waste (Rural Collection Zones – Fortnightly Collection – per bin – Existing Services Only)	\$ 101
Upsize 240L Recycling to 360L Recycling (Urban and rural Zones – Fortnightly Collection – per bin – Existing Services Only)	\$ 50

Non-residential Waste Management Annual Charge

In accordance with the provisions of sections 501, 502 and 535 of the Act Council proposes to provide waste management services and levy a non-residential waste management annual charge on all rateable land categorised as business, as follows;

Type	Charge 2021-22
BW1 waste availability charge	\$137
BW2 for each 240L Waste bin	\$133
BW4 for each 240L Recycling bin	\$94
BW8 for each 240L Greenwaste bin	\$90

General Waste Charge

In accordance with the provisions of sections 501 and 535 of the Act Council proposes to provide general waste services and levy a general waste charge on all rateable land and those properties which are exempt from rates under section 555 and 556, and excluding land categorised as business, as follows;

Property Service Locality	Qualifier	Charge
All areas of the former Palerang Council LGA excluding areas west of Queanbeyan River	Annual charge per assessment	\$362
All areas of the former Palerang Council LGA west of Queanbeyan River	Annual charge per assessment	\$80
All areas of the former Queanbeyan City Council LGA	Annual charge per assessment	\$80

Water Annual Access Charges

Queanbeyan Water Services

In accordance with the provisions of section 501 and 535 of the Act a water access charge of \$283 will be levied on all rateable land categorised as residential within the defined area of the former Queanbeyan City Council.

All strata and non-strata units or dual occupancy properties will be charged an annual water access charge equivalent to a 20mm water access charge for each single occupancy (e.g. unit, flat or granny flat).

In the case of non-residential properties and properties exempt from rates an annual Water Access Charge will be applied for each connection according to the size of the water meter service connection/connections to the property as per the following table.

An annual water access charge equivalent to a 20mm water access charge will apply to each parcel of rateable land which does not have a water service connected but to which a water service is available in accordance with the provision of section 552(1)(b) of the Act.

Meter Size	Annual Charge
20 mm	\$283
25 mm	\$442
32 mm	\$723
40 mm	\$1,130
50 mm	\$1,766
65 mm	\$2,984
80mm	\$4,521
100 mm	\$7,064
150mm	\$15,893

Palerang Communities Water Services

In accordance with the provisions of section 501 and 535 of the Act a water access charge will be levied on all rateable land, including strata units, and those properties which are exempt from rates under section 555 and 556 within the benefit areas of the Bungendore, Braidwood and Captains Flat water supply schemes to which the water supply is available and connected, in accordance with the number and size of water service meters connected to the land, as per the following table.

An annual water access charge equivalent to a 20mm water access charge will be levied on all rateable land which does not have a water service connected but to which a water service is available in accordance with the provision of section 552(1)(b) of the Act.

Meter Size	Annual Charge
20 mm	\$556
25 mm	\$869
32 mm	\$1,423
40 mm	\$2,224
50 mm	\$3,475

Meter Size	Annual Charge
65 mm	\$5,873
80mm	\$8,896
100 mm	\$13,900
150mm	\$31,275

Water Usage Charges

A charge will be raised in accordance with Section 502 of the Act for the use of Water Supply Services on a quarterly basis on properties within the defined area of the former Queanbeyan City Council. Water usage will be charged at a single variable rate of **\$4.18** per kl on all usage recorded through the water meter or meters connected to the property.

A charge will be raised in accordance with Section 502 of the Act for the use of Water Supply Services on a quarterly basis on properties within the benefit areas of the Braidwood, Bungendore and Captains Flat Water Supply Schemes. Water usage will be charged at a single variable rate of **\$3.72** per kl on all usage recorded through the water meter or meters connected to the property.

Recycled Water Annual Access Charge

All rateable land within the defined area of Googong Township will be charged an Annual Recycled Water Access Charge equivalent to a 20mm Water Access Charge in accordance with section 501 of the Act.

All strata and non-strata units or dual occupancy properties will be charged an Annual Recycled Water Access Charge equivalent to a 20mm Recycled Water Access Charge for each single occupancy (e.g. unit, flat or granny flat).

In the case of non-residential properties and properties exempt from rates an annual Recycled Water Access Charge will be applied for each connection according to the size of the water meter service connection/connections to the property as per the following table.

An Annual Water Access Charge equivalent to a 20mm Recycled Water Access Charge will apply to each parcel of rateable land which does not have a water service connected but to which a water service is available in accordance with the provision of section 552(1) (b) of the Act.

Meter Size	Annual Charge
20 mm	\$283
25 mm	\$442
32 mm	\$723
40 mm	\$1,130
50 mm	\$1,766
65 mm	\$2,984
80mm	\$4,521
100 mm	\$7,064
150mm	\$15,893

Recycled Water Usage Charge

To promote water conservation, the pricing of recycled water has been calculated at the rate of 5% below the potable water prices.

A charge will be raised in accordance with Section 502 of the Act for the use of Recycled Water Supply Services on a quarterly basis on the usage recorded through the water meter or meters connected to the property. Water usage will be charge at a single variable rate of **\$3.97** per kl.

Queanbeyan Sewerage Access Charges

In accordance with the provisions of section 501 a sewerage access charge of \$736.00 will be levied on all residential properties within the defined area of the former Queanbeyan City Council.

All strata and non-strata units or dual occupancy properties within the defined area of the former Queanbeyan City Council will be charged an annual sewerage service charge for each single occupancy (e.g. unit, flat or granny flat).

In the case of non-residential properties and properties exempt from rates within the defined area of the former Queanbeyan City Council Annual Sewerage Service Charge will be applied according to the size of the water meter service connection/connections to the property as per the following table.

An Annual Sewerage Service Charge – Vacant Land will apply to each parcel of rateable land within the defined area of the former Queanbeyan City Council which does not have a sewerage service connected but to which a sewerage service is available in accordance with the provision of section 552(3) (a) of the Act.

Meter Size	Annual Charge
20 mm	\$736
Vacant Land	\$479
25 mm	\$1,150
32 mm	\$1,886
40 mm	\$2,945
50 mm	\$4,602
65 mm	\$7,777
80 mm	\$11,781
100 mm	\$18,408
150 mm	\$41,418

Palerang Communities Sewerage Access Charge

In accordance with the provisions of section 501 and 552(3)(a) a sewerage access charge of \$1,133.00 will be levied on all residential properties within the benefit areas of the Bungendore, Braidwood and Captains Flat Sewerage Schemes.

In accordance with the provisions of section 501 and 552(3)(a) a sewerage access charge will be levied on all non-residential properties within the benefit areas of the Bungendore, Braidwood and Captains Flat Sewerage Schemes as per the following table.

Meter Size	Annual Charge
20 mm	\$1,304
Not connected	\$1,304
25 mm	\$2,038
32 mm	\$3,338
40 mm	\$5,216
50 mm	\$8,150
65 mm	\$13,774
80 mm	\$20,864
100 mm	\$32,600
150mm	\$73,350

Sewerage Usage Charges

In accordance with the provisions of section 502 the following sewer usage charges will be levied.

Sewerage usage charge on all non-residential properties within the defined area of the former Queanbeyan City Council are calculated by applying business category SDF as defined in the NSW Office of Water, Liquid Trade Waste Regulations Guidelines April 2009 to the Sewerage Usage Charge of **\$1.27** per kl.

Sewerage usage charges for non-residential properties within the benefit areas of the Bungendore, Braidwood and Captains Flat Sewerage Scheme are calculated by applying the following business category SDF to the Sewerage Usage Charge of **\$3.14** per kl.

Land Use Description	SDF
General Main Street Businesses Shop Newsagency Cafes & Restaurants Motels Council Offices Laundromat	95%
Schools	90%
Factories Hospitals Service Clubs Hotels	85%
Churches	70%
Concrete Works	5%

Liquid Trade Waste Annual Charges

In accordance with the provisions of section 502 of the Act Council resolves to make the following liquid trade waste annual charges for all rateable land not categorised as non-residential within the benefit areas of the Queanbeyan sewerage scheme:

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Discharge category	Compliance	Annual Charge	Usage per kl
One	Complying	\$120.00	\$0.00
One	Non Complying	\$120.00	\$2.57
Two	Complying	\$120.00	\$2.57
Two	Non Complying	\$120.00	\$19.71
Three		\$780.00	As stated in liquid trade waste excess mass charges in the schedule of fees and charges

In accordance with the provisions of section 502 of the Act Council resolves to make the following liquid trade waste annual charges for all rateable land not categorised as non-residential within the benefit areas of the Bungendore, Braidwood and Captains Flat sewerage schemes:

Discharge category	Compliance	Annual Charge	Usage per kl
One	Complying	\$98.00	\$0.00
One	Non Complying	\$98.00	\$3.21
Two	Complying	\$196.00	\$3.21
Two	Non Complying	\$196.00	\$19.00
Three		\$655.00	As stated in liquid trade waste excess mass charges in the schedule of fees and charges

Stormwater Management Charge

In accordance with section 496A of the Act, Council will levy the following stormwater management charges on all rateable properties for which the service is available that are within Council's urban stormwater catchment areas:

Properties categorised as Residential (not being strata titled)

A flat charge of \$25.00 for a stormwater management service charge is to be charged against each eligible assessment categorised as residential within the urban stormwater catchment.

Properties categorised as residential (strata units)

A flat charge of \$12.50 for a stormwater management service charge is to be levied against each eligible residential strata unit within the urban stormwater catchment.

Properties categorised as business (not being strata titled)

Queanbeyan Area - A stormwater management service charge is to be charged against each eligible assessment (not being strata titled) categorised as business within the urban stormwater catchment area based on the total area of the assessment. A charge of \$25.00 for every 350 square metres or part of 350 square metres will apply, with a minimum charge of \$25.00 to apply for those properties with an area of less than 350 square metres.

Braidwood and Bungendore - A stormwater management service charge is to be charged against each eligible assessment (not being strata titled) categorised as business within the urban stormwater catchment area based on the total area of the assessment. A charge of \$25.00 for every 1,200 square metres or part of 1,200 square metres will apply, with a minimum charge of \$25.00 to apply for those properties with an area of less than 1,200 square metres.

Properties categorised as business (strata units)

A stormwater management service charge against each eligible business strata unit within the urban stormwater catchment area based on one of the following two scenarios:

1. Business strata units only

Where a strata complex contains only business properties and is not mixed development the charge per strata unit will be calculated by using a charge of \$25.00 per 350m² of the land area occupied by the strata scheme (or part thereof), proportioned by the unit entitlement of each lot in the strata scheme with a minimum charge of \$12.50 levied on each strata unit.

2. Business & residential strata units (mixed development)

If the strata complex includes properties rated as both business and residential the dominant category of the strata scheme must be determined and charges will apply for business strata units or residential strata units as previously adopted. In the event that a mixed development is 50% residential and 50% business, council has the discretion to determine whether to charge the property as a residential or business property.

Urban Land Exempt from the Stormwater Management Service Charge

The same exemptions that apply to non-rateable properties for other rates and charges also apply in respect of the stormwater management service charge pursuant to the Local Government Act. In addition, the following properties are also exempted from this charge under the provisions:

- Rateable land owned by the Crown
- Rateable land under a lease for private purposes granted under the *Housing Act 2001* or the *Aboriginal Housing Act 1998*

Interest on Overdue Rates & Charges

In accordance with Section 566 of the Act, interest will accrue on outstanding rates and charges at the rate of six per cent (6%) per annum simple interest calculated daily from 1 July 2021.

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

Cr Overall declared an interest in the following item, vacated the Chair and left the Chambers at 6.27pm. The Deputy Mayor assumed the Chair.

Cr Winchester declared an interest in the following item and proposed to stay and not vote.

5.3 Adoption of Operational Plan and Fees and Charges 2021-22

MOVED (Biscotti/Taylor)

That:

1. Following the consideration of submissions made on the draft Integrated Planning documents and in accordance with Section 405(5) of the *Local Government Act 1993*:

a. Council modify the FY22 Operational Plan budget by excluding the items listed in the following table:

Project Code	Description	Amount (\$,000)
OPERATIONAL		
1020	Councillor - Community Donations	70
3180	Donations Program, Category A	25
5445	Sports Assistance	7
100922 100923	Events Sponsorship Schemes Category 2 and 3	185
104089	Smart City Working Group projects	30
100429	Goal Post renewal program	14
104536	QBN - Facade program (defer FY23, but market program)	75
100920	Customer satisfaction survey (defer FY23)	30
104500	QPR - Website refresh (defer FY23)	20
	Total	456
CAPITAL		
100966, 100698	Queanbeyan Aquatic Centre capital enhancement (defer FY23)	115
100359	Security Project – Access Control and key replacement	147
104064 104065 104077	Community halls property refurb / renewal (defer FY23)	115
104295	Captains Flat Pool major leak rectification	200
104300	Bungendore Depot security gates install	100

104504	Footpath extensions (defer FY23)	215
	<ul style="list-style-type: none"> Jerrabomberra: Firethorn Place link – Coachwood Ave to carpark 	
104505	<ul style="list-style-type: none"> Jerrabomberra: Poplar Cr to Edwin Land Parkway 	
104509	<ul style="list-style-type: none"> Bungendore: Malbon St (Majara to Butmaroo) 	
104510	<ul style="list-style-type: none"> Bungendore: Molonglo St (Gibraltar to Malbon) 	
104511	<ul style="list-style-type: none"> Bungendore: Forster St 	
104251	QBN - Digitisation QBN Age and BGD Mirror	10
100521	QBN - Honour Walk project	20
	Total	922

- b. Council include new projects to be managed by Council and funded by BLERF announced on 30 June (Braidwood skatepark, Bungendore playground; upgrading community halls in fire affected areas, and Araluen amenities) in the Operational Plan
- c. Council seek reallocation of the LRCI grant of \$700k scheduled for Bungendore playground to the priorities 3, or 7 and 8 as reported on 24 February 2021 for inclusion in the Operational Plan
- d. Council endorse the staff recommendations associated with submissions OP002, OP004, OP006, OP010, OP021 and OP046, and
- e. Council adopt the Operational Plan 2021-22 with the amendments shown below:

Submission	Budget movement	Funding source
OP001 + OP002 – realign Bungendore Tennis Club car park – funded from maintenance budget	Nil	Revenue
OP002 – construct shared pedestrian/bike path as part of BGD playground project	NIL	BLERF
OP006 – basic ‘aesthetic’ improvements within routine maintenance budgets for dressing sheds at Queanbeyan Park	Nil	Revenue
OP011 – add 20-22 Lorn Rd to Property Addendum for potential sale	Nil	
BC008 – Remove project 104509 from budget	-\$31,000	Revenue
OP009 - Contribution to the Monaro Rail Trail	\$50,000	Revenue

- f. Council receive a report on funding for the Maslin Street drainage project utilising current and future contributions from the Palerang Contributions Plan no 10.
- g. Council receive a report on the membership of STARTS following negotiations.
2. In accordance with Clause 211(2) of the *Local Government (General) Regulation 2005*, Council approve expenditure in the adopted Operational Plan 2021-22.
3. In accordance with Clause 211(2) of the *Local Government (General) Regulation 2005*, Council vote funds to meet the expenditure in the adopted Operational Plan 2021-22
4. Council adopt the Fees and Charges 2021-22 in accordance with Section 608 of the *Local Government Act 1993* and adjustments as shown in recommendations for submissions FCRP01 and FCRP06, with the following changes:
 - a. extend period for loan payment by 5 years for the Jerrabomberra Tennis Club (OP045)
 - b. fund River Bank Café bi-fold glass doors on basis to be recouped through additional lease payments over the remaining term (OP004)
 - c. charge the electronic timesheet fee for Family Day Care educators in 2021-22
5. Council note that the adopted Integrated Plans will be available to the public via Council's website, following amendments shown in this report.
6. Those persons who made submissions to the draft Integrated Plans be thanked for their submission and be advised in writing of Council's decisions.

AMENDMENT (Harrison)

That:

1. The \$50,000 contribution to the Monaro Rail Trail be removed from the table under 1e.
2. Council provide a letter of support for the Monaro Rail Trail.

The amendment (of Cr Harrison) lapsed for want of a seconder.

During discussion Cr Harrison raised a point of order stating as Cr Winchester has declared an interest in this item, he should not propose an amendment or enter into the debate. The Deputy Mayor upheld the point of order.

Cr Winchester left the meeting at 7.14pm.

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

177/21

RESOLVED (Biscotti/Taylor)

That:

1. Following the consideration of submissions made on the draft Integrated Planning documents and in accordance with Section 405(5) of the *Local Government Act 1993*:
 - a. Council modify the FY22 Operational Plan budget by excluding the items listed in the following table:

Project Code	Description	Amount (\$,000)
OPERATIONAL		
1020 3180	Councillor - Community Donations Donations Program, Category A	70 25
5445	Sports Assistance	7
100922, 100923	Events Sponsorship Schemes Category 2 and 3	185
104089	Smart City Working Group projects	30
100429	Goal Post renewal program	14
104536	QBN - Facade program (defer FY23, but market program)	75
100920	Customer satisfaction survey (defer FY23)	30
104500	QPR - Website refresh (defer FY23)	20
	Total	456
CAPITAL		
100966, 100698	Queanbeyan Aquatic Centre capital enhancement (defer FY23)	115
100359	Security Project – Access Control and key replacement	147
104064, 104065, 104077	Community halls property refurb / renewal (defer FY23)	115
104295	Captains Flat Pool major leak rectification	200
104300	Bungendore Depot security gates install	100
104504	Footpath extensions (defer FY23) <ul style="list-style-type: none"> • Jerrabomberra: Firethorn Place link – Coachwood Ave to carpark 	215
104505	<ul style="list-style-type: none"> • Jerrabomberra: Poplar Cr to Edwin Land Parkway 	
104509		

104510	• Bungendore: Malbon St (Majara to Butmaroo)	
104511	• Bungendore: Molonglo St (Gibraltar to Malbon)	
	• Bungendore: Forster St	
104251	QBN - Digitisation QBN Age and BGD Mirror	10
100521	QBN - Honour Walk project	20
	Total	922

- b. Council include new projects to be managed by Council and funded by BLERF announced on 30 June (Braidwood skatepark, Bungendore playground; upgrading community halls in fire affected areas, and Araluen amenities) in the Operational Plan
- c. Council seek reallocation of the LRCI grant of \$700k scheduled for Bungendore playground to the priorities 3, or 7 and 8 as reported on 24 February 2021 for inclusion in the Operational Plan
- d. Council endorse the staff recommendations associated with submissions OP002, OP004, OP006, OP010, OP021 and OP046, and
- e. Council adopt the Operational Plan 2021-22 with the amendments shown below:

Submission	Budget movement	Funding source
OP001 + OP002 – realign Bungendore Tennis Club car park – funded from maintenance budget	Nil	Revenue
OP002 – construct shared pedestrian/bike path as part of playground project	NIL	BLERF
OP006 – basic ‘aesthetic’ improvements within routine maintenance budgets for dressing sheds at Queanbeyan Park	Nil	Revenue
OP011 – add 20-22 Lorn Rd to Property Addendum for potential sale	Nil	
BC008 – Remove project 104509 from budget	-\$31,000	Revenue
OP009 - Contribution to the Monaro Rail Trail	\$50,000	Revenue

- f. Council receive a report on funding for the Maslin Street drainage project utilising current and future contributions from the Palerang Contributions Plan no 10.
- g. Council receive a report on the membership of STARTS following negotiations.

2. In accordance with Clause 211(2) of the *Local Government (General) Regulation 2005*, Council approve expenditure in the adopted Operational Plan 2021-22.
3. In accordance with Clause 211(2) of the *Local Government (General) Regulation 2005*, Council vote funds to meet the expenditure in the adopted Operational Plan 2021-22
4. Council adopt the Fees and Charges 2021-22 in accordance with Section 608 of the *Local Government Act 1993* and adjustments as shown in recommendations for submissions FCRP01 and FCRP06, with the following changes:
 - a. extend period for loan payment by 5 years for the Jerrabomberra Tennis Club (OP045)
 - b. fund River Bank Café bi-fold glass doors on basis to be recouped through additional lease payments over the remaining term (OP004)
 - c. charge the electronic timesheet fee for Family Day Care educators in 2021-22
5. Council note that the adopted Integrated Plans will be available to the public via Council's website, following amendments shown in this report.
6. Those persons who made submissions to the draft Integrated Plans be thanked for their submission and be advised in writing of Council's decisions.

For: Crs Biscotti, Noveska, Marshall, Schweikert and Taylor
Against: Crs Harrison and Hicks

Cr Overall returned to the Chambers at 7.20pm and assumed the Chair.

5.4 Operational Plan - Rating Reform and the Local Government Amendment Act 2021

178/21

RESOLVED (Harrison/Biscotti)

That Council endorse the proposed actions to be undertaken during 2021/22, arising as a result of the rating reforms that came into effect with the *Local Government Amendment Act 2021*.

The resolution was carried unanimously.

Cr Winchester returned to the meeting at 7.21pm.

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

There were no matters for Closed Session.

7. CONCLUSION OF THE MEETING

The time being 7.21pm, the Mayor 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, 14 July 2021 commencing at 5.30pm.

ATTENDANCE

Councillors: Cr Overall (Chair)
Cr Biscotti
Cr Harrison
Cr Hicks – via Zoom
Cr Marshall – via Zoom
Cr Schweikert
Cr Taylor (from 5.46pm)
Cr Winchester – via Zoom

Staff: M Thompson, A/CEO
P Hansen, Portfolio General Manager Community Connections
A Knight, Portfolio General Manager Organisational Capability – via Zoom

Also Present: W Blakey, Clerk of the Meeting
L Ison, Minute Secretary

1. OPENING

The meeting commenced 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

PLA123/21

RESOLVED (Schweikert/Biscotti)

That apologies for non-attendance from Crs Brown and Noveska be received and the late arrival of Cr Taylor noted.

The resolution was carried unanimously.

4. DISCLOSURES OF INTEREST

PLA124/21

RESOLVED (Schweikert/Biscotti)

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

The resolution was carried unanimously.

Mr Michael Thompson declared a less than significant non-pecuniary interest in Item 8.3: DA.2020.1151 - Construction of a Centre-based Child Care Facility (Pre-school) - 3-23 Hoover Road, Queanbeyan West, stating his spouse is an employee of the company.

5. ADJOURNMENT FOR PUBLIC FORUM

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

PLA125/21

RESOLVED (Overall/Biscotti)

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

ADJOURNMENT:

The meeting adjourned for the Public Forum at 5.34pm and resumed at 5.48pm.

During the Public Forum, Cr Taylor joined the meeting at 5.46pm.

6. MAYORAL MINUTE

There was no Mayoral Minute.

7. NOTICES OF MOTIONS OF RESCISSION

There were no Notices of Motions of Rescission.

8. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

8.1 DA.2020.1676 - Boundary Adjustment, Extension of Existing Carpark and Removal of Three Native Trees - 91-93 Ellerton Drive, Queanbeyan East

MOVED (Schweikert/Taylor)

That development application DA.2020.1676 for additional car parking to a place of public worship, boundary adjustment and removal of trees on 91-93 Ellerton Drive, Queanbeyan East be granted conditional approval subject to draft condition 2(b)(i) being deleted thereby removing the requirement to retain the two Eucalyptus mannifera (hybrid) situated towards the southwest corner of the site (identified as tree 2 on the attached plans).

During discussion Cr Marshall's internet connection was lost at 5.54pm and he was unable to re-join the meeting.

During discussion Cr Overall foreshadowed a CONTRARY motion: ["That development application DA.2020.1676 for additional car parking to a place of public worship, boundary adjustment and removal of trees on 91-93 Ellerton Drive, Queanbeyan East be granted conditional approval."]

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

PLA126/21

RESOLVED (Schweikert/Taylor)

That development application DA.2020.1676 for additional car parking to a place of public worship, boundary adjustment and removal of trees on 91-93 Ellerton Drive, Queanbeyan East be granted conditional approval subject to draft condition 2(b)(i) being deleted thereby removing the requirement to retain the two Eucalyptus mannifera (hybrid) situated towards the southwest corner of the site (identified as tree 2 on the attached plans).

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

Against: Crs Overall and Winchester

8.2 DA.2021.1253 - Change of Use from a Shop to a Dwelling House and Alterations/Additions - 2/34A Morton Street Queanbeyan

PLA127/21

RESOLVED (Hicks/Biscotti)

That:

1. Approval be granted to a variation to Part 2 and 4 of the Queanbeyan Development Control Plan 2012 to allow the change of use to a dwelling for the following reasons:
 - (a) The existing structure provides limited opportunity for the dwelling to comply with controls within the DCP;
 - (b) The proposed use is appropriate and permissible for the lot and will allow the iconic building's retention and continued use;
 - (c) The development has minimal impact in regard to Heritage Conservation and will improve the streetscape; and
 - (d) The development provides a suitable use for the site compatible with the surrounding area.
2. Development application DA.2021.1253 for a change of use from commercial to a dwelling including alterations and additions on Lot 2 SP 34521, No. 2/34A Morton Street, Queanbeyan be granted conditional approval.

The resolution was carried unanimously.

Mr Thompson declared an interest in the following item and left the Chambers at 6.03pm.

8.3 DA.2020.1151 - Construction of a Centre-based Child Care Facility (Pre-school) - 3-23 Hoover Road, Queanbeyan West

PLA128/21

RESOLVED (Schweikert/Hicks)

That:

1. Development application DA.2020.1151 for the construction of a centre-based child-care facility (pre-school) on Lot 109 DP 715060, Koorong Park, 3-23 Hoover Road, Queanbeyan West 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.

Mr Thompson returned to the Chambers at 6.05pm.

- 8.4 **Bungendore Contributions Plan (Section 7.11) for Car Parking Facilities**
- PLA129/21 **RESOLVED (Schweikert/Harrison)**
- That Council adopt the draft Bungendore Development Contributions Plan for Carparking Facilities.
- For: Crs Biscotti, Harrison, Overall, Schweikert, Taylor and Winchester
Against: Cr Hicks
- 8.5 **Monaro Street Upgrade - Concept Design**
- PLA130/21 **RESOLVED (Biscotti/Harrison)**
- That Council:
1. Place the Monaro Street Upgrade concept design on public exhibition for a period of 28 days, with further stakeholder engagement as outlined in the report.
 2. Consider submissions at a future workshop and meeting of Council, to guide approvals and the brief for a design and construct tender.
- The resolution was carried unanimously.
- 8.6 **QPRC Policies**
- PLA131/21 **RESOLVED (Harrison/Biscotti)**
- That:
1. Council formally adopt the Statement of Business Ethics policy.
 2. The draft Equal Employment Opportunity Policy and the Councillor Induction & Professional Development Policy be deferred for consideration at a workshop to be held with the new Council following the elections in September 2021.
- The resolution was carried unanimously.
- 8.7 **Former Queanbeyan City Council Policies Review**
- PLA132/21 **RESOLVED (Schweikert/Harrison)**
- That Council formally rescind and remove from its website all policies of the former Queanbeyan City Council as listed in the report that have been superseded, converted to a directive or subsumed by State legislation.
- The resolution was carried unanimously.

9. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

- PLA133/21
- 9.1 World Environment Day Activities 2021**
RESOLVED (Schweikert/Taylor)
That the report be received for information.
The resolution was carried unanimously.
- 9.2 Submission on draft Model Social Media Policy, Councillor and Staff Interaction Policy, and Media Policy**
MOVED (Hicks)
That this item be deferred for consideration by the new Council following the elections in September 2021.
The motion (of Cr Hicks) lapsed for want of a seconder
- PLA134/21
- RESOLVED (Schweikert/Hicks)**
That:
1. The report be received for information.
2. These documents be provided to the new Councillors as part of their induction program.
The resolution was carried unanimously.
- PLA135/21
- 9.3 Local Government Elections - Caretaker Provisions**
RESOLVED (Biscotti/Harrison)
That the report be received for information.
The resolution was carried unanimously.

10. REPORTS OF COMMITTEES

- PLA136/21
- 10.1 Audit, Risk and Improvement Committee - Minutes 18 March 2021**
RESOLVED (Harrison/Schweikert)
That Council note the minutes of the Audit Risk and Improvement Committee held on 18 March 2021.
The resolution was carried unanimously.

10.2 Minutes of QPRC Heritage Advisory Committee held 17 June 2021

PLA137/21

RESOLVED (Schweikert/Taylor)

That Council note the Minutes of the QPRC Heritage Advisory Committee held on 17 June 2021.

The resolution was carried unanimously.

10.3 Minutes of the Environment and Sustainability Advisory Committee Meeting held 9 June 2021

PLA138/21

RESOLVED (Schweikert/Biscotti)

That Council note the minutes of Environment and Sustainability Advisory Committee meeting held on 9 June 2021.

The resolution was carried unanimously.

11. NOTICES OF MOTIONS

There were no Notices of Motions.

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

There were no matters in Closed Session.

13. CONCLUSION OF THE MEETING

The time being 6.38pm, 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.

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.1 Development Application DA.2020.1427 - Six Lot Torrens Title Subdivision - Poplars Innovation Precinct - 300 Lanyon Drive, Jerrabomberra (Ref: ; Author: Thompson/Glouftsis)

File Reference: DA.2020.1427

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

This application has been referred to Council as the Portfolio General Manager – Natural and Built Character has determined it is in the public interest to have the matter considered by Council.

Proposal:	Six Lot Torrens Title Subdivision, Subdivision Construction Works, and Construction of a Road (Poplars Innovation Precinct – Stage 1).
Applicant/Owner:	Capital Region Planning / Robin Pty Ltd.
Subject Property:	Lot 1 DP 1263364, No. 300 Lanyon Drive, Jerrabomberra.
Zoning and Permissibility:	B7 Business Park under <i>Queanbeyan Local Environmental Plan (West Jerrabomberra) 2013</i> .
Public Submissions:	Three (3)
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. Development Application DA.2020.1427 for a six lot Torrens title subdivision, subdivision construction works, and construction of a road on Lot 1 DP 1263364, 300 Lanyon Drive, Jerrabomberra, 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.**
-

Background***Proposed Development***

The proposal seeks development consent for the subdivision of land to create six Torrens title lots, comprising of five development lots and one residual lot. The construction of the road will connect to the Northern Entry Road 'Environa Drive' (which is currently under construction). Associated landscaping and subdivision construction and civil works are also proposed.

9.1 Development Application DA.2020.1427 - Six Lot Torrens Title Subdivision - Poplars Innovation Precinct - 300 Lanyon Drive, Jerrabomberra (Ref: ; Author: Thompson/Glouftsis) (Continued)

The proposal also incorporates the:

- Removal of 13 trees, and removal of an existing dam (located on proposed Lot 6).

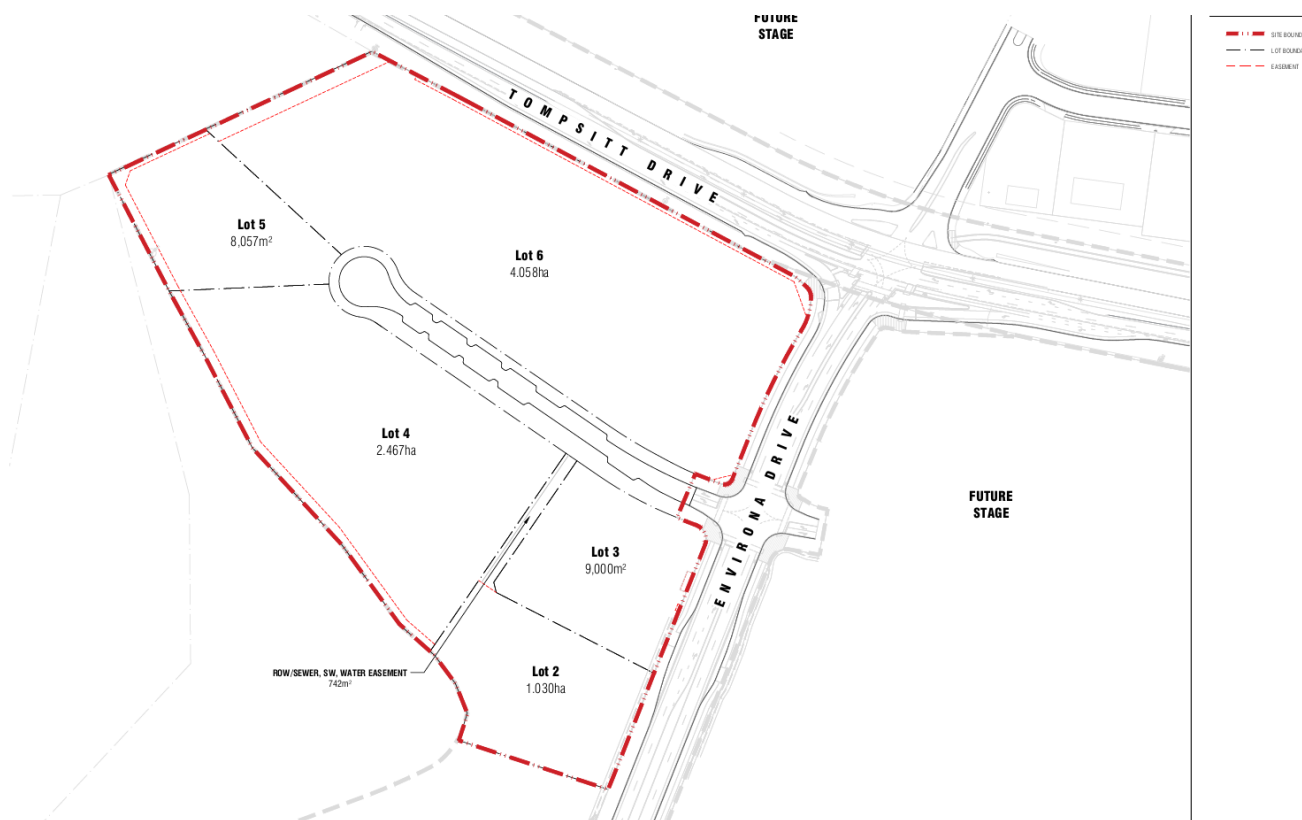


Figure 1 – Proposed Subdivision Layout

The proposed lot configuration is detailed in the table below.

Lot	Area
Residual Lot (Lot 1)	
Lot 2	1.030ha
Lot 3	9,000m ²
Lot 4	2.467ha
Lot 5	8,057m ²
Lot 6	4.058ha

9.1 Development Application DA.2020.1427 - Six Lot Torrens Title Subdivision - Poplars Innovation Precinct - 300 Lanyon Drive, Jerrabomberra (Ref: ; Author: Thompson/Glouftsis) (Continued)



Figure 2 – Landscape Plan

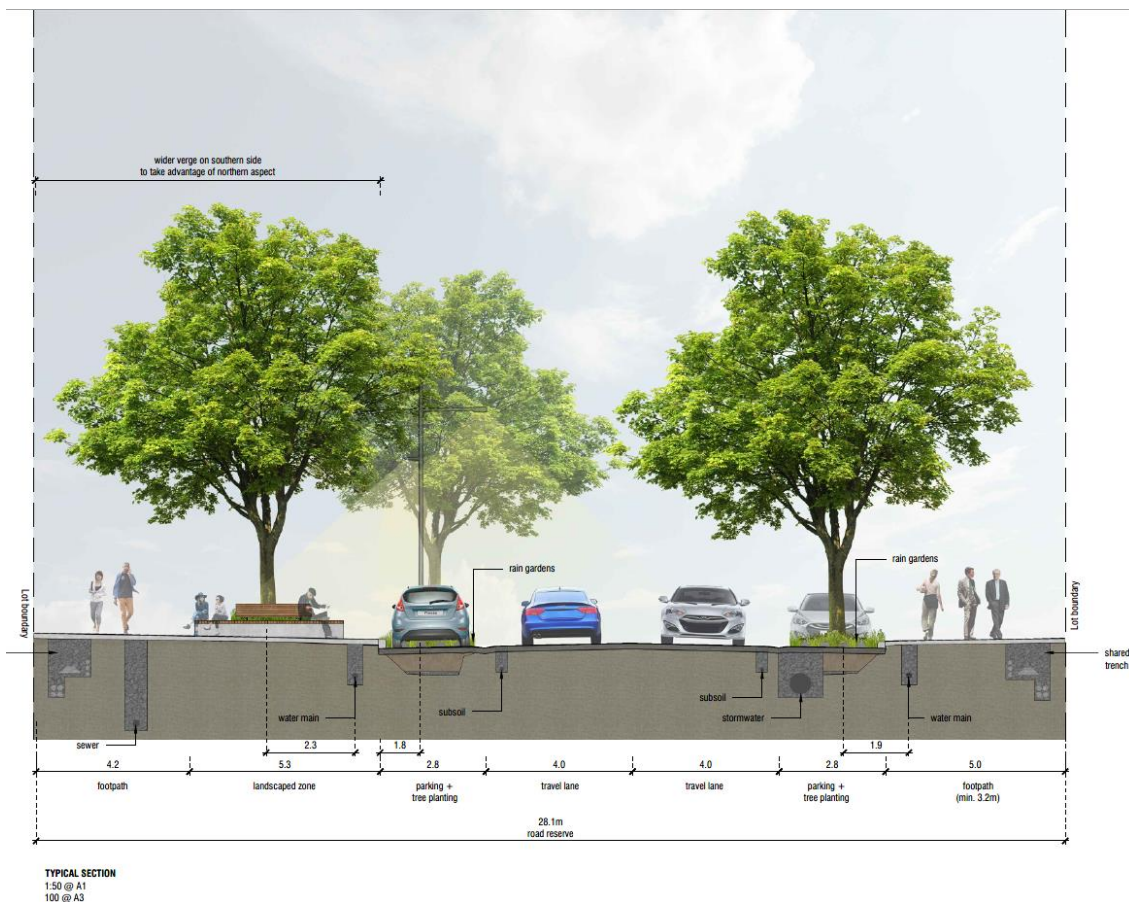


Figure 3 – Road Section

9.1 Development Application DA.2020.1427 - Six Lot Torrens Title Subdivision - Poplars Innovation Precinct - 300 Lanyon Drive, Jerrabomberra (Ref: ; Author: Thompson/Glouftsis) (Continued)

Rezoning of Land

The subject land was rezoned with the adoption of the *QLEP (Poplars) 2012*. This LEP was subsequently replaced with the *QLEP (West Jerrabomberra) 2013*. The B7 Business Park zoning relevant to the subject site remained consistent with the change in applicable LEP. The intent of the rezoning was to convert the land from agricultural use to development for employment purposes and light industry.

Subject Site and Locality

The subject site is legally described as Lot 1 DP 1263364 and is commonly known as 300 Lanyon Drive, Jerrabomberra. The site is located on the southern side of Tompsitt Drive and has an area of 65.65ha. The site sits to the western side of the Northern Entry Road 'Environa Drive', which is currently under construction. The topography of the subject site is variable. The land falls from Tompsitt Drive towards the south east portion of the lot and rises to the north west. There is no existing development on the site. However, it contains an existing dam and vegetation. Historically, the site has been used for agriculture and grazing purposes.

Vehicular access will be provided to the site via the Northern Entry Road (Environa Drive), which provides a connection through to the South Jerrabomberra Urban Release Area. The Northern Entry Road has been designed with an access road stub incorporated to facilitate the road proposed under this proposal.

Existing development within the locality consists of the Poplars Retail Precinct to the north east. The retail precinct contains shops, takeaway food and drink premises, and a service station. Further east of the development site is the existing Jerrabomberra residential estate. The land to the north, south and west is undeveloped land consisting of grassland, shrubs, and some trees, which is likely to have been historically used for agricultural purposes.



Figure 4 – Subject Site

9.1 Development Application DA.2020.1427 - Six Lot Torrens Title Subdivision -
Poplars Innovation Precinct - 300 Lanyon Drive, Jerrabomberra (Ref: ; Author:
Thompson/Glouftsis) (Continued)

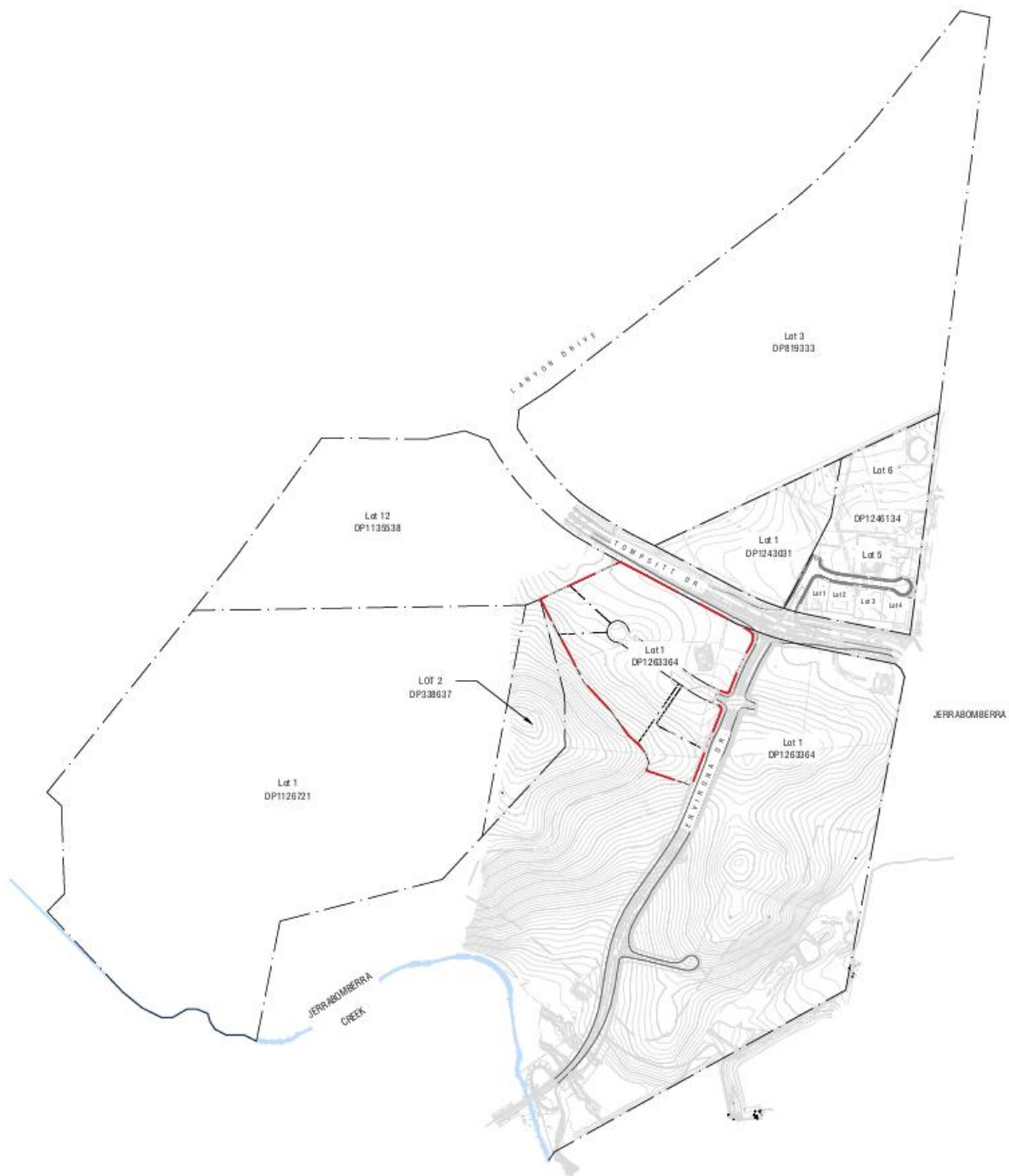


Figure 5 – Site Context

9.1 Development Application DA.2020.1427 - Six Lot Torrens Title Subdivision - Poplars Innovation Precinct - 300 Lanyon Drive, Jerrabomberra (Ref: ; Author: Thompson/Glouftsis) (Continued)

Planning Requirements

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

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

1. *State Environmental Planning Policy (Infrastructure) 2007*
2. *State Environmental Planning Policy No. 55 Remediation of Land*
3. *State Environmental Planning Policy No.44 – Koala Habitat Protection*
4. *Queanbeyan Local Environmental Plan (West Jerrabomberra) 2013 (LEP)*
5. South Jerrabomberra Development Control Plan (SJDPCP)
6. Queanbeyan Development Control Plan 2012 (QDCP 2012)

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

- Planning requirements.
- Contents of submissions received during the notification period.
- Contribution charges.

(a) Compliance with LEP

The proposed development is consistent with the aims, objectives, and development standards contained within the *QLEP (West Jerrabomberra) 2013*. A detailed assessment against the requirements of this LEP is provided in the attached Section 4.15 Assessment Report.

Zoning and Permissibility

The subject site is zoned B7 Business Park zone under *Queanbeyan Local Environmental Plan (West Jerrabomberra) 2013*. The objectives of the B7 Business Park Zone are to provide for a range of office and light industrial uses, encourage employment opportunities, and provide for a well-designed business park development that responds to site constraints and adjoining residential development.

Development for the purposes of a subdivision as proposed is permissible pursuant to clause 2.6 of the *QLEP (West Jerrabomberra) 2013*. The applicable land use zone does not govern permissibility in this instance. Future development on each lot will need to be designed in accordance with the objectives of the zones. The proposed subdivision layout and design is conducive to allowing future development to be consistent with the aims and objectives of the zone.

9.1 Development Application DA.2020.1427 - Six Lot Torrens Title Subdivision -
Poplars Innovation Precinct - 300 Lanyon Drive, Jerrabomberra (Ref: ; Author:
Thompson/Glouftsis) (Continued)

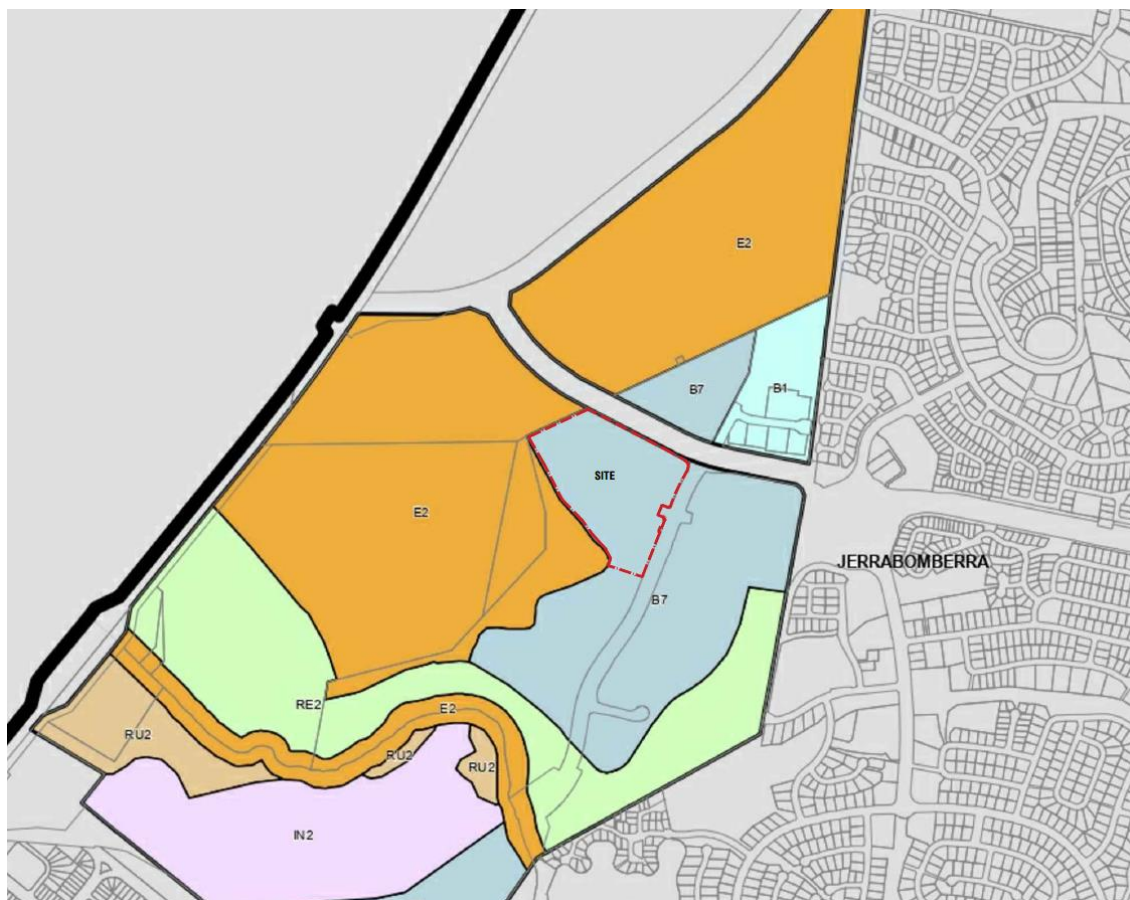


Figure 6 - Zoning

Minimum Lot Size

Each lot proposed under this development meets the minimum lot size. The designated minimum lot size for the development site is 4000m². A breakdown of lot sizing is provided in the description of the proposed development section of this report.

(b) Compliance with DCP

Queanbeyan Development Control Plan 2012

The Queanbeyan Development Control Plan 2012 (QDCP 2012) is applicable to the proposed development. The applicable part is listed below.

Part 2 – All Zones

The proposal is compliant with the relevant requirements of Part 2 of the QDCP 2012. For a detailed assessment against the QDCP 2012 please refer to the attached Section 4.15 Assessment Report.

9.1 Development Application DA.2020.1427 - Six Lot Torrens Title Subdivision - Poplars Innovation Precinct - 300 Lanyon Drive, Jerrabomberra (Ref: ; Author: Thompson/Glouftsis) (Continued)

South Jerrabomberra Development Control Plan

The South Jerrabomberra Development Control Plan (SJDCP) applies to the proposed development. The applicable parts are listed below.

Parts 4 and 5 – Subdivision

Part 8 – Environmental Management

The proposal is compliant with the relevant requirements of Part 4, 5 and 8 of the SJDCP. For a detailed assessment against the SJDCP, please refer to the attached Section 4.15 Assessment Report.

(a) Development Engineer's Comments

Council's Development Engineer has no objection to the development based on the imposition of the recommended conditions of consent. For further information please refer to the Development Engineer's comments provided within the attached Section 4.15 Assessment Report.

(b) Environmental Health Comments

Council's Environmental Health Officer has no objection to the development based on the imposition of the recommended conditions of consent. For further information please refer to the Environmental Health Officer's comments provided within the attached Section 4.15 Assessment Report.

(c) Other Considerations

Biodiversity

The proposed development will result in the clearance of:

- 0.32ha of PCT1334 Zone 3 – mature canopy, regeneration, exotic dominant understorey with low diversity (BC Act Native Vegetation, BC Act Box-Gum Woodland),
- 4.58ha of PCT1334 Zone 4 – low diversity native pasture (BC Act native vegetation, BC Act Box-Gum Woodland) and
- 4.58ha of Golden Sun Moth habitat (EPBC Act critically endangered, BC Act endangered), located in PCT1334 Zone 4 and
- 13 remnant trees located in PCT1334 Zone 3, four of which contain at least one functional hollow.
- In total, the proposed development will result in the clearance of 4.90ha of BC Act native vegetation, all of which meets the criteria of BC Act Box-Gum Woodland and 4.58ha of which supports Golden Sun Moth habitat. The proposed development will not result in any other direct impacts on native vegetation or habitat.

The proposed development will also result in the clearance of 3.92ha of PCT1334 Zone 5 – low diversity exotic pasture. The 3.92ha of PCT1334 Zone 5 is clearly dominated by exotic grasses and forbs, does not meet the definition of BC Act native vegetation, and is not identified as habitat for threatened species.

9.1 Development Application DA.2020.1427 - Six Lot Torrens Title Subdivision - Poplars Innovation Precinct - 300 Lanyon Drive, Jerrabomberra (Ref: ; Author: Thompson/Glouftsis) (Continued)

As detailed in Capital Ecology (2020a), the proposed development:

- will not result in any other direct impacts on native vegetation or threatened species habitat,
- will not result in a prescribed biodiversity impact and
- is unlikely to result in any indirect impacts.

As mentioned previously, as the extent and condition of BC Act Box-Gum Woodland and Golden Sun Moth habitat in the subject land have not changed as a result of the 2021 reassessment of vegetation, the Serious and Irreversible Impact (SII) assessments in Capital Ecology (2020a) remain valid.

The proposed removal of the vegetation in this application is considered the removal of native vegetation and is therefore an activity as defined under *the Biodiversity Conservation Act 2016*. The development is anticipated to have an irreversible impact. As a result, the developer will be required to pay credits pursuant the *Biodiversity Conservation Act 2016* and as per the requirements set out in the submitted BDAR and subsequent Addendum. This will be enforced through relevant conditions of consent. The BDAR and Addendum will form a part of the approval documents. The credit tables are contained within the BDAR Addendum and draft conditions of consent.

Financial Implications

Section 7.11 Contribution charges under the South Jerrabomberra Contribution Plan are applicable to the proposed development. The development site is located within the South Poplars area for the purposes of the below calculation.

The contributions that have been determined in respect of non-residential development are set out below.

Non Residential Contribution Rates Per Hectare

South Tralee	North Poplars	South Poplars	North Tralee
\$37,343.12	\$83,931.42	\$28,674.30	\$37,560.61

The development area is 9.255ha. The total contribution charge equals \$265,380.64 (subject to CPI increases since the adoption of the Plan). Contribution charges may be reduced if work in accordance with the Jerrabomberra Innovation Precinct Infrastructure Planning Agreement 2020 has been undertaken and which would warrant a reduction in contribution charges levied against the South Jerrabomberra Local Contribution Plan.

9.1 Development Application DA.2020.1427 - Six Lot Torrens Title Subdivision - Poplars Innovation Precinct - 300 Lanyon Drive, Jerrabomberra (Ref: ; Author: Thompson/Glouftsis) (Continued)

Section 64 contribution charges are applicable to the development. The following Equivalent Tenements (ET) calculation is applicable.

<u>Item</u>	<u>No of Units</u>	<u>ETs per Unit</u>	<u>ETs</u>
<u>Water</u>			
Hectares	9.23ha (5 Lots)	15/ha	138.5
Allow for existing lot/dwelling	0	0	0
<u>TOTAL</u>			138.5

<u>Item</u>	<u>No of Units</u>	<u>ETs per Unit</u>	<u>ETs</u>
<u>Sewer</u>			
Hectares	9.23ha (5 Lots)	15/ha	138.5
Allow for existing lot/dwelling	0	0	0
<u>TOTAL</u>			138.5

One water ET has a value = \$9,333.51 (subject to CPI) x 138.5 = \$1,292,691

One sewer ET has a value - \$1,501.47 (subject to CPI) x 138.5 = \$ 207,953

Engagement

The application was notified in accordance with the QPRC Community Engagement and Participation Plan for a period of 14 days from the 10-28 September 2020, 27 May to 14 June 2021 and the 2-20 July 2021, with three submissions received. The development was renotified twice after initial notification due to the re-design and submission of amended plans. A summary of the contents of the submissions is provided below with a response.

Submission from Crown Lands (Submission 1)

Crown lands put in a submission as an adjoining landowner stating they had no objection to the proposal.

Submission from Transport for NSW (John Holland Rail - JHR) (Submission 2)

Transport for NSW (JHR) put in a submission as an adjoining landowner stating they had no objection to the proposal.

Submission from Village Building Co. (Submission 3)

This submission raised concerns regarding capacity of the electricity supply. It is noted that the five development lots proposed under this subdivision would be able to be serviced by electricity. However, the concerns with electricity supply relate to potential future development. Should approval on an individual lot be sought for a use which has a high electricity demand then the developer will be required to demonstrate how that development will upgrade the existing supply. It is noted that one lot has been reserved for a substation in consideration of this issue. While it is noted potential future electricity supply needs to be addressed by the developer, it is not a reason to refuse the subdivision in its current state.

9.1 Development Application DA.2020.1427 - Six Lot Torrens Title Subdivision - Poplars Innovation Precinct - 300 Lanyon Drive, Jerrabomberra (Ref: ; Author: Thompson/Glouftsis) (Continued)

Conclusion






The submitted proposal is for a six lot Torrens title subdivision, construction of a road, and subdivision construction works on Lot 1 DP 1263364, 300 Lanyon Drive, Jerrabomberra. The proposed development forms Stage 1 of the Poplars Innovation Precinct. Development for the purposes of a subdivision is permitted with consent under the relevant LEP pursuant clause 2.6. The Development Application is considered a local development and Council is the consent authority.

The proposal was notified to adjoining owners and occupiers over three individual 14 day periods due to redesign and resubmission of the proposal. Three submissions were received overall. Two submissions raised no objection to the development and the other raised concerns regarding availability and capacity of future electricity supply.

The proposal has been assessed under Section 4.15 of the *Environmental Planning & Assessment Act 1979* including the relevant provisions of *Queanbeyan Local Environmental Plan (West Jerrabomberra) 2013* and the *South Jerrabomberra and Queanbeyan Development Control Plan 2012*.

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

Attachments

- | | |
|--|--|
| Attachment 1 | DA.2020.1427 - Section 4.15 Assessment Report - Poplars Innovation Precinct - 300 Lanyon Drive Jerrabomberra (<i>Under Separate Cover</i>) |
|  Attachment 2 | DA.2020.1427 - Plans - Poplars Innovation Precinct Subdivision - 300 Lanyon Drive, Jerrabomberra, NSW. (<i>Under Separate Cover</i>) |
|  Attachment 3 | DA.2020.1427 - Submission 1 - 300 Lanyon Drive Jerrabomberra (<i>Under Separate Cover</i>) |
|  Attachment 4 | DA.2020.1427 - Submission 2 - 300 Lanyon Drive, Jerrabomberra (<i>Under Separate Cover</i>) |
|  Attachment 5 | DA.2020.1427 - Submission 3 - 300 Lanyon Drive, Jerrabomberra (<i>Under Separate Cover</i>) |
|  Attachment 6 | DA.2020.1427 - Draft Conditions of Consent (Poplars Innovation Stage 1) - 300 Lanyon Drive, Jerrabomberra (<i>Under Separate Cover</i>) |

9.2 Development Application DA.2021.1060 - Erection of a Large Farm Shed - 159 Fernleigh Drive, Googong (Author: Thompson/Burns)

File Reference: DA.2021.1060

Summary

Reason for Referral to Council

This application has been referred to Council because written submissions have been made to Council resulting from the exhibitions/notification process and valid concerns have been raised which cannot be overcome with a condition of consent and where plans cannot or will not be amended to overcome such concerns.

Proposal:	Construction of a farm building
Applicant/Owner:	Jarron Paul Walker / Jarron Paul Walker, Leah Simone Walker
Subject Property:	Lot 30 DP 747879159, 159 Fernleigh Drive, Googong
Zoning and Permissibility:	E4 – Environmental Living under Queanbeyan Local Environmental Plan 2012
Public Submissions:	5
Issues Discussed:	Planning Requirements <ul style="list-style-type: none">• Size of shed.• Location and prominence of shed.• Earthworks associated with the proposed development.• Unapproved access roads crossing waterways.• Sediment runoff entering neighbouring farm dams and Jerrabomberra Creek.
Disclosure of Political Donations and Gifts:	Applicant Declared no Donations or Gifts to any Councillor or Staff have been made

Recommendation

That:

- 1. Development application DA.2021.1060 for a Construction of a farm building on Lot 30 DP 747879159, 159 Fernleigh Drive, Googong be refused for the following reasons.**

Reasons for Refusal:

- (a) The proposal contravenes the zone objectives of the E4 Environmental Living zone under Queanbeyan LEP.**
 - (b) No consideration to Clauses 7.1, 7.3 and 7.4 Queanbeyan LEP have been made by the applicant.**
 - (c) The proposal contravenes the relevant objectives and controls of the Queanbeyan DCP.**
 - (d) The submitted variation provided insufficient justification and is not considered to be minor.**
-

9.2 Development Application DA.2021.1060 - Erection of a Large Farm Shed - 159 Fernleigh Drive, Googong (Author: Thompson/Burns) (Continued)

- (e) The proposed farm building alone is 180% in excess of the total floor area permissible within the E4 zone under Clause 5.12.1 of the Queanbeyan DCP.
 - (f) The proposed farm building combined with the existing shed located on site would increase the total floor area to 230% in excess of the permissible area under Clause 5.12.1 the Queanbeyan DCP.
 - (g) The unapproved earthworks within the proposed siting of the farm building elevate the building to a prominent location within the locality and would be highly visible from Fernleigh Road and surrounding properties and as such is inconsistent with Clause 5.12 of the Queanbeyan DCP.
 - (h) The application fails to provide sufficient evidence for Council to satisfy itself that the imported fill forming the building platform for the proposed development is free from contamination as required by clause 7 of *State Environmental Planning Policy No.55 – Remediation of Land*.
2. Those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.
 3. A further report on options for enforcement action in relation to unapproved development carried out at 159 Fernleigh Drive be provided to Council.
-

Background***Proposed Development***

The development application proposes the construction of a farm building with an area of 540m² (30.0m x18.0m x 6.6m high). It is noted that the site has undergone unapproved preparation to the site including extensive earthworks in the proposed area of impact, as well as other areas of the site. It is also noted that construction of the shed has commenced without consent.

The development proposed has been deemed as inappropriate as detailed in this assessment.

The application was notified and five submissions were received. Issues regarding the size, location and prominence of shed, earthworks associated with the proposed development, unapproved access roads crossing waterways and sediment runoff entering neighbouring farm dams and Jerrabomberra Creek have been raised in submissions.

Subject Property

The subject site is legally described as Lot 30 DP 747879159, and is commonly known as 159 Fernleigh Drive, Googong. The site is located on the south eastern side of Fernleigh Drive and has an area of 13.7ha.

The site is irregular in shape and has a highpoint of approximately 800m, sloping downward from the east toward Fernleigh Drive to approximately 750m. The site is largely clear of bushland areas and is made up of grasslands with scattered established trees.

Existing development on the site comprises a dwelling and horse stables (150m²). Vehicular access is provided to the site via an existing driveway from Fernleigh Drive.

Existing development within the locality consists of dwellings and associated outbuildings.

It is noted that the entire site is mapped as containing terrestrial biodiversity (Figure 2). It is also noted that the site contains mapped riparian land and watercourse (Figure 3). As can be seen in Figure 4, the site is predominantly grasslands. As shown in Figure 5, works within the riparian corridor and watercourse have been undertaken.

9.2 Development Application DA.2021.1060 - Erection of a Large Farm Shed - 159 Fernleigh Drive, Googong (Author: Thompson/Burns) (Continued)

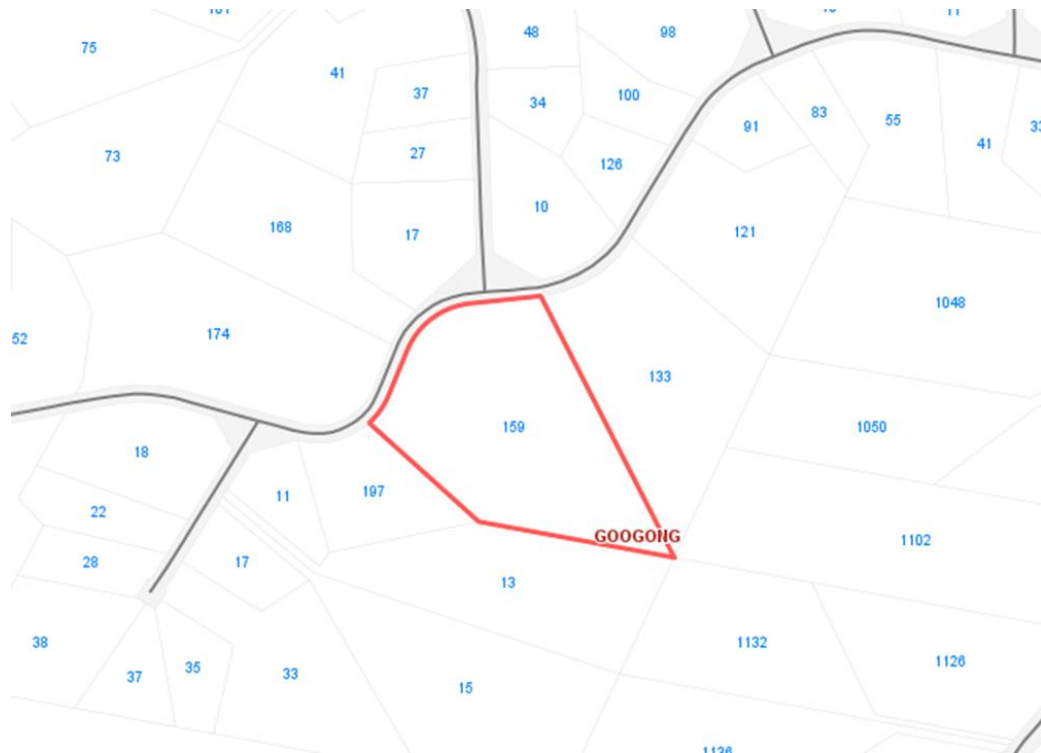


Figure 1: Locality plan

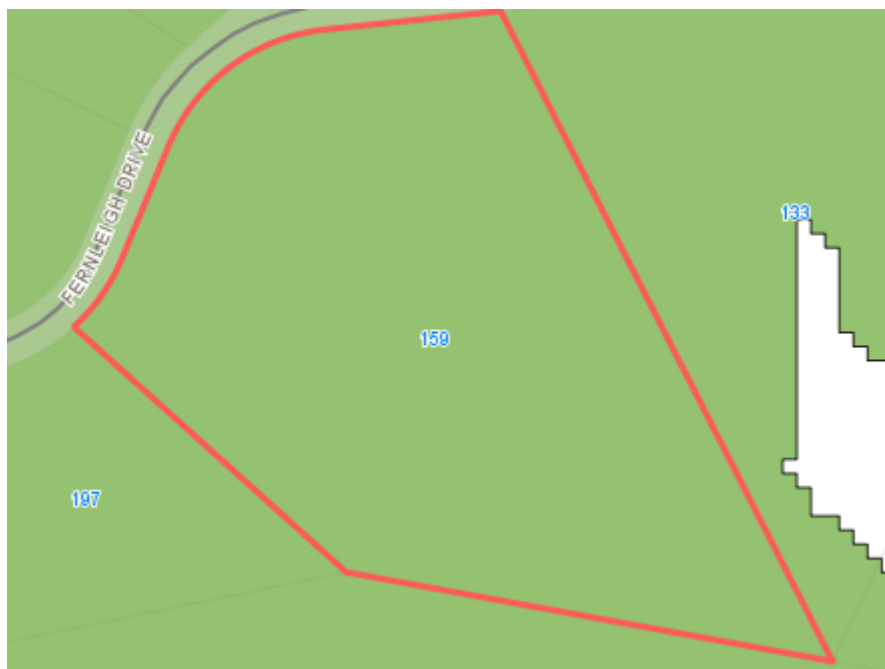


Figure 2: Terrestrial Biodiversity

9.2 Development Application DA.2021.1060 - Erection of a Large Farm Shed - 159 Fernleigh Drive, Googong (Author: Thompson/Burns) (Continued)



Figure 3: Riparian Land and Watercourses

9.2 Development Application DA.2021.1060 - Erection of a Large Farm Shed - 159 Fernleigh Drive, Googong (Author: Thompson/Burns) (Continued)



Figure 4: 159 Fernleigh Drive as of 4 June 2020



Figure 5: 159 Fernleigh Drive as of 18 May 2021

9.2 Development Application DA.2021.1060 - Erection of a Large Farm Shed - 159 Fernleigh Drive, Googong (Author: Thompson/Burns) (Continued)

Planning Requirements

Assessment of the application has been undertaken in accordance with Section 4.15 of the *Environmental Planning and Assessment Act (EP&A) 1979*, as amended. The matters that are of relevance under Section 4.15 are summarised in the attached *Section 4.15 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 (Exempt and Complying Development Codes) 2008*
2. *State Environmental Planning Policy No.55 – Remediation of Land*
3. *Queanbeyan Local Environmental Plan 2012 (LEP)*.
4. *Queanbeyan Development Control Plan 2012 (DCP)*

The development does not satisfy the requirements, nor does it achieve the objectives of these planning instruments. The significant issues relating to the proposal for Council's consideration are as follows.

(a) Compliance with State Environmental Planning Policy

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

Subdivision 15 Earthworks, Retaining Walls and Structural Support - 2.30 Development Standards

(a) not be a cut or fill of more than 600mm below or above ground level (existing),

The application does not indicate any proposed cut or fill, therefore any associated earthworks would be assumed to be limited to the provisions of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP)*. Figure 8 shows the extent of the earthworks as of 2 March 2021, which is evidently greater than 600m.

The extent of earthworks having been undertaken would require approval from Council.

Although there is a limitation on the depth of fill which can be imported onto a site (600mm), at the time of lodgement there was no applicable overall fill quantity limitation for environmentally zoned land, only rural land.

The SEPP has since been amended to include a limitation on the importation of fill to 100 cubic metres on environmentally zoned land. In the present case thousands of cubic metres of fill have been imported onto the property without consent.

State Environmental Planning Policy No.55 – Remediation of Land

7 Contamination and remediation to be considered in determining development application

(1) A consent authority must not consent to the carrying out of any development on land unless—

- (a) it has considered whether the land is contaminated, and*
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

In considering the possible contamination of the site, Council holds no records of the site having previously been used for any potentially contaminating activities. However, given that extensive amounts fill have been imported to the site to form the building platform and that neither the presence of the fill or evidence of its origin have been documented as part of the application Council cannot be satisfied as to whether the land is contaminated.

9.2 Development Application DA.2021.1060 - Erection of a Large Farm Shed - 159 Fernleigh Drive, Googong (Author: Thompson/Burns) (Continued)

(b) Compliance with LEP

The proposed development does not meet the requirements of the below clauses of the Queanbeyan Local Environmental Plan.

*Zone E4 Environmental Living**1 Objectives of zone*

- *To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.*
- *To ensure that residential development does not have an adverse effect on those values.*
- *To encourage development that is designed to recognise the bushland character of the locality where appropriate and to minimise the impact of urban development, particularly on the edge of the urban area.*
- *To ensure that rural residential development provides for integrated rural residential communities in its design.*

While farm buildings are permitted with consent within the E4 zone, the scale and location of the proposed farm building is considered to be excessive and does not meet the above objectives.

The proposed farm building is considered to have an adverse impact on the aesthetic values of the area, while not minimising the impact of the development.

Clause 7.1 Earthworks

(1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

As mentioned above, the level of fill exceeds the amount outlined in the Codes SEPP. No earthworks have been indicated as part application.

The extensive unapproved earthworks associated with the proposed shed have been conducted with disregard to environmental functions and processes and neighbouring uses.

No regard has been given to the effect of the development on the existing and likely amenity of adjoining properties, the proximity to and potential for adverse impacts on, any waterway, or environmentally sensitive area, or any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

Clause 7.4 Riparian land and watercourses

- (1) The objective of this clause is to protect and maintain the following—*
- (a) water quality within watercourses,*
 - (b) the stability of the bed and banks of watercourses,*
 - (c) aquatic and riparian habitats,*
 - (d) ecological processes within watercourses and riparian areas.*

The proposed shed is located outside of mapped watercourses and riparian land. However, unapproved work involving an internal access road has commenced on the site with no evidence of mitigation measures employed to minimise impacts to the mapped watercourses and riparian land.

9.2 Development Application DA.2021.1060 - Erection of a Large Farm Shed - 159 Fernleigh Drive, Googong (Author: Thompson/Burns) (Continued)

No consideration has been made by the applicant for the impacts to the water quality and flows within the watercourse, aquatic and riparian species, habitats and ecosystems of the watercourse, the stability of the bed and banks of the watercourse, or the implementation of any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

General Terms of Approval are required for this type of development under Clauses 4.46 and 4.47 of the *Environmental Planning and Assessment Act 1979 No 203* and Clause 91 of the *Water Management Act 2000 No 92*. As this work did not form part of the application, no referral was sent to the appropriate State government agency (National Resource Access Regulator) but would have been a factor had approval for the unapproved internal access road.

(c) Compliance with DCP

The proposed development does not satisfy the controls of the below clauses of the Queanbeyan Development Control Plan.

Clause 5.4 Building Setbacks and Fencing

a) Building setbacks from the side and rear boundaries shall have careful regard to the impact of proposed structures on adjoining landowners, and be consistent with the minimum setbacks set out below:

Table 1 – Minimum Setback Requirements

<i>Lot Size</i>	<i>Setback</i>
<i>Between 4ha and 80ha</i>	<i>25 metres</i>

The site has an area of 13.7ha, therefore the minimum side and rear setback applicable is 25m. The proposed rear setback is 150 metres while the side setback is 16 metres and therefore does not comply with the DCP.

Clause 5.5 Height

b) Buildings shall be designed and constructed to be consistent with the surrounding height and character of the area.

The building height is not considered to comply with the controls of section 5.5 due to the proposed shed being located in a prominent position and is inconsistent with the surrounding height and character of the area. The applicant has placed thousands of cubic metres of fill on the site to create a platform for the proposed shed. Notwithstanding that no imported fill was proposed in the submitted application there appears to be no explanation as to why a platform up to 4m in height would have needed to be created to facilitate the construction of the shed. As can be seen in Figure 6 below the creation of the unauthorised building platform is visible for several kilometres around the site.

9.2 Development Application DA.2021.1060 - Erection of a Large Farm Shed - 159 Fernleigh Drive, Googong (Author: Thompson/Burns) (Continued)



Figure 6: Approximate Finished Floor Level of the Farm Building, Far Exceeding the Height of the Existing Dwelling.



Figure 7: The Shed as Viewed from Fernleigh Drive, Having Begun Construction Without Approval.

As can be seen from Figure 7 above the farm building towers over the existing red roofed dwelling in front of it.

9.2 Development Application DA.2021.1060 - Erection of a Large Farm Shed - 159 Fernleigh Drive, Googong (Author: Thompson/Burns) (Continued)

Clause 5.10 Internal Driveways

a) Internal driveways shall be constructed in accordance with the Queanbeyan Palerang Regional Council Engineering Design Specifications and the Queanbeyan Palerang Regional Council Engineering Construction Specifications. A maximum grade of 1 in 10 (10 per cent) applies from the intersection with the access road to the lot boundary. Development approval is required for constructed access tracks other than access tracks on holdings having an area of 80ha or more. Approval for the internal access should be sought at the dwelling house development application stage, unless the access was approved when the lot was created. Council's Sustainability and Better Living Section should be consulted prior to any construction commencing on site.

Aerial imagery indicates that an internal road has been constructed (Figure 5) that provides alternate access to the proposed shed. The lot area is below 80ha and therefore access roads require approval. Additionally, the constructed road crosses a mapped watercourse and riparian land.

Clause 5.12 Sheds

a) Sheds shall be designed and constructed so as to not be visually prominent or intrude into the skyline.

The proposed shed is located in a visually prominent area of the site that has been elevated with imported fill (Figure 4).

b) Sheds shall be sited to minimise unnecessary disturbance to the natural environment. This includes any driveway or other works required to service the shed.

The shed is sited with access to an existing driveway. However, an additional driveway has been constructed that crosses a mapped watercourse and mapped riparian lands. The additional driveway has potential to cause unnecessary disturbance. In addition the apron surrounding the shed has been unnecessarily extended causing disturbance to the natural environment.

d) Sheds shall be designed and constructed to be consistent with the surrounding height and character of the area.

The proposed site of the shed has been elevated using unapproved fill, thus increasing the height of the building (from existing ground to the highest point). This increase puts the shed substantially higher than the existing dwelling. Outbuildings such as sheds are common for the character of the area, however, the excessive size of the proposed shed contradicts this established character.

g) Where no building envelope or Community Management Statement for the Association under the Community Title exists the side and rear boundary setbacks shall be assessed on merit taking into account impacts on adjoining properties, topography and landscape setting.

The proposed siting of the shed exceeds the outlined setbacks in Section 5.4 of the Queanbeyan DCP.

When assessed on merit, the proposed 16 metre setback is considered insufficient due to the large scale of the proposed shed.

9.2 Development Application DA.2021.1060 - Erection of a Large Farm Shed - 159 Fernleigh Drive, Googong (Author: Thompson/Burns) (Continued)

- h) Cut and fill shall be kept to a minimum. Maximum cut is 1.5m and maximum fill is 1m. Under no circumstances is cut and fill to take place without prior approval of Council. Such work will be considered for approval as part of the consent for the shed.*

As indicated in Figure 8, large amounts of fill have been imported onto the site. Further information was requested to determine the depth of the fill within the proposed shed site but has not been supplied. In parts it is estimated fill could be as deep as 4 metres or more.



Figure 8: Fill Used to Level the Proposed Siting of The Farm Building

Clause 5.12.1 Size of Sheds

- a) *On lots with an area of 16ha or less) sheds shall have a maximum total floor area of 300m² - i.e. the total cumulative floor area of all sheds on any one property shall not exceed 300m². For the purposes of this clause the floor area is to be measured under the outside perimeter of the roof.*

A variation to the size of the shed has been formally submitted. The variation seeks approval for a 540m² shed.

The control outlines that the cumulative area of all sheds within the property to not exceed 300m². An existing stable with an area of approximately 150m² is located on the site. The proposed shed would increase the total floor area of sheds located on the site to 690m², 230% greater than the control allows.

Justification provided by the applicant for the variation states that *“the area of the proposed shed will not cause any visual disturbance to other property owners nor the public road as it is situated behind the home in rear paddock area”, “the shed will take up less than 1% of the site”, and “the shed will not be a visual dominance as it is being erected behind the current dwelling”*. As outlined above, the justification is clearly at odds with the facts observed on site and as such the proposal is not considered to meet the objectives of the control.

9.2 Development Application DA.2021.1060 - Erection of a Large Farm Shed - 159 Fernleigh Drive, Googong (Author: Thompson/Burns) (Continued)

Clause 5.12.2 Use of Sheds

- c) *Garaging of plant or trucks which involves the storage and maintenance of up to two pieces of plant or trucks (e.g. truck and trailer, two trucks or similar but not two trucks and one or more trailers or the like) other than agricultural machinery, on a property where operated only by the occupier/s of the property, but does not include a truck depot.*

The proposed use for the shed includes the storage of a tractor with attachments, a tow truck, and a number of personal vehicles (11 motorbikes, 8 cars, two boats on trailers)

Note: The following uses will require Council's Consent:

- i. *A truck depot means a building or place used for the servicing and parking of trucks, earthmoving machinery and the like (as defined under the QLEP 2012).*

The proposed use of the shed includes the storage of a tow truck used as part of a private business. It is unclear as to what capacity the proposed shed would be used in conjunction with the operation of the private business. Evidence suggests that damaged vehicles are stored at the property. The size of the shed raises concerns that it is intended to be used in some capacity as part of the tow truck business.

(d) Other Matters*Suitability of the Site for the Development*

The subject site is constrained in terms of mapped riparian land, watercourse, and terrestrial biodiversity. Site topography also contributes to the constraints of the site. The site is considered to be unsuitable in its current state for the purposes of the proposed development.

Other Comments(a) Development Engineer's Comments

Water - The Council water services are not available in this area, so the proposed development need to rely on alternative existing source of water.

Storm Water - Roof water that is not connected to a rain water storage tank, any overflow from any storage tank and hard stand area must be discharged into an absorption trench or through a stormwater outlet device with scour protection into an overland flow path, at least 3 metres clear of any building and the boundaries of the site.

Traffic and Parking - The proposed shed is for parking truck and vehicles, farm building for storing hay, machinery required for property maintenance and animal related equipment etc hence AS 2890 will not imply.

Access - The driveway is constructed from the edge of the roadway to the property boundary. The driveway is a bitumen sealed road and has an existing 375mm diameter Class 4 reinforced concrete pipe culvert with stone pitched headwalls under the driveway which complies to the Council's D13 Specification (Vehicle Access Driveway).

9.2 Development Application DA.2021.1060 - Erection of a Large Farm Shed - 159 Fernleigh Drive, Googong (Author: Thompson/Burns) (Continued)

Engagement

The proposal required notification under Council's community engagement requirements. Five (5) submissions were received. The relevant issues raised are as follows:

Issue: The proposed location of the shed and associated earthworks will render the shed highly visible from Fernleigh Drive and neighbouring properties.

Comment: Agreed. The shed will be highly visible from Fernleigh Road and neighbouring properties due to the size and location of the shed. Upon Council's site inspection on 2 March 2021, the site had begun to be prepared for the construction of the shed without approval. The level of the site at that date would mean the shed would be at an elevation higher than the existing dwelling and clearly visible from not just neighbouring properties but properties further afield. Figure 9 below shows images of the unapproved shed taken on 20 July 2021. The shed is unacceptably visible.



Figure 9 – View of Partially Completed Shed from Fernleigh Drive – 21 July 2021.

9.2 Development Application DA.2021.1060 - Erection of a Large Farm Shed - 159 Fernleigh Drive, Googong (Author: Thompson/Burns) (Continued)

Issue: The proposed size of the shed (540m²) is excessive for the locality, zoning, lot size despite the DCP Variation.

Comment: Agreed. The DCP allows for up to 300m² of cumulative floor area for sheds on properties smaller than 16ha. Not only does the proposed shed itself exceed this limit by 240m², the site has an existing stable with an area of approximately 150m², thus exceeding the cumulative total floor area for sheds by 390m². This variation is not considered to be minor and is therefore not supported by Council.

Issue: The earthworks associated with the levelling of the proposed siting of the shed are excessive.

Comment: Agreed. Details relating to the amount of fill used in the preparation of the proposed shed site were requested by Council but were not received. The site visit on 2 March 2021 indicated excessive levels of fill being used in the preparation of the site.

Issue: An internal access road, that is not part of the application, connecting the proposed shed to the established driveway running along the southwestern boundary of the site, impacting neighbours with noise and dust impacts, crossing watercourse.

Comment: Agreed. Under the Queanbeyan LEP, roads require approval in the E4 zone. The internal access road that has been constructed without approval has the potential to increase nuisance to neighbouring properties through dust and noise generation. Without the correct assessment process the condition of the road may not be sufficient for the intended use.

Additionally, the road crosses a mapped watercourse, which has potential to cause adverse impacts to the water quality and flows within the watercourse and connected ecosystems, such as Jerrabomberra Creek.

Issue: Sediment associated with the proposed works being washed into neighbouring farm dams and the environmentally significant Jerrabomberra Creek.

Comment: Insufficient sediment and erosion controls have been put in place prior to extensive earthworks being conducted on site. The works have potential to have adverse impacts on the water quality and flows within the watercourse. It should be noted that the mapped watercourse being impacted is protected riparian land and a tributary of Jerrabomberra Creek.

Compliance or Policy Implications

Council's Compliance Team have made numerous attempts to require the owner to cease works and to rectify the unapproved earthworks. The owner has not ceased work and proceeded in the full knowledge that relevant consents are not in place.

If Council supports the recommendation for refusal a further report will be bought back to Council recommending options for enforcement action be taken to reinstate the site to the condition prior to the works commencing, which may include removal of the unauthorised fill and the demolition of the farm building that has been constructed without consent.

9.2 Development Application DA.2021.1060 - Erection of a Large Farm Shed - 159 Fernleigh Drive, Googong (Author: Thompson/Burns) (Continued)

Conclusion

The submitted proposal for a construction of a farm shed on Lot 30 DP 747879, 159 Fernleigh Drive Googong is supported by a Statement of Environmental Effects and request for DCP variation. The proposal was notified to adjoining owner/occupiers and 5 submissions were received.

The proposal has been assessed under Section 4.15 *Environmental Planning & Assessment Act 1979* including the relevant provisions of *Queanbeyan Local Environmental Plan 2012* and *Queanbeyan Development Control Plan 2012*.

The development does not satisfy the requirements or achieve the objectives of these instruments and is recommended for approval.

The main issues relate to:

- (a) The proposal contravenes the zone objectives of the E4 Environmental Living zone under Queanbeyan LEP
- (b) No consideration to Clauses 7.1, 7.3 and 7.4 have been made by the applicant
- (c) The proposal contravenes the relevant objectives and controls of the Queanbeyan DCP
- (d) The submitted variation provided insufficient justification and is not considered to be minor
- (e) The proposed farm building alone is 180% of the total floor area permissible within the E4 zone under Section 5.12.1 of the Queanbeyan DCP
- (f) The proposed farm building combined with the existing shed located on site would increase in total floor area to be 230% of the permissible area under the Queanbeyan DCP
- (g) The unapproved earthworks within the proposed siting of the farm building elevate the building to a prominent location within the locality and would be highly visible from Fernleigh Road and surrounding properties

The proposed development is not considered suitable for the site and is recommended for refusal.

Further, the clear disregard for Council's planning controls shown by the applicant in importing fill onto the site, constructing a second unapproved entrance to the site, constructing a second internal access road and erecting the farm shed, all without consent, warrants further consideration of enforcement action by Council.

Attachments

- | | |
|--------------|--|
| Attachment 1 | DA.2021.1060 - Section 4.15 Matters for Consideration - 159 Fernleigh Drive, Googong (<i>Under Separate Cover</i>) |
| Attachment 2 | DA.2021.1060 - Plans - 159 Fernleigh Drive, Googong (<i>Under Separate Cover</i>) |
| Attachment 3 | DA.2021.1060 - Submissions (Redacted) - 159 Fernleigh Drive, Googong (<i>Under Separate Cover</i>) |
| Attachment 4 | DA.2021.1060 - Submissions (Unredacted) - For Councillors Information - 159 Fernleigh Drive, Googong (<i>Under Separate Cover</i>) - |

CONFIDENTIAL

9.3 Modification Application DA.2020.1022.A - Queanbeyan Civic and Cultural Precinct - 257 Crawford Street, Queanbeyan (Ref: ; Author: Thompson/McManus)

File Reference: DA.2020.1022.A

Summary

Reason for Referral to Council

This application has been referred to Council as the original consent was issued by the Southern Region Planning Panel (SRPP) and this amendment, while not requiring referral to the SRPP, must be determined by Council.

As Council is the applicant for the development and in accordance with the original assessment the Modification Assessment has been undertaken by an independent planning service. The application seeks only minor alternations to the approved plans.

The Assessment Report has been prepared by Eight Mile Planning on behalf of Queanbeyan-Palerang Regional Council (Council) in response to the application by SMEC for a modification under section 4.55(1A) of the EP&A Act.

The development application DA.2020.1022 at 257 Crawford Street, Queanbeyan – Public administration building including civic and cultural precinct, was determined by the Southern Regional Planning Panel on 27 November 2020.

Proposal:	Section 4.55(2) Modification Application DA.2020.1022.A Public administration building including civic and cultural precinct, basement car parking, subdivision and ancillary infrastructure
Applicant/Owner:	SMEC/Queanbeyan-Palerang Regional Council
Subject Property:	Lot 2 DP 748338, Lot 18 DP 548244, Lot 1 DP 748338, Lot 1 DP 1179998, Lot 2 DP 1179998, Lot 5 DP 1179998, No. 257 Crawford Street, Queanbeyan
Zoning and Permissibility:	B3 Commercial Core under Queanbeyan Local Environmental Plan 2012. The use is permissible with consent.
Public Submissions:	Nil
Issues Discussed:	<ul style="list-style-type: none">• Changes to approved plans following detailed design• Inclusion of detailed Landscape Plan
Disclosure of Political Donations and Gifts:	Applicant declared no Donations and Gifts to any Councillor or staff have been made.

9.3 Modification Application DA.2020.1022.A - Queanbeyan Civic and Cultural Precinct - 257 Crawford Street, Queanbeyan (Ref: ; Author: Thompson/McManus) (Continued)

Recommendation

That modification to development application DA.2020.1022.A for public administration building including civic and cultural precinct, basement car parking, subdivision and ancillary infrastructure on Lot 2 DP 748338, Lot 18 DP 548244, Lot 1 DP 748338, Lot 1 DP 1179998, Lot 2 DP 1179998, Lot 5 DP 1179998, 257 Crawford Street, Queanbeyan be granted approval in accordance with the original conditions of development consent as modified by the following:

- a) Modify condition 1 to reflect the amended plans except as otherwise varied by any other conditions of the consent as follows:

DRAWING REFERENCE	DATE
Plans prepared by Cox Architects	
DA 10-01 Subdivision Plan Existing, revision 7	27.04.21
DA 10-02 Subdivision Plan New, revision 8	27.04.21
DA 11-01 A Site Plan, revision 1	07.07.21
DA 13-01 Staging Plan, revision 8	27.04.21
DA 15-01 Demolition Plan, revision 8	27.04.21
DA 21-01 Basement Plan, revision 10	27.04.21
DA 21-02 Ground Plan, revision 11	27.04.21
DA 21-03 Mezzanine Plan, revision 10	27.04.21
DA 21-04 Level 1 Plan, revision 9	27.04.21
DA 21-05 Level 2 Plan Revision 9	27.04.21
DA 21-06 Level 3 Plans, revision 9	27.04.21
DA 21-07 Level 4 Plans, revision 9	27.04.21
DA 21-08 Level 5 Plans, revision 9	27.04.21
DA 21-09 Plant – Mechanical + Services, revision 8	27.04.21
DA 21-10 Roof Plans, revision 8	27.04.21
DA 30-01 Elevations, revision 8	27.04.21
DA 30-02 Elevations, revision 8	27.04.21
DA-30-03 Elevations, revision 3	27.04.21
DA 31-01 Site Elevation, revision 7	27.04.21
DA 32-01 External Finishes Schedule, revision 6	27.04.21
DA 40-01 Sections, revision 6	27.04.21
DA 40-02 Sections, revision 7	27.04.21
DA 70-01 Solar Study, revision 5	27.04.21
DA 71-01 Shadow Diagram – Summer, revision 7	27.04.21
DA 71-02 Shadow Diagram Equinox, revision 7	27.04.21
DA 71-03 Shadow Diagram Winter Solstice, revision 7	27.04.21

9.3 Modification Application DA.2020.1022.A - Queanbeyan Civic and Cultural Precinct - 257 Crawford Street, Queanbeyan (Ref: ; Author: Thompson/McManus) (Continued)

DA 90-01 GFA Schedules, revision 8	27.04.21
DA 94-01 Signage Schedule, revision 6	27.04.21
Other Documents	
Statement of Environmental Effects prepared by SMEC	07.05.21
Landscape Plans	Appendix B
Civil Plans	Appendix C

- b) **Modify Condition 2 to reflect the amended draft plan of subdivision which provides additional area to the rear of the fire station, as required by SRPP.**
- c) **Modify Condition 7 to allow for the public domain improvements to be undertaken in the verge.**
- d) **Modify Condition 8 to allow the appropriate transfer and re-use of excavated material, subject to it being appropriately classified.**
- e) **Modify Condition 9, delete Condition 11 and add Condition 68a to clarify the timing of the requirements for Green Star Certification and Acoustic Report.**
- f) **Delete Condition 12 as the updated landscape plans submitted with the modification application satisfy these requirements.**
- g) **Modify Condition 13 in relation to basement design.**
- h) **Delete Condition 20 and add Condition 10a to clarify the requirement for a subsequent approval for the café.**
- i) **Delete Condition 23 relating to the sustainability schedule attached to the Tender Documents.**
- j) **Modify Condition 41 to ensure consistency with related condition 71 in relation to location of electrical infrastructure.**
- k) **Modify Condition 47 to remove the requirement for a flood gate consistent with the amended plans.**
- l) **Modify Condition 48 to confirm the total number of parking spaces (233) consistent with the revised plan and condition 49 in relation to bicycle parking (54).**
- m) **Modify Condition 51 in relation to CCTV to allow recording rather than active monitoring.**
- n) **Modify Condition 74 to clarify intent to keep car parking and loading areas free of storage.**

9.3 Modification Application DA.2020.1022.A - Queanbeyan Civic and Cultural Precinct - 257 Crawford Street, Queanbeyan (Ref: ; Author: Thompson/McManus) (Continued)

Background

Approved Development

The Development application was determined by the Southern Regional Planning Panel on 27 November 2020 subject to 79 conditions of development consent. The determination included the approval of a variation to the height control in the QLEP 2012. The Panel also determined that the concerns relating to the potential impact on heritage items, car parking, maintenance of existing trees and security can be addressed through the imposition of conditions.

The Modification does not interfere with the development consent in this regard.

Proposed Development

Modification of DA 2020.1022.A request includes the submission of amended plans and is seeking to modify a number of Conditions of Consent. The Modification also includes the submission of a detailed Landscaping Plan for approval.

The Plans have been amended following the detailed design process in preparation for the Construction Certificate. The conditions to be modified generally relate to minor clarifications to limit the opportunity for interpretation.

Most of the variations proposed have been supported.

Subject Property

The site is legally described as Lot 2 DP 748338, Lot 18 DP 548244, Lot 1 DP 748338, Lot 1 DP 1179998, Lot 2 DP 1179998, Lot 5 DP 1179998, No.257 Crawford Street, Queanbeyan. The site is currently occupied by several public buildings including The Q Queanbeyan Performing Arts Centre, Bicentennial Hall, the historical administration building a car park and a number of former residential buildings now utilised as Council offices. The site has a frontage to Crawford Street, although site access for vehicles is currently provided via public lanes from Rutledge Street to the southeast and Lowe Street to the southwest.



Figure 1: Aerial View - Subject Site

SITE



Figure 1: Subject Site

9.3 Modification Application DA.2020.1022.A - Queanbeyan Civic and Cultural Precinct - 257 Crawford Street, Queanbeyan (Ref: ; Author: Thompson/McManus) (Continued)

Planning Requirements

Assessment of the application has been undertaken in accordance with Section 4.55 of the Environmental Planning and Assessment Act (EPAA) 1979. The applicant has submitted that the Modification is a modification under section 4.55(1A) being Modifications involving minimal environmental impact. Section 4.55(1A) is as follows:

(1A) Modifications involving minimal environmental impact

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if—

(a) it is satisfied that the proposed modification is of minimal environmental impact, and

(b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and

(c) it has notified the application in accordance with—

(i) the regulations, if the regulations so require, or

(ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and

(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.

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

1. *Queanbeyan Local Environmental Plan 2012*

a) Compliance with LEP

The modification complies with the LEP to the extent that is relevant.

Zone - The land is zoned B7 Commercial Core. The proposal does not alter the land use as approved.

Height of Buildings - The original DA included a Clause 4.6 Variation request to vary the height controls. This was supported by the consent authority (the Southern Regional Planning Panel). The revised plans include an increase to the finished floor level at level 3 of 100mm to provide access from the lobby to the rooftop open space. The modification to level 3, results in increase floor level to 4 and 5, subsequently increasing the roof height of the lobby area at Level 5 by 100mm.

This 100mm height increase occurs within the portion of the site where the 25m Height of Building development standard applies under Clause 4.3 QLEP. Importantly, however, the 4.6 Objection approved with the DA related to the portion of the plant room that occurs within the 25m height standard and extends to a height of 32.97m (i.e. the max building height). In the detailed design the height of the plant room was reduced by 340mm. Overall, there is a 340mm reduction in the building height in both portions of the site that are covered by the 25m and 30m height of building development standard.

9.3 Modification Application DA.2020.1022.A - Queanbeyan Civic and Cultural Precinct - 257 Crawford Street, Queanbeyan (Ref: ; Author: Thompson/McManus) (Continued)

b) Compliance with DCP

The modification has been assessed against the provision of the QDCP to the extent that those provision are relevant.

Carparking (2.2.6) – Complies - the DCP requires a minimum of 169 carparking spaces. The revised proposal includes minor changes to the configuration of the parking and provides 233 spaces including the 91 spaces that will be replaced.

Services vehicles areas (2.2.14) – Complies - the revised plans include the addition of bollards to control access to the site via the laneway.

c) Assessment of the Proposed Conditions to be Modified

The following table provides a summary of the conditions to be modified and a brief comment as to whether these have been supported.

<i>Condition to be Amended</i>	<i>Comment</i>
Condition 1 to reflect the amended plans, approved under Section 4.55(1A).	Support. Include list of amended plans in Condition 1.
Condition 2 to reflect the amended draft plan of subdivision which provides additional area to the rear of the fire station, as required by SRPP	Support. Addition 100sqm of land area shown in revised/amended plan. Second paragraph of condition can be omitted.
Condition 7 to ensure landscape related scope and verge improvements can be undertaken in accordance with the approved plans.	Support. Amend condition to provide clarification as to the circumstance where work in the verge can be undertaken with the prior approval of council.
Condition 8 to allow the appropriate transfer and re-use of excavated material, subject to it being appropriately classified.	Support. The inclusion of “lawful” is clarification and the omission of the requirement to transport material to land fill will enable classified fill to be retained and reused.
Condition 9 to clarify the wording of the condition in respect to the sustainability elements of the proposal.	Support. Minor changes made to the condition to clarify the role of the sustainability consultant and certification process.

9.3 Modification Application DA.2020.1022.A - Queanbeyan Civic and Cultural Precinct - 257 Crawford Street, Queanbeyan (Ref: ; Author: Thompson/McManus) (Continued)

Condition 11 to clarify the timing of the requirement for an Acoustic Report.	<p>Retain condition but move requirement to prior to occupation certificate (condition 69a). The issue of the acoustic report was raised by the panel. The timing in the condition was to ensure that design changes to satisfy the sustainability criteria did not interfere with the ability of the building to address internal comfort for occupants in relation to noise.</p> <p>The site, while in the CBD is not in an otherwise noisy location. The plans (as amended) do not make significant changes to the key elements of the building. It is satisfactory that the Acoustic Report be undertaken prior to occupation.</p>
Condition 12 as the condition is satisfied by the updated landscape plans.	Support. Condition can be deleted.
Condition 13 to reflect the design of the basement in relation to the 1% AEP flood event.	Support. Redesign of basement.
Condition 20 in relation to the approval of the first use of the café.	<p>Support. The condition includes the requirement to identify the kitchen location on the plans prior to the release of the Construction Certificate.</p> <p>The café has been omitted from the revised plans, therefore, the requirement is a resumption about a use that has not been approved in the DA.</p> <p>The condition can be deleted. However, use of the café requires consent by either CDC or DA and the applicant has proposed this be included as condition 10a in lieu of the existing condition.</p> <p>The condition will be under general conditions.</p>
Condition 23 relating to the sustainability schedule attached to the Tender Documents	Support. Delete Condition
Condition 29 as a condition cannot require Council to act as the Principal Certifying Authority (not supported).	Retain condition. Only Council can certify the subdivision works.
Condition 41 to ensure consistency with related condition 71 in relation to location of electrical infrastructure.	Support. Clarification for consistency.

9.3 Modification Application DA.2020.1022.A - Queanbeyan Civic and Cultural Precinct - 257 Crawford Street, Queanbeyan (Ref: ; Author: Thompson/McManus) (Continued)

Condition 47 to remove the requirement for a floodgate to the basement car park.	Support. Clarification of wording provided by Development Engineer.
Condition 48 to confirm the total number of parking spaces (233) consistent with the revised plan and condition 49 in relation to bicycle parking (54).	Support. Clarification following revisions of plans.
Modify Condition 51 in relation to CCTV to allow recording rather than active monitoring.	Support. Note that Council should consider the length of time that recorded CCTV footage is retained.

Financial Implications

Nil

Engagement




The modification has come about in preparation of the Construction Drawings. Minor changes have been made as a result which requires the modification of the Development Consent. These modifications are minor and have been considered as such under section 4.55(1A). The Community Participation Plan does not require public consultation for minor amendments.

Engagement has, however, been undertaken through the internal referral process and the modification has been supported by the relevant technical staff.

Conclusion

The application has been assessed having regard to Section 4.15 and 4.55(1A) of the *Environmental Planning and Assessment Act 1979* to the extent that they relate to the conditions of consent proposed to be modified. It is recommended that the development consent be modified generally in accordance with the application. Of the 17 conditions of consent that the applicant seeks to modify (or delete) 15 have been supported.

Attachments

- Attachment 1  DA.2020.1022.A - Section 4.15 Matters for Consideration - QCCP - 257 Crawford Street, Queanbeyan (*Under Separate Cover*)
- Attachment 2  DA.2020.1022.A - Amended Plans - QCCP - 257 Crawford Street, Queanbeyan (*Under Separate Cover*)
- Attachment 3  DA.2020.1022.A - Draft Conditions of Consent - QCCP - 257 Crawford Street, Queanbeyan (*Under Separate Cover*)

9.4 Planning Proposal PP_2020_QPREG_001_00 - E4 Land in Bywong and Wamboin - Additional Survey Work Required (Ref: ; Author: Thompson/Hogg)

File Reference: PJT0061

Summary

The purpose of this report is to advise Council of the outcome of consultation with State agencies on the E4 Land at Bywong and Wamboin Planning Proposal and to identify subsequent options for progressing the planning proposal in response to a submission from the NSW Department of Planning, Industry and Environment – Biodiversity and Conservation Division.

This report also seeks Council's endorsement to progress the planning proposal by engaging the consultant to undertake further detailed survey investigations and to explore opportunities for the relevant property owners to contribute to the cost of conducting the detailed site investigation, given that no funds are budgeted within the Operational Plan.

Recommendation

That Council determine whether to:

- 1. Progress the planning proposal by addressing the matters raised by the NSW Department of Planning, Industry and Environment – Biodiversity and Conservation by undertaking detailed survey investigations for the 413 lots proposed to be rezoned to R5 Large Lot Residential at a cost of approximately \$73,000.**
 - 2. Vary Council's Procurement Policy to allow one written quote for the detailed survey investigations required for the E4 planning proposal, on the basis that the ecological consultant, Biosis, having conducted the original studies, has a thorough understanding of the scope and nature of the required work.**
 - 3. Recover the full cost of the detailed survey investigations from the property owners of those 413 lots proposed to be rezoned to R5 Large Lot Residential, outlined as Option one.**
 - 4. In the event that Recommendation 3 is not acceptable, Council consider allocating the required funds in the 2022-2023 Operational Plan.**
-

Background

At its meeting of 12 February 2020, Council resolved [PLA004/20] that:

- 1. Council endorse the draft planning proposal to rezone part of Bywong and Wamboin from E4 Environmental Living to R5 Large Lot Residential subject to:
 - a. Those 15 lots proposed to be split zoned being submitted as R5 Large Lot Residential zone only.*
 - b. The inclusion of extensive agriculture as a permitted use without consent pursuant to Schedule 1 of the PLEP 2014 as it applies to the planning proposal.**
- 2. The draft planning proposal be forwarded to the NSW Department of Planning, Industry and Environment (DPIE) seeking a Gateway determination under Section 3.34 of the Environmental Planning and Assessment Act, 1979.*
- 3. Subject to Council receiving a Gateway Determination Council endorse the planning proposal for public exhibition, following the receipt of NSW Government agency*

9.4 Planning Proposal PP_2020_QPREG_001_00 - E4 Land in Bywong and Wamboin - Additional Survey Work Required (Ref: ; Author: Thompson/Hogg) (Continued)

submissions and providing any changes required to the planning proposal, as a result of agency consultation, are minor.

The planning proposal was then forwarded to the NSW Department of Planning, Industry and Environment and a Gateway determination issued. The Gateway determination required consultation with the following state agencies:

- NSW Department of Planning, Industry and Environment – Biodiversity and Conservation Division (BCD)
- NSW Office of Water
- NSW Department of Primary Industries
- Transport for NSW
- NSW Rural Fire Service
- ACT Government.

The state agency consultation was completed during February and March of this year with most agencies requiring no changes to the planning proposal. No response has been received from NSW Office of Water to date, despite repeated requests.

Two agencies raised concerns with the proposal and both the BCD (Attachment 1) and ACT Government (Attachment 2) recommended that detailed biodiversity survey investigations be conducted prior to progressing the planning proposal further. These submissions support the recommendations of the original Biosis report, which recommended further detailed survey investigations be conducted to validate that there are no high-risk environmental values on the proposed R5 zoned land. Biosis proposed this to ensure that biodiversity values were properly considered as well as impacts on them in future land use changes/development activities on land identified as Class 3 or Class X.

Following the review of the submissions, a Request to Quote was forwarded to Biosis to prepare a fee proposal to conduct the detailed survey investigations recommended by BCD to satisfy their concerns.

Council's Procurement Policy requires that at least two written quotes be received for works valued between \$20,000 and \$100,000, however to date, Council staff have requested a fee proposal from only one supplier. The fee proposal is indicative of the additional cost to progress the planning proposal. In the event that Council resolves to proceed with the survey work, Council may consider requesting an additional quote to comply with requirements of Procurement Policy.

Should Council resolve to request additional fee proposals, this may result in the cost to undertake the detailed survey work being either higher or lower than the costs provided by Biosis. Alternatively, Council may resolve to accept a single quote on the basis that Biosis had conducted the original survey and is familiar with both the extent and nature of the survey area.

It should be noted that any further requests to additional consultants for fee proposals (subject to available funding) will need to be done as soon as possible to ensure that the detailed site investigations can be conducted during Spring as required. If the ecological consultant is not engaged before spring, the planning proposal will be delayed until the spring of 2022 with the consequence that the Department of Planning, Industry and Environment may require Council to restart to this planning proposal.

**9.4 Planning Proposal PP_2020_QPREG_001_00 - E4 Land in Bywong and Wamboin
- Additional Survey Work Required (Ref: ; Author: Thompson/Hogg) (Continued)*****Fee Proposal for Additional Biodiversity Survey Work***

Biosis was requested to provide a cost estimate to conduct a detailed site survey for all lots proposed to be rezoned to R5 Large Lot Residential (Attachment 3). This includes Class 3 land and it should be noted that Class 3 means land categorised as having low biodiversity values and includes non-threatened native derived grass land vegetation, exotic /non-indigenous vegetation including scattered trees, grassland or cropping / agricultural land and low value biodiversity connectivity corridors.

The current fee proposal for assessment of all 413 lots is \$72,954.20 (including GST) or \$176.64 per lot. The fee proposal includes completion of 50 rapid assessment plots, and 16 follow-up native species assessment plots, but does not include site inspections for each of the individual lots.

The 413 lots include 243 lots wholly mapped as Class 3 and 170 lots which are predominately mapped as Class 3 with a small percentage of Class 2 and/or Class 1 vegetation.

An option to reduce the cost of the additional survey work was also considered by limiting survey work to the 243 lots. However, it would have required a significant amendment to the planning proposal and would not have delivered sufficient savings to be considered within this report.

While the rezoning proposed in the planning proposal is based on a region-wide assessment of the biodiversity values of the area, the additional detailed survey work may identify further areas of medium or high biodiversity value on land currently proposed to be rezoned to R5 Large Lot Residential. Should this occur, then the proposed rezoning map will require refinement or appropriate mechanisms to protect land with medium or high biodiversity values to ensure compliance with the Ministerial direction.

BCD have reviewed the fee proposal prepared by Biosis and have confirmed that the proposed method would be adequate to detect potential high biodiversity values within Class 3 areas and Class X land (on lots proposed to be rezoned). Note that Class X is land categorised as being potential habitat for Golden Sun Moth and was intended for use as an overlay to provide details on areas of potential high biodiversity values. It has also been confirmed that presence of a watercourse within areas mapped as Class 3 or Class X would be considered by Biosis, in terms of how that watercourse and its riparian vegetation influence the biodiversity value of the Lot.

Options to Address Outstanding Issues Raised on the Planning Proposal

There are three main options available to address the issue raised requiring further validation of the environmental values of the land to be rezoned. There are two options to progress the planning proposal and one option to not progress. The options and associated risks to Council are discussed below:

Option One - Council progress the planning proposal by deciding to complete the detailed survey studies for all 413 lots identified in the planning proposal.

This option would comply with the Council resolution [PLA004/20], but would conflict with the Ministerial Direction 1.5 (4)(c) which requires that a planning proposal within a rural or environmental protection zone must “*identify and protect environmental values, including but not limited to, maintaining biodiversity, the protection of native vegetation, cultural heritage, and the importance of water resources*”.

This is due to the fact that Council adopted an approach that in some cases proposed lots to be rezoned to R5 Large Lot Residential zone which also contained a proportion of either Class 2 or Class 1 land in an attempt to avoid fragmentation. It would also arise if the detailed

9.4 Planning Proposal PP_2020_QPREG_001_00 - E4 Land in Bywong and Wamboin - Additional Survey Work Required (Ref: ; Author: Thompson/Hogg) (Continued)

surveys indicated certain changes were needed (i.e. proposed R5 zoned land remaining as E4) to this planning proposal and they were not made.

The detailed site survey will confirm to the satisfaction of the agencies, the values of the land proposed to be rezoned. Once these values have been confirmed the planning proposal may require amending. While Council has previously not been supportive of split zonings, retaining the E4 zone over any sections of lots identified as having medium and or high biodiversity values, may satisfy the concerns of the State agencies.

The adoption of this option also requires a budget allocation to cover the cost of the additional survey work which is currently unbudgeted for.

Option one represents all the lots proposed to be rezoned to R5 by the independent planning consultant and is the preferred option as it adheres to the recommendations of the independent planning consultant and previous resolutions of Council as well as potentially better complying with the Ministerial Direction, subject to consideration of the protection of any areas confirmed as containing high and or medium biodiversity values.

Option Two - Council note the submissions, confirm that the inconsistency with Direction 1.5 is either of minor significance or justified by a strategy and resolve to progress the planning proposal without conducting any further survey work.

The Department of Planning, Industry and Environment have advised that *“If Council chooses to progress the proposal in its current form, provided Council is still satisfied that the proposal is consistent with Ministerial Direction 1.5 and there are no outstanding objections from Government agencies, Council may proceed with finalising the planning proposal at the conclusion of the public exhibition period in accordance with the requirements of the Gateway determination.”*

As noted above two agencies have objected to the proposal and recommend that further site investigations be conducted prior to the planning proposal being progressed. They have also advised that they consider the planning proposal to be inconsistent with the Ministerial Direction. Where it is identified that a planning proposal is inconsistent with the Directions, Council must satisfy the Secretary of the Department of Planning & Environment that the inconsistency is either:

- a. of minor significance or
- b. is justified by a strategy which:
 - considers the objectives of this direction,
 - identifies the land, which is the subject of the planning proposal, and
 - is approved by the Secretary of the Department of Planning & Environment and in force.

The planning proposal in its current form is not considered to be of minor significance and Council does not have a strategy to justify the rezoning. It also conflicts with both the recommendations of the independent consultant reports and submissions by the state agencies. As such this option is not supported.

Option Three - Council resolves not to proceed with the planning proposal.

This option has regard to the circumstances that there is currently no budget for the additional cost required to progress a planning proposal despite the fact that approximately \$100,000 has already been spent on studies relating to the rezoning request. This money has been expended to change the zoning on a number of private properties which will have limited additional development opportunities compared to the current E4 zone as a result.

This option is available for Council to consider together with the options below that deal specifically with the funding arrangements.

9.4 Planning Proposal PP_2020_QPREG_001_00 - E4 Land in Bywong and Wamboin - Additional Survey Work Required (Ref: ; Author: Thompson/Hogg) (Continued)

How Can the Additional Biodiversity Survey Work be Funded?

Local Environmental Plans are subject to frequent reviews and amendment which can be the result of a policy change or update benefiting the community as a whole. Amendments may also be the result of a request to allow a specific development on the particular property thereby benefiting individual property owners above the community. Council's Operational Fees and Charges Schedule provides a graded system of cost recovery for fees and services ranging from zero cost recovery where the service provides a broad community benefit to full cost recovery. Where the service benefits users, contributing to their individual income, welfare, or profits, without any broader benefits to the community, the pricing basis is for full cost recovery. The fee for developer driven planning proposals range from approximately \$6,000 to \$42,000 with an hourly rate past the initial standard number of hours.

This planning proposal was not a result of a change in Council policy to benefit the community as a whole and while Council previously committed up to \$100,000 to progress the planning proposal to rezone parts of Bywong and Wamboin, the detailed site investigations provide a service to individual property owners. Council may now wish to consider the various funding options in determining how to progress with the matter.

- A. Council investigate options for property owners proposed to be rezoned to contribute to the cost of the detailed site investigations.

This option is the preferred funding option as it is considered reasonable that the relevant property owners contribute towards the cost of detailed survey investigations as these investigations directly benefit the individual property owners.

However, there would need to be a minimum threshold for the number of residents prepared to contribute to the cost of the planning proposal. If Council proposed to the affected owners that a minimum of say 80% needed to commit to contribute to the cost before Council proceeded, this would be a contribution of approximately \$220 per property. The table below shows the contribution required for different levels of commitment from the affected owners:

Number of Affected Owners Prepared to Commit	Approximate Contribution to Affect Full Cost Recovery – Per Property
50%	\$355
60%	\$294
70%	\$252
80%	\$220
90%	\$197

It is suggested that if less than 50% of owners are prepared to contribute then the proposal should not proceed.

One of the risks with this option is that while the affected owner may pay their contribution, there is no guarantee that their property will be rezoned if the study shows that particular property has significant biodiversity value.

- B. Allocate funding in a future budget to conduct detailed site investigations for all lots proposed to be rezoned to R5 at a proposed cost of \$72,954.20 (if the Biosis quote is accepted).

9.4 Planning Proposal PP_2020_QPREG_001_00 - E4 Land in Bywong and Wamboin - Additional Survey Work Required (Ref: ; Author: Thompson/Hogg) (Continued)

This option is not supported as the detailed survey investigations benefit individual property owners and does not benefit the community as a whole. In addition, should this option to be supported, Council would need to allocate additional funding to the project over and above the \$100,000 previously allocated and which has been now been expended. Also, given that the required funding is not available within the existing budget, delaying the funding's inclusion to the next Operational Plan would mean studies could not be carried out until Spring of 2022.

C. Council resolve not to proceed with the planning proposal.

Where Council does not have the funding to allocate to the cost of the detailed survey investigations, and does not wish to impose the cost on individual property owners, this option is an alternative as it negates the need to allocate any further funding to the project and allows reallocation of Council resources to other projects.

In the funding options A and B it should be noted that for the work to be commenced this year, the consultant would need to be engaged prior to spring 2021. Any delay to funding and appointment of the consultant may mean the work is delayed to Spring 2022. As such, if Council wishes progress the Planning Proposal expeditiously, the funding in the budget would need to be identified as soon as possible.

Implications***Legal***

The BCD submission is not supportive of the removal of the E4 zoning without further surveys to verify the absence of high environmental value land. The BCD feel that where sensitive environmental values may be at risk from a change in land use, that this would be inconsistent with Ministerial Direction 1.5 – Rural Lands which needs to be complied with unless justification is provided.

Option two, to progress the planning proposal without any additional studies is also inconsistent with the Ministerial Direction.

Policy

Council's Procurement Policy requires that for work valued between \$20,001 and \$100,000, two written quotes from the preferred panel are required. Should Council resolve to progress the planning proposal, Council may choose to request additional written quotes. Alternatively, Council may resolve that adherence to the Procurement Policy is not necessary in this circumstance on the basis that Biosis had conducted the original survey and is familiar with both the extent and nature of the survey area.

Option two to progress the planning proposal without any additional studies conflicts with state agency advice and the Ministerial Direction.

Environmental

The additional studies are required to confirm the absence of high and medium biodiversity values on land to be rezoned to R5 and to ensure that the of areas of medium and high biodiversity values are identified and can be protected in accordance with the Ministerial Direction. Confirmation of medium or high biodiversity values on land within the planning proposal is likely to require amending the planning proposal to comply with the Ministerial Direction 1.5.

9.4 Planning Proposal PP_2020_QPREG_001_00 - E4 Land in Bywong and Wamboin - Additional Survey Work Required (Ref: ; Author: Thompson/Hogg) (Continued)

Engagement

The planning proposal has completed state agency consultation. Should Council resolve to recover the cost of the detailed survey investigations, the relevant property owners will be consulted to determine the level of support for the apportionment of the cost of the detailed survey investigations to the relevant property owners.

This planning proposal has not yet reached the public exhibition stage for community consultation.

Financial

Council previously committed a maximum of \$100,000 to engage independent ecologist and planning consultant to review the application of the E4 Environmental Living zone in Bywong and Wamboin. This amount has largely been expended. Additional survey work is now required and the cost to conduct the detailed site surveys for all lots included within the planning proposal is \$72,954.20 (including GST) as per the Biosis quote.

There is currently no funding within the Land Use Planning budget for this project and Council will need to allocate funding to the project if it wishes to allow it to progress further. Alternatively, Council may undertake to recover the cost of the detailed survey investigations from the 413 property owners of land proposed to be rezoned to R5 as discussed above.

Whilst BCD have confirmed that the proposed methodology for the detailed survey work is satisfactory, there is a risk that further additional survey work will be required and as such additional costs.

Should Council resolve to recover the cost of the additional survey from the relevant property owners, there is also the risk that not all those who make a contribution will necessarily receive the outcome they are expecting.

Resources (including staff)

So far, this project has involved several staff with the cost of Council resources to progress the proposal falling within the budget of the Land Use Planning branch.

Conclusion

Council previously committed a maximum of \$100,000 to engage an independent ecologist and planning consultant to review the application of the E4 Environmental Living zone in Bywong and Wamboin. Following issues raised in the agency consultation, additional biodiversity survey work is now required if the planning proposal is to progress.

A fee proposal has been obtained from the consultant (Biosis) who undertook the original surveys. The fee proposal indicates that the cost to conduct the detailed site surveys for the land identified to be rezoned within the planning proposal is \$72,954.20 (including GST). It should be noted that the fee proposal includes a set number of rapid assessments but does not include a site inspection of each individual lot proposed for the R5 zone.

Biodiversity and Conservation have reviewed the fee proposal and have advised that the proposed method is satisfactory.

Council's Procurement Policy requires two written quotes for works valued between \$20,000 - \$100,000 however, for the purposes of this report only one fee proposal has been sought. It is recommended that Council agree to vary the Procurement Policy for this project on the basis that the consultant (Biosis) conducted the original survey work and has a solid understanding of both the nature and scope of the study area.

As there is currently no budget allocated to this project, Council will need to allocate additional funding to progress the planning proposal or to defer consideration of funding until the 2022-

9.4 Planning Proposal PP_2020_QPREG_001_00 - E4 Land in Bywong and Wamboin - Additional Survey Work Required (Ref: ; Author: Thompson/Hogg) (Continued)

2023 Operational Plan. It should be noted that there is potential that any delay will result in the Department of Planning, Industry and Environment requiring Council to restart this planning proposal. Alternatively, Council may consider investigating options to apportion the cost of the survey work to relevant property owners or resolve not to progress the planning proposal.

It is recommended that Council support the recommendation to investigate the option to recover the full cost of the detailed survey studies from the relevant property owners, on the basis that the detailed site investigation benefits individual property owners rather than the community.

Three options exist for regarding the future of this planning proposal.

Option one: Council progress the planning proposal by deciding to complete the detailed survey studies for all 413 lots identified in the planning proposal.

Option one represents all the lots proposed to be rezoned to R5 by the independent planning consultant and is the preferred option as it adheres to the recommendations of the independent planning consultant and previous resolutions of Council as well as potentially better complying with the Ministerial Direction, subject to consideration of the protection of any areas confirmed as containing high and or medium biodiversity values.

Option two: Council note the submissions, confirm that the inconsistency with Ministerial Direction 1.5 is either of minor significance or justified by a strategy and progress the planning proposal without conducting any further survey work.




This option progresses the planning proposal without conducting further surveys and without the endorsement of the state agencies. This option conflicts with the Ministerial Direction and advice from State agencies and is not supported.

Option three: Council resolve not to proceed with the planning proposal.

This option is to resolve not to progress the planning proposal and advise the Minister accordingly.

It is recommended that Council adopt Option one as it adheres to the recommendations of the independent planning consultant and previous resolutions of Council. Where this recommendation is adopted, the funding arrangements need to be allocated or deferred for further consideration in the 2022-2023 Operational Plan or that a user pay option be pursued. It should also be noted that any delay to the funding and engagement of the consultant could mean that the work cannot be done until Spring 2022.

Attachments

Attachment 1 	Attachment 1 - Biodiversity and Conservation Division Submission to E4 Planning Proposal (<i>Under Separate Cover</i>)
Attachment 2 	Attachment 2 - ACT Government Submission to E4 Planning Proposal (<i>Under Separate Cover</i>)
Attachment 3 	Attachment 3 - Map of 413 Lots Proposed to be Rezoned to R5 (<i>Under Separate Cover</i>)

9.5 **Queanbeyan Section 7.12 Fixed Levy Development Contributions Plan 2019 - Amendments (Ref: ; Author: Thompson/Meyer)**

File Reference: 21.4.1

Summary

At Council's meeting on 9 June 2021, a range of proposed amendments to the *Queanbeyan Section 7.12 Fixed Levy Development Contributions Plan 2019* ('the Plan') were endorsed for public exhibition for a period of 28 days. Accordingly, the Plan was exhibited from 11 June to 9 July 2021.

Three (3) submissions were received as a result of the exhibition. All submissions have been reviewed and all issues raised in them have been given due consideration.

No changes to the proposed amendments are considered necessary as a result of the comments made and/or issues raised in the submissions received. As such, the amended Plan is recommended for adoption by Council.

Recommendation

That Council adopt the amended *Queanbeyan Section 7.12 Fixed Levy Development Contributions Plan 2019*.

Background

Council staff are currently reviewing a number of Council's development contribution plans, including the *Queanbeyan Section 7.12 Fixed Levy Development Contributions Plan 2019* ('the Plan'), as adopted by Council on 22 January 2020. The Plan allows Council to collect a certain percentage of the value of development (in this instance up to 1%) as a contribution to fund required infrastructure. It is noted the NSW Government has supported amendments to the infrastructure contributions system, including Section 7.12 charges.

Staff have identified a number of operational changes that need to be made to the Plan to ensure it remains current and correct. These changes are discussed below.

Updating Definitions

The definitions section of the Plan has been generally updated to revise and add definitions. Amongst others these include definitions for 'ABS' (Australian Bureau of Statistics), 'CBD' (Central Business District), 'CDC' (Complying Development Certificate), 'consent authority', 'CPI' (Consumer Price Index) and the like.

Updating Population Commentary

Amendments have been made to the commentary in respect of population growth at 'Section 2.2 - Anticipated Population Growth' to better articulate future population change that is likely to occur in Queanbeyan and its surrounds, and, the impacts of this on the demand for infrastructure and services.

9.5 Queanbeyan Section 7.12 Fixed Levy Development Contributions Plan 2019 - Amendments (Ref: ; Author: Thompson/Meyer) (Continued)

Amending Area of Application

The Plan has been updated to extend its application to the areas of Greenleigh, Ridgeway and Weetalabah. These areas are now developed, and it is appropriate any future development in these locations be subject to contributions under the 7.12 fixed levy plan similar to the other developed areas of Queanbeyan and its surrounds. The updated area of application is shown at Figure 3 of the amended plan (Attachment 1).

As a consequence, the existing *Queanbeyan Section 94 Plan 2012* will now only apply to those lands at both Carwoola and Royalla/Burra zoned E4 Environmental Living and that have not previously been subdivided for rural residential development.

Growth areas within Queanbeyan are covered by other contribution plans and planning agreements such as the South Jerrabomberra Local Contribution Plan and the Googong Urban Development Planning Agreement.

Amendment of Works Schedule

Appendix 1 of the Plan (Schedule of Works) and the associated map at Appendix 2 of the Plan have been amended through the addition of new infrastructure projects/works, cost adjustments and a review of priorities and scores. The additional items amendments and cost adjustments are:

1. Queanbeyan Aquatic Centre Plant Replacement – \$62,000 (Item 12),
2. QPRC Library purchases – \$205,000 (Item 4),
3. Queanbeyan Showground Pavilion refurbishment and Storage – \$670,000 (Item 6),
4. Lowe Street Pedestrian Corridor – \$1,030,000 (Item 17),
5. Bicentennial Hall Refurbishment/Upgrade – \$1,730,000 (Item 4),
6. Development of New Head Office and Smart Hub – \$72,924,000 (Item 1),
7. Balance of Queanbeyan Traffic Upgrade Works – \$990,239 (Item 16), and
8. Morisset Street Multi-Storey Car Park – \$15,048,096 (Item 37).

These give effect to part of Council's resolution of 27 January 2021 (Minute No.006/21) in relation to the pooling of developer contributions.

Updated Format and Style

Staff have been developing a general template and style for future contribution plans in an endeavour to ensure more consistency in format and branding throughout documents. The Plan in this instance has been updated to reflect that updated format and style.

Include Additional Exemption Category

Staff have also included an additional category for which Council may consider reducing or exempting developer contributions under the Plan. This is for developments that provide a social or cultural contribution to the broader community (clause 1.9 of the Plan).

Potential Future Amendment

Council staff are intending to undertake a review of all development contribution plans over the coming months to ensure they are current and correct. As part of that review, staff will suggest the 1% levy under this fixed levy (Section 7.12) contributions plan be increased to 2% for the central business district (CBD) area, with an associated revised works schedule consistent with the QCBD Spatial Masterplan. Staff will provide more advice on this in the future as that work progresses.

9.5 Queanbeyan Section 7.12 Fixed Levy Development Contributions Plan 2019 - Amendments (Ref: ; Author: Thompson/Meyer) (Continued)

Implications***Legal***

The Plan was prepared, is operating, and has been amended, in accordance with Section 7.12 of the *Environmental Planning and Assessment Act 1979* ('the Act') and Clauses 26, 27 and 32 of the *Environmental Planning and Assessment Regulation 2000* ('the Regulation'). It has been exhibited in accordance with Clause 30 of the Regulation and Council's Community Engagement and Participation Plan.

Policy

The infrastructure items set out in the Plan remain consistent with works identified in Council's Operational Plan. They also include items from Attachment 2 to the report on Pooling of Development Contributions that were considered at the January Council meeting (Item 9.2) and were identified as needing to go into this Plan.

Asset

The Plan allows monetary contributions to be collected for a variety of infrastructure and services identified in the works schedule. Accordingly, new assets will come into Council's ownership and responsibility when funded.

Social / Cultural

A number of the works and infrastructure items set out in the works schedule will contribute to the social and cultural well-being of the community by providing improved access, recreational opportunities and civic facilities.

Economic

The Plan will assist Council in funding the costs of infrastructure and services to cater to the needs of Queanbeyan-Palerang's strongly growing population.

Engagement

At its meeting of 9 June 2021, Council endorsed the proposed amendments to the Plan for public exhibition for a period of not less 28 days. Accordingly, the Draft Contributions Plan was exhibited from 11 June 2021 to 9 July 2021.

As a result of the exhibition of the Plan, Council received three (3) submissions. All submissions were received via Your Voice. The text of the submissions is provided at Attachment 2.

All three submissions received have been reviewed and all issues raised in those submissions have been given due consideration. A summary of the issues raised in the submissions, and the consideration of those issues, is provided at Attachment 3.

No changes to the amended Plan, as exhibited, are considered necessary as a result of the comments made and/or issues raised in the three submissions received. As such, the Plan, as amended, is recommended for adoption by Council.

Financial

This project is funded from the relevant general ledger account for the Branch.

9.5 Queanbeyan Section 7.12 Fixed Levy Development Contributions Plan 2019 - Amendments (Ref: ; Author: Thompson/Meyer) (Continued)

Resources (including staff)

The amended Plan has been produced in-house by staff (Land-use Planning and Spatial Services).

Conclusion

It is recommended the amended Queanbeyan Section 7.12 Fixed Levy Development Contributions Plan be adopted by Council.

Attachments

- | | |
|--------------|---|
| Attachment 1 | Queanbeyan Section 7.12 Fixed Levy Development Contributions Plan
<i>(Under Separate Cover)</i> |
| Attachment 2 | Submissions - Queanbeyan Section 7.12 Fixed Levy Development
Contributions Plan <i>(Under Separate Cover)</i> |
| Attachment 3 | Summary and Consideration of Submissions - Queanbeyan Section 7.12
Fixed Levy Development Contributions Plan <i>(Under Separate Cover)</i> |

9.6 Funding Agreement - Braidwood Heritage Centre (Ref: ; Author:
Thompson/Carswell)

File Reference: 26.5.1

Summary

This report was originally submitted to Council's meeting of 23 June 2021. However, it was deferred to this meeting because Council's changes to the Funding Deed had not been fully considered by Public Works Advisory (PWA) and Regional NSW at that time. That review has now been completed and the Funding Agreement with some changes is attached (Attachment 1). It is therefore resubmitted and is ready to execute.

Recommendation

That Council endorse the Chief Executive Officer executing the Funding Deed for the Braidwood Heritage Centre.

Background

At its meeting of 23 June 2021 Council deferred consideration of this item following a request by PWA and Regional Development to review the proposed changes requested by Council. It is now referred to this meeting with some minor changes that update the original report to reflect discussions that have occurred since that meeting.

This matter was initially reported to the Planning and Strategy meeting of 14 April 2021 (Item No. 9.4) where it was noted that:

- The project involves alterations to the Museum building as well as additions and alterations to existing buildings together with the building of motel units/caretaker's residence. Other than the Museum and motel units, proposed uses on site include a dairy and artisan workshops.
- Council has been requested to enter into a Funding Agreement to facilitate the financial management of the project, notwithstanding that Council is not the applicant nor the owner of the land. Entering into this Agreement is necessary for the funds to become available i.e. \$2.5M and for the project to proceed beyond its current preliminary stages.
- The project is managed by the NSW Government's Public Works Advisory (PWA) team with assistance of a Project Control Group (PCG). The PCG has been formed and includes two members of the Braidwood Historical Society, a representative of the PWA, two representatives of the Department (other than the PWA), representatives of key stakeholders and two Council staff. A series of meetings have been held and considerable work has been done to bring the Funding Agreement and project to the current stage.
- The draft Agreement also contains four Schedules i.e. Schedule A – Activities, Schedule B – Reporting Requirements, Schedule C – Confidentiality of Deed Poll (for PCG members), Schedule D – PWA's Services and Activities and an Attachment – Project Plan and Budgets (Attachment 1).

At that April meeting Council were also advised that there were several concerns with the Agreement arising primarily from it being a standard funding agreement for a non-standard project (i.e. Council is not the applicant nor the owner nor responsible for maintenance and operation of the facility).

Suggested changes have been made to relevant clauses by staff to overcome Council's concerns and have completed Schedule A – Activities. However, following their review a

9.6 Funding Agreement - Braidwood Heritage Centre (Ref: ; Author: Thompson/Carswell) (Continued)

number were not accepted by the NSW Government's Public Works Advisory (PWA) team and Regional NSW. Notwithstanding, important changes have been made including the inclusion of Recital G in Background which acknowledges the possibility of side agreements to limit Council's obligations as well as clause 10 (b) Project costs which imposes an obligation on the Department and the PWA to contain costs within the grant and so limit Council's exposure.

A number of changes proposed by Council to the Schedules particularly in relation to Schedule A have been incorporated into the final Deed. In the event that Council resolves to endorse the Chief Executive Officer executing the Funding Deed for the Braidwood Heritage Centre, it is expected that the Funding Agreement for the Braidwood Heritage Agreement (Attachment 1) will be executed shortly thereafter.

Implications***Legal***

The Funding Agreement for the Braidwood Heritage Centre once executed is a legal document between the Crown in the Division of PWA and Regional Development. It contains clauses which imposes obligations on Council e.g. clause 5 – Maintenance of Assets, clause 6.2 – Consent of landowner, clause 10.1 (b) Project Costs (with some modifications), clause 10.1 (c), clause 18 – Insurance and clause 19 Indemnities. However, the potential to limit these is contained in Recital G under Background (Attachment 1).

Asset

The Braidwood District Historical Society Museum is not a Council asset. However, clause 5 Maintenance of Assets imposes obligations on Council to maintain the asset and not to undertake other actions in regard to it. It is intended this obligation will be modified by side agreements with the Braidwood and District Historical Society is acknowledged in Recital G under Background (Attachment 1).

Social / Cultural

Execution of the Funding Agreement for the Braidwood Heritage Centre will enable a project to proceed which will ultimately enhance the Braidwood District Historical Society Museum as a State Significant listed heritage item.

Economic

Once the project progresses it will generate short term construction jobs and in the mid to longer terms, potentially heritage tourism jobs.

Engagement

No community engagement is required to progress the funding deed. However, there has been considerable engagement between members of the Project Control Group (PCG).

Financial

Review and completion of the Funding Agreement for the Braidwood Heritage Centre project has involved associated administrative costs which are funded from existing cost centres.

Resources (including staff)

The project including the execution of this Funding Deed has so far involved staff from the Community Connections and Natural and Built Character Portfolios.

9.6 Funding Agreement - Braidwood Heritage Centre (Ref: ; Author: Thompson/Carswell) (Continued)


Integrated Plan

The execution of this Funding Deed and support by staff of the Bungendore Heritage Centre project is consistent with the heritage program in the current Operational Plan which is administered by the Land-Use Planning Branch.

Conclusion

It is recommended that Council endorse the execution of the Funding Agreement for the Braidwood Heritage Centre.

Attachments

Attachment 1  Funding Agreement - Braidwood Heritage Centre (*Under Separate Cover*)

9.7 Kinsella/Kinsela Street, Karabar - Request to Review Incorrect Spelling
(Author: Thompson/Lamont)

File Reference: 26.4.1-4

Summary

Council has received a request from the relatives of the Kinsela family pointing out that a street in Queanbeyan named in recognition of their family name is spelt incorrectly and have asked for the spelling of the name to be corrected.

Recommendation

That:

1. Council take the necessary steps to correct the street naming error so as to respectfully honour Patrick and Jane Kinsela and their descendants.
 2. The proposed name change be placed on public exhibition for a period of 28 days and Council undertake community consultation with all residents affected during that period.
 3. Subject to no objections being raised, Council take the following steps to correct the spelling:
 - Arrange for gazettal of the corrected name through the GNB
 - Replace all incorrect signage and replace with correct spelling
 - Update Spatial Services NSW and other emergency services with the correct spelling
 - Update Council's Street Naming register to correct the spelling.
-

Background

Kinsella Street is located in Karabar and forms part of a subdivision created in the 1970's (see Figure 1 below for location).

The citation against the name in Council's street naming register provides the following background information:

*Patrick **KINSELLA** (1806-1841). First Chief Constable of Police in Queanbeyan 1/1/1838. (Ref. Queanbeyan District & People, p.28, 33, 113).
Also Jane **KINSELLA** (nee Michegan) Has the honour of being the first pioneer woman resident of Queanbeyan. She was the wife of the above. Their son James was the first white child born in Canberra (1838) and later became the Postmaster at Queanbeyan, also a champion runner in the 1860s. Following the death of her husband in 1841, Jane married William Hunt of the Elmsall Inn.*

9.7 Kinsella/Kinsela Street, Karabar - Request to Review Incorrect Spelling (Author: Thompson/Lamont) (Continued)



Figure 1 – Kinsella Street Locality Plan

Council received an email via the Geographical Names Board (GNB) from Mr Trevor Oddy who represents the Kinsella family. The email brings to Council's attention the fact that if the street is actually named after Patrick and Jane Kinsela, then the spelling of the street name is incorrect i.e. the correct spelling of Kinsela has only one "l" while the street name in Council's records has two (Kinsella).

A check of available records confirms that Kinsella Street was indeed named to honour Patrick and Jane Kinsela. Patrick was appointed the first Police Constable in the area and died in February 1841. His appointment and death are well documented in historical records of the Queanbeyan area including in the Police Memorial at Queanbeyan Police Station. There are also Inquest and Probate records in NSW as well as NSW Gazettal notices of his appointments.

In addition the well respected reference source *Queanbeyan District and People* by Errol Lea-Scarlett has several references to Patrick Kinsela all of which contain one "l".

Patrick and Jane Kinsela are the 3 x Great Grandparents of Trevor Oddy, the author of the request for review.

After checking Council records and street signage it is clear that all Council records and signage have the incorrect spelling. The GNB has advised that street names should accurately reflect the name of the person that they recognise and therefore it is recommended that Council take the necessary steps to correct the name.

9.7 Kinsella/Kinsela Street, Karabar - Request to Review Incorrect Spelling (Author: Thompson/Lamont) (Continued)

Implications***Policy***

This is an unusual circumstance but does occur from time to time. The GNB encourages street names recognising historical figures to have the correct spelling and supports councils taking action to correct inaccuracies.

Changing the street name to the correct spelling will require a public exhibition period to determine whether any of the affected residents have any objection to the proposal.

Social / Cultural

Street names form an important part of the historical context of our local government area and it is important that the spelling reflects the correct name that is being recognised.

Engagement

Changing the name of an existing street is a significant decision as it has considerable impacts on those residents who live there. As such, there needs to be strong evidence that a change is warranted. However, in this case the change is not significant and it is unlikely that even if the official record is corrected it would cause significant impacts to residents given that either spelling would likely result in the address being easily found. Over time the correct spelling will naturally take precedence.

During the exhibition period, affected residents will be notified and given 28 days to make any submissions. If no objections are received the matter will progress to the GNB for finalisation. Should an objection be received the matter will be brought back to Council for consideration.

Financial

Council to incur the cost of replacement street signage.

Conclusion

Council's records relating to Kinsella Street are historically inaccurate and should be corrected to reflect the correct spelling, "Kinsela".

Attachments

Nil

9.8 Community Engagement Report - Botanic Gardens/Sister City Gardens Project (Ref: ; Author: Thompson/Geyer)

File Reference: 23.1.2

Summary

The draft concept plans for the proposed Botanic Gardens/Sister City Gardens in Queanbeyan were placed on public exhibition for community engagement via Your Voice. The exhibition attracted 94 responses on Your Voice and a further 6 submissions through email. The working party have reviewed the feedback and many design suggestions which will help inform the next phase of design work.

Recommendation

That:

- 1. Council note the engagement report and feedback on the proposed Botanic/Sister City Gardens.**
 - 2. The project progress to the detailed design phase utilising funding set aside in the 2021-22 Operational Plan and that the outcomes of the design phase be bought back to Council for consideration for inclusion in the next draft Delivery Program.**
-

Background

Following a workshop in September 2020, Council agreed to the establishment of a working party to explore concept designs and engage with the community on the proposed Botanic Gardens/Sister City Gardens on parklands along the Queanbeyan River. The site follows both sides of the River northward from Morisset Street to the railway corridor.

The concept behind the project is to create a beautiful public botanic garden that celebrates the many cultures of our district. A celebration, through plantings, of our significant aboriginal culture, our sister city relations and friendships and a celebration of all the other aspects of our rich and diverse community. It will also provide an opportunity to educate on a range of cultures, environmental programs and horticulture. Many NSW regional cities have established botanic gardens, particularly along river corridors or lakes.

The project also aims to open up this large area of public reserve along the Queanbeyan River. It is proposed to retain and enhance existing parks, like Peace Park, Blundell Park and the dog off lead area. Some of the opportunities of having a botanic/sister city gardens include:

- A botanic garden is a garden dedicated to the collection, cultivation, preservation, and display, of a wide range of plants labelled with their botanical names and offering a level of scientific research.
- A Sister City garden can be of varying scale, to celebrate the relationship between two or more communities through a Sister City or Friendship Agreement.
- A Botanic Garden/Sister City Garden would be a garden consisting of a collection of plants from Australia and plants endemic to the country with which the sister city agreement is in place.
- Opportunity would exist for many other cultures to be included into the gardens.
- It is desirable to establish a "Friends of the Gardens" to help deliver and care for the gardens over the long life of a botanical project.
- Utilising QPRC trainees and apprentices in the Gardens construction and maintenance as part of their training.

**9.8 Community Engagement Report - Botanic Gardens/Sister City Gardens Project
(Ref: ; Author: Thompson/Geyer) (Continued)**

- Collaborate with ACT to continue the gardens along the river corridor, west of the railway bridge

Elements proposed that could be included:

- Careful preservation and restoration of the Queanbeyan River riparian zone, in line with the River Corridor Strategy.
- Extension of the river walk to the east side of the River, and connect to the CBD.
- Addition of bush tucker and cultural plantings, in consultation with local Ngambri/Ngunnawal community.
- Retention and arboriculture work to existing mature trees.
- Re design the existing Blundell playground into an intergenerational play and nature play space with family picnic/BBQ facilities.
- Incorporate mix of gardens, open space, fields, trees, trails, facilities.
- Clear up weed, infested areas.
- Establish a venue for public art.

Concepts (Attachment 1) following these principles were placed on exhibition for community engagement, via Your Voice, and approximately 100 submissions were received. See submissions in various forms in Attachments 2-6.

Of these submissions the large majority supported the project. Some submissions raised concerns about traffic in Ford St or parking onsite, while others asked Council to consider flooding while designing the area.

A small number, and in particular the Queanbeyan Landcare Group, consider the project low priority or are opposed, on the grounds that funds should go to other environmental projects, citing Bicentennial Park and Mt Jerrabomberra or weed control programs. While Landcare's concerns for weed management and maintenance at other parks are valid, they are already funded by Council and the Botanic Gardens/Sister City Gardens project would not impact these maintenance programs.

Two service clubs, Jerrabomberra Rotary and Queanbeyan Lions, expressed their wish to work with Council to deliver aspects of the project.

Within the submissions, matters such as traffic/access, parking and flooding, along with many other suggested inclusions, are relevant to the detailed design phase which will take place in coming months, should Council continue with the project.

Design Phase

The next phase of the project is to take the initial high level concepts and break it up into a series of logical projects, carry out more detailed design and cost estimates to have a number of "shovel ready" projects that can be programmed over future years.

Smaller projects may include components such as an Extended River Walk, Riparian Restoration, Cultural and Bush Food Gardens, or Upgrade Playground to include Play and Nature, etc. These smaller projects could then be subject to various grant applications. Additionally, as the Botanic Gardens/Sister City Gardens project develops and secures funding, it would be appropriate to establish the Friends of the Botanic Gardens to help with delivery, fundraising and ongoing care and maintenance.

**9.8 Community Engagement Report - Botanic Gardens/Sister City Gardens Project
(Ref: ; Author: Thompson/Geyer) (Continued)**

Implications***Environmental***

As the project is located within the Queanbeyan River corridor, the opportunity to carry out riparian restoration is key to the success of the project. All aspects of the design would take into consideration the environment, the River health and will also provide opportunities to conduct environmental education.

Social / Cultural

Many regional towns have botanic gardens. These parks give the community the opportunity to volunteer and become involved at various levels through Friends Groups. Queanbeyan's rich cultural diversity can be celebrated in a botanic garden with areas set aside for various cultures or nationalities, supporting the sense of ownership and community provide within the wider community.

Economic

The location of, and number of spaces within the site, creates event and tourism opportunities. The southern end of the park is a short walk from the CBD and the northern extreme is a short walk from the train station. Other similar parks in regional towns have hosted garden festivals, cultural events, weddings and family gatherings. While clear indication of economic potential would not be known until detailed designs are complete, the project will contribute to the regional economy during and after construction.

Strategic

The detailed design will inform suitable projects for the early stages that could be placed into the draft delivery plan for the next Council to consider. It is expected the evolution of the full Botanic Garden/Sister City Garden would take many years as trees grow and gardens are commissioned.

Engagement

Consultation took place via Your Voice and the engagement report is attached.

Financial

The next phase has been funded \$20,000 in the current budget to develop further detailed designs and staging. The ongoing weed control and maintenance of existing mature trees onsite are funded under existing budgets within Urban Landscapes. Construction phases will be subject to future funding sources, including grants.

Resources (including staff)

A small working party, consisting of the Mayor, community reps from the Sister City Committee and key horticultural staff from Urban Landscapes, has been established. Key staff from Parks in the ACT have also been invited to participate in the project, due to the proximity to park land in Oaks Estate. This working party are working with external landscape design consultants to develop further detailed designs.

Integrated Plan






Sub projects would be worked into future delivery plans over time.

**9.8 Community Engagement Report - Botanic Gardens/Sister City Gardens Project
(Ref: ; Author: Thompson/Geyer) (Continued)**

Conclusion

The Botanic Garden/Sister City Gardens has received strong community support. The detailed designs will go further to address the concerns or suggestions raised during the consultation. It is anticipated this support will grow even greater as specific design details are developed and the Friends Group is established. It is now recommended the project progress to this detailed design phase and be included into the draft delivery plan for the incoming new council to consider.

Attachments

- | | |
|--|---|
| Attachment 1 | High Level Concept Plans (<i>Under Separate Cover</i>) |
|  Attachment 2 | Submissions Received by Email (<i>Under Separate Cover</i>) |
|  Attachment 3 | Your Voice Report - Part 1 (<i>Under Separate Cover</i>) |
|  Attachment 4 | Your Voice Report - Part 2 (<i>Under Separate Cover</i>) |
|  Attachment 5 | Submission to Environment and Sustainability Committee - Queanbeyan Landcare (<i>Under Separate Cover</i>) |
|  Attachment 6 | Recommendation of the Environment and Sustainability Advisory Committee - 9 June 2021 - Noted by Council at Meeting of 14 July 2021 (<i>Under Separate Cover</i>) |

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.9 Feedback on Concepts for Embellishment and Renaming of Frogs Hollow, Bungendore - Outcome of Community Survey (Ref: ; Author: Thompson/Sibbick)

File Reference: Property – 351961

Summary

In December 2020, Council resolved to seek community feedback on the future embellishment and name for the reserve locally known as Frogs Hollow in Bungendore. A community survey was conducted based on the existing concept plan for Frogs Hollow prepared by Council in 2009. The survey concurrently sought feedback on proposals to rename Frogs Hollow. The results of this survey were presented to a Council workshop in March 2021. This report formalises the feedback received from the community survey.

Recommendation

That Council:

- 1. Retain the name of “Frogs Hollow” for the public reserve at No.1 Molonglo Street, Bungendore as supported by the community survey.**
 - 2. Incorporate Frogs Hollow project into the S7.11 Developer Contributions Plan schedule of works and into the draft 2022-2025 Delivery Program for consideration.**
-

Background

A community survey was conducted through Your Voice earlier this year from 22 January to 19 February 2021, to receive feedback on landscape planning for Frogs Hollow in Bungendore. Frogs Hollow is situated at the corner of Gibraltar Street and Molonglo Street in Bungendore. Refer to Figures 1 -3 below for images of the Frogs Hollow area.

The survey was based on an existing concept plan prepared by consultants engaged by the former Palerang Council in 2009, refer Figure 4 below.

The concept plans indicated the landscaped Frogs Hollow village green to have its own parking, covered BBQ and picnic facilities, play areas, community orchard, fitness stations, large deciduous trees, picket fencing (as a potential second off leash area), bench seats, pathways, bridges, water features, amphitheatre and viewing access to the creek. To date, the works identified in the master plan have not been undertaken.

The community consultation also sought feedback on possible names for the reserve.

9.9 Feedback on Concepts for Embellishment and Renaming of Frogs Hollow, Bungendore - Outcome of Community Survey (Ref: ; Author: Thompson/Sibbick) (Continued)



Figure 1 - Area map of Frogs Hollow, courtesy SIXmaps



Figure 2 - Frogs Hollow - View from Gibraltar Street, Bungendore

9.9 Feedback on Concepts for Embellishment and Renaming of Frogs Hollow, Bungendore - Outcome of Community Survey (Ref: ; Author: Thompson/Sibbick) (Continued)



Figure 3: Frogs Hollow, View from Molonglo Street, Bungendore

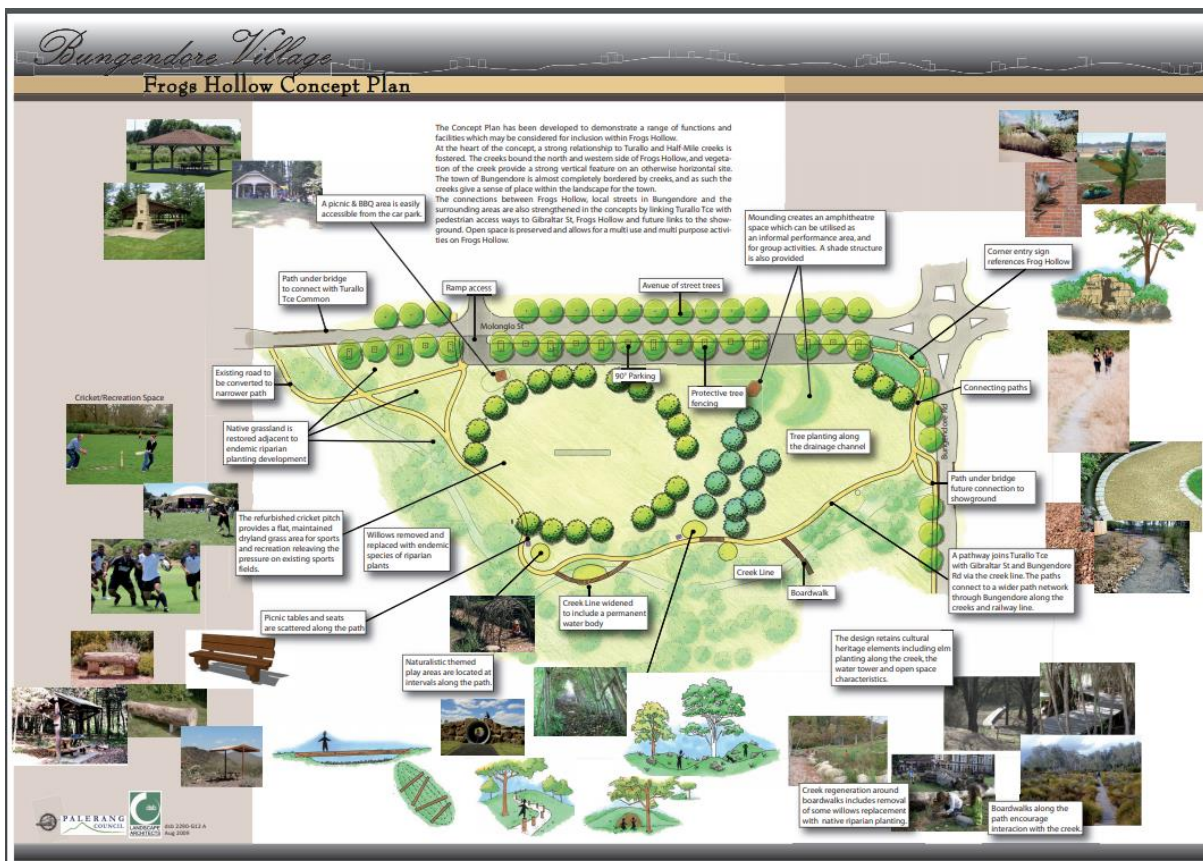


Figure 4: Existing Concept Plan prepared by the former Palerang Council

9.9 Feedback on Concepts for Embellishment and Renaming of Frogs Hollow, Bungendore - Outcome of Community Survey (Ref: ; Author: Thompson/Sibbick) (Continued)

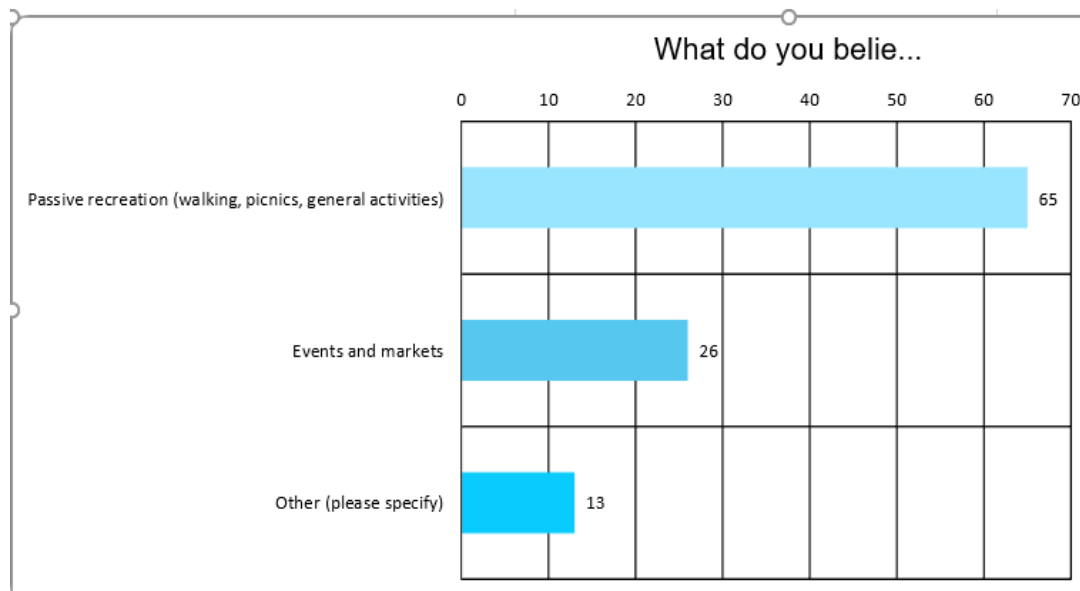
Following this engagement period, Council was to consider costed options for Frogs Hollow in the development of its 2021-22 budget. The indicative costings of \$270,000 were presented to Council at the Frogs Hollow Community Engagement outcome workshop on 17 March 2021. Refer to Table 1 in the Financial section of this report for a breakdown of these costs.

Engagement

The community engagement through Your Voice saw a total of 141 visitors to the site, with 70 contributors and a total of 91 submissions. A series of questions were asked of respondents, as indicated below. The survey also sought feedback on the renaming Frogs Hollow, with the majority of respondents preferring to retain the existing name.

Two of the survey questions and their results are indicated in a graph style as per the two charts below. The results of a further two questions are summarised, with the full respondent commentary attached to this report.

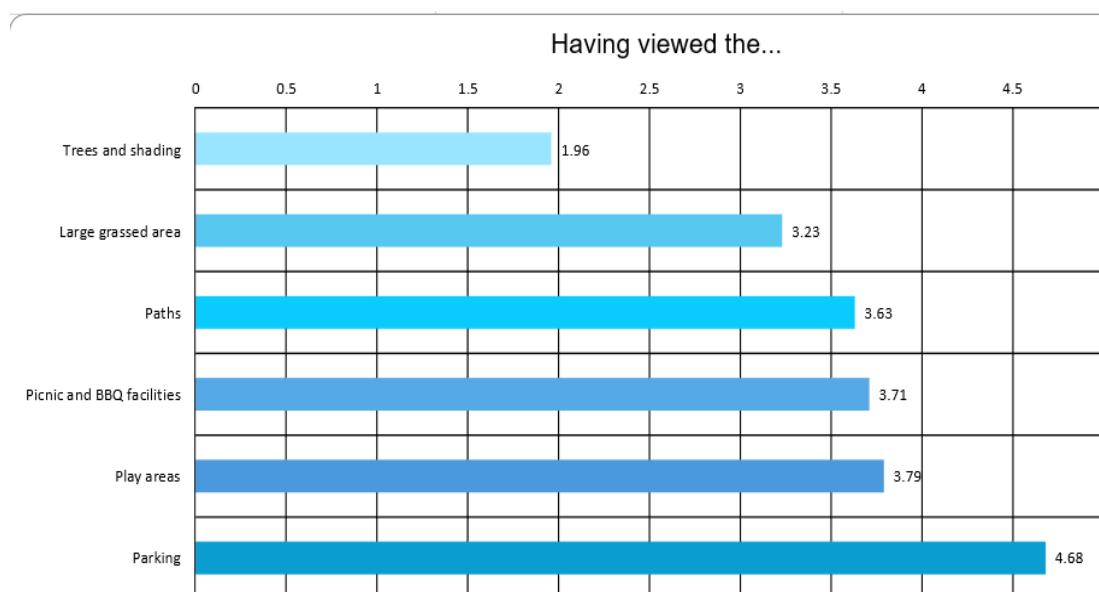
1. *What do you believe the primary purpose of the Frogs Hollow space should be if it was redeveloped?*



Result - 65 out of 70 contributors indicated that passive recreation was preferred for Frogs Hollow should it be redeveloped.

9.9 Feedback on Concepts for Embellishment and Renaming of Frogs Hollow, Bungendore - Outcome of Community Survey (Ref: ; Author: Thompson/Sibbick) (Continued)

2. In a range of responses from 0 (being not at all important) to 5 (being very important), the following question was asked - Having viewed the concept design for Frogs Hollow, please rank the importance of the following inclusions.



Results: Should a redevelopment occur, parking appeared to be the major concern with a response score of 4.68. Trees and shading were considered the least important with a response score of only 1.96. Play areas and picnic/bbq facilities were considered important with a response score of 3.71 and 3.63 respectively. Retaining a large grassed area was also relatively important, with a response score of 3.23.

3. Are there any other features / facilities that you believe a redeveloped Frogs Hollow should have?

Results - Features included children's play areas, toilets, tree planting, seating and picnic areas, accessibility attributes for families and disabilities, e.g. walking and cycling paths. Relocation of the Bush Balladeers rotunda. Gardens. Lighting. Interpretive signage. Parking, and safety of participants in regard to close proximity of busy roads. An off dog-leash area was controversial with many respondents advocating for a dog off leash area whilst others were vehemently opposed.

Many respondents felt the area should be a passive recreation space as opposed to an active recreation space, i.e. no formal sports activities, or that it should not be redeveloped at all.

4. What type of events or activities do you believe should be held at Frogs Hollow?

Results - Some of the activities listed included: low key family gatherings, childrens' parties, weddings, farmers markets, outdoor movies, "park run", a quiet or passive recreation space such as sitting or walking, dogs on leads, music events, amphitheatre related events. A dog off leash area was discouraged by several respondents. Some concern was expressed over the location of the Bungendore Car Club's Car Shows, (as an existing show site) should Frogs Hollow be redeveloped.

5. Council is seeking proposals to rename Frogs Hollow, do you have any suggestions? If you do, please include an explanation.

Results - The results overwhelmingly indicated that the name Frogs Hollow should be retained.

9.9 Feedback on Concepts for Embellishment and Renaming of Frogs Hollow, Bungendore - Outcome of Community Survey (Ref: ; Author: Thompson/Sibbick) (Continued)

Implications

Policy

This report complies with the Stakeholder and Community Engagement Policy Framework.

Social / Cultural

It is clear from the results of the Your Voice survey that the local community is keen on redeveloping Frogs Hollow into a passive recreational space. Passive recreation refers to outdoor recreational activities such as walking, running, cycling, climbing, picnicking or nature observation, that require a minimum of facilities or infrastructure development and that have minimal environmental impact on the recreational site. It is proposed the Balladeer structure be relocated from Bungendore Park to this reserve, at the cost of Government.

The redevelopment of Frogs Hollow would encourage the community to participate in passive outdoor recreational pursuits. It would provide an outdoor space where the community could come together for informal events or various activities such as family walks or bike ride, exploring, a game of cricket, or a space to kick a ball around.

Being physically active, whether it's passive or active, has numerous health benefits to the community. It encourages social interaction, increases personal confidence, reduces feelings of stress and anxiety, enhances self-esteem and improves quality of life.

Financial

Staff have prepared an estimate to redevelop Frogs Hollow, based on the major attributes of the existing concept plan at approximately \$307,000. Refer to Table 1 below for a breakdown of infrastructure items that could potentially be included in the redevelopment for that cost.

The redevelopment of Frogs Hollow has not been included in this current year's budget (2021/2022). However, should the redevelopment be endorsed by Council, it is recommended that funding could be sourced from the S7.11 Developer Contributions fund for open space embellishment. Presently approximately \$270,000 is held in 7.11 reserves but the Plan does not presently include Frogs Hollow.

Table 1: Indicative landscape costs for the Frogs Hollow Redevelopment

Item Name	Budget Cost	
Picnic tables and seats	\$5,000	
Shelter	\$15,000	
Installation	\$5,000	
Solar BBQ	\$25,000	
Subtotal - Picnic & BBQ area		\$50,000
\$75 a square metre x 1000 square metres	\$75,000	
include laybacks and driveways	\$5,000	
Subtotal - Car Park		\$80,000
concrete for shelter	\$2,000	
Grassed mound, earthworks at a day rate	\$2,000	
Shelter	\$15,000	
Subtotal - Amphitheatre		\$19,000

9.9 Feedback on Concepts for Embellishment and Renaming of Frogs Hollow, Bungendore - Outcome of Community Survey (Ref: ; Author: Thompson/Sibbick) (Continued)

Item Name	Budget Cost	
sign + install	\$3,000.00	
garden beds to surround	\$5,000.00	
Subtotal - Corner entry sign		\$8,000
2m wide crushed granite path, \$100 per 10 square metres (300 lineal metres)	\$6,000	
Edging for each side of the pathway x 300 lineal metres, flexible edging, \$50 per 2.2m length	\$14,000	
Subtotal - Connecting pathways		\$20,000
Trees to line car park and street Trees to surround the cricket pitch Other trees on site, as per the Plan, total 100 new trees at \$250 per tree (purchased and planted)	\$25,000	
Subtotal - Trees for entire site		\$25,000
Boardwalk - As per the plan to cross the creek	\$50,000.00	
Subtotal - Boardwalk		\$50,000
Remove existing pitch	\$0	
Construct new pitch	\$10,000	
Subtotal - Cricket Pitch		\$10,000
10 seats @ \$1500 per seat	\$15,000	
4 x Bin enclosures + bins @ \$1500 per bin enclosure	\$6,000	
4 x Picnic settings @ \$3000 per setting	\$12,000	
Subtotal - Park Furniture		\$33,000
Project Management fee @ 4%		\$11,800
TOTAL		\$306,800

The above costings do not include a formalised playground as this was not included in the concept plan. Inclusion of a playground would substantially increase the cost of embellishment.

Program Code	Expense Type	Funding source	Amount
		S7.11 Developer Contributions	\$ 270,000

9.9 Feedback on Concepts for Embellishment and Renaming of Frogs Hollow, Bungendore - Outcome of Community Survey (Ref: ; Author: Thompson/Sibbick) (Continued)

Resources (including staff)

Urban Landscapes staff have the skills necessary to undertake this redevelopment project. Urban Landscapes staff will work with the community to deliver a project that benefits all.

Conclusion

The results of the survey indicate that the majority of the community is in favour of developing Frogs Hollow into a passive recreation space, i.e. walking, picnics, general activities, with 65 out of the 70 respondents in favour of this type of redevelopment.

Should the redevelopment go ahead, the major request was to provide car parking. Secondary to these concerns were responses seeking play areas and picnic and barbecue facilities. Events and activities resulting from the survey indicated low key family gatherings, children's parties, markets, and outdoor movies, that are all passive recreation pursuits that would be suited to the redeveloped Frogs Hollow.

The proposal to rename Frogs Hollow had little support, with the majority of respondents seeking to retain the existing name.

Attachments

Attachment 1 Frogs Hollow Survey Results (*Under Separate Cover*)



Attachment 2 Frogs Hollow Master Plan (*Under Separate Cover*)



9.10 Request to Name New Change Rooms at Bungendore Park (Ref: ; Author: Thompson/Geyer)

File Reference: 6 Butmaroo Street

Summary

Council has been approached by Bungendore Tigers Rugby League Football Club to name the new change rooms at Mick Sherd Oval, Bungendore Park, after Alex Rodham. Mr. Rodham passed away earlier this year and was a long term member of the Tigers and the Club wish to name the building in his honour.

Recommendation

That Council approve the Bungendore Tigers Rugby League Football Club request to name the new change rooms at Mick Sherd Oval after the late Alex Rodham.

Background

The Bungendore Tigers Rugby League Football Club have approached Council, requesting approval to name the new change rooms at Mick Sherd Oval after Mr Alex Rodham. The Club advised: Mr Rodham passed away in February 2021 after a battle with cancer. He was 28 years old. Alex lived in Bungendore for most of his life. He attended Bungendore Preschool and then Bungendore Primary School from kindergarten to Year 6 and was house captain in Year 6. Alex played Rugby League for the Bungendore Junior Tigers Rugby League from Under 6 to Under 18's.

He then played in the Tiger's Senor side for 10 years playing 142 games for the Club. Alex was also the Captain in last year's Grand Final.

The Club requested:

"As a club and a community, we wish to honour Alex's legacy as he was very close to us all. I have spoken to Bungendore Rugby Union Club president Mark Robson and Bungendore Junior Tigers President Dan Todd and they are both in full support of what we wish to do. As Alex played all of his football career at Mick Sherd Oval in both juniors and seniors and as the Tigers have been the main user of the oval since 1908, the club would like to honour Alex by proposing that the new dressing sheds at Mick Sherd Oval Bungendore be named the ALEX RODHAM DRESSING SHEDS".

The request is not unusual and historically Council have supported the sporting community selecting names for facilities to honour sporting champions or people who have contributed significantly to local sports.

Implications

Legal

There are no legal grounds for not supporting this request.

Policy

The Parks, Reserves and Sports Facilities Naming Policy provides for individual facilities at sports grounds to be separately named. Names should be selected based on a significant connection with the Park, Reserve or Sports Facility, or to acknowledge, honour or commemorate a person important to the community. The naming of these facilities and the name nominated is in keeping with Council's past practice and principles.

9.10 Request to Name New Change Rooms at Bungendore Park (Ref: ; Author: Thompson/Geyer) (Continued)

Asset

The facilities are Council managed along with Mick Sherd Oval and Bungendore Park. Council can determine an appropriate name should it desire.

Community Engagement

Ordinarily if Council received a request to name a park or major facility, the proposed name would be placed on public exhibition for 28 days and the engagement report would return to Council. However, as the Bungendore Park and Mick Sherd Oval are names already established and this request is for a minor building within the park, it is not proposed to exhibit for 28 days. Recent exhibitions to name a building and a score board at Freebody Oval Queanbeyan only attracted 6 generic comments. In this instance the proponents have already engaged with effected sporting groups using the amenity and received positive support.

Social / Cultural

The request has come direct from the sporting community and would appear to have broader community and sporting support. Many community facilities have been named after community members that have contributed in various ways. Similar requests were recently supported at Freebody Oval, Queanbeyan.

Conclusion

The request to name the change rooms at Mick Sherd Oval has come from the sporting community that utilise the facility. Although the naming will have little to no impact on the wider QPRC community, it is a significant gesture within a small tight sporting community and one of good will that is worthy of Council's support.

Attachments

Nil

9.11 Review of Council Facilities in Light of COVID Pandemic (Ref: ; Author: Thompson/Geyer)

File Reference: 31.1.7-12

Summary

At its meeting of 26 August 2020, Council resolved that:

1. *Council review its public facilities and where feasible, adapt them in the light of the current public health situation.*
2. *A report come back to Council for determination.*

A review of Council's facilities has been carried out and is now reported to Council for consideration.

Recommendation

That Council note the report.

Background

Staff have conducted a review of Council public facilities and have increased hygiene measures at all public and sporting amenities. This included additional cleaning at all venues and soap dispensers are systematically being rolled out across public toilets.

QR Codes have or are in the process of being added to sports facilities where clubs have not already provided their own. All sporting groups and all event bookings are required to have a COVID safe plan and comply with the NSW Health Orders.

Some of the technology that can be applied to facilities, apart from soap dispensers and hand sanitiser units, would be hands free tapware, auto or sensor flush cisterns, motion sensor light switches etc.

Many of Council's facilities are older structures designed to be vandal resistant and easy to maintain. Soap dispensers are, or have been, installed however, they are easily damaged or abused and need constant upkeep. It is impractical to install hands free tapware in the older facilities, however this technology will be considered in new structures.

Implications

Legal

Council is ensuring it adheres to the NSW Health Orders as they are released.

Asset

Consideration of changing infrastructure to improve COVID safety will be considered as part of asset design or during refurbishment.

Financial

Soap dispensers are currently being funded from existing amenities cleaning budgets, which will run low if a high level of vandalism is experienced. There are no funds available to retrofit existing amenities with hands free technology.

It is appropriate to design this technology into new facilities as part of the initial capital works.

9.11 Review of Council Facilities in Light of COVID Pandemic (Ref: ; Author: Thompson/Geyer) (Continued)

Resources (including staff)

Roll out and maintenance of soap dispensers in being carried out in-house by Council's Facilities Maintenance Crew and Amenities Cleaners.

Conclusion

While the hygiene of facilities is a small but important step in making Council facilities COVID safe, the long-term aim should focus on hands free technology to minimise contact points for the spread of virus. The most fiscally responsible way to achieve this is systematic installation over time with new builds or asset renewal projects.

Attachments

Nil

9.12 Mount Jerrabomberra Site Specific Plan of Management (Ref: ; Author: Thompson/Abbott)

File Reference: 26.2.1

Summary

At its meeting of 12 May 2021, Council resolved to place the Draft Mount Jerrabomberra Plan of Management on public exhibition for a period of 28 days. Consultation has now concluded, and the public submissions and final site-specific Plan of Management for Mount Jerrabomberra are presented to Council for adoption.

By adopting the Plan of Management (PoM), it will assist Council in meeting its obligations as a land manager and supporting the community values and will result in positive actions being implemented to protect the landscape and diversity it sustains into the future.

Recommendation

That:

1. Council adopt the Draft Mount Jerrabomberra site specific Plan of Management as Provided in Attachment 1.
 2. Those actions requiring funding be considered for inclusion in future Delivery Programs.
-

Background

Council recognises that Mount Jerrabomberra is an important environmental asset in the local community. It holds significance for its natural bushland character and is an iconic natural feature of Queanbeyan. This Plan seeks to enhance and protect the natural bushland character of the reserve whilst continuing the facilitation of recreational activities that are valued by the local community. Various respondents during the community consultation noted the scenic significance and aesthetic value to the local area. Connectivity to wildlife corridors and other land parcels was also of importance.

The new PoM (Attachment 1) has been prepared to supersede the existing 2004 plan and the 2017 Bushfire Management Plan. This new plan addresses actions as advised by the Rural Fire Service and is complementary to the Local Government Hazard Reduction requirements, for funding eligibility.

Based on the community engagement process, the following key issues surrounding Mount Jerrabomberra are outlined in detail in Table 7 of the document and summarised as:

- Environmental preservation
- Recreational use of reserve
- Wayfinding and trail management
- Invasive species
- Aboriginal cultural heritage
- Fire management and burning regimes
- Education
- Funding and management

9.12 Mount Jerrabomberra Site Specific Plan of Management (Ref: ; Author: Thompson/Abbott) (Continued)

Mount Jerrabomberra provides habitat for a significant number of locally and regionally significant species that contribute to the biodiversity of the region. Furthermore, the diverse range of plants, insect and animals contribute to the ecological function of the reserve. Submitters suggested more emphasis be placed on significant species, in particular the important orchid population on the mountain.

A total of 85 fauna species were recorded during the 2010 ecological survey, including three threatened fauna species. A BioNet Atlas search of threatened species was undertaken and data from this has been combined with observed data. It should be noted that some sensitive species cannot be displayed at this resolution due to licence conditions.

The NatureMapr App has also been utilised by local community groups to capture significant data on the occurrence of species across the reserve. Since 2013, 138 species have been recorded within the reserve using the App.

The key objectives of the Plan are to:

- Manage the reserve in a manner that protects and enhances the values and quality of the reserve.
- Conserve biodiversity and maintain the ecosystem function of the Reserve.
- Provide for the restoration and regeneration of natural areas within the Reserve.
- Provide a range of recreational opportunities that are managed to encourage public appreciation of the Reserves values, the minimisation of conflict between recreational user groups, and quality experiences for all users.
- Promote and facilitate opportunities for environmental education and research to increase understanding and appreciation of the Reserves values throughout the community.
- Proactively manage bushfire risk through planned hazard reduction and improving community preparedness.
- Provide equity of access as an integral part of the long-term plan for the reserve.
- Ensure sufficient resources to deliver this Plan of Management, enhance management capability and visitor enjoyment.

Implications***Legal***

This Draft PoM has been prepared in accordance with Section 36 of the *Local Government Act 1993 (Act)*, Section 3.23 of the *Crown Land Management Act 2016*, and other legislation, as well as Council's desire to produce a consistent and effective set of guidelines governing the management of community land.

Environmental

Management of the Reserve needs to facilitate the protection of bushland, recreational use and the provision of visitor infrastructure.

Of respondents to the survey 63% rated the existing facilities good or better and indicated improving walking trails, improving bushland and fauna habitat, and provision of well-marked and sign posted pathways and trails as the most important improvements.

Weed control measures are a priority and include vegetation communities of high significance, declared priority weeds, habitats/populations of native flora and fauna species of high conservation significance, disturbed sites and existing major weed infestations, access trails and any other priorities recommended by biosecurity experts.

9.12 Mount Jerrabomberra Site Specific Plan of Management (Ref: ; Author: Thompson/Abbott) (Continued)

Sustainability

It is not clear what the specific effects of climate change will bring for the subject area, however the window for prescribed burning is likely to reduce and the number of days of higher fire danger are likely to increase. Given this context, the extent of prescribed burning achievable may be limited. Further, the number of fires that start and spread within the study area may increase, including under higher fire intensities more frequently. This Plan has considered future climate change (broadly) when determining bushfire risk.

Asset

The Act defines that all land in the ownership of Council is classified as either 'community' or 'operational'. Land classified as operational land is usually not intended for use by the public. Operational land within the boundaries of the Mount Jerrabomberra Reserve have been identified in the Plan, such as water reservoirs and telecommunications, however no management actions have been attributed to them. The remainder of the Reserve is community land.

Social / Cultural

The mountain is in good proximity to the City and has good connections both within and to surrounding areas. The consultation recognised a need to provide an accessible place for all members of the community at the Reserve with improved access for people with disability. Forms of inclusion could be through wheelchair access to the site or collaboration with local disability support community groups to organise vehicular access on specific days.

Community consultation also indicated there is an opportunity to grow the Reserve as a space for multicultural inclusion. Collaboration with local organisations could improve multicultural inclusion through community environmental projects at the site.

There is also an opportunity to better include indigenous stakeholders in the management of the reserve, including fire related activities. Council may partner with the Ngambri Local Aboriginal Land Council to develop educational signage explaining the aboriginal cultural history and significance of the mountain.

Community consultation results were in support of increased engagement with aboriginal cultural heritage at the site to share and respect the cultural significance of the Reserve and continue cultural practices.

Engagement

The PoM preparation process included the following steps:

- Background literature review of the previous PoM, literature, existing reports, legislation policy and strategic plans that relate to the subject site and the future needs and demands for the area.
- On-ground site assessment.
- Preparation of a community consultation plan.

9.12 Mount Jerrabomberra Site Specific Plan of Management (Ref: ; Author: Thompson/Abbott) (Continued)

- Community consultation including:
 - interviews with stakeholders such as:
 - NSW Rural Fire Service
 - Jerrabomberra Residents Association
 - Queanbeyan Landcare
 - Ngambri Local Aboriginal Land Council
 - Local Residents
 - Canberra Ornithologists Group
 - Friends of MJASR Bushcare
 - Optus
 - Online survey – 137 respondents
 - Community open day including in person surveys
 - Exhibition Period – 18 May to 15 June 2021 – Nine submissions
- Councillor Workshop

A full copy of the Community Engagement Report is contained in Appendix C of the PoM. During the exhibition period a total of nine submissions were received. A summary of these submissions and the recommended changes that have been made to the PoM in response are included in Attachment 2. The individual submissions are provided for the information of Councillors in Attachments 3-6. Please note that submission 9 was a verbal submission and is not available as an Attachment.

The discussion below is a summary of the main issues raised in submissions.

During the stakeholder consultation period, a number of issues were discussed. The most common issue was the lack of a consolidated, formal track network. This issue overlaps with other problems such as the development and use of unauthorised trails impacting the natural environment, poor erosion controls, lack of directional signage and contention between stakeholder groups. It was generally agreed closing unauthorised tracks and focussing on improving and maintaining key tracks would benefit both recreational and environmental values. A minority of respondents indicated the benefit of multiple tracks throughout the reserve to better explore the area.

Discussions with stakeholders involved with infrastructure assets on the Reserve revealed the critical importance of the water reservoirs. It was identified that access needs to remain restricted to ensure the integrity and security of the asset. Access for maintenance, increased security and future development within the existing asset site are long term priorities for this site. A stakeholder involved with the telecommunications tower indicated maintaining access to the asset was their primary concern.

Additional recreational assets discussed included the addition of more lookouts, pet litter bags and corresponding bins, educational and interpretive signage, wheelchair access, seats and water facilities, public toilets and picnic areas. A minority of respondents expressed concern for over development of the site, preferring it did not change from its current state.

A number of environmental concerns were raised during the consultation process. Issues were raised regarding the damage of unauthorised trails, disturbance of off-leash dogs to wildlife and people, inappropriate fire regimes of significant and threatened flora species such as orchids, working with adjoining land owners to ensure connectivity and green corridors and weed control.

9.12 Mount Jerrabomberra Site Specific Plan of Management (Ref: ; Author: Thompson/Abbott) (Continued)

The issue of domestic fauna was raised, with some stakeholders valuing the reserve for its access for dogs while others noted associated problems. Off-leash dogs and poor owner responsibility in cleaning pet litter off paths were key points. While a high number of respondents indicated the area is good for walking dogs, the majority argued the reserve should be for dogs on-leash only and that off-leash dogs should utilise the neighbouring off-leash area.

The pine wildings in the south-eastern corner of the Reserve were identified as a bushfire hazard. Lack of community awareness among adjoining landowners and APZ maintenance was also discussed. Garden waste dumped from backyards into the reserve was also identified as a problem.

Issues with access to information regarding the Reserve became evident throughout the interviews and surveys. There is currently no clear or easily accessible information centre for updates regarding the Reserve. Improved access to information regarding the site would be a desirable outcome, such as an accessible and frequently updated page on the QPRC website.

Financial

Depending on what actions are eventually incorporated into future operational and delivery programs, the Plan could impact on Council's Delivery Program in a number of ways, for example: annual weed control program, annual hazard reduction program, bushland management projects and future capital works.

Resources (including staff)

Limited resources are currently provided for bushland management.







Integrated Plan

Actions contained within this site-specific plan will be assessed on an annual basis for inclusion in Council's four-year Delivery Program and annual Operational Plan. In addition, Council will be able to utilise the information contained within this Plan to seek external grant funding and other funding opportunities to improve the management of Mount Jerrabomberra.

Conclusion

Exhibition of the Draft PoM has attracted submissions from the community. Residents have had an opportunity to express opinions, provide information and suggest alternatives to the proposed management strategies for community open space within Mount Jerrabomberra Reserve. Councillors are now requested to review all public submissions and consider adoption of the new site specific Plan of Management for Mount Jerrabomberra.

Attachments

- | | |
|--|--|
|  Attachment 1 | Mount Jerrabomberra Site Specific Plan of Management (<i>Under Separate Cover</i>) |
|  Attachment 2 | Summary of Submission Received and Resulting Recommended Actions (<i>Under Separate Cover</i>) |
|  Attachment 3 | Submissions 1-5 (<i>Under Separate Cover</i>) |
|  Attachment 4 | Submission 6 (<i>Under Separate Cover</i>) |
|  Attachment 5 | Submission 7 (<i>Under Separate Cover</i>) |
|  Attachment 6 | Submission 8 (<i>Under Separate Cover</i>) |

9.13 Exhibition of Draft QPRC Urban Forest Cooling Strategy (Ref: ; Author: Thompson/Pensini)

File Reference: 25.2.1-01

Summary

The draft QPRC Urban Forest Cooling Strategy has been developed to support Council to continue providing housing and infrastructure for our growing population while ensuring our urban centres are healthy and attractive environments for residents and wildlife. The Strategy provides Council with coordinated, local, and practical actions to manage its urban forest and educate and inform the community. A copy of the Draft Strategy is provided in Attachment 1.

The Strategy's vision: '*Council, businesses and the community value and actively care for an urban forest that is resilient and fairly distributed, and provides a cooler, healthier environment for people and wildlife*' is articulated through five goals and underpinned by the principles established in the Government Architect NSW Greener Places they are:

- A resilient urban forest
- A fairly distributed urban forest
- A cooler, greener urban environment
- Increased biodiversity and tree canopy
- An actively managed urban forest

To achieve the Strategy's vision and goals, 32 actions have been grouped into five key strategies, including:

Strategy 1: Build awareness and encourage participation in urban greening.

Strategy 2: Expand data collection and monitoring of the urban forest.

Strategy 3: Coordinate tree and vegetation planting and management.

Strategy 4: Review planning policy and development controls.

Strategy 5: Increase Council capacity in urban forest management.

An implementation plan has also been developed to support Council and the community manage and implement this Strategy.

Recommendation

That Council:

- 1. Place the Draft QPRC Urban Forest Cooling Strategy on public exhibition for a minimum of 28 days.**
 - 2. Following the exhibition period, a further report be prepared for Council to consider the matters raised in submissions.**
-

Background

In February 2020 Council received \$42,000 in grant funding from the NSW Government's *Increasing Resilience to Climate Change Fund* to work on a number of urban vegetation and heat adaptation projects across Council's four major urban centres: Queanbeyan, Braidwood, Bungendore and Googong.

9.13 Exhibition of Draft QPRC Urban Forest Cooling Strategy (Ref: ; Author: Thompson/Pensini) (Continued)

To undertake this work, six milestones over two stages were developed, these include:

Stage 1

1. Establishing a project steering group to coordinate the below work (includes community members) - *Completed*.
2. Developing surface heat maps of the Queanbeyan-Palerang local government area, including undertaking urban heat island assessments - *Completed*.

Stage 2

3. Assessing the climate vulnerability of current urban trees in addition to developing a future climate-ready trees list - *Nearing completion*.
4. Developing a QPRC Urban Forest Cooling Strategy - *Nearing completion*.
5. Planting of experimental future climate-ready trees - *September 2021*.
6. Community and Council staff education - *September 2021*.

The Draft QPRC Urban Forest Cooling Strategy follows on from the results of the QPRC Surface Heat Mapping Study which found that over 85% of urban land in the region fell within an urban heat island (2 degrees hotter than surrounding natural areas).

Further to this other key Strategy drives come from current and emerging challenges and overarching goals set by the community in regional and local strategic plans and during engagement activities in 2021, including; a changing climate, population growth, urban development, livability and amenity of urban centres, protecting the natural environment and biodiversity, and enabling a healthy and active lifestyle.

In order to develop the Draft Strategy a three-phase development approach was undertaken. Firstly, experts (Mosaic Insights) were engaged to provide advice and help develop the Strategy. Secondly, an in-depth review of current and previous Council, regional and State strategies, guidelines, policies, and plans was undertaken. Thirdly, extensive community and internal staff consultation was held to provide engagement and allow input through suggestions, challenges, and concerns.

What is the Urban Forest?

The urban forest can be defined as “all trees and other vegetation within an urban area and the soil and water that supports it”. The urban forest includes all vegetation within urban areas – from street trees to backyard lawns, from weeds in footpaths to remnant bushland. It is the vegetation in our streets, parks, gardens, along creeks, rivers, and railway corridors, in public spaces and places, on our roofs and balconies.

Implications***Policy***

Policies that inform or require development with regards to the Urban Forest Cooling Strategy, include:

- QPRC Operations Sustainability Policy
- QPRC Street Verge Maintenance Policy
- Playground Management Policy

Within the Strategy, a QPRC Tree Management Policy (Action 4.4.) is recommended to be developed to provide a framework for consistent decision making, documentation and standardisation of processes of tree management and maintenance issues.

9.13 Exhibition of Draft QPRC Urban Forest Cooling Strategy (Ref: ; Author: Thompson/Pensini) (Continued)

Environmental

Numerous studies have demonstrated that the presence of urban trees and vegetation can offer many environmental benefits. Trees improve our air quality by filtering harmful dust and pollutants such as carbon monoxide and sulphur dioxide and can move stagnant air that would otherwise be trapped in urban spaces. Trees and vegetation also reduce the amount of storm water runoff, which reduces erosion and pollution in our waterways and may reduce the effects of flooding. Many species of wildlife also depended on the urban forest for habitat and food.

Sustainability

The urban forest provides benefits and impacts positively upon all 17 United Nations Sustainable Development Goals. For example, trees reduce the urban heat island effect by providing shade and via evaporative cooling and can also mitigate climate change by storing carbon. The urban forest can also protect built features from extreme weather events.

Asset

Various actions within the Strategy involve and require the development and incorporation of a tree inventory (register) into Council's existing asset management system to enable recording of details of all future and ongoing maintenance inspection operations. At a minimum this inventory will identify tree species and location but will ideally include age and height and other characteristics to support risk management and forward thinking. Development of the proposed Queanbeyan Botanic Gardens may assist in achieving several of the Strategy objectives.

Social / Cultural

The urban forest is highly valued by our community. In a survey conducted as part of developing this Strategy, the vast majority of local residents responding (95%) thought the urban forest should be increased and named amenity and health benefits as the most valued attributes of the urban forest.

Trees and greener environments are also strongly linked to reduced negative thoughts, reduced symptoms of depression, better reported moods, and increased life satisfaction. Furthermore, a network of green spaces and linear parks can provide green active transport corridors and can have the dual benefit of making continuous cool spaces that support an active lifestyles for residents and visitors, while supporting local flora and fauna movement and biodiversity.

Economic

The liveability and amenity of our urban centres is a key factor driving business and investment in the region. Improving the attractiveness and amenity of main streets in towns and villages while retaining rural ambience is identified as a priority for Queanbeyan-Palerang. Revitalisation of the main town centres presents opportunities for enhancing liveability through protecting and growing the urban forest. In particular, recognising and building on the proximity of some of our urban centres to the natural landscape by considering opportunities for ecological enhancement and extending biodiversity corridors. Opportunities also exist to bring the natural landscape into urban centres through increased tree planting, water sensitive urban design, green roofs and walls and linking existing open spaces to create an interconnected green network.

9.13 Exhibition of Draft QPRC Urban Forest Cooling Strategy (Ref: ; Author: Thompson/Pensini) (Continued)

Engagement

Community consultation for the Urban Forest Cooling Strategy began in early 2021 with a “Your Voice Survey” to understand the community’s priorities and values. Following this Council and the consultants held two online community consultation workshops which allowed participants to help develop the vision, identifying concerns and opportunities, suggest tree canopy cover targets, and provide lists of potential actions that could be undertaken Council and the community. Attendance during community consultation was as followed:

- Survey- 59 participants.
- Community consultation workshops- 10 participants.

An internal staff stakeholder workshop was also held to identify staff challenges and concerns and to allow input into the development of potential actions and opportunities. Staff also reviewed suggested actions and comments from the community.

Results of the engagement activities are shown in Attachments 2 and 3.

From the above the Draft Strategy was developed and it is recommended that it now be placed on exhibition for a minimum period of 28 days. Following receipt of submissions the matter will be re-submitted to Council to consider whether the Strategy should be adopted. Please note that the Council message at the beginning of the Strategy is still to be completed.

Resources (including staff)

Council staff will be required to facilitate or implement the actions within the Strategy. Additionally, each individual action will be assigned a designated responsible service area.



Integrated Plan

The Urban Forest Cooling Strategy provides a range of feasible measures and actions that can be developed and implemented within the current and future operational and delivery plans. These align with identified strategic priorities within the QPRC Community Strategic Plan.

Conclusion

The QPRC Urban Forest Cooling Strategy presents an opportunity for Council to continue to provide housing and infrastructure for our growing population while ensuring urban centres are healthy, resilient and attractive environments for residents and wildlife.

Attachments

- | | |
|--|---|
| Attachment 1 | Draft Urban Forest Cooling Strategy (<i>Under Separate Cover</i>) |
|  Attachment 2 | Urban Forest Cooling Strategy- Community Consultation Workshops- Summary Report (<i>Under Separate Cover</i>) |
|  Attachment 3 | Urban Forest Cooling Strategy- Survey Results (<i>Under Separate Cover</i>) |

9.14 Public Place Electric Vehicle Charging Infrastructure - Models of Ownership and Procurement (Ref: ; Author: Thompson/Pensini)

File Reference: 25.4.1-08

Summary

Over the past year Council has seen an increasing number of expressions of interest and/or proposals from third parties and the community for the provision of electric vehicle (EV) charging stations and associated infrastructure in Council owned car parks.

It is appropriate for Council to now consider a preliminary business case for various models of ownership for public place EV charging infrastructure as well as how this might be procured.

This LGA provides significant tourist and commuter corridors to the coast and mountains, and with the careful placement of suitably scaled EV charging stations in towns along those corridors, motorist confidence and comfort improves with subsequent increased takeup of EVs.

Attachment 1 provides a background to EV charging, how it works and the business models Council might pursue if it wishes to facilitate the installation of EV charging stations across the LGA. Furthermore, the report provides insight into the various EV plug types and stations as well as current charging infrastructure in the region and current proposals.

The conclusion from the attached report is that Council proceed with the Ownership Model 3 'private investment through lease agreements'. It is considered that this model is best suited to the day to day operations of Council and can deliver significant income and benefits while reducing associated risks and capital costs.

Although Council has received formal proposal for the establishment of a public place EV charging network in line with Model 3, it is recommended that Council seek Requests for Proposal (RFP) for the provision of EV charging station lease agreements for Council owned car parks 'to be determined'. Through this form of tender, Council may be able to increase private/third participation and achieve suitable lease fees for its car parks. Furthermore, the tender will allow Council to set some terms and conditions of EV charging such as size and capacity. Following the tender any offers/proposals received will be evaluated by Council staff and presented to Council for consideration.

It is recommended that the tender exclude the proposed Braidwood off street carpark in order to honour the signed non-binding letter of intent with the NRMA.

Recommendation

That Council:

- 1. Proceed with Ownership Model 3 'private investment through lease agreements' for public place EV charging.**
 - 2. Seek RFPs for the provision of EV charging station lease agreements for 'to be determined' Council owned car parks.**
 - 3. Exclude the proposed Braidwood off street carpark from the tender in order to honour the signed non-binding letter of intent with the NRMA.**
-

9.14 Public Place Electric Vehicle Charging Infrastructure - Models of Ownership and Procurement (Ref: ; Author: Thompson/Pensini) (Continued)

Background

Public Place EV charging infrastructure has been identified by both the community and State and Federal governments as critical infrastructure to help facilitate and drive the uptake of electric vehicles in Australia in an effort to combat climate change and reduce emissions. However, a current lack of access to charging stations has been identified by over half of motorists as one of the key barriers to the adoption of EVs. Establishing a network of charging stations will help to overcome the access to charging facilities barrier, reduce consumer anxiety about EV range, achieve strategic priorities, demonstrate leadership and provide Council with a potential revenue stream.

With this in mind, the report in Attachment 1 has been prepared to identify procurement options and models of ownership including opportunities, costs, benefits and risks for facilitating and installing EV charging infrastructure in Queanbeyan-Palerang.

In summary models of ownership, include:

1. EV Charging infrastructure (stations) owned and operated by Council or operated by a third party.
2. Co-investment between Council and a third party operated through the third party.
3. Owned and operated by a third party, lease agreement with Council for car parking space(s).
4. Lease and subscription.

Procurement options, include:

1. Tenders or requests for quotes.
2. Accepting current proposal(s) from third parties.
3. Await further proposals from third parties.

The report concludes that the best option for this Council is to pursue Ownership Model 3 procured through seeking tenders.

To date Council has signed a non-binding letter of intent with the NRMA for charging station(s) at the proposed Braidwood CBD off street carpark and has received an EV charging network proposal from other providers (see confidential Attachments 2 and 3). Unfortunately one was withdrawn due to the proponents being unable to secure grant funding to obtain the EV charging infrastructure and the associated lease agreement.

Implications***Legal***

The RFP will be run in accordance with the QPRC Procurement Policy and associated guidelines. If a tender is accepted, Council will be required to sign a binding lease or a similar agreement with the selected third party(s).

EV charging stations are considered exempt development if they are located in an existing car park or bus depot.

Policy

Policies which inform the report and associated findings and will inform the tender include:

- QPRC Parking Policy 2020
- QPRC Asset Accounting Policy

9.14 Public Place Electric Vehicle Charging Infrastructure - Models of Ownership and Procurement (Ref: ; Author: Thompson/Pensini) (Continued)

Sustainability

Enabling EV charging infrastructure is expected to have a number of positive sustainability benefits by facilitating EV uptake. This includes improved air quality, reduced greenhouse gas emissions, reduced demand for fossil fuels, more sustainable consumption and decreased noise pollution.

Asset

Through a third party lease agreement Council will still have an obligation to maintain the car spaces, however, will not be required to own, operate or maintain the EV charging infrastructure. Several carparks have been identified as potential sites for EVC carspaces, have been included in the scope of proposed capital projects, or identified in strategies:

- Queanbeyan (Lowe, Morisset, Collett carparks)
- Bungendore (Ellendon carpark)
- Braidwood (Wallace carpark)

Economic

Council will most likely receive an income from the third party for the lease of Council owned car spaces for EV charging. This will likely be paid on a monthly or yearly basis.

Strategic

The 2018-2028 Community Strategic Plan identifies the 'adoption of sustainable and renewable energy' and the 'protection of the natural environment' as key strategic priorities for the region. More specifically, Council's Queanbeyan CBD Car Parking Strategy 2018-2028 and Community Climate Change Action Plan (CCCAP) 2020-2030 identify various actions to facilitate the installation of EV charging stations within the community. For instance, action 6.2.2 in Council's CCCAP discusses 'facilitating installation of electric car recharging points'.

Furthermore, Council received a number of comments during the 2019 Climate Change Action survey and Community Climate Change Action Plan community consultation workshops to facilitate installation of community EV chargers. For example, the following statement from the 2019 Climate Change Action survey, *"transport is the area where I have not taken action, without sufficient charging points electric cars are not yet an option"*.

Strategies and action plans which inform the report and associated findings, and will inform the proposed tender include:

- Queanbeyan Car Parking Strategy 2018-2028
- QPRC Tourism Plan
- QPRC Community Climate Change Action Plan 2020-2030
- QPRC Integrated Transport Strategy

Engagement

A Councillor workshop was held in May 2021 to discuss proposals and models of ownership.

Resources (including staff)

Council staff will be required to prepare the tender and associated documentation. Additionally, staff will be required to review and evaluate any offers/proposals received and present them to Council for consideration.

9.14 Public Place Electric Vehicle Charging Infrastructure - Models of Ownership and Procurement (Ref: ; Author: Thompson/Pensini) (Continued)

Integrated Plan


Through the facilitation of EV charging infrastructure, a number of community and Council strategic priorities can be achieved including, the adoption of sustainable and renewable energy, the protection of the natural environment and the implementation of good environmental practices. All of these were identified as key strategic priorities in the QPRC Community Strategic Plan 2018-2028.

Conclusion

Facilitating and enabling public place EV charging infrastructure offers a unique opportunity for Council to achieve a number of sustainability goals and strategic priorities while also demonstrating leadership in the field, providing Council with a potential revenue stream and reducing barriers to EV charging and associated consumer anxiety about EV range.

Given the above it is now appropriate that Council seek tenders consistent with model of ownership three 'private investment through lease agreements' for public place EV charging.

Attachments

- | | |
|--|--|
| Attachment 1 | Public Place Electric Vehicle Charging Report- Models of Ownership and Procurement (<i>Under Separate Cover</i>) |
|  Attachment 2 | Signed Non-binding Letter of Intent- NRMA (<i>Under Separate Cover</i>) -
CONFIDENTIAL |
| Attachment 3 | QPRC EV Charging Network Proposal (<i>Under Separate Cover</i>) -
CONFIDENTIAL |

9.15 Sustainable Garage Repair Cafe Proposal - 88 Wallace Street, Braidwood (Ref: ; Author: Thompson/Abbott)

File Reference: 348500

Summary

Council has received a proposal to conduct a 'Sustainability Garage' to be held in the forecourt of the Council owned property at 88 Wallace Street, Braidwood adjacent to, and to coincide with, the Saturday Farmers Markets.

Recommendation

That:

1. Council allow the temporary use of the forecourt of its premises at 88 Wallace Street, Braidwood (unpowered) for the purposes of a 'Sustainability Garage' on Saturdays from September 2021 to February 2022.
 2. Use of the site be subject to the group gaining public liability insurance for the event.
 3. Council donate up to \$500 from the Sustainability Community Programs fund to assist with the cost of public liability insurance.
-

Background

A coalition of local groups in the sustainability field including, Sustainable Braidwood, Braidwood Clean Energy, Upper Shoalhaven Landcare and other interested individuals would like to open a temporary "Sustainability Garage" on Council owned property at Braidwood to coincide with the Saturday Farmers Markets. The group is rich in artisan, natural land management and solar/clean energy expertise.

The group would like to build on successful local community efforts towards sustainable living in our community, energised by tough times experienced by so many locals recently, they aim to provide a repair/repurpose, information and learning service to promote the reduce-reuse-recycle message and living for a sustainable environment.

The event would be held each Saturday in spring and summer along with the Farmers Market in Braidwood, commencing in September 2021. The proposed location is the forecourt of Council owned property at 88 Wallace Street, Braidwood formerly the D&S Motors.

Hours of operation are likely to be 9:00am – 3:00pm.

At this stage the Sustainability Garage may include:

- Sustainable living – e.g. Repair shop - both for getting something repaired/repurposed/cleaned/sharpened or learning how to repair/repurpose; e.g. bicycle repairs, how to darn your socks, fix that toy, engaging the creative & innovative local experience & skills. An example of how a repair shop might work is provided in Attachment 1.
- Energy efficiency – e.g. Ideas/ models/ advice regarding household energy use minimisation and clean energy alternatives, how to plant wisely for water/lightly saving water, how to get the most out of recycling, use of electric vehicles.

9.15 Sustainable Garage Repair Cafe Proposal - 88 Wallace Street, Braidwood (Ref: ; Author: Thompson/Abbott) (Continued)

- Nature's gift - e.g. info sessions, ideas and demonstrations and participation in natural heritage custodianship and climate change mitigation, restoring and maintaining native vegetation, local expertise on regenerative farming practices.

This is a community initiative and assistance is offered through volunteers.



Figure 1 - Forecourt Area of the Former D&S Motors

Implications***Legal***

The group acknowledges the need for insurance cover, especially public liability and volunteer involvement. In the first instance they sought cover by Council. The advice received is that the Repair Café/Sustainable Garage venture is not an activity of Council nor an authorised committee of Council. Further, the volunteers assisting with this venture would not be deemed volunteers of Council or an authorised committee of Council as they are not performing duties for and on behalf of Council. Based on the information available, cover would not extend to the venture or its volunteers under Council's existing program.

Council may wish to assist however in providing a donation to pay for the insurance under the existing Sustainability Community Project Funding.

Sustainability

This type of activity is supported by the Environment and Sustainability Advisory Committee. The idea of a Repair Café was suggested by the Committee to be considered in the Draft Waste Strategy.

Canberra has a Repair Café, along with many other local government areas. Residents are encouraged to bring along broken items and volunteers will help them learn how to repair them. Jewellery, clothing, small appliances, wooden objects, bicycles and much more. These events are volunteer-run and self-sufficient, so Council would not have to provide tools or materials.

9.15 Sustainable Garage Repair Cafe Proposal - 88 Wallace Street, Braidwood (Ref: ; Author: Thompson/Abbott) (Continued)

Asset

The purchase of this property was to enable pedestrian access from the main street and establishment of public domain as its frontage. While that work is contemplated with the Town Centre masterplan this is a medium-term priority for the Council and it is unlikely to take place during the coming spring and summer.

The internal parts of the old D&S Motors building are not suitable for use as it is contaminated with hydrocarbons. Site investigations are soon to be commenced. However, the temporary re-purposing of the forecourt by the community would be possible and it does not form part of Council plans at this stage. The forecourt use on weekends would not impede progress with Council's other investigations at this time.

It is noted that the building is currently unpowered.



Financial

The cost of the group obtaining insurance is unknown at this time. Notwithstanding this, Council maintains a small program to support Sustainable Community Programs and Council may consider it appropriate to contribute up to \$500 from this program to assist in the group gaining insurance.

Conclusion

Temporary use of the forecourt until such time as Council decides on the future of the property at 88 Wallace Street appears to be an inconsequential issue, providing the insurance issue is worked out by the organisers and the site is left in a clean and tidy condition after each use.

Attachments

- | | |
|---|---|
| Attachment 1
 | Information on How a Community Repair Shop Might Work (<i>Under Separate Cover</i>) |
| Attachment 2
 | Repair Garage/Sustainable Garage Letter to Council (<i>Under Separate Cover</i>) |

9.16 Tender Recommendation for Queanbeyan Sewage Treatment Plant Upgrade Equipment Packages Request for Tenders 2021-14 and 2021-15 (Ref: ; Author: Hansen/Boulton)

File Reference: 100123-18-02

Summary

Tenders were called via Tenderlink and Council's website for two key equipment packages at the Queanbeyan Sewage Treatment Plant (STP) Upgrade project. Tenders have been assessed by the Tender Evaluation Panel (TEP). The TEP have completed the review process and recommend that tenders for Contracts 2021-14 and 2021-15 be accepted as per respective attached Tender Evaluation Reports.

Recommendation

That Council accept the tenders for equipment supply and delivery for the Queanbeyan Sewage Treatment Plant (QSTP) Upgrade and approve a budget for these works as follows:

1. a) RFT 2021-14 for supply and delivery of scum harvester equipment for Queanbeyan STP Upgrade – accept the tender of Tenderer 1.
b) Approve a total budget for this item of \$<insert> excluding GST.
 2. a) RFT 2021-15 for supply and delivery of chemical dosing skid equipment for Queanbeyan STP Upgrade – accept the tender of Tenderer 1.
b) Approve a total budget for this item of \$<insert> excluding GST.
-

Background

Council is undertaking the upgrade of the Queanbeyan Sewage Treatment Plant (QSTP) located at Mountain Road, Jerrabomberra ACT. Several workshops have been held with councillors and Council reports submitted. The QSTP is being delivered through detailed design followed by a construction only contract that will include construction, installation of equipment, testing and commissioning by a principal contractor.

Key equipment packages have been identified as part of the early detailed design for early vendor engagement and endorsed previously by Council in December 2020. The early equipment engagement allows QPRC to select equipment based on price, whole of life cost as well as non-price factors including performance, reliability, energy efficiency, operation, and maintenance requirements.

The early vendor engagement approach also enables the treatment plant detailed design and tender documentation to be further optimised around specific details of equipment packages, reducing the risk of delays and rework.

The equipment supply contracts will be novated to the principal contractor for installation as part of the construction contract.

Tenders were called via Tenderlink and Council's website for two packages to supply and deliver the following equipment contracts:

**9.16 Tender Recommendation for Queanbeyan Sewage Treatment Plant Upgrade
Equipment Packages Request for Tenders 2021-14 and 2021-15 (Ref: ; Author:
Hansen/Boulton) (Continued)**

1	Contract 2021-14	Supply and delivery of scum harvester equipment for Queanbeyan STP Upgrade
2	Contract 2021-15	Supply and delivery of chemical dosing skid equipment for Queanbeyan STP Upgrade

Implications

Legal

Open tenders were called and assessed in accordance with s55 of the *Local Government Act 1993* and Part 7 of the *Local Government (General) Regulation 2005*.

As the STP site is located within the ACT, approval for the Queanbeyan STP upgrade is being sought under the ACT Government's *Planning and Development Act 2007*.

Policy

The tender process was conducted in accordance with Council's Procurement Policy and that of the NSW Government.

Environmental

A draft Environmental Impact Statement (EIS) has been prepared for the project to review and address the impacts of the project. The draft EIS is currently being updated to include additional specific matters identified by the ACT Environment, Planning and Sustainable Development Directorate (EPSDD). A report on next steps will be presented to the August meeting.

While the Queanbeyan STP is currently meeting effluent licence conditions, it is reaching its end of service life at which time its ability to meet pollutant load requirements presents a major risk to QPRC, the community and the environment.

By catering for growth to 75,000EP, the new plant will provide increased water flows and improved effluent quality discharged into the Molongolo system.

Sustainability

The design of the new facility is being developed using the Infrastructure Sustainability Council of Australia (ISCA) rating tool. The QSTP will be powered by renewable energy under QPRC's existing power supply contract arrangements. Potential impacts of climate change have been considered as part of the design development.

Asset

The Queanbeyan Sewage Treatment Plant (current and upgrade) is a Council asset that is located within the ACT. The current Queanbeyan STP treats sewage from Queanbeyan and Oaks Estate, discharging treated effluent to the Molonglo River. The current STP was built in the mid-1930s with the latest upgrade being in the mid-1980s. The plant receives flows above its intended capacity and is operating with equipment that is approaching the end of its service life. The project will replace this infrastructure with a modern facility that will improve treatment reliability and provide additional capacity to support growth and development in Queanbeyan.

9.16 Tender Recommendation for Queanbeyan Sewage Treatment Plant Upgrade Equipment Packages Request for Tenders 2021-14 and 2021-15 (Ref: ; Author: Hansen/Boulton) (Continued)

Social / Cultural

Social and cultural impacts have been considered in the development of the draft EIS.

Economic

No tenders were received for this specialised equipment from local businesses. The installation of this equipment as part of the main construction contract in the future may provide opportunity for local contractors to benefit from the project.

Engagement

As part of options development, project planning and preparation of the draft EIS, QPRC has undertaken a range of consultations with community, government, and agency stakeholders. A series of community engagement activities were carried out prior to and during and following the preparation of the draft EIS culminating with the draft EIS being publicly exhibited in February 2021.

Financial

While Council has yet to give final approval for the Queanbeyan STP Upgrade project, these engagements are critical to advancing the detailed design for the project to permit a tender to be prepared for the construction of the new plant. Further work is underway on the financial impacts and funding plan for the project and this will be presented to Council before a tender for construction is issued.

This early vendor engagement approach enables the treatment plant detailed design and tender documentation to be further optimised around specific details of equipment packages, reducing the risk of delays and rework.

The equipment supply contracts will be novated to the contractor who is awarded the construction of the Queanbeyan STP Upgrade. This contractor will be paying the majority of the costs of the equipment supply and delivery costs. The recommendation includes a budget allocation covering contingencies.

The equipment supply contracts include a termination clause for convenience, enabling Council to terminate the contracts should the project not proceed. Council will only be liable to pay for work undertaken up to the date of termination.

Funds are currently available in the Queanbeyan Sewer Fund Reserve for these works however total project funding will be detailed in the funding plan yet to come to Council.

Program Code	Expense Type	Funding source		Amount
PJ100123	Capital	Queanbeyan Sewer reserve fund	\$	<TBA>

Resources (including staff)

Council has adequate staff and consultants in place and dedicated to the Queanbeyan STP Upgrade project to administer these contracts.

**9.16 Tender Recommendation for Queanbeyan Sewage Treatment Plant Upgrade
Equipment Packages Request for Tenders 2021-14 and 2021-15 (Ref: ; Author:
Hansen/Boulton) (Continued)**

Integrated Plan

This project meets the Community Strategic Plan objectives and is a key part of every Strategic Pillar of Council and our Community, it is included in:

- Council's Long Term Financial Plan,
- the adopted Queanbeyan Sewage Masterplan,
- Council's Operational Plan and Delivery Program.

Conclusion

The Tenderers that best satisfied the selection criteria and whose tenders are recommended for acceptance are:

1. RFT 2021-14 for supply and delivery of scum harvester equipment for Queanbeyan STP Upgrade – Tenderer 1
2. RFT 2021-15 for supply and delivery of chemical dosing skid equipment for Queanbeyan STP Upgrade – Tenderer 1

Attachments

- Attachment 1 2021 - 14 Tender Evaluation Report (*Under Separate Cover*) -
CONFIDENTIAL
- Attachment 2 2021-15 Tender Evaluation Report (*Under Separate Cover*) -
CONFIDENTIAL

9.17 Public Exhibition of PCYC Lease (Ref: ; Author: Tegart/Richards)

File Reference: 4.1.1

Summary

At the meeting of 28 April 2021, a draft lease was presented to Council for the Queanbeyan PCYC proposal to lease the Queanbeyan Indoor Sports Centre. Council endorsed the Indoor Sports Centre agreement and lease and approved it for a public exhibition over 28 days.

The exhibition process has been completed and all submissions are presented for Council's consideration prior to finalising the lease for a 20+10+10 year term.

Recommendation

That Council:

- 1. Note the submissions provided to Council on public exhibition and the staff responses.**
 - 2. Note that staff are finalising maintenance schedules and responsibilities with the PCYC facilities team.**
 - 3. Delegate authority to the CEO to execute the lease once the detailed maintenance responsibilities have been confirmed.**
-

Background

The notion of a PCYC for Queanbeyan has been a topic of discussion for several years. Community members, the local Police and QPRC all actively support a local PCYC. A number of workshops have been held with Council to clarify a variety of issues including support of the Sports Council and assurance that community sporting competitions would be accommodated.

As agreed by Council at its meeting of 27 January 2021, the Memorandum of Understanding between PCYC and QPRC to permit the development and operation of a PCYC in the Queanbeyan Indoor Sports Centre was signed. The MOU includes the establishment of a Joint Project Control Group to be operational until the PCYC opens, after which a representative and ongoing Club Advisory Committee will oversee the PCYC.

Implications

Engagement

The draft lease was exhibited from 1 June to 1 July 2021. The exhibition period was advertised via Council's regular advertisements, Council's weekly e-newsletter, social media and media releases. All subscribers to the Your Voice engagement website received notification. PCYC representatives also attended meetings of the Youth and Sports committees.

There were 182 total visits to Your Voice with 33 document downloads and 26 submissions.

9.17 Public Exhibition of PCYC Lease (Ref: ; Author: Tegart/Richards) (Continued)

Financial

The lease is proposed as a peppercorn of \$1 pa to permit the PCYC to deliver services to the community beyond that which can be provided by Council. Council will continue to own and maintain the building as an asset, and PCYC will maintain ongoing operational and fixtures maintenance.

Resources (including staff)

To ensure a solid understanding of maintenance issues, Council assets staff are currently working with PCYC to create a detailed list of maintenance expectations and deliverables. This work is near completion and will form an important part of the lease document.

Until the lease is executed and PCYC operations commence, QPRC staff will continue to provide the youth drop in service and the Axis centre and casual or short-competition hires at QISC.

Conclusion

Following public exhibition, the long-term lease of the Queanbeyan Indoor Sports Centre is near finalisation. This report offers responses to public comment and requests Council grant authority to the CEO to sign the lease, once detailed maintenance issues have been agreed.

Attachments

Attachment 1 Executive Summary of Engagement Report *(Under Separate Cover)*



Attachment 2 Draft QPRC and PCYC Lease June 2021 *(Under Separate Cover)*



9.18 Annual Community Grants and Donations Program Distribution 2021/22 (Ref: ; Author: Richards/Mirowski)

File Reference: 11.10.1-4

Summary

Applications from community groups seeking assistance from QPRC's Annual Community Grants and Donations Program 2021/22 closed on 7 May 2021. Council is invited to consider Category B applications and approve donations in accordance with the *QPRC Donations Policy 2020*.

Recommendation

That Council:

- 1. Consider all Category B applications as listed in Attachment 1, noting that the total eligible requests for Category B funding is less than the \$35,000 available funds.**
 - 2. Require an acquittal from groups that received funds in 2020/21 under Category A, before any Category B donation is made to them in 2021/22.**
-

Background

From early March 2021 Council invited applications for donations within Categories A and B of the 2021/22 program. The two funding categories are:

Category A Funding – general assistance

- (a) The relief of poverty, hardship or provision of assistance to less advantaged persons through welfare services and facilities, public health services and facilities, education services and facilities, transport services and facilities, and housing.
- (b) The advancement of education through education services and facilities.
- (c) Any other purpose for which there is agreement by resolution of Council.
- (d) From time to time, Council may make funds available under its Annual Grants Program for local, not-for-profit community groups and, in some cases, individuals. The aim is to support a wide range of activities that builds community capacity, fosters social networks and information exchange, facilitates cooperation, and builds on existing community strengths.

Category B Funding – hire/lease fees

Financial assistance will be provided to community, not-for-profit or charitable organisations that wish to hire or lease a Council facility but are unable to meet this cost. The grant will be non-monetary and will be recognised financially as a donation and as income for the facility. The grant will be either full or partial payment of venue hire or lease (see *Clause 5 of the Donations Policy* for conditions relating to this category).

QPRC advertised the funding round in the Braidwood Bugle and Bungendore Regional Independent newspapers, mail-outs to community groups, on QPRC's Facebook page and on QPRC's Interagency Teams site. 35 applications were received from 33 organisations.

9.18 Annual Community Grants and Donations Program Distribution 2021/22 (Ref: ; Author: Richards/Mirowski) (Continued)

Acquittal of funding

Council requires 2020/21 recipients of Category A funding to submit an acquittal following expenditure of the donation, before any further donation is made. This is standard procedure for all public funding. A form is provided to community groups for this purpose.

Quotes for venue hire

Category B donations will only be actioned upon receipt of a venue hire booking and quote.

Council Resolution – Item 5.3 – Extraordinary Meeting of Council 30 June 2021

Council resolved at this Meeting to exclude \$25,000 Category A funds from its 2021/22 Operational Plan. 14 community groups applied for Category A funds totalling \$25,234 in the 2021/22 round. All Category A applicants have now been advised that Category A 'General Assistance' funding has been removed from Councils Operational Budget for 2021/22, and that the funding is not available. A summary of Category A applications is at **Attachment 3**.

Implications***Policy***

Council's Donations Policy 2020 (for donations under s.356 of the *Local Government Act 1993*) states:

- 2.1 Council is committed to providing financial assistance for the development of positive and beneficial projects within the community which address identified objectives in the *QPRC Community Strategic Plan*. Preference will be given to organisations that are based, or have a branch, in the QPRC area.
- 2.2 Council will assess applications and proposals for financial assistance against established criteria and will ensure compliance measures are met.

Financial

\$35,000 remains available in Council's operational budget for Category B donations in 2021/22. A limit of \$2,000 funding per organisation was advertised, to allow QPRC to assist a wide range of community causes. 22 Category B applications were received from 21 community organisations. Requested funding for Category B in 2021/22 was \$28,709. This included one organisation which applied for \$4,000 and one organisation which left the requested budget blank. Details of Category B requests are at **Attachment 1**.

Each application was assessed by a minimum of two QPRC officers, who provided a numerical score against each of the seven-matrix assessment criterion of the *QPRC Donations Policy 2020*. The highest total scores reflect those applications which were considered to address the most need or provide the most benefit within the local community. The matrix, the scores assigned, and recommended funding amounts are at **Attachment 2**. In accordance with the Donations Policy, the four Council staff who assessed the applications signed a declaration confirming that to the best of their knowledge they had no real or perceived conflict of interest in relation to the applications which they assessed.

9.18 Annual Community Grants and Donations Program Distribution 2021/22 (Ref: ;
Author: Richards/Mirowski) (Continued)

Program Code	Expense Type	Funding source		Amount
GL10- 3180 - 1025 - 63150	Grants and Donations	Annual Community Grants & Donations Program 2021/22	\$	28,709

Engagement

Council has recently transitioned to using an online grant application and management system called Smartygrants. This is widely used by Federal, State and Local Government grant-makers throughout Australia, as a powerful tool to simplify administration of grants, to create a clear audit trail and allow for improved financial management, record-keeping and reporting.

Applicants were required to submit applications online, and the application form included a feedback survey to gauge satisfaction with the online process. Six applicant organisations reported that they found the application process 'very easy', eighteen applicants found it 'easy', six gave a neutral response, two organisations found the process 'difficult', and no organisations found it 'very difficult'. Two organisations did not fill in the feedback survey.

Conclusion

Council is invited to consider the applications received under the 2021/22 Annual Community Grants and Donations Program Category B and approve donations to community groups.

Attachments

- Attachment 1 Attachment 1 - Donation requests Category B (*Under Separate Cover*) - **CONFIDENTIAL**
- Attachment 2 Attachment 2 - Matrix, Numerical Scores and Recommended Funding Amounts Cat B (*Under Separate Cover*) - **CONFIDENTIAL**
- Attachment 3 Attachment 3 - Grant requests Category A (*Under Separate Cover*) - **CONFIDENTIAL**

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.19 Application for QPRC Cultural Grant - City of Queanbeyan Pipes and Drums Band Inc (Ref: ; Author: Richards/Mirowski)

File Reference: 1.1.3 and 1.1.3-03

Summary

On 12 July 2021, the City of Queanbeyan Pipes and Drums Band Inc. (CQPD) submitted an application for funding under Councils Cultural Grants Scheme. The application seeks \$2,000 to cover the costs of hiring the Karabar High School Hall and two music rooms for weekly band practice on Monday and Wednesday nights, for the senior band, and the learner and development group.

Recommendation

That Council approve a donation of \$1,500 to the City of Queanbeyan Pipes and Drums Band to assist with the cost of hiring facilities at Karabar High School for weekly band practices and drills for the senior band, and the learner and development group.

Background

The application seeks funding assistance from Council to cover the costs of hiring facilities at Karabar High School for weekly practices and drills for pipes and drummers in the senior band, and for weekly practice of the band's learner and development group. The application states that for many years QPRC assisted in providing the Soccer Club Hall for weekly band practices. Due to an increase of the band's size of over 50%, this venue was deemed too small to meet the bands' needs. CQPD subsequently negotiated a fee of \$2,000 per annum with Karabar High School to use their facilities.

The band is a volunteer organisation which performs mostly on a no-cost or donations basis at key events in the LGA. The band regularly performs at ANZAC Day commemorations, Australia Day Celebrations, at the Multicultural Festival, Relay for Life Events, school and church fetes, and aged care facilities. The bands' performances add to the richness and community enjoyment of these events and enhance the LGA's arts and cultural heritage fabric.

CQPD advise that they will struggle to pay the hire costs of Karabar High School facilities and continue to practice in 2021/22, without financial assistance from Council. Band members pay annual membership fees of \$175 each which assists in paying for insurances, uniforms and instruments, but it costs the band over \$1000 to outfit a new member. Pipers must pay for their bagpipes at their own costs, which can be up to \$10,000 each.

Implications***Legal***

Due to the ongoing COVID-19 pandemic, all applicants for QPRC Cultural Grants are required to submit a COVID-Safe Plan with their application, and must comply with all COVID health and social distancing requirements during the course of their funded project. The band has provided a COVID-Safe Plan for this activity.

Policy

QPRC Cultural Grants are administered in line with Councils Donations Policy 2020 (for donations under s.356 of the *Local Government Act 1993*). Under the Policy, Council commits to providing financial assistance for the development of positive and beneficial projects which

9.19 Application for QPRC Cultural Grant - City of Queanbeyan Pipes and Drums Band Inc (Ref: ; Author: Richards/Mirowski) (Continued)

address the identified objectives of the *QPRC Community Strategic Plan 2018-2028*. The project aligns well with the Strategic Plan's Strategic Pillar 1 – Community, which is 'We build on and strengthen our community cultural life and heritage'. It also aligns well with the service objective of developing the cultural capacity of the community through the availability and participation in arts, performance and cultural gatherings, events and exhibitions in the LGA.

Social / Cultural

This project will allow the City of Queanbeyan Pipes and Drums Band to continue weekly practices for their senior band and learner and development groups. The band's performances at key events in the LGA add to the enjoyment and richness of these events for the LGA's community, and the band adds to the LGA's arts and cultural heritage fabric.

Financial

The Cultural Grants budget for 2021/22 is \$25,000 and covers cover this funding request.

Program Code	Expense Type	Funding source		Amount
3020-5070	Donations Cultural Activities	QPRC Cultural Grants 2021/22	\$	1,500

Conclusion

The project meets the aims and objectives of QPRC Cultural Grants through improving the community's opportunities for involvement in cultural and arts activities. Under this scheme up to \$1,500 can be available for not-for-profit community groups for projects that enhance arts opportunities in the LGA, and up to \$3,000 is available for incorporated community groups that employ an artist or number of local artists as part of the project. As the project doesn't meet the threshold for up to \$3,000, funding of \$1,500 is recommended.

Attachments

Nil

9.20 Application for QPRC Cultural Grant - Karabar High School (Ref: ; Author: Richards/Mirowski)

File Reference: 1.1.3 and 1.1.3-03

Summary

Karabar High School has submitted an application for funding for Council's Cultural Grant Scheme. The application seeks \$1,500 towards the costs of creating an Aboriginal traditional bush tucker garden space, which will include a mural artwork created by students at the school.

Recommendation

That Council approve a donation of \$1,500 to Karabar High School to assist with the costs of establishing an Aboriginal bush-tucker garden and mural in the grounds of the school.

Background

The project will involve establishing an Aboriginal traditional bush-tucker garden in the grounds of the High School, which will be maintained and rejuvenated by the school on an ongoing basis. A mural produced by students, and further artworks, plus cultural activities will feature in the garden space.

The garden will provide useful educational and cultural benefits to all students at the school, and the School's Food Tech teachers will be involved in showing students how to utilise the native food ingredients in cooking. The local community will also be invited to engage in working bees and planting sessions. Aboriginal Elder, Aunty Matilda House will be invited to open the garden and conduct a smoking ceremony.

Karabar High School lost its former Aboriginal Garden in 2019 when the school provided additional land for the use of next-door Tirriwirri School. This land happened to incorporate the former Aboriginal garden.

This project will provide a practical and culturally appropriate opportunity for Indigenous students to engage and participate in the activity. The activity has potential to instil pride in culture and country in Aboriginal students and enhance their cultural learning.

Implications

Legal

Due to the ongoing COVID-19 pandemic, all applicants for Cultural grants are required to comply with all health and social distancing regulations in place during the activity. The school must comply with these regulations and its COVID-Safe Plan during the funded activity.

Policy

QPRC Cultural Grants are administered in line with Councils Donations Policy 2020 (for donations under s.356 of the *Local Government Act 1993*). Under the Policy, Council commits to providing financial assistance for the development of positive and beneficial projects that address the identified objectives of the *Queanbeyan-Palerang Community Strategic Plan 2018-2028*. The project aligns with Strategic Pillar 1 – Community which is 'we build on and strengthen our community cultural life and heritage' and Council's vision to create a safe,

9.20 Application for QPRC Cultural Grant - Karabar High School (Ref: ; Author: Richards/Mirowski) (Continued)

harmonious, happy and health community. The project aligns well with the key goal under Strategic Pillar One of 'We are an inclusive region with access to opportunities and community support services by those who need them most'.

Social / Cultural

This project has the potential to provide solid social and cultural benefits to Aboriginal students at Karabar High School and the wider school community through cultural education and awareness, opportunities for artistic expression, plus enhanced local reconciliation and cultural understanding.

Financial

The Cultural Grants funds budget of \$25,000 is available to cover this funding request.

Program Code	Expense Type	Funding source		Amount
3020 - 5070	Donations and Cultural Activities	Grants – Cultural Grants 2021/22	\$	1,500

Conclusion

The project also meets the aims and objectives of QPRC Cultural Grants through improving the community's opportunities for involvement in cultural and arts activities, and through providing a creative project and/or cultural event that enhances arts opportunities in the LGA. The applicant is seeking funding for half the costs for the garden and mural.

Attachments

Nil

9.21 Investment Report - June 2021 (Ref: ; Author: Monaghan/Drayton)

File Reference: 43.6.5-02

Summary

In accordance with the *Clause 212 of the Local Government (General) Regulation 2005*, the Investment Report is presented to Council monthly. This report presents the investment result for June 2021.

Recommendation

That Council:

1. Note the investment return for June 2021 was \$642,368.
 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 2021.
-

Background

Cash and Cash Equivalent Investments

A list of Council's cash and investments held on 30 June 2021 is detailed in the attached Investment Report Pack.

Over the last 12 months, Council's portfolio produced an annualised rate of return of 2.90%, outperforming the benchmark Bank Bill Index by 2.84%.

On 30 June 2021, the principal amount invested was \$193,107,506 and the 2020/21 financial year return was \$5,170,911 which exceeded Council's 2020/21 budgeted return by 29.6%.

Market Update

At its July 2021 policy meeting, the Reserve Bank (RBA) board left the cash rate unchanged at 0.10% and continued to point to 2024 as the likely timing of a rate hike. The RBA re-emphasised that a cash rate increase will depend on the data not the date, which suggests a reactive rather than pre-emptive approach.

Of the total \$193.1 million investment portfolio, Council holds \$28.2 million in TCorpIM long- and medium-term funds. Both funds finished the 2020/21 financial year posting positive returns of \$388,056 and \$159,113 respectively in June 2021. While these funds are exposed to additional investment risk 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.

Paired with cash asset classes, these growth assets form a diversified portfolio within the restrictions of the Investment Policy.

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* and clause 212 of the Local Government General Regulations 2005, and Council's Investment Policy.

Certified by Kate Monaghan, Responsible Accounting Officer, 16/7/2021.

9.21 Investment Report - June 2021 (Ref: ; Author: Monaghan/Drayton) (Continued)***Policy***

The Investment Policy was adopted by Council on 23 June 2021 and is due for review in June 2022.

Financial

Council's cash and investment balance is made up of restricted and unrestricted funds. Restricted investments cannot be used for general purpose expenses as they are either subject to some form of external legislative or contractual obligation or are kept for the purpose of covering Council commitments that are expected to arise in the future.

Internally restricted funds have been allocated through a resolution of council for a particular purpose, and unrestricted funds are available for future decisions and as a working balance.

Council has previously reported on the depletion of its internal and unrestricted cash and investments, and the requirement to implement budget correction and cost savings to improve the unrestricted cash position.

Externally Restricted, Internally Restricted and Unrestricted working funds' balances are reconciled to the cash and investments portfolio as part of the Quarterly Budget Review process.

Council staff were requested by Council to report on potential alternatives to investments with Chinese exposure; three current bond holdings were impacted. Council's investment advisor, Laminar Capital advised the immediate sale of the Bank of China and China Construction Bank bond holdings to secure capital gains on each; this recommendation was executed during July 2021, with sale information detailed in the table below.

Institution	Investment Amount	Issue Margin	Sale Margin	Capital Gain
Bank of China	\$1,500,000	BBSW +78	BBSW +56	\$7,485.00
China Construction Bank	\$500,000	BBSW +58	BBSW +53	\$665.00

Laminar Capital proposed the sale funds be used to purchase bonds issued by the higher A+ rated Macquarie Bank, currently returning BBSW +50 (BoC and CCB both rated A). The purchase of these bonds was dependant on NSW Treasury Corporation relaxing the tenor limit imposed on A+ rated ADIs from 3 years to 5 years. TCorp agreed to accept Council's submission, with an amendment to Council's Investment Policy required to reflect this new position. Once Council adopts the revised policy, Council staff will proceed with the purchase of the Macquarie Bank bonds should the bonds remain available and at a comparable rate.

HSBC (Hongkong and Shanghai Banking Corporation) Bank rated AA- was the third bank identified. Council currently has \$4 million invested in these bonds at a margin of BBSW +83 which mature on 27 September 2024. Alternative bonds are the Macquarie Bank bonds mentioned above at BBSW +50 or USB Bank (Swiss) rated A+ at a margin of BBSW+50. As both options have a lower credit rating and lower return, staff are recommending that HSBC bonds be retained with a 'hold to maturity' view unless market conditions become more favourable to induce sale.

Conclusion

The 2020/21 Financial Year investment return amounted to \$5,170,911. The investment returns are added to the associated restricted funds (e.g. development contributions) that form Council's investment portfolio.

Attachments

Attachment 1 Investment Report Pack - June 2021 (*Under Separate Cover*)



9.22 Investment Policy Amendment (Ref: ; Author: Monaghan/Drayton)

File Reference: 43.1.1-09

Summary

QPRC has negotiated with NSW Treasury Corporation (TCorp) to allow a longer maximum tenor for bonds rated A+ or A by S&P and A1 or A2 by Moody's. This favourable change has been applied to QPRC's Investment Policy adopted on 23 June 2021.

Recommendation

That Council adopt the draft Investment Policy.

Background

The majority of new bonds issued by higher rated Australian Deposit-taking Institutions (ADI) have a 5-year tenor. QPRC's Investment Policy only permitted a maximum 3-year tenor for ADIs rated A+ or A by S&P and A1 or A2 rated by Moody's which excludes Council from participating in such issues.

These limits were set as part of TCorp's balanced investment framework. Compliance with the framework secured the June 2021 loan funding and will enhance the prospect of future borrowings from NSW Treasury Corporation.

Council staff lodged a submission to TCorp to consider relaxing their stance on this matter.

TCorp accepted Council's view and agreed to the revised tenor for eligible bond issues.

Section 6.10.1 of QPRC's Investment Policy has been updated to reflect this change.

Column A Long Term Debt Rating		Column B Portfolio Limit	Column C Counterparty Limit	Column D Maximum Tenor
S & P	Moody's			
AAA	Aaa	100%	100%	Not applicable
AA+ to AA-	Aa1 to Aa3	100%	100%	5 years
A+ to A	A1 to A2	100%	100%	5 years (Eligible FRNs) 3 years (Other Investments)
A-	A3	40%	20%	3 years
BBB+	Baa1	35%	10%	3 years
BBB	Baa2		5%	12 months
BBB- and below	Baa3 and below	0%	0%	-
TCorp		100%	100%	Not applicable

The revised policy restrictions will apply to all new placements.

Implications

Legal

Council investments fully comply with Section 625 of the *Local Government Act 1993* and clause 212 of the *Local Government General Regulations 2005*.

9.22 Investment Policy Amendment (Ref: ; Author: Monaghan/Drayton) (Continued)

The Investment Policy was prepared in accordance with the Office of Local Government Investment Policy Guidelines (May 2010). There have been no legislative changes or new guidance notes issued regarding Council's investments since the previous policy was adopted in June 2021.

Policy

The Investment Policy will continue to be reviewed, with the attached policy next due for review in June 2022.

Financial

This amendment is anticipated to have a positive impact on future investment returns.

Conclusion

Section 7.2 of QPRC's Investment Policy allows for policy amendments "that are to the advantage of Council". This amendment will permit Council to participate in a larger number of new bond issues with the potential to increase Council's return on investment, while maintaining a low risk appetite in accordance with legislation and TCorp's balanced investment framework.

The Investment Policy continues to allow Council staff to invest Council's surplus available funds in short and long-term authorised investments.

Attachments

Attachment 1 Investment Policy Update - Draft (*Under Separate Cover*)



9.23 Delegations to Chief Executive Officer (Ref: ; Author: Knight/Ferguson)

File Reference: 52.4.3

Summary

This report discusses the interim period between the cessation of the current QPRC Mayor's term of office and the election of a new Mayor, scheduled to be held at the first meeting of the Council following declaration of the poll. Council is asked to delegate the Mayor's functions to the Chief Executive Officer (CEO) to enable the Council to continue to operate effectively until a new Mayor is elected.

The Office of Local Government has confirmed the elections are expected to proceed.

Recommendation

That, in accordance with S.377(1) of the *Local Government Act 1993*, for the period commencing on Saturday, 4 September 2021 until the election of the new Mayor of Queanbeyan-Palerang Regional Council by the councillors, the Council delegates to the Chief Executive Officer all of the functions of the Council that, immediately before 4 September 2021, had been delegated to the Mayor.

Background

As a non-popularly elected mayor, the mayoral term of office ceases as at the day of the local government general election to be held on Saturday, 4 September 2021.

As QPRC's Mayor is elected from among the Councillors at the first meeting held after the declaration of the poll, there is a period of approximately three weeks during which there is no body politic in place.

The NSW Electoral Commission (NSWEC) recently announced a change in the timetable for the return of postal votes and the declaration of the poll. The following is from the NSWEC's website:

Saturday, 4 September 2021	Election Day 8am – 6pm Close of capped expenditure period 6pm End of regulated period for electoral material
Friday, 17 September 2021	6pm Return of completed postal vote certificates
Monday, 20 September 2021	Conduct of distribution of preferences
Tuesday, 21 September 2021	Conduct of distribution of preferences Declaration of results
Wednesday, 22 September 2021	Conduct of distribution of preferences Declaration of results
Thursday, 23 September 2021	Declaration of results

Section 290(1)(b) of the *Local Government Act 1993* (the Act) states that the election of the mayor by the councillors is to be held during the month of September.

Depending on the date of the declaration of the poll in QPRC, the first meeting of the new Council, during which the new Mayor will be elected, will need to be held on either Wednesday, 22 or 29 September 2021.

**9.23 Delegations to Chief Executive Officer (Ref: ; Author: Knight/Ferguson)
(Continued)**

The role of the Mayor is set out in section 226 of the Act. The Act does not permit the role of the Mayor to be delegated. The Council is therefore unable to delegate the role of the Mayor under section 226 of the Act to the CEO for the period 4 September 2021 until a new Mayor is elected.

However, the Council is permitted by section 377(1) of the Act to delegate specified functions of the Council to the Mayor and the CEO. For the period from 4 September 2021 until the new Mayor is elected, it is appropriate for the proper functioning of the Council that the Council delegates to the CEO the functions of the Council that had been delegated to Mayor immediately before the Mayor ceased to hold office on 4 September 2021.

The list of delegated functions is at **Attachment 1**.

Council is required to review all its delegations during the first 12 months of each term of office.

Implications***Legal***

In accordance with:

1. S.234(5) of the Act, regarding the cessation of the mayor's term of office.
2. S.290(1)(b) of the Act, regarding when the first meeting of Council must be held to elect a mayor by the councillors.
3. S.377 of the Act, enabling the governing body to give delegations to the CEO and the Mayor.
4. S.380 of the Act, regarding the review of delegations during the first 12 months of each term of office.

Conclusion

Delegating the Mayor's functions to the CEO for the period from 4 September until the election of the new Mayor of QPRC will ensure that Council can continue to function effectively until a new Mayor is elected by the Councillors. This may be even more critical given any potential COVID-19 restrictions or natural disaster emergency occurring during the period.

Attachments

Attachment 1



Delegated functions under s.377 of the Local Government Act 1993
(Under Separate Cover)

10.1 Candidate and New Councillor Briefings and Induction (Ref: ; Author: Knight/Ferguson)

File Reference: 52.6.1

Report

This report provides information on a number of activities prior to, and following, the local government general election on 4 September 2021.

1. Pre-candidate media information throughout July

- (a) Provided by the NSW Electoral Commission (NSWEC):
 - Advertisements in SMH and Daily Telegraph
 - <https://www.facebook.com/NSWElections>
- (b) Provided by Council:
 - Social media posts, public advertisements and mentions across print, eNews, QPRC News and Facebook (since February 2021)
 - Topics include links for pre-candidates, roles during the election and Non-Residential roll information

2. Pre-candidate briefings

- (a) Recordings provided by Office of Local Government (OLG) and NSWEC:
 - [Candidate information webinar](#)
 - [Election funding disclosure webinar](#)
 - [General information webinar](#)
 - [Nomination webinar](#)
- (b) Webinars still to come (for candidates)
 - Registration of electoral material – [register for 27 July session](#)

3. Candidate briefings

Nominations of candidates close at noon on 4 August 2021. The Chief Executive Officer (CEO) and the four Portfolio General Managers (PGMs) will provide presentations to the candidates on 16 August. The presentations will outline various aspects of Council's business and will be followed by a Q&A segment. This briefing may include online/Zoom content from the Office of Local Government (OLG) and Local Government NSW (LGNSW).

4. Councillors' Induction

The declaration of the poll is expected to be made between 21 – 23 September. Depending on the timing of the declaration, the first meeting of the new Council will be held either 22 or 29 September. A "Famil Day" for the new councillors has been booked at the Carrington Inn, Bungendore, on Saturday, 9 October 2021, from 9am – 5pm. This event will be independently facilitated.

10.1 Candidate and New Councillor Briefings and Induction (Ref: ; Author: Knight/Ferguson) (Continued)

A more comprehensive briefing from the CEO and PGMs during the day will focus on:

Projects	Scope Budget Timeframe Mode of delivery Risks
Strategies, Plans, Policies	Key items Review status
Legislation	Local Government Act Planning Roads Environment
Relationship	Local Members of Parliament NSW agencies Canberra Region Joint Organisation ACT MoU
Integrated Planning & Reporting	CSP, DP, OP, QBRS, AR

5. Councillors' Training and Professional Development

The following initial training sessions have been booked:

Date	Topic	Length	Time
19 October 2021	Code of Conduct and Complaints Handling	3.0 hours	9am – 12noon with 30mins break
	Code of Meeting Practice	2.5 hours	2 – 4.30pm with 30mins break
20 October 2021	Pecuniary and Non-Pecuniary Conflicts of Interest and Bias	2.0 hours	9 – 11am
	Councillor Use of Social Media	1.0 hours	11-30am – 12.30pm
	Councillor Involvement in Planning and Development Decisions	1.0 hours	2 - 3pm

The method of delivery of the above training will be determined closer to the time and will depend on any restrictions due to COVID-19 in place at the time.

LGNSW offers the following post-election training for the new Council.

[Workshop 1 - Elected Life – Newly elected Councillors - 1 day workshop](#)

This workshop will provide participants with updated information and key issues in a changing local government context. Attendees will gain an understanding and insight into the composition, structure, and operational functions of local government.

[Workshop 2 - Elected Life – Newly elected Councillors – 2 day workshop](#)

This workshop will provide newly elected members with the knowledge to lead and support their communities while adhering to local government legal requirements.

10.1 Candidate and New Councillor Briefings and Induction (Ref: ; Author: Knight/Ferguson) (Continued)

Participants will gain a deeper understanding and insight into the composition, structure and operational functions of local government as well as an overview of essential areas including code of conduct, community leadership, finance, meeting procedures and social media.

[Workshop 3 - Refresher Elected Life – Returning Elected Councillors – 1 day workshop](#)
This workshop will include updated information and key issues in a changing local government context. Participants will refresh their understanding and insight into the composition, structure, and operational functions of local government.

Further training offered by the Australian Institute of Company Directors will be coordinated through the Canberra Region Joint Organisation.

Recommendation

That the report be received for information.

Attachments

Nil

10.2 Delivery Program Update - January-June 2021 (Ref: ; Author: Knight/Tozer)

File Reference: 51.1.2-03

Report

The Delivery Program 2018-21 was adopted by Council at its June 2018 meeting and forms an integral 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 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. The update should be read in conjunction with the second quarter budget review that is also presented to this meeting.

The majority of information in this report will be replicated in the 2020-21 Annual Report which will be presented to Council in November 2021.

As part of Council's reporting requirements, an End of Term report is being developed and is required to be presented to Council's August 2021 meeting. This report will highlight how Council has moved towards achieving the aspirations outlined in the Community Strategic Plan.

Recommendation

That the report be received for information.

Attachments

Attachment 1 Delivery Program update - January-June 2021 (*Under Separate Cover*)



10.3 Resolution Action Sheet (Ref: ; Author: Tegart/Ison)

File reference: 28 July 2021 meeting

Report

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

The Resolution Action Sheet is an ongoing document, updated progressively by staff. As items are in hand and / or completed, they will be removed from the document.

Recommendation

That the report be received for information.

Attachments

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



10.4 ARIC Annual Report 2020-2021 (Ref: ; Author: Tegart/Cakalic)

File Reference: ECM 45.3

Report

The mandate for the establishment of the ARIC is derived from Part 428A of the Local Government Amendment (Governance and Planning) Act 2016 (NSW). Although this Act is yet to be proclaimed, QPRC recognises the importance of having an established ARIC.

As a committee of QPRC, the ARIC plays an important role in Council's governance structure, assisting to provide confidence in the integrity of practices in achieving strategic objectives.

The role and responsibilities of the ARIC are defined in its charter. The charter is reviewed on an annual basis and requires Council's approval. The most recently reviewed charter was adopted by Council at its meeting of 11 November 2020.

Attached for information, is the Audit, Risk and Improvement Committee Annual Report 2020-2021 as presented by the Independent Chair of the Committee Mr Andrew Cox.

Recommendation

That the report be received for information.

Attachments

Attachment 1 ARIC Annual Report 202-2021 (*Under Separate Cover*)



10.5 Bungendore Scout Hall Carparking (Ref: ; Author: Hansen/Tooth)

File Reference: 46.1.1.34

Report

Following a Notice of Motion (NoM) at its meeting on 26 May 2021, Council resolved (res142/21) to receive a report on the provision of carparking for the Bungendore Scout Hall.

The NoM sought to clarify the location of the existing Scout Hall carparking along with potential solutions should the carpark not remain as part of the wider Bungendore High School proposal.

The existing carpark for the Scout Hall was funded by the Scouts development and is located wholly within the existing Majara St road reserve. The road reserve has been closed and Council has agreed to sell the land to the Abbeyfield development for construction of their residential facility.

It is understood the proposed school development will provide a 'kiss n drop' area adjacent to Scouts carpark with 30 formalised angled carparks further to the west of school drop off area. This carparking will be on the southern side of Turallo Cr which may be considered inappropriate for the younger users of the scout hall.

One option for replacement carparking would be indented angled carparking as proposed by the school but on the northern side of the road. The approximate length of unused frontage would allow for 25 parking spaces including allowances for driveways to the current and future buildings. These carparks would both service the preschool and Scout hall.



10.5 Bungendore Scout Hall Carparking (Ref: ; Author: Hansen/Tooth) (Continued)

The DoE proposal nominated ~ 4000m2 of the Turallo reserve (N14) to be utilised as an agriculture plot for the new high school, and a new scout storage shed (N26) and ag building (N12) with the remainder retained as community reserve and dog offleash area.



Alternatively, a constructed carpark east or north of and adjacent to the Scout Hall is suggested, accessed from Turallo Tce and potentially enabling parking for the scout and pre-school users. Separate discussions have commenced with the Church seeking to consolidate their lots 8-10 to enable legal access for all to Turallo Tce, or to enable access to the rear of Abbeyfield and the pre-school through the Scout carpark.



Red: Scout Hall; Blue: Abbeyfield ~1800m2 site; Purple: potential parking/access

10.5 Bungendore Scout Hall Carparking (Ref: ; Author: Hansen/Tooth) (Continued)

The preparation of a design and the identification of funding for the indented parking option, or carpark adjacent to the hall would be determined in negotiation with the DoE High School development which is still to be finalised. Any other options that may be developed in the finalisation of the high school development will be reported to Council.

Recommendation

That the report be received for information.

Attachments

Nil

10.6 2021 Resourcing Strategy (Author: Knight/Monaghan)

File Reference: 51.1.1-01

Summary

Council has undertaken its organisational financial review, with the adoption of the previous 2020 Long Term Financial Plan (LTFP) and updated forecasts with the 2022 Operational Plan and Budget. The LTFP modelling projections have been updated with the preparation of the 2022 budget and Council has begun workshopping additional budget improvement options that will be required to ensure financial sustainability.

The adopted Financial and Asset Strategies and their respective principles continue to guide the LTFP.

Council has implemented a number of strategies to address the financial challenge, including short term measures, the first year of the Service Pricing Review, the implementation of structural budget savings over four financial years, ongoing efficiency improvements (eg the Street Lighting project and pooling of developer contributions to fund capital projects). Additionally, Council has undertaken ongoing advocacy work to reduce specific State Government cost-shifting including the Emergency Services Contribution, Regional Roads MRR and Pensioner Rebate subsidies. Council has been actively involved with the IPART rate peg review that would increase with population growth to improve the alignment of revenue with additional expenses associated with providing expanded services and maintaining community infrastructure associated with grants and development.

The four-year rate freeze on merged councils concluded last year. QPRC introduced a harmonised rating structure from 2020, with the phasing of harmonised waste charges commencing in 2021 and harmonised water and sewer charges to progress from 2022.

Recent reforms proposed to rating and contributions legislation by the NSW Government enables special infrastructure levies and streamlined infrastructure contributions to commence from 2022. In addition, a special rate variation (SRV) is one of a number of initiatives that a council may consider in order to improve its financial performance and better manage and maintain essential infrastructure. The timing and level of proposed SRVs will form scenario options in the next LTFP.

Given the timing of Council elections and the alignment of the CSP with the new Council term, it is proposed that consideration of LTFP options triggered by those revenue amendments be deferred for consideration by the newly elected Council.

Resourcing Strategy

The *Local Government Act* requires that a Council must have a long term resourcing strategy in place to outline the resources required to implement the strategies identified by the CSP and initiatives and projects adopted with the Delivery Program. The QPRC Resourcing Strategy recognises that other critical components need to be taken into consideration. These are:

- Workforce Management Strategy
- Asset Management Strategy
- Long Term Financial Plan
- Digital Strategy
- Risk Management Strategy

10.6 2021 Resourcing Strategy (Author: Knight/Monaghan) (Continued)

The Resourcing Strategy essentially outlines the capacity and capability of the organisation and will be updated to reflect the workforce, asset, digital and financial plans prepared during the term of Council, and made available on the website for information of the community and candidates next month.

Integrated Planning Schedule

The Regional Community Strategic Plan (CSP) is currently being developed with the CRJO and will be presented for consideration by the newly elected Council in October 2021.

The LTFP will be workshopped with the new councillors that month and reported for public exhibition from November 2021. The LTFP will include options for an SRV deferred in June for consideration by the new Council.

The revised LTFP and CSP, together with a service planning review and financial review for efficiency savings will inform the development of the new Delivery Program, expected to be workshopped with Council from December 2021. A new Resourcing Strategy cognisant of those outcomes will then be prepared.

The timing of decisions by the new Council in relation to borrowings and rate SRVs are best aligned with the requirements of TCorp and IPART by year end.

Budget Process

Council's budget management process is complex, involves a large amount of financial information, and takes significant time and resources to produce.

Staff are currently reviewing Council's financial management reporting and budget management controls to implement improvements for the new Council that include additional workshops at each quarterly budget review, that will focus on analysis of actual performance against budget and prior year performance.

Management reporting improvements that consider the performance of Branches and impacts on the net cost of service provision will require a revision of the Chart of Accounts, with this process currently in the early planning stages.

Recommendation

That Council receive and note the report.

Attachments

Nil

11.1 Minutes of the QPRC Heritage Advisory Committee held on 15 July 2021 (Ref: ; Author: Thompson/Carswell)

File Reference: 26.5.1-08

Summary:

The Minutes of the QPRC Heritage Advisory Committee meeting of 15 July 2021 are presented to Council for consideration.

Recommendation

That Council note the minutes of the QPRC Heritage Advisory Committee held on 15 July 2021.

Attachments

Attachment 1  Minutes of the QPRC Heritage Advisory Committee Meeting held on 15 July 2021 (*Under Separate Cover*)

11.2 Greenways s355 Committee Meeting Minutes 8 June 2021 (Ref: ; Author:
Richards/Duncan)

File Reference: 52.3.3

Summary

The Greenways s.355 Committee has submitted for Council's information the minutes of its meetings held on 8 June 2021.

Recommendation

That Council note the minutes of Greenways S 355 Committee meeting held on 8 June 2021.

Attachments

Attachment 1 Greenways s355 Meeting Minutes 8 June 2021 (*Under Separate Cover*)



13.1 Delegates Report (Ref: ; Author: Tegart/Ison)

File reference: 52.3.1

Summary

Delegates Reports are submitted by Councillors to report on key points of meetings, events and functions which they have attended during the past month, either as a Council delegate or as a nominee of the Mayor.

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 the report be received for information.

Cr Tim Overall		
No	Meeting/Function/Event Attended	Summary of Key Points
1	CRJO Board Meeting, 11 June 2021	<ul style="list-style-type: none"> • Network Updates – ACT Government, Resilience NSW, Regional NSW, Office of Cross Border Commissioner, Office of Local Government. • CRJO Budget 2021/22 <ul style="list-style-type: none"> - Noted CRJO Budgeted to achieve surplus of \$82K. • Shared Audit and Risk Services. <ul style="list-style-type: none"> - Received and noted the proposal. To be on an opt in basis. (Member councils to indicate willingness to participate in a program to deliver an internal audit and risk function through a program office located at the CRJO). • Submissions and Representations. <ul style="list-style-type: none"> - Noted representation at NSW Inquiry into Inland Rail - Noted presentation and submission to IPART Review on Rate Peg and Population. • Chair's report on the JO Chairs Forum and Network. Noted in regard to Advocacy on the Emergency Services Levy, IPART and Rate Peg Review, Working with DPIE on the Town Water Risk Reduction Program. • Presentation LLS South East – Weeds Program. • CRJO Annual Audit Engagement Plan as prepared by Deloitte. Adopted. • CRJO 2021-22 Statement of Revenue Policy. Endorsed.
2	Australian Local Government Association -	<ul style="list-style-type: none"> • ALGA President Address • Prime Minister Address

13.1 Delegates Report (Ref: ; Author: Tegart/Ison) (Continued)

	National General Assembly, 21-23 June 2021	<ul style="list-style-type: none"> • Deputy Prime Minister, Minister for Infrastructure, Transport and Regional Development Address. The Hon Michael McCormack MP. • Keynote Address - All Politics is Local - The Context for the Next Federal Election. Peter Van Onselen. • Debate on Motions <ul style="list-style-type: none"> - All resolutions carried at the NGA to be published on the ALGA website from Thursday 22 July 2021 • COVID – The Long Goodbye. Prof. Mary-Louise McLaws, Prof. Gigi Forster, Prof. Sanjaya Senanayake. • Shadow Minister for Regional Services, Territories and Local Government Address. The Hon Jason Clare MP. • Keynote Address - Planning a Prosperous Future. Danielle Wood, The Grattan Institute. • Launch of ALGA Federal election Priorities. Referenced: https://cdn.alga.asn.au/wp-content/uploads/ALGA-Strategic-Plan.pdf • Local Government Minister’s Address. The Hon Mark Coulton MP. • Address – Strengthening Social Capital. Marlene Krasovinski, Director EveryAGE Counts. • Address – Strengthening Economic Capital. Romilly Madew AO, CEO Infrastructure Australia. • Keynote Address – Indigenous Voice. Prof. Tom Calma AO. • Keynote Address – Recovery and Resilience. Commissioner Shane Fitzsimmons AFSM. • Keynote Address – Leadership, Human Rights and Persistence. Craig Foster AM, Human Rights and Refugee Ambassador. <p>Speaker presentations are to be loaded on to the ALGA/ NGA website.</p>
3	Regional Cities New South Wales, 23 June 2021 Meeting.	<ul style="list-style-type: none"> • New Energy Installations Position Paper. <ul style="list-style-type: none"> - Noted with the inclusion of alternate forms of new energy. Minister for Energy, The Hon Matthew Kean MP to be invited to the next meeting. Advocacy to be undertaken to local Members of Parliament. • Regional Cities IPART Population Rate Peg Presentation. <ul style="list-style-type: none"> - Presentation by Mr Peter Tegart noted. Agreed to include the key points for ongoing advocacy and submissions. - ID profile report “Regional NSW Population Growth Assessment”. Noted. To be peer reviewed. • Emergency Services Levy (ESL) advocacy.

13.1 Delegates Report (Ref: ; Author: Tegart/Ison) (Continued)



		<ul style="list-style-type: none"> - Further update on the Emergency Services Levy Amendment Bill to be provided at the August RCNSW Meeting. • 2021-22 NSW State Budget Overview. Measures and funding allocation for regional NSW noted. • Housing Pressures and Affordable Housing. <ul style="list-style-type: none"> - Housing, Skills and Local Government Capability presentation by Mr Peter Tegart. Noted and position paper to be prepared. - RCNSW to seek a position on the NSW Regional Housing Taskforce. • Membership - Invitation to be extended to Broken Hill Council • Next meeting -12 August 2021, NSW Parliament House subject to COVID-19 restrictions.
4	Lake George Zone Bush Fire Management Committee, 13 July 2021	<ul style="list-style-type: none"> • LG Zone Bush Fire Risk Management Plan Review. Revision and updating programmed for July-September 2022. (Will be more scientifically based rather than opinion based). • LG Zone Bush Fire Risk Management Plan - Hazard reduction burning has been limited due to wet weather. Priority areas: Burra, Wamboin, Edwin Land Parkway, and Mongarlowe as conditions improve. • Zone Operations Coordination Plan - To be updated July-August 2021. • Fire Access and Fire Trail Plan (FAFT). Completed and awaiting Head Office approval. All Make Safe works post 2019/20 fire season completed. • Infrastructure – Draft plans for additional bays on Mulloon RFS station prepared. Land acquisition investigations commenced for new Araluen RFS station. • Lake George Zone 2021/22 Fire Season: Intended to be as per standard, 1 October to 31 March. • ACT Bushfire Risk Management Plan. Reviewed and currently out for consultation. • ACT-NSW Bush Fire Exercise - planned for October 2021. • Next Meeting: 15 February 2022.

13.1 Delegates Report (Ref: ; Author: Tegart/Ison) (Continued)

Cr Mark Schweikert		
No	Meeting/Function/Event Attended	Summary of Key Points
1	Woodlawn Bio-Reactor Community Liaison Meeting, 17 June 2021	<ul style="list-style-type: none"> • In the year to date (17 June) Woodlawn has accepted 59 tonnes of waste locally and 264 tonnes from Sydney. • YTD energy production was 25,007 MWH. Methane extraction was equivalent to taking 67,000 cars off the road monthly. • Odour complaints have risen this year compared to the same time last year. Odour is linked to the wet weather being experienced this year. Veolia is placing mulch over the pile as this is a proven method to reduce odour by acting as a filter. The last 'odour event' was in 2015-16. • Concern was expressed (again) by Veolia and particularly the Tarago community reps and the Goulburn-Mulwaree Councillor rep at the slow pace of roadworks by QPRC on the Tarago Rd. The opening of the road to Nowra through Nerriga was also placing greater than anticipated strain on the road network which needs to be addressed by both councils to the State Government. • Plans for the waste to energy recovery plant are progressing as a state significant development.

Cr Pete Harrison		
No	Meeting/Function/Event Attended	Summary of Key Points
1	Dargues Reef Community Consultative Committee (DRCCC), 21 June 2021	See attached Cr Harrison's Delegate's report and listed attachment.

Attachments

- Attachment 1  Cr Harrison's 21/06/21 DRCCC Delegate's Report (*Under Separate Cover*)
- Attachment 2  Cr Harrison's 21/06/21 DRCCC No 40 - attachment 1 (*Under Separate Cover*)

14.1 Responses to Councillors' Questions (Ref: ; Author: Ferguson/Ison)

File reference: 28 July 2021 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 (<i>Under Separate Cover</i>) |
|  Attachment 2 | Response to Item no 342 (<i>Under Separate Cover</i>) |
|  Attachment 3 | Responses to Councillors' Questions with confidential information (<i>Under Separate Cover</i>) - CONFIDENTIAL |

15 NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION

It is necessary for the Council to adopt a resolution to formalise its intention to deal with certain matters in Confidential Session. The reports are incorporated in the “confidential” business paper which has been circulated to Councillors.

The *Local Government Act, 1993* requires the General Manager to identify those matters listed on the business paper which may be categorised as confidential in terms of Section 10A of the *Local Government Act, 1993*.

Recommendation

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

Item 16.1 Solar Farm - Planning Agreement

Item 16.1 is confidential in accordance with s10(A) (c) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Item 16.2 Potential Sale - Burra Road Property

Item 16.2 is confidential in accordance with s10(A) (c) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.